

The Calcutta Monthly Journal

Vol. 3

1837

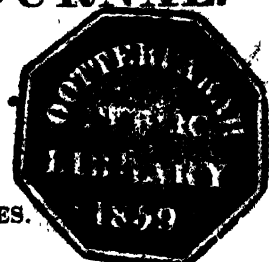
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THE CALCUTTA MONTHLY JOURNAL. ASIATIC NEWS.

1837.

LORD AUCKLAND'S SCIENTIFIC SOIRÉES.



The Governor-General's third *soirée* was equally attractive with the two preceding ones, although perhaps the number of articles displayed was less numerous.

The fine arts contributed their due and proper share to the entertainment, and threw into shade the less dazzling, but more rare, productions of the ancient world.

The eye on entering the hall was first drawn to the beautiful cups, presented to be run for at the ensuing Races by Lord Auckland and by Baboo Dwarkanath: they are indeed *chef d'œuvres* of the rival artists Messrs. Pittar and Hamilton and it is difficult to assign the palm of elegance, taste or good workmanship between them. But we must look upon these as adjuncts only to the proper and scientific entertainment of the evening.

On the same table with the Auckland Cup, was arranged for exhibition, the superb series of national medals presented to General Allard by the French Monarch, as a species of equivalent for the rich collection of Babylonian coins deposited in the Royal Library at Paris by the General on the part of their discoverer the Chevalier Ventura. They well merit a minute examination.

Of other beautiful works of art, we observed a marble mosaic chess-board inlaid with patterns copied from the Taj at Agra, exhibited by the Revd. Mr. Parish, and illustrated by a portfolio of drawings of every detail of that "pride of India."

A large copper-plate map of India in the devanâgaré character—the first proof of the Cochinchinese Dictionary and of the *Atf-lela*, were among the literary novelties. A wax model of the human brain, taken to pieces to exhibit its interior structure, excited a great deal of attention, and was explained to enquirers by Mr. Principal Bramley. In osteology, we had an opportunity of inspecting the wondrously slender and perpendicular frame of that solemn guardian of our steeples and chimney tops, the ajutant,—and at the other end of the room, of that near approach to humanity, the caricature of the skeleton of man, the ourangoutang of Sumatra.

Of fossils, the series selected for this evening exhibited an animal now wholly alien to the continent of India—the hippopotamus. The Asiatic Society's Museum is indebted to Colonel Colver for some very superb heads and fragments of jaws and tusks of this extinct species, (for it was pointed out that the fossil has six incisors in lieu of four, as in the modern species of Africa): a paper printed in the *Researches* by Dr. Falconer and Captain Cautley, with admirable plates was at hand to compare with the actual specimens. We noticed also a very huge fragment of a crocodile's jaw, fossil and differing much from its modern congener.

On one table was laid out a complete series of specimens of the Salt formation of the celebrated lake of Sambhar, collected by Lieutenant A. Conolly; on another, a dozen fragments of meteoric stones, stated to have fallen in India at various places and times. They so much resembled one another as to convince the mind that they must belong to one and the same asteroid. We heard it remarked as a new discovery, that more of these bodies were met with in the part of the earth's orbit

traversed in the middle of November, than elsewhere. This is worthy of further attention from our naturalists.

A model of an ingenious method of discovering the existence of shoals and snags in River Steam Navigation was exhibited by Dr. Ranken, by means of feelers in advance of the Steamer; but we did not rightly see how the motion of the boat could be arrested so soon after their discovery as to be saved from the consequences.

After *parcourant* these various objects for a time, the Company was summoned into the central hall, where the oxy-hydrogen microscope was erected for exhibition.

The room was well darkened and afforded a clear view to a numerous assembly, among whom the native gentry were naturally there, whose curiosity was most awakened by this (to them novel) spectacle of wings, feathers, hair, silk, and creeping things of all variety magnified to the proportion of the unwieldy elephant. A large assortment of graduated objects was skilfully arranged by Dr. Haller, who stood in front and explained their names and functions. The living infusoria and larvae of various kinds caused the greatest amusement, as they seemed to chase one another over the field, or were swallowed by some more voracious inhabitant of the "ditchers" potable liquid! An experiment performed at Captain Forbes's suggestion, of pouring a few drops of brandy into the water, followed by the speedy extinction of the moving group, will doubtless be remembered and practised by many who have hitherto considered the sacred water of *gunjare* to be free from all vital contamination.

Among the objects exhibited at the *Soirée* were the two magnificent silver Vases presented by Lord Auckland and Dwarkanath Tagore to the Calcutta Races. The Auckland Cup is a splendid vase. The largest we have ever seen in Calcutta, of a noble design worthy of the donor; and the execution of the work by Messrs. Pittar and Co., his Lordship's Jewellers, has done ample justice to the taste of the *Misès Edén*. The lid is surmounted by a horse representing a miniature (we are assured very exactly) the famous Arab Godolphin. In the place of handles, there is on each side a horse springing forward, and the same emblem of the turf forms the principal ornament and support at the base. The Tagore Cup appeared to us little less massive than the other; the weight of it is about a thousand tolas. The design is of a character quite novel and emblematic of India: the pedestal is a *cudjoor* or date tree, supporting an Etruscan Chalice with a broad lid, in the center of which rises a lotus flower with two leaves, as beautifully executed as admirably designed. Round the base, and at the foot of the palm tree, are four gilt figures of horses and two of mares with each a foal at her side. The horses appear to support the Cup, the lower part of the date tree being hidden by a sort of beaded drapery, resembling clusters of the fruit, with vine leaves and grapes festooned between the figures. The Cup is gilt inside: it stands upon a frosted silver plateau, resting upon four horn-hoofs; and around the vase is an engraved representation of a race and the Calcutta racing stand. The workmanship is a *chef d'œuvre* of Messrs. Hamilton and Co.—Calcutta Courier, January 4, 1837.

MRS. ATKINSON'S SOIREE.

Mrs. Goodall Atkinson's fourth soiree took place on Monday night, the 9th Jan, and there was a good audience, considering the size of the room in which her musical entertainment was given. This lady sang in her usual effective manner, but was not, we think, well supported in some of the pieces by the other parts. The bass throughout was defective and the tenor often out of tune. Mozart's beautiful aria, *Deh per questo*, which followed the opening glee, was well executed and the minor parts given with much effect. The frequent transitions introduced in this composition require, for their correct expression, that sort of feeling and judgment so essential to the more elaborate and exquisite productions of that master spirit of the divine art. Mrs. Atkinson did not fail in this respect; but we will take the liberty of pointing out one fault which we have sometimes observed in her singing, and that is the habit she has of indulging herself in ornamental cadenzas out of place, a defect which certainly mars the effect of her style, and which we would suggest the propriety of her correcting. The *giot no d' orrore* from Rossini's *Semiramide*, was not so well sang as the *terzetto*, *O dolce caro amante* by Cimarosa. Here we must observe that the very indistinct manner in which the singers (Mrs. Atkinson excepted) articulated the words of this piece rendered it impossible to understand them. It is a great fault with many otherwise excellent English singers, that they hardly ever pronounce the words in singing sufficiently distinct. The structure of the English, German, and, with certain modifications, of the French language, is perhaps averse to the easy, flowing expression of words in vocal music, and this may be the cause of the fault being so general. But the same cannot be said of Italian, which is pre-eminently the language of music, and ought to be studied by those who attempt to figure in that department of the art which is more difficult of attainment than they imagine singing Italian music to be.

The piece, however, which Mrs. Atkinson sang the best, was the well-known Irish air of "My lodging is

on the cold ground," with variations by Drouet, originally written for the flute. Nothing could have been more striking than the very beautiful effect which the chord of the *flat seventh*, introduced in the latter part of the first bar, created on the ear. Mrs. Atkinson very properly struck the notes *pianissimo*; and we have observed every composer, who has taken the air as a theme for a fantasia, or rondeau, adopt the same chord in that part of the air. The use of the *diminished seventh* in the following bar accurately expressed the idea of melancholy conveyed in the words.

The second part of the performance commenced with a quartett, '*ah grazie vi rendano*, from Mozart's *La Clemenza di Tito*; we here also remarked the same indistinct articulation we have above mentioned. The arrangement of this second part we thought inferior to that of the first, and the singing altogether was evidently too much for one lady to go through. Cannot Mrs. Atkinson vary her Soirees by the introduction of more instrumental music? We are not exactly aware of her powers as a *pianiste*, but she might, perhaps, favour her hearers, with amateur or professional assistance, with some performance on one or more instruments. There are few solo or concert players in Calcutta; but there may be some who would have no objection to take a part in a duet, trio, or quartett; and with reference to the piano-forte itself, we are of opinion (though others may differ from us) that a fine well played concerto, or fantasia, from the compositions of Handel, Moscheles, Herz, or any other great composer, is as capable of creating pleasurable feelings and affording rational amusement, as the most finished vocal piece—to those who can feel the magic of harmonic sounds. To corroborate this we only instance the extraordinary impression and effect produced on the hearers by Paganini's performance on the violin.

The guitar accompaniment and songs in the first part were so execrably discordant that we hope Mrs. Atkinson will not inflict upon too sensitive ears a repetition of the same.—*Englishman*, January 11.

BANK OF BENGAL.

Balance of the Bank of Bengal, the 31st December, 1836.

Dr.	Co's Rs.	A. P.
Cash and Government Securities,...	97,57,623	7 7
Loans on Deposit of Government Securities,.....	59,72,655	7 6
Bills on Government Discounted,....	33,62,744	9 3
Private Bills Discounted,.....	18,88,701	3 0
Joint Liability Bills and Notes,...	5,92,385	10 8
Purchasers of Pledged and Forfeited Securities,.....	4,28,673	15 3
Doubtful Debts,.....	80,630	0 11
Accounts of Credit on deposit Securities,.....	9,99,226	4 1
Advance for Legal Proceedings,.....	2,226	1 5
Dead Stock,.....	1,19,870	8 7

Company's Rupees.. 231,94,737 4 2

Co's Rs.	A. P.
Bank Notes and Post Bills Outstanding and Claims payable on Demand,.....	1,50,91,739 7 6
Suspence Account, B. N.....	43,908 2 4
Suspence Account,.....	3,62,347 7 0
Net Stock,.....	76,96,742 3 4

Company's Rupees.. 231,94,737 4 2

(Signed) H. J. LEE, Acting Accountant.
(Signed) C. MORLEY.
" H. T. PRINSEP.
" W. MARTIN.
" W. F. FERGUSON
" J. DORIN.
" THOS. LEACH.
" B. HARDING.
" W. PRINSEP.

REMARKS.

The items of the foregoing Statement, which would appear to call for remark, are "Joint Liability Bills and Notes," "Purchasers of Pledged and Forfeit Securities," "Doubtful Debts," "Advance for Legal Proceedings," "Suspence Account, B. N.," and "Suspence Account." "JOINT LIABILITY BILLS AND NOTES."—This item is the balance of the principal amount of the Acceptances, (with charges) for which the Estates of Messrs. Crutenden, Mackillop and Co., Alexander and Co., Ferguson and Co., and Mackintosh and Co., are liable. For this sum the Bank holds the direct liability of the four Firms.

"PURCHASERS OF PLEDGED AND FORFEIT SECURITIES."—This item shows the Balance of the Acceptances for which the Collateral Securities of the Estate of Messrs. Alexander and Co. have been sold:—the Title Deeds of the several Properties remaining with the Bank pending payment in full of the purchase monies. Since the last Report the balance has been reduced in the sum of Co.'s Rs. 1,27,939-0-11.

"DOUBTFUL DEBTS."—The sum of Co.'s Rs. 80,630-0-11 is the balance of Co.'s Rs. 7,66,644-14 0, the difference having been written off as Bad Debt. This balance was valued by the Directors on the 31st of December last at Co.'s Rs. 1,65,144-2.

The profit on the Banking Business of the past three months, including the Premium of the New Stock lapsed to the Bank and sold by it on its own Account (under Section 6 of Act XIX. of 1836), amounts to Co.'s Rs. 1,96,742-3-4, or at the rate of Co.'s Rs. 10-7-10½ per

Cent. per annum on the Stock. Of this sum the Directors have declared a Dividend at the rate of Co.'s Rs. 10 per Cent. per annum or Co.'s Rs. 1,87,500, for the Quarter ended the 31st December last, and the balance Co.'s Rs. 9,242-3-4 has been carried to Doubtful Debts, towards liquidation of that Account.

Exclusive of the Profit arising from the Premium on the New Stock sold as before-mentioned, the Profit will give an amount equal to a Dividend of Co.'s Rs. 8-10-4 per Cent. per Annum on the Capital Stock.

"ADVANCE FOR LEGAL PROCEEDINGS."—The amount of this item was advanced to meet the Costs of the Appeal made by the Assignees of Palmer and Co. against the Judgment obtained by the Bank in the Supreme Court, in the matter of Surplus Proceeds of the Company's Paper of the Estate of Messrs. Palmer and Co. held by the Bank.

"SUSPENCE ACCOUNT, B. N."—The sum at Credit of this Account is the balance of Outstanding old Bank Notes marked A. Since the Report of the half year ended 30th June last, only Co.'s Rs. 247-7-6 of Notes of this description have been paid.

"SUSPENCE ACCOUNT."—The sum at Credit of this Account consists of the interest on the Advances of Indigo made to the Assignees of Alexander and Co., and of other items relating to the Bank's transactions consequent on the failure of the late Firm of Messrs. Alexander and Co.—*Calcutta Courier*.

By Order of the Directors,

G. UDNY, Secy. to the Bank.
Bank of Bengal, 5th January, 1837.

UNION BANK.

The Annual Meeting of Proprietors, took place according to notice, at the Bank on Saturday morning, the 14th Jan., Capt. Vint, in the chair.

The Secretary read the following Report of the last half year's proceedings.

Report of the operations of the Union Bank, from 1st July to 31st December, 1836

The present half yearly report exhibits a continued favorable state of your affairs.

The net profits of the past six months, amount to Co.'s Rs. 29,902-11-11; being at the rate of 2-2-10½ per cent. per annum on the actual Capital Stock. This though rather more than 2 per cent. under last half year, is still very satisfactory: The difference may perhaps, in some degree, be ascribed to a diminution of more than a lack in the circulation of our notes. The highest and lowest points of issue last half year, were Co.'s Rs. 7,57,000, and 4,94,000; this year they are only Co.'s Rs. 7,05,000 and 3,23,000, a falling off in about the proportion of 5 to 6. It seems probable that the circulation is somewhat affected by the continual inconvenience of using Sicca Notes jointly with the new coinage in Company's Rupees, which renders troublesome fractional calculations and payments, necessary. This point however, will soon be put to the test; as the last advices from our agent in London, Sir Charles Cockerell and Co., assured us of the probable dispatch of our new Company Rupees Notes in the course of August, and they will doubtless, soon arrive and pass into circulation.

Of the thirty supplementary shares—the privilege of Proprietors in Europe—all have been taken up except six. The resolution of the 14th February last year, required shareholders in India to take them up by the 30th April and absentees in Europe, by the 31st December; in default of which, their privilege of sub-

scription at par for supplementary stock would be forfeited, and sold among the other proprietors. These six absentee supplementary shares are now therefore liable to be sold as above; unless you should think it expedient to extend the time a little longer under all the circumstances of the case. The individuals concerned are only two; they have been several years absent, and are original bank proprietors; one a gentleman in the army, holding two shares; the other of the Civil Service, holding four; but the agent in Calcutta of one, has no power to act in this matter; while the Bank itself represents the other, under instructions left with us to carry his dividends to an accumulating account, large enough now to pay for 3 out of his 4 supplementary shares. No advices have ever since been received from the party. At present market prices the value of the three would more than pay for all four.

I shall conclude this report with a few words—and for the last time I hope—on the subject of the Bank "DEPENDENCIES."

In the last report it was shewn how this item, which formerly stood at the formidable amount of Sa. Rs. 2,72,201-4-10, or Co.'s Rs. 2,90,348-0-9, (representing all the losses of the Bank since its commencement) had been nearly extinguished within a comparatively short period, by partial recoveries and by surplus profits, amounting together on the 30th June last to Co.'s

Rs.	2,83,806-8-9
Leaving uncovered only (Co.'s Rs.	6,541 8 0
Against this is now to be set a further reserve of profits from the last half year, amounting to.....	21,783 2 6
Leaving an absolute balance in favor of the Bank.....	15,241 10 6

To this amount then—of Co. Rs. 15,241.106—there is at length a tangible nett surplus in hand, to which may be added any portion of the present divisible profit of 12-2-10½ per cent. or nearly 1,30,000 Rs. which you may consider it expedient to keep in reserve from the dividend which you are about to declare. Something more may be expected from the estate of Palmer and Co.—we are assured by the assignees—and something considerable we expect from the estate of Gopey Mohun Dass. These will henceforth reckon as so much clear gain; and the whole taken together, will more than enable us to write off the remnant of 7,000 Rs. of old notes, and to pay for the new ones estimated at £1,000 or 1,200 without deductions from future dividends.

If you now determine to divide 12 per cent. or nearly the whole six months profit as reported, namely Co. Rs. 1,29,902 11 11 there will remain actually in reserve only Co. Rs. 1,952
The dividend on each full share will be 162
On each supplementary do. 54

If you divide 11 per cent. a reserve will remain of 12,587 11 11
The dividend on each full share will be 148 8 0
On each supplementary do. 49 8 0

If you divide 10 per cent. a reserve will remain of 23,252 0 0
The dividend on each full share will be 135 8 0
On each supplementary do. 45 2 8

Union Bank, 14th January, 1837. J. YOUNG, Secy.

The following resolutions were unanimously carried.

I. Proposed by Mr. H. M. Parker, seconded by Capt. Sewel—That the Secretary's Report now read, is approved and that it be published.

II. Proposed by Mr. J. Mackenzie, seconded by Mr. S. Smith—That the accounts now submitted are approved and passed by this Meeting, and that the books be closed accordingly.

III. Proposed by Mr. W. Bruce, seconded by Mr. K. R. Mackenzie—That a half yearly, dividend at the rate of eleven per cent. per annum, being Co.'s Rs. 148-8 per full share and Co.'s Rs. 49-8, per supplementary third share be now declared.

An amendment was moved by Mr. Parker that instead of 11, the dividend be 12 per cent., which amendment was carried unanimously.

IV. Proposed by Mr. W. R. Young, seconded by Mr. J. Ferguson.—That the Directors nomination of Baboo Dwarkanath Tagore to act as Director for Wm. Carr, Esq. and R. S. Thomson, Esq. in the room of F. H. Burkinyoung, Esq., pending the confirmation of the Proprietors, are hereby confirmed accordingly.

V. Moved by Mr. K. R. Mackenzie, seconded by Mr. H. M. Parker, That six months more be allowed to Colonel Childers, H. M.'s Service, and E. Stirling of the H. C.'s Civil Service absent in Europe, to take up the six supplementary shares allotted between them, which will be sold peremptorily at the next half yearly meeting, if not availed of by the 30th June, 1837.

VI. The thanks of the meeting were then moved by Mr. R. S. Thomson, seconded by Mr. W. Bruce and carried unanimously, after which, the meeting broke up.

THE TRUSTEES OF THE UNION BANK ACCOUNT CURRENT WITH THE PROPRIETORS.

DE.

DECEMBER 31, 1836.

To Establishment and House Rent, from 1st July to this date..... Co.'s Rs. 27,203 9 8
To Charges General—being for law Charges, Stamps, Stationary, &c. &c..... 4,206 15 3

To Dead Stock—for amount written off for the half year..... 400 0 0
To Printed Bank Notes—written off against them..... 1,000 0 0

To Balance—due to the Proprietors—
In Silver..... 2,25,315 5 0
In Bank of Bengal Notes..... 14,46,112 0 0

16,73,427 5 0
In Dead Stock..... 4,320 0 0
In Printed Bank Notes..... 7,000 0 0

Realizable—Government Bills discounted..... 8,24,311 14 0

Private Bills discounted..... 15,80,742 15 2

Loans on deposit..... 14,75,511 14 11

Cash credits..... 17,84,004 7 8

Government 5 per Cent. Paper..... 1,36,640 0 0

Government 4 per Cent. Paper..... 2,40,120 0 0

At the Bank of Bengal..... 0 15 0

Bills on the Court of Directors..... 3,702 12 7

In Suspense account being Interest on Loans, Government Paper, &c., less interest paid to Depositors..... 63,636 13 8

Dependancies..... 1,76,27 12 11

21,03,851 9 11

79,78,598 14 11

Debts—due on floating accounts..... 40,05,610 11 1

Due on fixed accounts..... 7,75,689 5 2

Due for Union Bank Notes in circulation..... 7,05,175 7 5

Due on eight Dividends accounts..... 14,500 0 0

Due on Dividend account of July, 1836..... 4,01 0 0

55,05,636 7 8

24,78,962 7 3

Co.'s Rs. 25,06,773 0 8

Shewing on subscription of 600 original shares..... 16,20,000 0 0

And of 592 new or supplementary ditto..... 5,32,800 0 0

21,52,800 0 0

A profit (after deducting Dividends paid) of..... 3,21,102 7 3

24,72,902 7 3

Cr.

JULY 1, 1836.

By Balance of account rendered to 30th June 1836, being subscription on 600 shares, at Co.'s Rs. 2,700 each..... 16,20,000 0 0

On 592 new shares, at Co.'s Rs. 900 each..... 5,32,800 0 0

21,52,800 0 0

Add amount of apperant profit to that date..... 2,97,071 11 4

Less Dividend paid to Proprietors..... 1,06,812 0 0

1,90,259 11 4

23,43,059 11 4

By discounts realized to this date..... 67,379 0 1

Less appertaining to the half year ending 30th June 1837..... 6,933 0 1

60,447 0 0

By Interest realized to this date..... 45,151 4 0

Add due on outstanding Loans..... 28,327 7 9

Add due on cash Credits..... 22,842 6 7

Add due on Govern- ment 5 per Cent. Paper.	6,174 1. 10
Add due on Govern- ment 4 per Cent. Paper.	8,564 0 8
Add due on overdue Bills.	7,682 1 2
	<hr/>
	1,16,042 6 0

Less, paid on Depo- sits accounts	15,376 1 2
	<hr/>
	1,00,666 4 10
	<hr/>
	1,03,713 4 11
	<hr/>
	Co's Bal. 25,46,773 2

Calcutta, Union Bank,

Errors Excepted,

The 31st Dec. 1836.

A. H. SIM, Accountant
India Gazette, Jan 10.

THE NEW BOMBAY BANK.

Since our last there has been considerable bustle among the mercantile portion of our community, in getting up a Bank. We had heard it rumoured some short time ago that there was some intention of setting such an institution on foot, but we had not dreamt that it was so near a state of maturity as the proceedings which have taken place within these two last days would indicate.

At twelve o'clock on Monday, a Meeting was held on the subject, and it was then determined that the Capital of the Bank should be fixed at lakhs thirty, and that the same should be subscribed in three thousand shares of 1000 rupees each. Before the meeting had separated about one-half of that amount was subscribed, and within the following twenty-four hours the whole three thousand shares were engaged. Several further applications were made in the course of the day, but the parties were disappointed. Thus in the course of twenty-four hours thirty lakhs of rupees were subscribed as a capital for the Bank to commence its operations with.

It may be doubted whether, as the Bank is intended to rely for its strength on the community at large, the amount fixed on each share is not by far too high; in fact it is but a mere section of the public that have had an opportunity of purchasing shares; and we believe that the greater the body the greater the grounds of security and the better chance of success. Besides, the exclusion (for it amounts to an exclusion) of the bulk of the people from the benefit of the scheme, gives an air of selfishness to it which not only may most materially injure it, but which we believe the parties concerned in getting it up may not be justly charged with. So it stands, however, and the only course now left to be pursued is to lessen the value of the shares that the door may be open to such as may be disposed to enter.

The only other alternative that is left, is the encreasing the capital, but that we would not at present advise: the amount already fixed is enough to allow the Bank to try its strength and what its power may be; and should circumstances hereafter require an increased capital, the Charter will afford the necessary means, as it will provide for a contingency of that nature by authorising a further subscription; but in the meantime the amount subscribed is enough, and the only course left is, to lower the value of the shares.

The Agra Bank, if we recollect rightly, fixed the share at Rs. 250, and how that Establishment has succeeded we all have heard; the shares of our Bank ought to be fixed at that time, as then every individual desirous of subscribing would have an opportunity of doing so. Our Mofussil friends could also by these means establish an interest in the Bank, and many of them no doubt will be as anxious to patronize the institution as the people of the presidency. At all events let them have the opportunity of applying to advantage a little of their disposable stock.

But should Rs. 250 be thought too small a value (we do not think so, however, for we believe that in one month or even less the whole shares would be taken up) let the

share be reduced to at the outside Rs. 500, and even that reduction would in some measure pacify the public, as it would double the shareholders.

The prospectus has not yet been completed, but we hope to see it in a day or two: it is a pity that it has not been made public ere this, as the community are naturally anxious to learn the principles on which the Bank is to be established.

What will remain to be done, after the adjustment of the value of the shares, is, the obtaining a charter. Some twelve or fourteen years ago an attempt was made to establish a Bank here, but the Court of Directors, with whom then rested the power of sanctioning the establishment of Banks in this country under charter, put their veto on it, so it was allowed to go to rest. It is urged by some, that the same controlling power still exists with the court, while others contend that the Government of India have full power to grant such charters, but we incline to the opinion (formed however from no other materials than an indistinct recollection of the tenor of the several late acts affecting this country) that the Government of India has not the power to grant a charter; but that can be of little consequence; the same reasons do not now exist which did in 1822, to induce the court to refuse that which may be of benefit to this country; the court represented a trading body whose interests would be affected by the grant of the gift coveted, so they had an alternative but to refuse it; now the case appears before them in a totally different aspect; it is now simply a question whether the existence of a Bank in Bombay will be of advantage to the public while it comes in collision with no interest chartered or otherwise, and while almost all the mercantile community represent that it will be to the advantage of this presidency that it be established? Little doubt need, therefore, we think, be entertained of the result, and indeed we should be wanting in what we owe to ourselves, were we any longer to stand as we do; Bombay is too tempting a mart for Banking interests to be much longer overlooked by those establishments which already exist in this country; nor should we be much surprised to find interlopers from places even still further removed; Calcutta had been just feeling its way here, so we have wisely resolved to adopt the old proverb for our rule—"to give our own fish guts to our own sea maws."

As bearing in some measure on the above subject we may allude to an application which we understand was made to Government a day or two ago by a few of the houses here, requesting an issue of treasury notes as a substitute for the more clumsy medium of silver. Doubtless such an issue would be a great convenience, as it would save an immense deal of labor and time, but we cannot see how that issue, if made to the extent pointed out in the application made, could in any way supersede the necessity of a Banking establishment; the one has nothing whatever to do with the other; the Bank is intended to give a wholesome impulse to trade, by

placing money on easy terms at the disposal of the community; but how the Government issue could effect the same purpose we cannot discover.

If no doubt will be contended that the Bank, from the nature of its transactions and the facility it may afford to the raising money at a moment's notice, will be instrumental in leading to a spirit of speculation which may eventually be productive of very bad consequences, but the same argument could with equal propriety be applied to every institution of a similar nature under the sun; and it can with equal justice be said that the Bombay Bank can be placed under just the same wholesome restraint as all the other successful institutions of a similar nature are; there appears therefore very little in that objection, and it is only to be listened to as an admonition in framing the Charter now intended to be applied for.

We believe there is little else left for us at present to notice on this subject beyond the fact, as we have it on the very best authority, that five greater portion of those who have taken up the shares are perfectly willing to allow such shares to be reduced in value with a view to the admission of as many as possible of those who may feel desirous of becoming shareholders.

By our next issue we hope to be favored with the prospectus for publication, when we may take some further notice of this subject.—*Bombay Gazette*, Dec. 28.

PROSPECTUS OF A BANK FOR THE PRESIDENCY OF BOMBAY.

The prospectus of the Bank, which it is proposed to establish here, will be found below: in noticing it in our last we stated that the project had been received favorably by the mercantile community; and that two-thirds of the capital required for it were subscribed on the very day it became known to the public generally. We have merely now, therefore, to add that, on the day after, the remainder of the 30 lakhs was taken before 12 o'clock; and since then, the applications for shares have been so numerous that no doubt can any longer remain as to the sentiments of the community generally with regard to the undertaking.

Indeed, we believe some annoyance has been occasioned by the quiet way in which the affair has been conducted, from its having deprived many of an opportunity of joining the institution who would now gladly avail themselves of it. But this was unavoidable; or at least, was rendered expedient by very serious doubts as to the manner in which the plan would be supported; and that these were by no means groundless is proved by the way in which numerous individuals hung back at first, who have since applied, though in vain, to subscribe for large portions of stock. It is most unreasonable, therefore, now to complain of the course which has been pursued on the occasions. Common prudence required the parties who convened the meeting on Monday last to proceed with great care for the purpose of ascertaining how far individuals were inclined to support them, as a failure would have been attended with ridicule, and perhaps with consequences still more serious. We are, besides, of opinion, that it is almost indispensable for the success of projects of this kind, that they should be matured in private; and if some are thus prevented from joining them, all that can be said is, that the evil is an unavoidable one. Had the prospectus we publish to-day gone the round of the papers before it had been acted upon, and been criticized, as it undoubtedly would have been, the motives of those who had interested themselves in it might—nay, undoubtedly

would have been misrepresented, and what is of more importance, it would have been almost impossible to get a large number of persons to agree to it. Every man who had ever been in a bank to get change for a pound note, would have had his amendment; and the result would undoubtedly have been as inconsistent and impracticable a scheme as ever emanated from the hasty resolutions of a multitude. We have merely to add, that we trust those who are still dissatisfied with what has been done will pursue an opposite course, will court publicity in all their plans and undertakings from their very commencement, and then mark the result.

We also publish to-day a memorandum which appeared in the last *Gazette*, containing an account of another plan for securing some of the benefits of banking to this community. The evils of a metallic currency seem to be admitted on all hands; and the day, therefore, we believe, cannot be far distant when some of them will be removed.—*Bombay Courier*.

The rapid extension of the commerce of Bombay, and a great increase of capital within the island, ready for profitable investment, render the present moment, it is believed, peculiarly fitted for the establishment of a Bank.

The want of such an institution has long been felt by the commercial community, and the recent withdrawal, by Government, of the privilege of making deposits and transfers at the Treasury, has increased it to a considerable degree.

The general principles of banking are so simple, its advantages so generally admitted and so thoroughly established by the practice of all large commercial communities throughout the world, that to bring forward general reasons in favor of its introduction into so great an emporium as this, is deemed almost superfluous.

To show, however, both the want and the opening in this place for such an institution, it may be noticed, that the average balance of sums placed in the Treasury by a small number only of merchants and other traders, as a place of mere deposit, has, for some years past, been upwards of 20 lakhs of rupees, the whole of which, it is believed, would be readily transferred to a secure and well conducted Bank.

Our metallic currency, occasioning serious loss of time, and other inconvenience, in the transfer of large sums, affords another reason for an establishment which would facilitate such transactions, and reduce the expences attending them.

As a place of discount, too, it is believed that a bank would afford here, as elsewhere, the most considerable facilities to trade by greatly economising the capital required for carrying it on; and as establishments of the kind have been so long in operation at both the sister Presidencies, and have been attended with the most undoubted advantages, nothing further can be necessary to prove the expediency of a similar one here.

It may be added, however, that, as projects of a like nature to the present are entertained, with reference to this presidency, both in England and Calcutta, and that, should they be carried into effect, its floating capital, the extension or contraction of its currency, and generally, the control and superintendence of all its great monetary transactions would be transferred from the spot to parties at a distance, and possibly with hostile interests, no time should be lost in anticipating designs that may prove so prejudicial to the trade and prosperity of the place.

IT IS PROPOSED THEREFORE.

1st.—That a Bank be established here, to be entitled the Bank of Bombay, and that a society be incorporated for the purpose of carrying it on.

2d.—That with this view a Charter be applied for to the proper authorities, and that the Bank do not commence operations until such Charter has been obtained.

3rd.—That the Charter granted to the Bank of Bengal be adopted as a model, and that all the provisions therein contained (which it is supposed will be sufficient) to guarantee the utmost possible security to the public, be admitted in the first instance, subject nevertheless to the adoption of such other practicable and reasonable rules and restrictions as may hereafter be considered necessary or advisable.

4th.—That the business of the Bank be strictly confined to banking; or in other words, to receiving deposits, and keeping cash accounts; to discounting bills and drafts, and other instruments of the kind; and lastly, to issuing bank notes, in the current coin of the place, and bank post bills payable at short dates.

5th.—That the principle in which the institution is conducted, be that of the most perfect publicity as to the general state of its affairs; without however exposing in any way individual transactions.

6th.—That the capital of the institution be 30 lakhs of rupees, to be divided in 3,000 shares, of one thousand rupees each.

7th.—That such capital be subscribed upon the clear understanding that the whole will be required, and must be paid up within a short period (say 12 months) after the Charter shall have been obtained. The date and amount of the several instalments to be fixed by the Committee hereafter mentioned.

8th.—That no individual be restricted as to the amount of his subscriptions; but that the rules in force in other institutions of the kind to prevent an overwhelming influence on the part of great capitalists be established. Provided, however, that no more than one-half of the proposed capital be allowed to be subscribed at the present meeting; or by the members present; and that the remaining half be offered to the public during two months; at the end of which period, if any should remain untaken, the original subscribers be permitted rateably to increase their subscriptions.

9th.—That of the above amount 300 shares be reserved for government in case they should be willing to join the institution upon the same terms that the capital of the Bank of Bengal is taken by the government of India.

10th.—That as soon as one-half of the capital shall have been subscribed a provisional Committee of eleven persons be appointed to superintend the application for, and the provisions of, the proposed Charter, and all other matters of a preliminary nature.

11th.—That on the Charter being obtained, the shareholders shall meet for the election of officers to manage the institution, and for the passing of bye laws for its government, and such other business as may then in due course come before them.

12th.—That Europeans and Natives be alike eligible for office.

13th.—That the parties subscribing hold themselves responsible, rateably under the above conditions for the amount of their subscriptions, and for all necessary and reasonable charges which may be incurred by the Committee in procuring a Charter, and generally in setting the establishment on foot.

14th.—That an instalment of one per cent. upon the amount of the subscriptions be paid within ten days of the time they are made, by the parties subscribing; and that if not paid at the end of that time their right to take stock be cancelled.

Bombay, 26th December, 1836,

At a Meeting held at the office of Messrs. Skinner and Co. on the 26th day of December, 1836, it is resolved, 1st.—That the above Prospectus be adopted.

2nd.—That the following gentlemen do act as a provisional committee for the purpose of securing a Charter for the institution, and of attending to the interests of the subscribers until it is in operation.

Messrs. F. R. Richmond, A. S. Finlay, J. Wright, D. Greenhill, W. Turner, Col. Wood, Captain Henderson, M. Brownrigg, Dadabhoi Pestonjee, E. C. Morgan, and G. Ashburner.

And that Mr. Ashburner do act as Secretary to the Committee.

3rd.—That Messrs. Dadabhoi and Muncherjee Pestonjee be appointed to act as Treasurers.

4th.—That the Prospectus be published in the Native and European newspapers of the Presidency.

G. ASHBURNER, Secy.

At a Meeting of the Bank Committee, held on the 30th December 1836, it was resolved, that, in consequence of the capital of the proposed Bank of Bombay having been all subscribed, and the applications for shares in the institution having greatly exceeded the number allotted by the prospectus, the Secretary be empowered to receive further applications for the same purpose and register them until the 1st of February next, and that the subject be then taken into consideration, and such further proceedings be recommended upon it, as may appear just and equitable.

G. ASHBURNER, Secy.

ISSUE OF TREASURY NOTES AND THE NEW BANK.

MEMORANDUM.

The present circulating medium of Bombay being silver, is felt by the Mercantile community generally, and more especially by the large establishments, to be a source of great inconvenience in their transactions, involving as it does, from the bulk of it required to make up any considerable sum, much trouble and risk in removal from place to place; while it occupies much time in telling it over, besides entailing great responsibility on the parties with whom it is deposited.

These great disadvantages, and as such they are felt, more or less, by all the mercantile community, might be greatly if not wholly obviated, by an issue by Government of Treasury Notes not bearing interest, and payable on demand. Such an issue would be of great convenience; and if granted by Government, would likely occasion little trouble beyond that of at first receiving the cash in exchange, and which would not probably be called for again by the depositors for a length of time, so that if the Treasury Notes were once issued in the shape of Bank of England notes, the consumption of time and labor attending the measure would be small, while the management would be simple and of easy performance.

Government, in the years 1825 and 1827, issued such notes from the Treasury bearing interest at 6½ reas, and afterwards at 5 reas per cent. per diem; to what extent the issue took place the subscribers have not the means of knowing, but a pretty correct judgment might be formed of the trouble that would be involved if such a measure were resorted to again; and it is submitted it would, under the proposition now made, be much less in extent than formerly, as no calculations of interest would have to be made.

At the periods adverted to, the notes, moreover, were issued payable at twelve months date, which consequently amounted to a recall of them at the expiration of that period; but as no limit would be fixed for their discharge, under the proposed plan, so long as a note was in good preservation, it would not probably be returned, or if so could be re-issued.

It is supposed that an issue of Treasury Notes to the extent of 30 or 40 lakhs of rupees, in notes of Rs. 1,000 and upwards, would be sufficient to facilitate the monetary transactions of the Presidency.

The subscribers contend, that if the accommodation now solicited from Government is granted, nothing further is wanted at Bombay to put the monetary system on a good and convenient footing: nor do the subscribers conceive that any advantage would flow from the establishment of a bank, while numerous evils would undoubtedly arise from an issue of paper notes, not the representatives of real capital, and of which the last twenty years have afforded abundant proofs both in

England and Calcutta, while this place has escaped from the calamities which have visited them, which in the subscribers' opinion, has been greatly owing to fictitious issues and consequent false system of credit having prevailed.

The subscribers would respectfully draw attention to the evidence taken on the subject of Banks in India before a committee of the House of Commons, previous to the renewal of the present Charter. Signed, &c.

Bombay, 24th December, 1836 — *Bombay Courier*.

CEYLON, LEGISLATIVE COUNCIL.

The Governor, it will be seen, opened the proceedings of the legislative Council on Thursday last by reading a letter from Lord Glenelg to the body of merchants at Colombo, in answer to their memorial to the Secretary of State, respecting their non-acceptance of seats in council. The reply is just as was to be expected, and directs his excellency to fill up the vacant seat in the best way he can, provided the merchants adhere to their determination of not becoming members. This alternative Sir Robert Horton will, most probably, be obliged to adopt, as it is not likely that he will at the present stage, obtain the concurrence of any of those men who have publicly almost pledged themselves, individually and collectively, not to submit to the mode of introduction offered them. It will, therefore, be left for his successor, although the numbers may at once be completed, to fill the remaining unofficial seats of the council in such a manner as will be considered a high honour, as it ought to be, to hold the office of colonial legislator. This, we say, we rather fear will be the case; for as opportunities of reconciling all parties on this matter have been let slip, that would have been taken advantage of by persons of a little more tact, it becomes almost certain at this late period, when experience seems to have been of no profit, that affairs will not now be adjusted.

But on referring to the memorial of the merchants, and comparing it with this, so called, reply, it is apparent that Lord Glenelg has completely blinked or overlooked the main objection on the part of the merchants, which was amalgamation not precedence: and his lordship's not having even referred to the former is another proof of its having originated with the authorities here. When adverted to the constitution of the Legislative Council of Mauritius and the Cape of Good Hope, his lordship states, that the principle of precedence is observed at both those colonies. But permit us to ask him, are there negroes in the one, or Caffers in the other? and if so — is their sole qualification the receipt of Government pensions of a few hundred dollars monthly? Had Lord Glenelg given an opinion or information upon these points, his despatch might have been of essential benefit to Ceylon, instead of being, as it now is, satisfactory to neither party. To do this however, would have imposed upon his lordship the task of reading over the correspondence of the merchants to which he alludes as well as reams of despatches from Ceylon upon the subject. The easiest and most characteristic course for Lord Glenelg was therefore to take for granted some few short reasons furnished for his guidance. — (*Colombo, Observer, Dec. 20.*)

(From the Government Gazette, December 17th)

On the re-assembling of the Legislative Council on Thursday, the 15th Dec. The Right Hon'ble The Governor opened the proceedings with the following address:—
Gentlemen of the Legislative Council. — In resuming our duties here, I shall commence by reading to you a despatch which I have had the honor of receiving from the Secretary of State, relative to a Memorial presented by certain merchants of Colombo. The Despatch is as follows:—

DOWNING STREET, 8th July, 1836.

Sir, — I have the honor to acknowledge the receipt of your despatch of the 8th of January, with a memorial from the merchants of Colombo expressing dissatisfaction at the measures which you had taken for constituting the Legislative Council of your Government.

You also enclose a copy of the correspondence to which their memorial had given rise.

The memorialists complained on a former occasion of the delay which had occurred in completing the council.

This delay being occasioned by your anxiety to select fit and proper persons for the office of legislators, you had the satisfaction of receiving His Majesty's gracious approval of the caution which had regulated your proceedings.

The memorialists have again attributed your conduct in this respect to improper motives, but I see no ground for concurring in their opinions.

I learn from your present despatch, that having been able to select three natives of Ceylon for seats in the council, who together with three merchants would have completed the number of unofficial members, you had intimated your intention of conferring a priority of appointment on one of each class alternately, beginning with the merchants.

In consequence of this arrangement the merchants refused to sit in the council, denouncing, in terms which I need not here repeat, the principle of precedence as established by His Majesty's instructions, not only with reference to the unofficial members of the council amongst themselves, but also as regards the official and the unofficial members respectively.

The memorialists advert to the constitution of the Legislative Councils at the Mauritius and at the Cape of Good Hope.

You will inform them that the principle of precedence as regards the official members is observed in those councils, that amongst non-official members the principle of seniority, according to date of appointment, obtains universally in all His Majesty's colonial possessions — and that I cannot entertain any question which may involve a departure from either of those principles.

In expressing my regret at the determination at which the memorialists appear to have arrived, I am bound in justice to the Legislative Council of your Government to state, at the same time, that I entertain no doubt that notwithstanding the absence of the merchants from that body, the commercial interests of the island will always meet with that attention which their importance demands, and I am inclined to hope that the merchants themselves feel no apprehensions in this respect since they have refused their individual support on grounds which could in no way have affected their usefulness or importance at the Council Board.

Should the merchants of Colombo retain the opinions which they have now expressed on this subject, it will be your duty to select for the vacant seats, with the caution which you have hitherto observed fit and proper persons from some other class of His Majesty's subjects at Ceylon.

I approve of the step which you took, after the merchants had refused to enter the council, of swearing in the three members whom you had selected, and of the consideration which you appear to have shewn on that occasion to the body of merchants, by placing at the head of the unofficial members one of their class, who, you had reason to believe, would have accepted the appointment on his return to Ceylon, although he has since declined it.

I have the honor to be, Sir,

Your most obedient humble Servant,

(Signed) GLENELG.

Right Hon'ble Sir R. W. HORTON, Bart. &c. &c.
&c. — *Ceylon.*

MEETING OF THE LAUDABLE SOCIETY.

The half yearly Meeting of the Laudable Society was held on the 26th of Jan. The following are the Resolutions that were proposed and adopted:—

Resolution.—Moved by Mr. W. G. Smith, seconded by Mr. W. G. Lloyd,—

That the Secretary be directed to publish an abstract of the Funds and Accounts of the Society for the information of Subscribers.

Resolution.—Moved by Mr. C. B. Greenlaw, seconded by Mr. Cockerell,—

That Longueville Clarke and William G. Smith, Esqrs. be appointed Directors of the Society in the room of T. E. M. Turton, Esq., gone to Europe, and B. Harding, Esq., resigned.

Resolution.—Moved by Mr. Cockerell, seconded by Mr. Greenlaw,—

That the Accounts and Statements for the last half year, now submitted to the meeting, be passed as correct and satisfactory

Resolution.—Proposed by Capt. Cockerell, and seconded by Mr. W. G. Smith, —

That Mr. Greenlaw's proposal connected with the surplus under the 28th Rule of the Society be submitted to the Directors for their consideration and eventual disposal.

The accounts shewed the Society to be in a very prosperous condition, having in hand Sa. Rs. 8,67,652, including the subscriptions (2,17,800) realized since the 31st December last, which sum divided by 100½ shares on the lapsed lives, gives Sa. Rs. 8,670 per share over and above the regulated advance of 4,000 already paid. There has been some falling off in the number of policies outstanding which, on the 31st December last, covered 1,092½ shares on 447 lives, against 1,183½ shares on 471 lives outstanding on the 30th of June preceding. This falling off is accounted for by the discontinuance of insurances on many old lives, chiefly by the Assignees of the Insolvent Firms.

A good deal of time was lost by waiting for a more full attendance before the chair was taken, (there being but five shareholders present) and Mr. Greenlaw

expressed much regret that the meetings of this Society should be so much more neglected by the persons interested in its welfare, than were the meetings of the two other Life Insurance Offices, whose shareholders had a personal interest in the dividends. "If the public," he said, were made sensible of the very prosperous position of this Society and of the advantages it now held out, he was satisfied it would be the favorite. Mr. Greenlaw then drew attention to the large accumulated balance of more than six lakhs over and above the fixed sum of 6,000 rupees per share, which it had been agreed to consider the amount covered by every policy, and again brought forward the proposition he had made at former meetings for the ultimate disposal of the fund arising from these accumulations. By the existing rules of the Society, the surplus in excess of the 6,000 rupees per share was the property of the policy-holders, and to be all divided among them at the expiration of the present office, namely, on the 31st December, 1840. Mr. Greenlaw's plan is to divide only such portion thereof as shall leave a security fund of ten per cent. (we understood him to wish the fund eventually to be increased to 15 or 20 per cent.) upon the amount of the outstanding risks. For instance the present number of shares being 1,092½, and the fixed amount insured thereon, at 6,000 each, Sa. Rs. 64,35,000, the sum required for his guarantee fund, if now made up, would be Sa. Rs. 6,43,500. But Mr. Greenlaw does not intend to make this altogether a tax upon the first subscribers: he has suggested that their interest in it shall be preserved as a book debt. This, however, will be a matter of some intricacy, and in order to put present and future subscribers upon an equitable footing with respect to each other, so as not to give the latter the unfair advantage of all the benefit from a security fund to which they will have contributed nothing, the aid of a good actuary will be required; and if Mr. Greenlaw's scheme, when duly digested by the Directors, should be recommended by them for adoption, the aid of Mr. Curnin will probably be solicited to put it in such a shape as to give the shareholders, whose subscriptions from the security fund, a prospective advantage equivalent to their present sacrifice, without encroaching upon the Fund itself.—*Calcutta Courier*, Jan. 26.

MILITARY BANK MEETING.

The Military Bank Annual Meeting was held this morning at the Town Hall, and as usual was very badly attended, there being in fact none but Directors and the Secretary present as on the last occasion. The Statement exhibited shewed realizations during the past year amounting to Sa. Rs. 30,424 and payments to depositors Sa. Rs. 46,251, and Office charges Sa. Rs. 1,875, the balance in hand, which on the 1st January 1,836, amounted to.....Sa. Rs. 47,651 being now.....29,949 from which deducting Dividends unapplied for,, 27,087

there remain.....Sa. Rs. 2,862 applicable to a further dividend.

The Bank, it appears, has now returned to the depositors 59½ per cent. of their principal. Two claims are in process of compromise, which it is confidently expected will enable the Directors to declare a further dividend of five per cent. next month, without taking into account the mortgaged property advertised for sale on the 31st of Jan., the present estimated value of which is about 1,10,000 rupees, which would give the depositors about twenty per cent. more.

Calcutta Courier, Jan. 26.

TRANSFER OF MADRAS CAVALRY REGIMENTS TO BENGAL.

It was rumoured about town on the 6th Jan. that the much-talked-of order for incorporating the four Regiments of Madras Cavalry with that branch of the Bengal Establishment had arrived. We have not been able to gather any of the particulars of the proposed arrangement, but shall be anxious to learn how many of the details which appear to require very careful consideration, are to be managed. We allude more especially to the allowances, and to the conditions and usages of either service in as far as the native Officers and soldiers are concerned. The Madras Cavalry we believe are better paid than the corresponding native ranks in Bengal, and it would be out of the question to reduce the transferred men to the Bengal rates of pay; for tampering with Military allowances is a very dangerous thing, except, indeed, in the case of European officers in India. Almost equally awkward would it be, to have two bodies of troops of the same Arm, performing exactly the same service, at the same Station, but receiving very different rates of recompense. Unless some plan be adopted for seconding a large proportion of the natives of the four junior regiments upon the remaining corps, as supernumeraries, in addition to a large and liberal quantum of weeding out and pensioning off we do not see how the inconveniences to which we have alluded can be avoided. Future recruiting to fill up, will be easy enough.

With regard to the European Officers, we presume that the difficulties which also occur in that branch of this transfer question, may be more summarily disposed of; although not without giving room for many individual complaints of supersession and of brilliant command prospects deferred.

It is assumed that the four junior regiments will be those transferred; viz. the 5th, 6th, 7th and 8th. Their own Majors of course go with them, and along with those Majors, will naturally go their corresponding Lieutenant-Colonels and Colonels according to the system of promotion in the Honorable Company's service.

The effect among the Field Officers of the incorporation, when completed according to this system of removal, is shown by the second of the subjoined tables, in which we have printed in italics the new names and ranks as introduced from the Madras list; each in his proper place, as they will stand in the general seniority succession list of the fourteen regiments of Bengal Cavalry. The first of the subjoined tables contains the present succession list of Madras cavalry Field Officers, in which also we have indicated by italics, the names on which the think the lot will fall of bidding a final adieu to "the benighted Presidency," and migrating to the metropolitan establishment. We observe among these the name of Colonel Conway, the Madras Adjutant General; but it is to be presumed, that General Staff appointments will not be disturbed until otherwise vacated by the present incumbents.

LIST OF COLS., LIEUT.-COLS. AND MAJORS.

[as they stand Regimentally in the Madras Cavalry.]

COLONELS.

Sir T. Dallas, c. s. B., L. Gen., 15th Feb., 1805, 7th Lt.
 Charles Rumley, M. Gen., 10th Mar., 1820, 8th "
 Sir J. Doveton, c. s. B. M. Gt., 9th Nov., 1831, 4th "
 James Russell, c. s. B., 5th June, 1829, 2d "

John Doveton, c. s. B. Gen., 5th June, 1829, 5th Lt.
 David Foulis, c. s. B., 5th June, 1829, 1st "
 James Law Lushington, c. s. B., 5th June, 1829, 3d "
 William Dickson, c. s. B., 15th Aug., 1829, 6th "

LIEUTENANT-COLONELS.

John Collette, 1st May, 1824, 5th Lt.
 Hanbury Raynsford, 1st May, 1824, 3d "
 Patrick Cameron, 1st May, 1824, 1st "
 T. H. S. Conway, c. s. B., 5th Mar., 1826, 6th "
 Michael Riddell, 18th Dec., 1826, 8th "
 Edward Lloyd Symthe, 15th Aug., 1829, 2d "
 Frederick Larkins Doveton, 31st May, 1833, 4th "
 Richard James, 4th May, 1836, 7th "

MAJORS.

James Morrison, 18th Mar., 1833, 2d Lt.
 George Sandys*, 27th May, 1833, 6th "
 Thomas Kennedy Limond, 31st May, 1833, 3d "
 Henry Brown Smyth*, 29th Oct., 1833, 8th "
 Donald Macleod, 12th Apr., 1834, 4th "
 Robert Langley Highmoor*, 21 May, 1836, 5th "
 James Buchanan, 9th Nov., 1835, 1st "
 Archibald Kerr*, 4th May, 1836, 7th "

LIST OF COLS., LIEUT.-COLS. AND MAJORS

[as they will Regimentally in the Bengal Cavalry.]

COLONELS.

Charles Rumley, M. Gen., 10th Mar., 1820, 11th Lt.
 Sir T. Brown, c. s. B., L. Gen., 21st Aug., 1820, 2d "
 Robert Houston, c. s. B., 1st May, 1824, 9th "
 Archibald Watson, 13th May, 1825, 1st "
 Francis Jas. Thos. Johnston, 10th July, 1825, 3d "
 John Tombs, 26th Mar., 1829, 8th "
 George Becher, 3d May, 1829, 4th "
 James Russel, c. s. B., 6th June, 1829, 12th "
 David Foulis, c. s. B., 5th June, 1829, 13th "
 William Dickson, c. s. B., 15th Aug., 1829, 14th "
 Harry Thomson, 1st Dec., 1829, 6th "
 James Kennedy, 26th Dec., 1832, 5th "
 Stephen Reid, 1st Sept., 1834, 10th "
 Thomas Shubrick, 19th Apr., 1835, 7th "

LIEUTENANT COLONELS.

Hanbury Raynsford, Col., 1st May, 1824, 11th Lt.
 T. H. Somerest Conway, c. s. B. Col., 5th Mar., 1826, 12th "
 Samuel Smith, Col., 24th July, 1828, 8th "
 H. Tuffnel Roberts, c. s. B., Col., 2d Oct., 1828, 5th "
 James Caulfield, c. s. B., Col., 26th Mar., 1829, 9th "
 Edward Lloyd Symthe, 16th Aug., 1829, 13th "
 Adam Duffin, 26th Dec., 1832, 2d "
 Charles Prager King, 9th Apr., 1833, 10th "
 William Pattle, 27th Apr., 1833, 4th "
 Arthur Warde, 30th Dec., 1833, 3d "
 David Harriott, 1st Sept., 1834, 6th "
 William Steuart Beaton, 19th Apr., 1836, 7th "
 Richard James, 4th May, 1836, 14th "
 Robert Ewbank Chambers, 14th Oct., 1836, 1st "

* The Majors of the four youngest regiments, the 5th, 6th, 7th, and 8th Madras Light Cavalry—Harriots.

MAJORS.

Edward John Honeywood, ... 26th Dec, 1832, 7 h Rt.
 James William Roberdeau, ... 9th Apr., 1833, 4th „
 George Sandys, ... 27th May, 1833, 11th „
 George John Shadwell, ... 7th July, 1833, 2d „
 Henry Brown Smith, ... 29th Oct., 1833, 12th „
 Chas. Charnichael Smyth, ... 30th Dec., 1833, 3d „

Henry Leehmers Worrall, ... 12th Jan., 1834, 1st Lt.
 Robert Langley Highmoor, ... 2d May, 1835, 13th „
 John Bennett Hearsey, ... 19th Nov., 1835, 6th „
 Thomas Mathew Taylor, ... 1st Mar., 1836, 5th „
 Alexander Pope, ... 19th Apr., 1836, 10th „
 Archibald Kerr, ... 4th May, 1836, 14th „
 George Arthur Kempland, ... 5th Oct., 1836, 8th „
 Robert Hawkes, ... 10th Oct., 1836, 9th „

MILITARY RETIRING FUND.

INFANTRY BRANCH.

- 1 Letter to the Commander-in-Chief.
- 1 Do. to Government.
- 1 Memorial.
- 1 Reply from Government.

The Committee appointed by the general vote of the Subscribers, in circulating the accompaniments, cannot refrain from offering their congratulations on this first step, and most important favour granted by Government towards the attainment of a very cherished object, —

that of allowing subscriptions to commence from the 1st of January 1837. It may be justly viewed as the first dawn of a permanent Retiring Fund.

The Committee earnestly invite their brother officers to lay aside at present all feelings on minor points, by at once joining the fund. When the scheme is fairly brought into operation, any defects in its system will become apparent, and will be met by amendments. But as a preliminary measure, the Committee need not point out how desirable unanimity is on such a vital subject, and in making this appeal, the Committee do so with confidence that it will not be made in vain.

TO HIS EXCELLENCY LIEUT. GEN. SIR JOHN KEANE,
 K. C. B., G. C. H.

Commander-in-Chief of the Army, on the Bombay Presidency.

SIR, The Committee for carrying into effect a Retiring Fund for the Infantry branch of the Bombay Army, having concluded their preliminary duties, avail themselves of this opportunity to express, in the name of the Subscribers at large, their respectful and grateful acknowledgments for the favour so readily granted by your Excellency in sanctioning the circulation of the plan to the body of the Infantry Service.

Trusting that the Scheme for the establishment of a Retiring Fund, as now drawn up, may meet your Excellency's approval, we respectfully request that it may be laid before the Right Honorable the Governor in Council, accompanied by an earnest recommendation for its early transmission to the Honorable the Court of Directors, and entertain a confident hope that it may meet with that support which your Excellency may be pleased to consider it deserving.

We have the honor, &c.

(Signed) D. BARR, Lieut.-Col.
 and the other Members of the Committee.

TO THE RIGHT HONORABLE SIR ROBERT GRANT, G. C. H.
 Governor and President in Council.

RIGHT HONORABLE SIR.—Having with the sanction of His Excellency the Commander-in-Chief, been nominated a Committee for carrying the instructions of the

Army in regard to a Retiring Fund into effect; we, with sentiments of the highest respect, beg leave to submit the accompanying Memorial for transmission to the Honorable the Court of Directors: and in so doing, deem it necessary to explain that the difficulties experienced in framing such a plan as would include the other branches of the Service have reluctantly compelled us to confine it to that of the Infantry only, however much it is to be regretted that such is the case, we are nevertheless confident, and hope that the Scheme, as now drawn up, may meet with that consideration which your Government has ever evinced for the best interests of the Army at large.

We entertain the hope that your Honorable Board will favor the plan with your approval, and support with the Honorable Court, in soliciting the establishment of this Retiring Fund from its moderate principles—for under the plan now submitted we neither avail ourselves of the rate of Interest granted at 9 per cent. except as a commencement, nor of the guarantee for any particular rate of Exchange through the Government Treasury; thus foregoing advantages, the expense of which to the State would be considerable; nor do we anticipate any objection to the trifling increase which may fall on the Pension List by asking for four retirements amongst the Field Officers, when we forego the benefits so liberally tendered in the Honorable Court's letter of the 6th March, 1832.

Considering it an object of primary importance to the establishment of the Fund, that we should commence subscribing from the 1st January next, we solicit your Honorable Board to grant us permission so to do, as well as to authorize Division Paymasters to make the necessary stoppages on account of subscription and donation, agreeably to the scale in the plan now submitted.

Should your Honorable Board be pleased to grant this request, we beg the favor of your allowing the Fund to receive the same rate of interest on the deposits, as Government granted the Medecal Fund previous to its establishment, viz. 6 per cent; until the Honorable Court's pleasure is received on the establishment of our Fund.

We have the honor, to be, &c.

(Signed) D. BARR, Lieut.-Col.

and the other Members of the Committee.

TO THE HONORABLE THE CHAIRMAN, DEPUTY CHAIRMAN,
 AND COURT OF DIRECTORS OF THE HONORABLE THE EAST
 INDIA COMPANY.

The memorial of a Committee for the Establishment of a Retiring Fund.

RESPECTFULLY SHewnTH.—That your Memorialists being nominated a Committee for carrying the intentions of the Army of this Presidency in regard to a Retiring Fund into effect, most respectfully beg leave to submit the accompanying Plan, which they confidently trust may meet the approval and ultimate sanction and support of your Honorable Court.

The Memorialists would wish to impress on your Honorable Court that the difficulties of providing a suitable General Retiring Fund for the whole Service, including the Artillery, Engineers and Cavalry, has been found insurmountable; and therefore your Memorialists have confined themselves to the Plan now submitted, which has been approved of by a majority of the Subscribers.

Your Memorialists would draw the attention of the Honorable Court to the first Plan—that of the Subscribers being allowed to purchase out a full Colonel annually, to be placed on the retired list and to provide a Bonus of 27,000 rupees each to three other field officers to retire annually. The merits of this Fund are:—

1st. That the Subscribers make good to the Honorable Court the difference of pay between Lieutenant-Colonel and Colonel to the Officer placed on the retired list, by the purchase of the value of the life for the number of years, agreeably to the usual Assurance Tables.

2d. The Lieutenant-Colonel promoted to Colonel is not to enjoy the share of Off-Reckonings until the same shall come to his turn by lapses above him, the Officer placed on the Retired List continuing still to draw the Off-Reckonings, as if he continued on the effective List.

3d. The entire expences of this Fund are defrayed by the Subscribers.

4th. No Interest will be required, as the money will be divided as soon as collected, agreeably, to the number of retirements allowed each year.

5th. The boon of effecting Remittance through the Honorable Company's Treasury will not be required, all payments being made in India.

Should the removal of one or more of the Senior Colonels to a retired List be deemed objectionable, your Memorialists respectfully submit, that the same result may be attained by bearing the newly promoted Colonel on a Junior List until vacancies occur on the regular establishment, to which, under ordinary circumstances, they would only a little later have succeeded: the difference of charge between the Pension of Lieutenant-Colonel and the Pay of full Colonel being, as proposed in the case of the removal of a Senior Colonel to the Retired List, borne by the Fund; the State being subjected to no other expence thereby, than the difference between the Batta and other Regimental allowances of the two grades, and that only when the newly promoted Colonel may happen to be in India; an expence we humbly submit, which would be more than compensated by the superior efficiency resulting from the services of younger Officers in the superior grade of your Army.

But should your Honorable Court object to the removal of a Colonel to the Junior or Senior Lists, which we do not anticipate, your Memorialists venture to hope, the second plan may be sanctioned, which offers a bonus of 27,000 rupees to as many Field Officers as funds may be obtainable for, whose time of Service enables them to accept the sum—the number being limited to four annually. This fund, like the former one, to be conducted by the Subscribers without expence to Government, but under the sanction of the Honorable Court.

Your Memorialists solicit from your Honorable Court a Retiring Fund based on such principles as you may be pleased to grant us. We are willing to make any reasonable sacrifice of pay towards its support, and we earnestly entreat, should neither of the present plans meet your approval, that you will substitute any other; so that this long looked for cherished object, which has been so frequently agitated and has so obviously impeded promotion, may be speedily and finally set at rest.

Your Honorable Court have, in its extended liberality, added to the Civil Service a Retiring Fund on a noble foundation: to the Medical Service also, you have granted a Retiring Fund which allows a Member £200 per annum in addition to the pay of the rank. Your best feelings have been displayed in the late boon towards those who are unfortunate in promotion, and therefore

your Memorialists confidently entertain the Army an equal indulgence may be shown by sanctioning a Retiring Fund that may have for its basis, the relief to your old and faithful Military Servants, without entailing any serious loss on the State,

And your Memorialists, as in duty bound, shall ever pray.

(Signed)

D. Barr, Lieut. Col.	G. F. Penley, Captain.
E. M. Wood, "	N. Campbell, Major.
C. B. James, "	G. J. Mant, Captain.
C. Ovens, "	J. Swanson, "
C. Davies, Major.	A. F. Johnson, "
G. Moore, "	G. J. Jameson, "
A. Pringle, Captain	

STATEMENT NO. I.

Should the Honorable the Court of Directors accede to the respectful requests of the officers of the Infantry Branch of their Army on the Bombay Establishment, and re-establish the Retired or Senior List:

The Retiring Fund will then be proposed in this way—

One Colonel to be placed annually on the Retired List, the difference between the newly promoted Colonel's pay and that of Lieutenant Colonel to be paid by the Subscribers, viz. 456 and 365,—£90 taking the life at 8 year's purchase.....	£ 799
Three Field Officers at £ 2,700.....	8,100
	£ 8,890
Or Rupees	88,200
Management	1,800
	Rupees 90,000

The Subscription would in this case be the same as Statement No. 2.

The Donation would be proportioned as follows, viz:—

From three Lieutenant Colonels

promoted to Colonels. Rs.	5,544 = 16,632
Seven Lieutenant Colonels.	1,309 9,163
Nine Majors. c.....	1,064 9,576
Fifteen Captains.....	298 4,470
Twenty-three Lieutenants.	44 1,012

40,853

This is made up, by new Colonels paying a year's difference of Pay and Allowances on promotion:

Lieutenant-Colonels..... 7 months.

Majors..... 4 "

Captains..... 2 "

Lieutenants..... 1 "

The above will accumulate not only from the Fund but also by Casualties—

The expected vacancies taken from Tables and the experience of past years are.

COLONELS.	Retirement with- } 1
Placed on the Retir- } out the Fund	1
ed List..... } Casualty.....	1
Casualties.....	2
COLONELS 3	Majors 9
Lieut. Colonels.	By promotion as } 9
By Promotion to Ca- } above	6
lonel..... } Casualty.....	6
Retirement of Lieut- } 3	Captains 15
enant Colonel by opera- } tion of the Fund.....	3
Casualty.....	1
Lieutenant-Colonels.. } 7	LIEUTENANTS.
Majors.....	By promotion as } 25
By promotion as above } 7	above.....
	Casualties.....
	8
	Lieutenants.....
	23

The following Table exhibits the time of promotion as at present, without a Fund, and what it will be by-and-bye, with the aid of a Fund.

	Lt. Capt.	Major	Lt. Col.	Col.	Cols.
Present rate.....	5 0 18 0	33 6	38 9	47 3	
By aid of the Fund	4 5 16 3	28 0	32 0	37 6	

STATEMENT No. 2.

To purchase out annually four Field Officers in the service, giving each a Bonus of Rupees 27,000..... Rs. 1,08,000
Management..... 2,000

1,10,000

BY SUBSCRIPTION MONTHLY.

	If in	India	Eur.
Lieutenant Colonel.....	70	35	
Majors.....	50	25	
Captains.....	15	7 1/2	
Lieutenants.....	5	2 1/2	
Ensigns.....	2	1	

Altered from Rs. 10 to 7 1/2 after the statement below was framed.

Which will give as follows:

18 Lieutenant Colonels.... in India..	70	1260
10 ditto	Europe..	350
18 Majors.....	India..	50
10 Ditto.....	Europe..	250
110 Captains.....	India	15
30 Ditto.....	Europe..	10
184 Lieutenants.....	In	5
40 Ditto.....	Europe..	2 1/2
90 Ensigns	India.....	2
22 Ditto	Europe....	1

Rupees .. 5,932* 12—	..71,114	5,932
Donation on promotion to be made up—	38,816	1,00,000

To prevent a Field Officer taking the Bonus on immediate operation of the Fund, before his contribution amount to something fair, it is proposed that either in Donation or Subscription, the individual taking the Bonus shall have contributed a minimum of Rupees five thousand.—*Courier January 9.*

Subscriptions to commence on the 1st of January next; when the Honorable Court's sanction is received, the Fund is to commence operations, by giving as many of the sums as Bonus as the funds will admit of.

Afterwards, when the Funds amount to Rupees 27,000 a Bonus to be offered.

A Committee of thirteen Officers of the Presidency with an unpaid Secretary.

All officers hereafter entering the Service to become Members.

Military Department, No. 2420.

TO LIEUTENANT-COLONEL D. BARR.

President and Member of a Committee for the Establishment of a Retiring Fund.

GENTLEMEN,—I am directed to acknowledge the receipt of your letter dated the 1st instant, and to acquaint you, that the Right Honorable the Governor in Council is pleased to sanction the receipt of Subscriptions for a Military Retiring Fund from the 1st proximo, and to request that you will furnish the scale alluded to in the 3d para: that the requisite General Order on the subject may be promulgated.

I am further directed to acquaint you, that the Right Honorable the Governor in Council is pleased to sanction interest at the rate of six per cent. per annum being allowed on the amount in deposit, subject to the approval of the Honorable the Court of Directors.

I have the honor to be, &c.

E. M. Wood, Lieutenant-Colonel.

Secretary to Government.

BOMBAY CASTLE, 16TH DECEMBER 1835.

To LIEUT.-COLONEL WOOD, Secy to Govt.

SIR,—In reply to your letter dated the 16th instant, by direction of the Committee, I have the honor to state, that the rate of subscriptions are, for

	In India	In Eur.	In India	In Eur.
Lieut.-Cols. 70.....	35		Lieutenants..5.....	2 1/2
Majors..... 50.....	25		Ensigns.....2.....	1
Captains... 15.....	7 1/2			

The rate of donation to those promoted after 1st January, 1837.

On promotion to Col. 5550	To Captains.....	300
To Lieut. Colonel ...1310	To Subaltern.....	45
To Major..... 1070		

Subscription due by absentees in Europe recoverable on return to this country.

Donation recoverable from Officers promoted agreeably to the number of months' difference of pay charged: Colonel, twelve months—Lieutenant Colonel, seven months—Majors, four months—Captains, two months—Lieutenants, one month.

I have the honor, &c.

N. CAMPBELL, Major Secretary.

Bombay, 17th December, 1836.

Paymaster's drafts to be dated on the month in which the subscription is realized.—*Bombay Gazette, Jan. 7.*

BENGAL CIVIL SERVICE ANNUITY FUND.

At an Annual General Meeting of Subscribers to the Bengal Civil service Annuity Fund, held at the Town Hall of Calcutta, on the morning of the 2d of January, 1837, agreeably to advertisement.

PRESENT.

C. W. SMITH, Esq., in the Chair.

J. Pattle, Esq.,	F. Millet,
Sir C. D'Oyly, Bart.	W. R. Young,
G. Ted,	H. S. Lane,
W. Braddon,	J. A. Dorn,
F. C. Smith,	Richard Walker,
H. T. Prinsep,	F. J. Halliday,
R. F. Nisbet,	J. B. Colvin,
H. Walters,	H. M. Caldecott,
A. Dick,	J. P. Grant,
D. C. Smyth,	H. W. Torrens,
W. H. Macnaghten,	G. F. McClintock,
H. M. Parker,	and
J. F. M. Ried,	J. H. Crawford, Esq.

The Accounts of the Fund for the year 1835-36 were laid before the Meeting.

Moved by the Chairman, and seconded by Mr. Braddon:—

"That the Accounts be passed."

Carried unanimously.

Moved by Mr. Parker, seconded by Mr. Braddon:—

Moved by Mr. Parker, seconded by Mr. Braddon:—"That in future the Balance Sheet of the Annual Account Current be published for general information, together with, and as part of the Notice of Meeting."

Carried unanimously.

The first proposition in the Memorial of the Members of the Bombay Civil Service Annuity Fund, whereof a copy had been circulated to subscribers with the Secretary's Circular letter of the 2d November 1836, was read and considered.

Moved by Mr. Prinsep, and seconded by Mr. Dick:—

"That while this Meeting fully shares in the desire to co-operate with the Bombay Servants in all measures

calculated to advance the prospects and interests of both Services; it does not appear to it to be proper that the Servants of this Presidency should apply to the Hon'ble Court of Directors for the benefit of permission to retire after a residence of 20 years, the Service having by their Managers' letter, dated 2d April 1830, made application for something very similar in effect and spirit, which application did not meet the approbation or sanction of the Court; and the subject not appearing to this Meeting to be of sufficient importance, as concerns the service, to warrant the revival of the application."

The Meeting divided upon this question, when there appeared—

For the motion,...	Present,..... 15	
	Written votes,..... 2	
		17
Against the motion, {	Present,..... 9	
	Written votes,..... 48	
	Proxies,..... 2	
		59
Majority against,.....		42

The motion was accordingly lost.

Moved by Mr. Parker, seconded by Mr. Young:—
"That the Managers prepare a Memorial to the Hon'ble the Court of Directors expressing a general concurrence in the prayer of the Bombay Petition, for limiting the period of residence in India requisite as qualification for the Annuity, to 20 years."

Carried.

The second proposition in the side Memorial was then read and considered.

Moved by Mr. Young, seconded by Mr. Walker:—
"That the prayer of the Bombay Memorialists that Civil Servants hereafter appointed to Council shall, on the termination of their appointment, be deemed disqualified from returning to the Service"—be adopted in the Memorial of the Bengal Services.

The Meeting divided on this question, when there appeared—

For the motion—Present,.....	2 2
Against ditto—Present,.....	22 22

Majority against 20

The motion was consequently lost.

The Chairman mentioned that he had received 21 written votes in favor of the motion, and 24 against it. But, as it was not supported by nine Members actually present, these votes were not called for.

Moved by Mr. Colvin, seconded by Mr. W. H. Macnaghten:—That the Members of the Service assembled at this meeting, not content with refusing their concur-

rence in the prayer that Civil Servants, after passing through the Council, shall not be re-admitted to general service, protest in the strongest terms against the adoption of a proposition so opposed to a just and liberal view of the Claims of Meritorious Service, and to the principles on which the Civil Services in India are constituted and by which it has hitherto been their pride to be regulated."

The Meeting divided on this question, when there appeared—

For the Motion—Present,.....	22 22
Against ditto—Present,.....	2 2

Majority for 20

The Motion was accordingly carried.

Moved by Mr. Prinsep, seconded by Mr. Braddon:

"That the following Rule be passed as an addition to Rule 37 and submitted for the approval of the Hon'ble the Court of Directors.

"A junior servant who may have already proceeded, or may hereafter proceed to England, and may desire to benefit by this Rule, will be required to submit his application to the Hon'ble the Court of Directors, with a tender of his conditional resignation of the Service; and if the Hon'ble Court be satisfied that his case comes under the Rule, his claim to benefit from it, according to his period of residency, will be considered on the first day of May next, after the receipt, by the Managers in India, of the Official Notification of the Hon'ble Court's approval of the measure. In cases in which an Annuity may be granted under this Rule, the amount of fine demandable from a Junior so circumstanced must be paid to the Fund in India, before the Annuity can commence."

Carried unanimously.

The Chairman mentioned that he had received twelve written votes in favor of this motion, and none against it.

Read a letter from the Hon'ble W. H. L. Melville, G. P. Leycester, Esq., A. Grote, Esq., the Hon'ble Robert Forbes, and J. J. Ward, Esq., proposing that the following Gentlemen be elected Managers for the present year, viz:

D. C. Smith,	F. Millett,	and
F. H. Madock,	F. Macnaghten,	H. Torrens.

After a Vote of thanks to the Chairman for his conduct in the Chair the Meeting broke up.

C. W. SMITH, Chairman.

Civil Service Annuity Fund Office, the 2d January, 1837.
India Gazette, Jan. 9.

MEDICAL RETIRING FUND.

The first quarterly general meeting of subscribers to the Bengal Medical Retiring Fund was held at the house of the secretary, on Monday the 9th January. On Mr. Surgeon William Jackson being called to the chair, the following report was read:—

The committee are at length enabled to congratulate the contributors upon the fund being in actual operation. At the expiration of the period allowed for joining, three annuities were offered to the senior subscribers, and one has been accepted by Mr. Superintending Surgeon W. A. Venour. Several letters in reply to those of the committee have also been received, which will be

opened in rotation on the 31st day of the present month, the date fixed for that purpose. And Mr. Surgeon N. Maxwell has declared himself willing to retire upon the annuity, should one of those now offered come to his turn."

"The committee have much pleasure in stating that the arrears of subscription are in process of realization. Several subscribers have already paid the full amount due from them and almost all have taken steps towards doing so; and at the time allotted, the 31st day of August next, it is confidently expected but a very small portion will remain uncollected."

"Some little misunderstanding appears to prevail with regard to the currency in which the subscriptions and arrears are calculated. One subscriber proposes that the collections shall be in Company's rupees instead of in sicca rupees. If this be merely meant as a change in terms, it is already done; the calculations being all made to subscribers in Company's rupees, the amount in sicca rupees being given merely in explanation, in like manner as it is still more or less used in most public offices and private establishments. But if it is meant to reduce the amount of subscription from its present standard, by making the number of rupees to be paid the same in the inferior currency as in the superior, the proposition is not well founded. A certain sum is required to purchase a certain number of annuities of a fixed value, and it matters not whether that sum is calculated in one currency or in another; the amount to be collected must be the same. It is the duty of the committee to take care that amount shall not be greater than is actually required, and it must not be forgotten that it is annually fixed at the fourth quarterly meeting, by the subscribers present at such Meeting, who would themselves suffer by a contrary course to an equal extent with other subscribers."

"Two members of the management, Messrs Corbyn and Bramley, went out in rotation at the close of the year, and have been re-elected; and Mr. Ludlow having left the Presidency Division, his seat has been filled up by the election of Mr. Ranken."

"Between the last quarterly meeting and the 31st of October, the time allowed for joining fund, there was an accession of 25 new members, and one who formerly withdrew rejoined. The application of one gentleman, Mr. Assistant Surgeon Gregory Vos, was sent some days after that date in consequence of indisposition having prevented his applying earlier, a plea the committee considered satisfactory, and Dr. Vos was accordingly allowed to subscribe. Two members have died during the quarter. The present list of subscribers is composed as follows:

Members of the Medical Board.....	2
Superintending Surgeons.....	10
Surgeons.....	78
Assistant Surgeons, 1st class.....	137
Ditto ditto, 2d class.....	33

Total 260

"A wish having been expressed by several subscribers to know the names of those who are members, the committee have forwarded a list to the publishers of the Directors, who have obligingly assented to their request, that a distinguishing mark should be placed in the medical list opposite the name of each member of the fund."

"The receipts during the quarter ending 31st October last, in the Pay Department, amount to Co.'s Rs. 18,879 7 11, since which two Paymasters of Benares and Cawnpore have sent in their accounts for Nov. which give Co.'s Rs. 2,888 5 3, and the Sub-Treasurer credits the fund in the months of October, November, and December, Co.'s Rs. 16,445 7 7, and a further sum of Co.'s Rs. 347 7 3 has been received in the Revenue and Judicial Department for October, 1836, making a total of receipts, as per statements rendered since the last account of 38,560 12 0."

"The expenditure during the quarter comprises the following item:

• Including those of that rank on Furlough.

Appropriated balance to meet contingencies Sa. Rs. 30,000 Co.'s Rs.	82,000 0 0
Ditto ditto the value of the annuity granted to Mr. W. A. Venour, Sa. Rs. 26,010 or Co.'s Rs.	27,744 0 0
Salary and Office Establishment of the Secretary Co.'s Rs.	750 0 0
Drawing up, &c. &c. the deed of the fund Co.'s Rs.	1,135 7 0
Printing Circulars and Deeds of the fund Co.'s Rs.	460 12 0
Advertising Co.'s Rs.	92 5 0
<hr/>	
Co.'s Rs.	62,191 5 0

A balance of Co.'s Rs. 62,256 10 8 is thus left to the credit of the fund, which will admit of 2 annuities being given in addition to the two at present declared, and which the committee will immediately offer."

"Thus it will be seen that the success of the fund, considering the difficulties it has had to contend with, has been more than equal to the highest expectations that could have been entertained. A large majority of the members of the service have joined it, the question of arrears has been happily set at rest; and a general deep impression prevails of the eminent benefits to its members it is calculated to confer."

The following resolutions were then submitted for the votes of the meeting:

Proposed by Mr. Surgeon H. Cooper, and seconded by Dr. A. Bryce, and carried unanimously,—

"That the report now read be confirmed and adopted."

Proposed by Mr. W. Raleigh, and seconded by Dr. Leckie, and carried unanimously,—

"That it be submitted to the service as a conditional amendment to Rule XXIV.

That in case the Hon'ble Court of Directors grant to the Medical Service the boon for which they have memorialized, subscribers to the fund may retire from the service without prejudicing their claim to the annuity after having served the reduced period specified by the Court as entitling them to pension."

Proposed by Dr. N. Maxwell, seconded by Mr. Angus, and carried unanimously,—

"That the cordial thanks of this meeting be returned to the managers and secretary for their valuable services in bringing into operation the Medical Retiring Fund and placing it in its present flourishing condition."

Proposed by Dr. A. R. Jackson, and seconded by Mr. W. Raleigh, and carried unanimously,—

"That the thanks of this meeting be given to the Chairman."

J. T. Pearson,

Secy. Med. Retiring Fund.

Med. Ret. Fund Office, 10th January 1837.—India Gazette, Jan. 9.

THE QUARTERLY JOURNAL OF THE CALCUTTA MEDICAL AND PHYSICAL SOCIETY.

As Secretaries to the Medical and Physical Society of Calcutta, we discharge to-day the gratifying duty of offering to the members of that body the first number of their Quarterly Journal.

The circumstances under which this Periodical originated are of too recent notoriety to need recapitulation or comment. Long since the question had been discussed as to the necessity for the publication. To decide the controversy the members were individually addressed. Their replies demanded a periodical, and left no alternative to the Secretaries, but the fulfilment of this new duty, or the resignation of the offices to which they had been called. Unwilling to incur the just disgrace which would have stigmatized the first procedure, we had no hesitation in undertaking this pleasing, because useful, labor. We do so the more willingly since the most malicious can scarcely assign an evil motive for our exertions. It is not for profit that we seek, for never, under any circumstances, shall we sell a single number for our own advantage. Neither is it for the gratification of the unwarlike self-conceit which leads so many to scribble with an editorial pen—for, by the plan of this periodical, we are restricted from the frequent privilege of passing critical judgment on the works of men far wiser and abler than ourselves. Nor lastly, is it for amusement for vacant and useless hours that we compile these pages, for we are truly of those, whose bread is earned by the "sweat of the brow," and the task work of the brain.

But the nature of our diurnal duties facilitates, to some degree, the performance of editorial functions. Placed as teachers in a new and experimental institution—surrounded daily by pupils whose national sagacity is sharpened by education—closely observed, too, by our professional superiors and contemporaries, our feelings of natural, and we trust, not unworthy pride, force us to a course of study which supplies ample materials for our columns.—these materials are drawn from attentive examination of all the British and foreign professional journals, and will, we trust, prove as useful to the members of the Society as we find them indispensable to ourselves.

The size of this journal and frequency of its appearance will depend materially on the nature of the modifications about to be made in the Post Office Regulations, and also on the degree of support we meet from our brethren in the Museum in the shape of original contributions. Should our wishes be accomplished in these points, we will issue a number every second month, of the same size as the present, but under any circumstances, while the funds of the Society permit the outlay, and while we continue in our present offices, we will publish every quarter a number such as we now present.

We cordially and earnestly, then, invite our brethren in the provinces to aid us in our useful undertaking. In the department of medical statistics and topography—in the investigation of the qualities of native remedies—in the observation of meteorological phenomena—in countless other pursuits, we know our associates are ever active in inquiry. We offer them now a suitable vehicle for the publication of their results,—one which will place the author of every deserving essay in the most favorable light before all those whose opinions he should value. Our arrangements secure the gratuitous transmission of copies of this Journal to every distinguished Society in Europe and America, and we will also be happy to forward a few copies to private friends of the writers of original communications.

We trust the inducements we are enabled thus to offer, will stimulate the members of the Society to active and prompt exertion. The Medical Society of Calcutta has already earned a high name in the list of scientific bodies. To sustain, to enhance that honorable renown, we should all enthusiastically co-operate. It must not be said of us in Europe, that expatriation has rendered us inefficient in the advancement of our profession. We will rather strive to excite among our brethren of the fatherland some surprise, that amidst the many impediments which beset us here, we still pursue with unabated zeal the various useful and ennobling branches of our truly philanthropic art.

We trust the inducements we are enabled thus to offer, will stimulate the members of the Society to active and prompt exertion. The Medical Society of Calcutta has already earned a high name in the list of scientific bodies. To sustain, to enhance that honorable renown, we should all enthusiastically co-operate. It must not be said of us in Europe, that expatriation has rendered us inefficient in the advancement of our profession. We will rather strive to excite among our brethren of the fatherland some surprise, that amidst the many impediments which beset us here, we still pursue with unabated zeal the various useful and ennobling branches of our truly philanthropic art.

H. H. GOODRIVE, M. D.

W. B. O'SHAUGHNESSY, M. D.

Professors in the Medical College of Calcutta, and Secretaries to the Medical and Physical Society.

. Gentlemen not Members of the Society desiring to obtain copies, can procure them for 3 Rupees each, from Dr. Burlini, Librarian to the Society—*Courier*, Jan 2

MEDICAL AND PHYSICAL SOCIETY.

At a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments on the 7th January, 1837.

R. L. Cumberland, Esq., proposed at the last meeting, was elected a member of the Society.

Letters from the following gentlemen were read:—

From F. Thompson, Esq., Assistant-Surgeon, Bengal, Thomas Key, Assistant-Surgeon, Madras; A. Wood, Esq., Surgeon, Bengal, stating their wishes to withdraw from the Society.

From Messrs. Arbuthnot and Co. of Madras, and from W. B. Thompson, Esq., and from J. Buchanan,

Esq., on behalf of J. Harcourt, Esq., to the same purpose.

J. Forbes, Esq., Assistant-Surgeon of the Madras establishment, was proposed as a member of the society by J. Stevenson, Esq., senior, seconded by Dr. Goodrive. The society then proceeded to the election of office bearers for the ensuing year, previous to which a letter was read from Dr. Mercer, regretting that his time would not permit him again to seek the honor of being re-elected as Assistant Secretary. Dr. D. Stewart also stated his wish not to be chosen again as one of the committee of management.

After the ballot box had circulated, the following gentlemen were found duly elected:—

J. LANGSTAFF, Esq., President.
 N. WALLICH, Esq., M. D., F. R. S., Vice President.
 H. H. GOODEVE, Esq., M. D., Secretary & Treasurer.
 R. O'SHAUGHNESSY, Esq., Asst. ditto ditto.
 W. B. O'SHAUGHNESSY, Esq., M. D., Foreign Secy.

Members of the Committee of Management.

J. RANKEN, Esq. | M. J. BRAMLEY, Esq.
 C. C. EGERTON, Esq. | F. CORRYN, Esq.

Members of the Committee of Papers.

W. CAMERON, Esq. | F. H. BRETT, Esq.
 It was proposed by Mr. Brett, seconded by Mr. R.

O'Shaughnessy, that at the ensuing meeting a proposition should be laid before the society upon the propriety of collecting the votes of the entire body of members of all future elections of office bearers.

The following communications were then laid before the society:—

A case of death from necrosis of the femur after amputation, by A. R. Lindsay, Esq.

A letter from R. Foley, Esq., containing some severe comments upon Mr. Brett's case of cancer, read at a previous meeting.

H. H. GOODEVE, M. D.,
 Secy. Med. and Phys. Society.
 India Gazette, Jan. 18.

UNIVERSAL LIFE ASSURANCE SOCIETY.

At an Annual Meeting of the Shareholders and Policy Holders of the Universal Life Assurance Society, held at the Office on the 31st December, 1836.

PRESENT.

Mr. John Stewart,	Mr. Charles Prinsep,
Capt. Thomson,	Dr. Garden,
Mr. Adam F. Smith,	Mr. John Jenkins,
Mr. Hutchins,	Mr. Rushton,
Mr. F. Macnaghten,	Mr. G. A. Prinsep,
Mr. M. Manuk,	Mr. John Lowe,
Mr. Henderson,	Mr. Beattie,
Mr. Charles Dearie,	Mr. Braddon, junior
Mr. R. H. Matthews,	and
Mr. Pattie,	Mr. George Dougal.

On the motion of Mr. Adam F. Smith seconded by Mr. Beattie, Mr. Pattie was called to the chair.

The following report by desire of the Directors was then read to the Meeting, and unanimously approved.

REPORT.

In conformity with the Provisions of the Deed of Settlement, the Directors submitted to the Proprietors and Policy-holders assembled a sketch of their Proceedings. During the past half year 137 new Policies have been issued for sums amounting in the aggregate to Company's Rupees 13,27,933-5-4—two lapses have taken place, which have collectively caused claims upon the Society to the amount of Co's. Rs 27,733-5-4.

The accounts of the Parent Society extending to the 31st March last, with the report of the Board of Directors to the second Annual General Court of Proprietors held in London, 11th May last, are before the Meeting. On the 31st March last, 210 Policies had been issued for sums amounting in the aggregate to £ 219,648-16-9,—three lapses had taken place, which had collectively caused claims upon the Society to the amount of £ 900.

From the statements and accounts laid before the Meeting as hereafter particularised, the following brief abstract of the present state of the Society is deduced, viz.

Policies issued in London and Calcutta,..... 703
 Discontinued, expired, surrendered and lapsed, . 58

Total number of Policies outstanding, 645

Amount of Policies in operation in London, 31st March last, £210,648-16-9 at 2s... Co's Rs 21,06,498 6 0

Amount of Policies in operation in Calcutta, 30th November, 1836.... 50,93,416 10 7

Total Co's Rs 71,99,915 0 7

Which, divided by 645, gives an average of Rs 11,007. per Policy.

Amount of Funds in London invested in East India Stock new 3½ per cents. and other Securities as per Statement dated 31st Mar. last, £31,254 14 3

Remitted from India 2,287 10 0

£33,542 4 3

at 2s. per Rupee 3,35,422 2 0

Amount of Funds in India invested in Company's Papers, as per Statement, with Cash Balance in the Bank of Bengal,..... 3,72,921 1 10

Total Co's Rs 7,08,343 3 10

On the subject of the subscribed capital, the Directors have to remark that the Stock is at a considerable Premium, both in this and the London Markets, and that the Annual Interest of 5 per cent. on Shares payable on the 1st of January in each year, for which purpose applications must be made at the Office, and receipts forwarded according to a prescribed form.

The claims respectively amount to £900 and Company's rupees 27,733-5-4, or collectively at two Shillings Company's rupees 36,733 5-4, from which if we deduct the amount of Premium realised on the terminated Risk—say £240 and Company's Rupees 15,436-9-3, there remains only Company's rupees 21,296-12-4 to be set against Company's Rupees 4,66,300-7-0, which will appear by the Statement to have been received in Premiums. It is not necessary to stop to enquire how far the claims which have occurred correspond with those which might have been expected from the Tables of Mortality, on which the rates of the Office are founded as the result is so much in favour of the Society, that though the Directors may feel the highest satisfaction in congratulating their constituency upon a greater degree of exemption from the Casualties to which human Life is at all times subjected than is usual, they do not adduce the absence of claims nor the smallness of their amount as data from which to estimate the Society's future success, for the date of its foundation is yet too recent to warrant conclusions being drawn from its experience; still, each year's experience forms one link in a chain which will ultimately lead to very important results, and in the mean time it is most gratifying to the Board to be enabled thus early to announce that success has hitherto attended their exertions and that the amount of business already effected is sufficient to secure the stability of the Society. Your Directors

have submitted for the consideration of the Board at home, several important propositions arising out of circumstances here which call for their serious consideration. Among them may be named—the obvious advantage the Society will derive from having the bulk of its funds invested in India, where the rate of interest is usually higher than at home,—the propriety of increasing the rate on Indian Lives beyond the present limit of 50,000,—which has been found insufficient to meet the wants of several applicants—and the propriety of fixing the terms on which Indian Policies may be continued in England. These and other important questions have received much consideration from the Board of Directors at home, and recent accounts which have been received lead your Directors to the conclusion, that the whole will be speedily settled to their entire satisfaction.

The appointment of Agents for the principal Cities and Towns in England, as well as for several important places on the Continent of Europe, was gradually progressing, and an application had been made by Colonel Napier, Secretary for Indian Affairs, for a Branch of the Society in Canada, which had been complied with, and it was expected that a considerable accession of business and much valuable information as to the Statistics and Mortality of that part of the Globe would result.

The Board of Directors, with a view to obviate inconvenience as well to secure an advantageous investment for a small portion of their Capital, have secured from

the City of London a most eligible site in KING WILLIAM STREET, on which they propose erecting suitable premises for the business of the Society.

Before concluding, the Directors have to announce that on the 7th June last the ROYAL ASSENT was given to an ACT OF PARLIAMENT for enabling the UNIVERSAL LIFE ASSURANCE SOCIETY to sue and to be sued in the name of the Actuary for the time being, or of any one of the Directors of the said Society, and conferring on the society the usual powers and privileges.

The Directors fully expect that within the next six months they will be prepared to enter fully upon the extensive plan of the Society as originally proposed, embracing SURVIVORSHIPS, ENDOWMENTS FOR CHILDREN, AND THE PURCHASE AND SALE OF REVERSIONS AND ANNUITIES, as every preparation is making at Home for this purpose.

By Order of the Directors,

BAGSHAW & CO.

Agents and Secretaries,

Universal Life Assurance Society.

The Meeting then proceeded to ballot for two Directors in the room of Charles Robert Prinsep, Esquire, and Captain John Thomson, who go out by rotation, when C. R. Prinsep, Esq., and Captain John Thomson were re-elected.

Thanks were then voted to the Chair.—*Calcutta Courier, January 4th.*

JOURNAL OF THE ASIATIC SOCIETY.

Preface to the December Number.

Our aspirations on launching a fifth annual volume of the Journal into the ocean of literature are no longer tremulous from a diffident anxiety as to its reception; the tide of popular favor, or at least the diminutive wave of it which reaches the secluded estuary of oriental research, has buoyed us up with the most flattering encouragement, and an increasing body of constituents has still pressed forward to freight our humble bark with the productions of their industry and talent. To extract any of the too complimentary phrases of our correspondents in Paris, Vienna, and London, would be egotism; and we must not forget that a proportion of their praise may be merely stimulatory—inciting us to take advantage of the golden opportunities commanded by our position at the emporium, to amass a rich cargo for their more deliberate and erudite discussion hereafter. Our errors also have not escaped their due measure of criticism, but even thus they have been productive of a good effect in drawing forth more correct information from other sources. The commerce in which we are engaged, to continue the metaphor in the terms of late French prospectus, “multipliera le capital de la science comme l'autre commerce multiplie celui du numeraire.”

However we may thus boast of having added to the stock of knowledge, we fear the “capital du numeraire” has but little connection, beyond the analogy, with the out-turn of our speculation; although, if the pecuniary prospects of the Journal are not much bettered this year, we have none to blame but ourselves for the unpromising aspect of our account current!

By increasing the letter-press more than 100 pages, and the plates in proportion, we felt we were exceeding the bounds of caution; yet we could not resist the attempt to keep pace with the communications entrusted to us for publication, even at some sacrifice and risk. Had

our edition been sufficiently extensive to allow a large reserve for future sale, there might have been hopes of retrieval—but the 500 copies have all disappeared, and of our early volumes it is almost impossible now to procure a copy. The only method, then, left to meet this difficulty, is to levy a heavier assessment on our supporters for the future; and to this step, however reluctantly, we shall be obliged to resort from the beginning of the year 1837, still always adhering to our engagement of giving the maximum of matter for our means, and reminding our subscribers that we are not in fact heightening our charge, but enlarging our work; seeing that from 32 pages we have gradually augmented the monthly quota to 80, a quantity which experience has proved to be more than can be covered by a rupee subscription. Our rates from 1837, therefore, will be 1½ rupees per number to subscribers; and two rupees to others. The pecuniary details on which this measure is founded are as follows:

1836.	PAYMENTS.	Co.'s	Rs.	A.	P.
To Balance due 1st January,.....	675	3	7		
To Establishment one year,.....	175	7	0		
To Postages,.....	143	14	3		
To Binding,.....	209	4	7		
To Prikker's Bill discharged,.....	4,277	0	6		
To Engravings and Lithographs,.....	1,566	5	0		
	7,047	12	0		

OUTSTANDING.

To printing Bills unpaid for 1836,.....	5,221	0	0
	12,168	12	0

RECEIPTS.

By Collections in 1836,.....	4,319	0	0
By Asiatic Society for copies supplied to Members in 1835,.....	3,988	0	0
By sale in England,.....	936	8	0
	5,743	9	1

DISBURSEMENTS.

By Subscriptions due for 1836, in Calcutta,.....	960	13	3
Ditto Mofussil,.....	1,100	0	0
Ditto Members Asiatic Society,.....	1,284	0	0
Ditto Madras,.....	777	15	0
Ditto Bombay,.....	830	3	9
Ditto Ceylon,.....	183	10	7
	10,880	3	8

Loss, supposing all the outstanding claims realisable,.....	1,388	8	0
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If, in our last volume, we could not refrain from noticing, as the most prominent object of interest in its contents, the suspension of oriental publications by the British Indian Government, and the general discouragement under which oriental studies were doomed to languish, we must not, on the present occasion, omit to make honorable mention of the patronage and favor which has once more dawned upon science and literature in India under the present administration. The proceedings of the Asiatic Society, last year so full of painful discussion and unsuccessful appeal, this year shine forth with tokens of distinguished consideration. Consulted on the merit of propositions connected with historical research in the Peninsula and in Ceylon, its recommendations have met that attention which dignifies its proceedings, and tends more than any thing else to render it a substantive and useful institution. The sanction of its auspices has been courted, and has been extended beneficially to publications of great magnitude and importance. It has itself engaged in a new sphere of operations, devolved upon it by the discussions of last year, which promises, by a judicious combination with the sister Societies of France and England, to become equally advantageous to the European scholar, and profitable to itself. The Society of Paris has been the foremost to volunteer its co-operation in the completion of the series of suspended oriental works; but we have reason to know that the Royal Asiatic Society of London has not espoused their cause less warmly or less successfully, although the unavoidable delays of references to high authorities have prevented our yet reaping the fruits of their influence and intercession.

Many will consider with ourselves that the publication of a full edition of the oriental classics is a perfectly legitimate branch of labour for an Asiatic Society, and they may hope to see it permanently continued under endowment and protection of the Government itself.—It may indeed be regarded as a judicious modification of one of the earliest intentions of the institution promulgated in July 1806, but hitherto left a dead letter on its minutes, "that a series of volumes, to be entitled *BRAHMERICA ASIATICA*, be published by the Society distinct from the *Asiatic Researches*, containing translations of short works in the Asiatic languages, and extracts and descriptive accounts of books of greater length, gradually extending to all Asiatic books deposited in the Society's library, and given to all works extant in the languages of Asia."

The translation and critical examination of Oriental works at the present day can be better undertaken by the distinguished professors and philologists of Europe, and the only department of which we can hope to relieve them, with any chance of success, is the collection and correct printing of original texts through the supervision of our native Pandits and Maulavis. We therefore hope to see fresh volumes put in hand now that the series transferred by the Committee of Education is so nearly

completed; and we would respectfully suggest, that the Government should make over to the Society all of the Sanscrit, Arabic and Persian works that have hitherto issued from the Education Press, in order that one system of distribution and sale may be regulated for the whole series; and that, under the name of the *BRAHMERICA ASIATICA*, this body of Indian classical lore may be encouraged and regarded in the light of a national undertaking, entrusted merely to the vigilant superintendence of the Society as the appropriate organ of their publication.

But we are dwelling too long on a favorite project, and have but little space left to allude to the equally prosperous fortune of the natural sciences during the present year. The sincere votary of science cannot have witnessed without pleasurable anticipations the introduction, altogether novel in this country, of the delightful and instructive experiments of natural philosophy among the social recreations of Government House. At these parties may be kindled into action many a dormant disposition to cultivate the sciences that have hitherto but wanted such a stimulus; and the community at large may learn to appreciate the studies they have been accustomed to eschew as vain or recondite, by witnessing their practical application and attractions. We have heard it suggested as an improvement on the plan adopted by the illustrious Patron of the Society, to hold these soirees directly at the Society's museum, where the objects to be explained or exhibited might be prepared more at leisure, and where they would remain classified with others in the same collection;—others again have advocated the giving of a more decidedly lectural character to the evening's exposition. In London, where the President of the Royal Society holds similar meetings, his visitors are already well grounded in the subjects treated of, and need but a glance at any new invention or experiment to comprehend its drift: but in India the majority have not enjoyed the same opportunities, and their curiosity is merely raised without hope of entire satisfaction. But against this view it may be urged that a monthly lecture would be but a tardy mode of communicating knowledge, more especially if the subject were to be changed on each occasion. A course of lectures might be a good succedaneum to the system, but the spirit of the monthly re-union must be general and exhibitory, to answer the object intended.

Again we are insensibly falling into a review of matters beyond the proper scope of a Preface, which should confine itself to the contents of the volume it proceeds, or to the mutual concerns of the editor and his constituents.

On the cover of more than one monthly journal we have already explained to what extent we have been enabled to increase the number and accuracy of our lithographed plates this year, by putting in requisition the talents of our mofussil friends. When the facilities of drawing on transfer paper for lithographic printing become more generally known, we may expect still further advantage from its adoption by travellers, engineers, botanists, and naturalists, who are, or ought to be artists also. It is now known from actual experience that a transfer drawing, packed in a tin roll, may be subjected to a journey of 1000 miles, either in the hottest or the dampest period of the year with impunity. Most of the imperfections in the plates of the Sewalik fossils are due to want of care in passing them on to the stone, rather than to imperfections in the original drawings.

Some confusion has arisen this year, in the numbering and placing of the plates, from continual and unavoidable postponements which it is needless to particularize. One plate (of the *Bhitari* inscription) has been reserved for the ensuing volume, that full justice may be done to the able elucidation of its important contents. And here we may be allowed a moment's exultation at the highly curious train of discovery, connected with this monument, which has been developed in the pages of the journal.

Not only has a dynasty before wholly unknown to the Indian historian, been traced by coins and inscriptions through seven generations in its own line, but two collateral alliances with other reigning princes have been brought to light; while extracts from ancient Chinese authors, independently scrutinized in Europe, have helped to determine their exact chronological epoch.

In numismatic research discovery has been no less rich. The theory of a Grecian origin has been extended to various other series of Hindu coins—and the only one (the *Varaha* series) which remained of a doubtful source, has recently been traced in a most satisfactory manner to the Sassanian coinage of Persia, as will hereafter be shewn. We may here correct an ignorant error into which we have fallen in describing the legend of SWINEY's coin of AGATHOCLEA—giving the epithet *θεορρηγ*, as if derived from *ρηγω* instead of *ρηγω*; to this our attention has been called by several correspondents; and we therefore thus conspicuously acknowledge our blunder. The true meaning of the epithet (written *θεορρηγον* though united to *βασιλευσας*) we conceive to be “godly-dispositioned.”

We must also caution our readers against implicitly adopting our version of the Barro-Pehlevi character—for we are now in possession of the comparative alphabet lithographed by M. JACQET, which differs in many respects from our system, grounding it upon the Syriac instead of the Zend. Not having yet seen the author's memoir on the subject, we are unable to make known his system, although we cannot doubt its superiority to our crude attempt.

In fossil geology one immense step has been made this year, by the discovery of the remains of a quadrumanous animal, the nearest approach to the human being that has yet been found in a fossil state in company with the extinct monsters of primeval antiquity. This important addition has enriched the Dâdupur museum; but no less interesting have been the additions to its worthy rival the museum of Seharanpûr. It is perhaps right to explain how it has happened that the papers of Lieuts. BAKER

and DUNAN have mostly appeared in the journal, while those of Dr. FALCONER and Captain CANTLEY have graced the new volume of the *Researches*. This selection was made from no difference in the relative value of these most interesting papers, but solely to accommodate best the drawings which accompanied them. We hope at some future period, to see the whole series collected together into a complete and luxurious work on the fossil osteology of the Himalayan range; but such an undertaking should await the exploration of the whole line, and should be made a national concern. At present the great feat is, least the quantity of specimens dispersed in private collections on all sides, may deprive us of many fragments requisite to work out the forms of the curious new animals disinterred from this vast cemetery of the ancient world.

We have partly redeemed our promise to our meteorological contributors: sufficiently so, we hope, to revive their exertions, and procure us a combined series of observations in different parts of India for the coming year, more extended than the comparative tables we have now published. We regret having been unable to supply Barometers to the numerous applicants who have volunteered to use them. The duty now levied on philosophical instruments, will tend still more to check their importation.

Or readers will now readily excuse the absence of articles on the progress of the sciences in Europe, since that department has been zealously pursued by another periodical of extensive circulation, in consequence partly of our neglect of it; and a third rival has recently entered the field under promising and powerful auspices. These have so fully made known many local inventions of scientific interest, that we have less regretted our inability to find space for their re-insertion. We would, on no account, however, wish to confine our pages to subjects more strictly Indian; on the contrary, we shall ever study to infuse into them a pleasing variety of original information on all subjects, of man's performance or nature's production, within the wide range prescribed to us by our allegiance to the Asiatic Society.—*Cour. Jan. 31.*

BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY.

At the monthly meeting held on the 28th Dec.

Captain Newport, having been balloted for, is duly elected a member of the Society.

A Marathi Atlas is presented to the Society, by the Author, Dadoba Pandurang.

A very able valuable and interesting Essay on the Arabic Language, by the late T. M. Dickinson, Esq. was read. It is devoted principally to the elucidation of the precision and copiousness of that ancient tongue. The capacity of the language to express simple and correct definitions must be admitted, it is contended, by all who will consider either its exact precision of structure, or examine a page of the *Kamus*, or any other approved version. The argument that the Arabic must be limited in its powers to express intellectual ideas, because it is in its roots, is considered unsound; and a part of the paper is spent in its refutation. The arguments against its copiousness, founded on the abundance of its synonyms, alleged to have been formed to get rid of the necessity of a paucity of ideas, is declared to be also unsound, because it is contrary to experience to suppose

that any people ever coined even one word exactly synonymous with other words with which they were previously acquainted.

The peculiarities of the language are thus set forth:—“The earliest accounts of Arabia describe it as a wild and desert region, occupied by a number of wandering tribes or families, the descendants of Ishmael, the son of Abraham, Esau the son of Jacob, and the sons of Keturah the wife of Abraham, who finding the soil incapable from its dryness of maintaining large communities, were prevented from associating in large numbers, and founding towns and cities like the early settlers in the fertile provinces, on the banks of the Tigris and Euphrates, but wandering forth as they came to manhood, with their flocks and families, pitched their rude tents wherever they found all that was requisite for their wants, a well or spring which would afford water and pasture for their flocks, in which consisted their wealth and support; there they remained till the growing numbers of themselves and their flocks, became too great for the scanty supply of water to which they trusted for their subsistence, when the more active and adventurous part of the tribe wandered forth with their flocks and families in quest of another

settlement. The consequence was, that in the course of years a large extent of country was peopled by a race of men descended from a common stock, and therefore speaking a common language, but separated from each other by the inhospitable sands of the desert, and unconnected by any of those links, by which arts and commerce have connected the most distant portions of the world. At first the lives of these early settlers and the scenes around them were unvaried and monotonous, and they were too much engaged in cares for their subsistence and preservation to devote much of their time or thoughts to reflect upon what they saw or felt, but as they became more settled and tranquil, and experience made them acquainted with new objects, or taught them to reflect upon those with which they were already familiar, they found themselves in want of words to express their new ideas, and here a striking feature of this extraordinary language forced itself upon our attention. It is natural and reasonable to assume that the Arabs were at the early period of which we are speaking, poor in their ideas, and unacquainted with many objects of nature, for we have no reason to suppose that they were and have every reason which experience of people in a similar state can furnish, to suppose that they were not, acquainted with letters without which it is impossible to preserve among a people for any length of time an idea of an object, which has never been presented to their senses. Several words, therefore which their forefathers used, as representatives of objects with which they were familiar, would, from the absence of similar objects in the places where their descendants settled, become obsolete and unknown and the idea was lost to their minds, till restored in the course of time by experience or reflection, when the word also being lost, they were obliged to coin a new one, but whenever the idea, whether sensible or intellectual was compound, or resolvable into any other simple ideas it was expressed by some modification of its most essential simple ideas. And it will be found upon enquiry that a few, if any, of those simple ideas which from the nature of things must have been early and constantly perceived by man are represented in Arabic by more terms than one, and that the compound ideas deducible from any are represented by modifications of that term, and, moreover, that those ideas, of which there are so many synonyms in our representations, are generally, if not always, sensible, and of such a nature that they could not along continue perceptible to the infant colonies of a wandering illiterate people without the presence of their objects, with which objects they might, conformably with the nature of things, be unacquainted long enough to forget and lose both the idea and word. The consequence was, that when in the course of time they again became acquainted with the object, and required a word to represent the new idea, if they could not refer it to any ideas of which they were in possession, they coined, at chance, directed, a new word, and hence the number of synonyms which are found in the modern Arabic, in which the various peculiar terms and idioms of the different tribes of Arabia have, as the writings of the host of authors which they have all contributed to furnish during the last 13 centuries, been united and embodied in one language.

In prosecuting this enquiry there are two points which particularly attract the attention, and excite the admiration. The first is the wonderful power and intrinsic richness of a language which, though used for centuries merely to represent the ideas of a race of pastoral barbarians was capable, when called upon, to explain to its people, and I may almost say to the world, the subtle reasoning of Aristotle, the sublime philosophy of Plato, the abstruse calculations of Euclid, and the delicate prescriptions of Galen and Hypocrites, and which, though strained as it was, by the immense influx of new ideas, which the writings of these sages and philosophers must have excited, was capable of furnishing words for them all, out of its own inexhaustible mines.

The 2d point, is the wonderful structure of this language which has preserved it from corruption or decay, just as it was for a period of above twenty centuries among a people who had neither colleges to establish or large communities to preserve their language, it has retained that peculiarly delicate structure uninjured by the hand of barbarism and neglect, and unimpaired by time, which has so particularly exercised the ingenuity of the Arabic Grammarians, and excited the admiration of the world.

As a written language the precision of the Arabic is equally peculiar. Without entering into a dissertation on the philosophical structure of its alphabet, it will be sufficient to observe that each letter has a certain essential sound which nothing can change or effect, and is either preceded or followed by a certain vowel point which also has an unchangeable sound, by the aid of which it is pronounced. But as the rules of grammar in all cases regulate the accent of the final letters, and custom has established that of all the others, the Arabs have not thought it necessary on ordinary occasions to make use of these diacritical points, and have consequently omitted them in all cases where the omission would not be attended with ambiguity and obscurity, except in treatises on religion, law, metaphysics, &c. in which there might be an ineligibility for ingenuity, to exert itself in perverting the obvious meaning of the text by a different but not inadmissible mode of punctuation with regard to making an active for a passive verb, or one person for another, it is almost needless to say that the context and a reference to the agent and thing acted upon, will always preclude the possibility not only of a mistake, but even of a doubt or hesitation.

Another peculiarity of the Arabic, is its remarkable application to harmonious composition. This may be ascribed to three causes.

1st The precision with which the length of the accent of each syllable is defined.

2nd The number of synonyms from which selection may be made of the word the most conducive to the harmony of the passage without at all affecting the meaning.

3rd. The circumstances of all derivative in which consists the bulk of the language being formed on the same model. But it is needless to support this argument by theory when a reference to the first page of the *All Leilah* in any other work, even in prose, will establish the point beyond the reach of controversy.

But there yet remains unnoticed, what may appear at first view a serious obstacle inherent in the nature of the Arabic language, which must prevent it from ever attaining a high degree of copiousness, or richness, and must doom it in the opinion of a superficial observer to be for ever a barren and unimprovable dialect. I allude to the absence of compound words, a circumstance essentially necessary and unfavorable in the construction of the language, and which must consequently ever prevent the Arabs from availing themselves of this mode of expressing new and complicated ideas; accustomed as we are to view the beautiful flexibility of the Greek and the other languages of Europe to which it has communicated so much of its own copious richness, it is natural that we should suppose that no other means than those which we have always before our eyes, the indispensable use and necessity of which we experience whenever art or science presents us with a new idea, could enable a language to expand with the advancement of science and to furnish new words for every new idea. But philosophy must not form her opinion so hastily, she must view the subject through the cold medium of reason, and weigh it in the severe scale of experience, she is aware that all the modern languages of Europe follow the example of the Greeks of express-

ing a variety of ideas by compounding several words together; and she sees what difficulty they would labor under, were it not for the rule universally acknowledged, which allows the coinage and adoption of any words. *Si sequente cadant parca datoria.* But these new terms are not understood except by those who have acquired a knowledge of the sources from which they are drawn, and consequently though distorted and arrayed in new apparel, they are as incomprehensible as if they had never been modernized. But circumstances so intimately connecting the rise of modern Europe with the decline and fall of the Greek and Roman Empires have established and preserved all that remains of these vast fabrics, save the names. Their language, though no longer spoken, is interwoven with every dialect of Europe. Necessity and subsequently custom, a law almost as strong, have made them the pursuit of all who have the means or opportunity of studying them; so that its fitness and their own natural convenience have induced the learned of all Europe, whether of Teutonic or Celtic nation, to diffuse their new ideas through the classical medium of Greek and Latin compounds. But had there been no such medium, and no occasion for a medium, supposing them to have had a common language, as the Arabs have, what would they have done? They would either have compounded words of their own language or have coined new ones, which would have been no more incomprehensible to the body of the people than the present classical terms actually are; and this we see constantly exemplified in those branches of science where the lower orders are engaged, for though they are presented with an infinite variety of new objects, which suggest a still greater variety of new ideas, they never are at a loss for terms to express them by, from their ignorance of the classical languages,—but either invent, or apply some words, which serves every purpose intended,—that of clearly and distinctly conveying their meaning.

Reason, therefore, clearly shows that compound words, however beautiful and natural they may appear to us, are not essential to the expression of new ideas. But experience and facts are still more stubborn arguments than reason itself. During the dark period between the 6th and 12th centuries, when the black fiend of super-

stition had cast its fetters over the minds and intellects of the whole of Europe, and ignorance had thrown its dismal mantle over the fairest portion of the globe, the torch of learning and literature was kept alive in the Saracen halls of Bochara and Bagdad, Damascus, and Medina, Cairo and Cordova, and other cities, under the sway of the successors of Mahomed. Those enlightened Arabs saw and admired the literature, science, and philosophy of the Grecian schools, but they saw the power and beauty of their own language, nor would they permit their youth to be opposed by the difficulties of a strange tongue in the acquirement of what they saw to be so desirable. By their order every thing which the wisdom of man had discovered conducive to the benefit of Society or the dignity of the mind, the polished and instructive beauties of history and romance, the beneficial details of botany and medicine, the abstruse calculations of geometry, algebra, and astronomy, the deep reasoning and elaborate philosophy of the grove, the portico, the lyceum and the academy, with stupendous works on jurisprudence, grammar, logic and rhetoric, were translated or compiled and diffused throughout their empire. But vast as was the influx of new matter and new ideas to these pastoral warriors, they found terms for them all in the unbounded depths of their own language, which seemed to borrow words from these sources from which the Arabs had derived so many ideas, and when in the course of ages the sun of the Saracen empire declined, the language retired to its native deserts, unexhausted and unfathomable as before; what it has not kept pace with the languages of Europe since that period, is owing not to its own imperfection but to the neglect of the Arabs themselves, who have relapsed into their original desert life as if they had never emerged from the wilderness. But it has been tried, severely tried, and has never been found deficient. Why then should we assume that it could not stand a trial, and on this assumption proceed to condemn it as crude and imperfect, on the contrary, when I view its internal structure unquestionably more perfect and comprehensive than any other known language, and find the impressions which this gives rise to so fully confirmed by the experience of centuries. I am disposed to think with Sir William Jones, Richardson, and the world in general, that the Arabic is a most copious, rich comprehensive, and wonderful language."—*Courier*, Jan. 7.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held in the Town Hall, on the 13th of Jan., for the election of Office bearers for the present year.

MEMBERS PRESENT.

Dr. N. WALLICH, M. D., V. P., IN THE CHAIR.

The Hon. Col. Rehling; J. P. Grant, Esq.; Dr. Haffnagle; Charles Hutchins, Esq.; Archd. Grant, Esq.; J. W. Masters, Esq.; H. Walters, Esq.; W. Storm, Esq.; Captain T. Leach; David Hare, Esq.; H. M. Low, Esq., and John Bell, Esq.

Visitors—Dr. Helfer, M. D.; G. R. Campbell and G. A. Prinssep, Esqrs.

The Secretary informed the Meeting that Sir Edward Ryan was unable to attend in consequence of other engagements.

The following gentlemen proposed last month were duly elected members by ballot:—G. H. Smith, Esq.; John E. Baker; Dr. B. Burt; W. M. Dixon, Esq.; J. M. Macgregor, Esq.; W. G. Rose, Esq., and the Revd. Mr. Boaz.

The following gentlemen were proposed for election next month: F. Corbyn, Esq., M. D., proposed by Dr. Wallich and seconded by John Bell, Esq.

W. B. O'Shughnessy, Esq., M. D., proposed by Dr. Wallich and seconded by John Bell, Esq.

H. Goodeve, Esq., M. D., proposed by Dr. Wallich and seconded by W. C. Hurry, Esq.

John Haints, Esq., proposed by Dr. Wallich, and seconded by W. C. Hurry, Esq.

Alexander Colvin, Esq., proposed by J. C. Wilson, Esq., and seconded by H. M. Low, Esq.

H. Cowie, Esq., proposed by J. C. Wilson, Esq., and seconded by H. M. Low, Esq.

James Sydney Stopford, Esq., proposed by J. C. Wilson, Esq., seconded by H. Walters, Esq.

Alex. Beattie, Esq., proposed by J. C. Wilson, Esq., and seconded by H. Walters, Esq.

G. T. F. Speed, Esq., proposed by W. Storm, Esq., seconded by John Bell, Esq.

D. W. H. Speed, Esq., proposed by John Bell, Esq., and seconded by W. Storm, Esq.

E. Latour, Esq., (S. C. Malda) proposed by W. Storm, Esq., and seconded by F. McArthur, Esq.

M. Maclean, Esq., (Callna) proposed by W. Storm, Esq., and seconded by John Bell, Esq.

J. R. Colvin, Esq., proposed by J. P. Grant, Esq., and seconded by D. Hare, Esq.

G. A. Prinsep, Esq., proposed by Dr. Wallich and second by W. Storm, Esq.

The proceedings of last meeting having been read and confirmed, the Vice President called attention to the lists of officers for the past year, which lay on the table, and requested members present to substitute any other names they chose, intimating that Col. Dunlop, one of the Vice Presidents, being absent, that appointment required to be filled up.

C. K. Robinson, Esq., was accordingly elected in the room of Col. Dunlop: all the other officers were re-elected, the list therefore stands as follows:—

Patron.—The Right Honorable George Lord Auckland, C. G. B., &c.

President.—The Honorable Sir E. Ryan, Knight.

Vice-Presidents.—Dr. N. Wallich, M. D.; C. K. Robinson, Esq.; His Highness Nawaub Towaher Jung, and Baboo Radacant Deb.

General Committee.—Dr. Strong; W. Storm, Esq.; Joseph Willis, Esq.; D. Hare, Esq.; H. M. Low, Esq., and Baboo Radamadub Bannerjee.

Committee of papers.—Dr. Wallich, M. D.; W. Storm, Esq., and John Bell, Esq.

Agricultural Committee.—Dr. Wallich, M. D.; W. Storm, Esq., and John Bell, Esq.

Secretary and Collector.—John Bell, Esq.

The Vice-President stated that a very unfortunate mistake had been made by the Committee appointed to make arrangements for the ball proposed to be given to the Honorable Misses Elen, in fixing upon the evening of the day, last fixed for the annual exhibition of vegetables and the Society's dinner, and suggested that some definite understanding should immediately take place, as the season for vegetables had arrived.

Mr. H. M. Low proposed, and was generally seconded, that a committee be immediately appointed to wait upon the Hon. Misses Elen, or upon the ball Committee, to point out the injury which the matter would sustain, if any further delay were occasioned. A member present, however, stated that the circumstance had already been hinted to the ladies, who were quite indifferent to the evening that might be fixed, and Messrs. Low and Hatchins were accordingly requested to wait upon Mr. Shakespeare, who agreed to name the 17th for the ball, and that the 13th instant, as previously determined, should be reserved for the exhibition and dinner.

The President next called attention to a report which the Secretary had drawn up, of the Society's proceedings during the past year, which exhibited most satisfactory proof of the continued and greatly increasing prosperity of the Society. In the course of 1836, sixty-nine new members have been elected, but including 14 names proposed this day, while only four resignations had taken place, and those were Members leaving India. The pleasing view of the Society's progress was dampened by the record of the deaths of two highly respected Members, viz. James Kyd, Esq., and Captain William Bell.

Resolved.—That the Report read by the Secretary be adopted, and published in the Society's transactions.

The Collector's Report was next read, showing that from the 1st of January to the 31st of Dec. 1836, Rs. 11,531-1-1, have been collected, which, with the cash balance on the 31st of December, 1835, made up a sum of 13,433-2-1.

The disbursements had been very heavy; upwards of 4,000 Rs. had been expended on seed, and upwards of 2,000 Rs. on printing the Society's transactions in English and Bengalee.

Freight on seeds, the maintenance of the Society's nursery, medals and rewards, establishment, advertisements, &c. constituted the other chief items of expense, amounting in all, including those already stated above, to Rs. 9,740-13.

The Collector had likewise invested 3,207-10-6, in Government Securities, and placed them in the Government Agency office for further accumulation. The amount of fixed assets vested in 4 and 5 per cent. paper, is now 14,000 Rs. exclusive of current interest.

Resolved.—That the Collector's report be adopted and his account, and Abstract of Receipts and Disbursements, be published in the Society's transactions.

Resolved.—That the thanks of the Society be given to Mr. Bell for drawing up their reports.

Resolved.—That the special thanks of the Society be offered to the office bearers for the past year.

Read a very interesting and highly important series of suggestions by H. Walters, Esq., drawing the attention of the Society to the propriety of establishing Branch Societies throughout India. It would be injustice to Mr. Walters to attempt in this place, even an outline of his valuable paper. It will shortly be printed, and acted upon.

Dr. Hufnagle presented to the Meeting, a Catalogue of prizes and rewards dealt out by the Agricultural Society of Philadelphia, for the encouragement of Agriculture, Horticulture and Floriculture, which will form the basis for suggestions, in regard to the future operations of this institution.

Read a letter from Government to the Secretary, requesting the co-operation of the Society, in behalf of the objects, for which the services of that distinguished naturalist Dr. Helfer had been engaged, on his tour, to the Coast of Tenasserim, &c.

The Secretary informed the Meeting that he had immediately given effect to the letter of Government by putting up a valuable assortment of seeds, &c. which he had made over to Dr. Helfer, with all the printed information he had at his disposal.

As the business of the Meeting was principally to elect office bearers, the reading of all other communications were deferred until February. One more letter was however submitted from Mr. Liddell, Secretary to the Madras Society, stating that a model of Captain Dalrymple's plough might be obtained; but that the original plough had been offered by Captain Dalrymple at prime cost and charges which would be about 100 Rs.

Resolved.—That the Secretary be requested to write and accept Captain Dalrymple's polite offer.

JOHN BELL, Secretary.

Agricultural and Horticultural Society's Office, Town Hall, Calcutta, January 11, 1837

India Gazette, January 13.

THE HORTICULTURAL DINNER.

About eighty gentlemen attended the dinner laid out in the Town Hall on Thursday the 19th Jan. for the members of the Agri-Horticultural Society and their guests. Among the latter were Sir J. P. Grant, M. Bédif, the administrator of Chandernagore, Colonel Rehling, the Governor of Serampore. Sir Edward Ryan in the chair. After the usual compliment to royalty.

Sir Edward Ryan said, the stewards, who had been kind enough to take the trouble of the arrangements for the dinner, had taken care that the toasts should be appropriate to the subject of the meeting. He briefly stated that the one he had to propose was—'Prosperity to the Agricultural and Horticultural Society of India.' But, as some of the members present were not perhaps familiar with the proceedings of the Society, he ventured for a few minutes to trouble them with a short account. Sixteen years ago the Society was formed by the late Dr. Carey, a distinguished orientalist, a very distinguished botanist, but most distinguished as the founder of this Agricultural Society. He need not say, that it had been founded successfully; the table in the evening and the exhibition during the morning would answer the enquiry. It was true they had not succeeded with fruit trees, but the experiments had failed, not because the climate was ill-adapted for the purpose, but in consequence of having been tried on the wrong soil. He trusted the experiment would be repeated on a proper soil, and sure he was that it would be watched with interest by those who looked back at the description of vegetables they had a few years ago. He need not say it was then scarcely possible to procure good vegetables even in the gardens of private gentlemen. The result of establishing the society has been that the finest vegetable are easily procurable in the bazar. In truth that is the place where the most excellent are to be found! (Cheers). Up to 1829 the society had confined their attention to the extension and improvement of market vegetables and fruits, but since that period their views had been directed to the more important objects of agriculture, especially cotton and the sugar-cane. Before noticing these he briefly congratulated the society on the recent act of the English legislature in removing the sugar importation restrictions. The members had done their best to spread the *Stabeite* cane. It was true some of their attempts had failed; they had failed at Lucknow and two other places which he mentioned, but the accounts from Dr. Wallich were most cheering, and not less so were those from Captain Slesman, who is doing with the cane the best he can in Bundelcund. To cotton the society had turned their best attention, and with it they must succeed. A supply of American Cotton seed had some time since been forwarded by Mr. Richardson of Liverpool, and the result is now shewing itself at Singapore, on the Tenasserim coast, and in the North Western Provinces. Major Colvin and Colonel Skinner both spoke favourably of the cultivation of Upland Georgia, and Mr. Blundell was very sanguine, not only as to its success at Moulmein, but that it can be very profitably cultivated there. The chairman then went into the details furnished by Mr. Blundell of the expense of cultivating cotton, the result of which showed a very large profit. He also noticed the successful cultivation of arrow root by one of the members of the society, and alluded to the endeavour now making by Dr. Wallich in the Botanical Garden to grow the grass mentioned by Moorcroft as a preventive to the rot in sheep. Sir Edward congratulated the members on the prosperous state of the society, the increase of the number of members, the financial accumulations; the latter had enabled them to print the third volume of their Transactions, which was now printing under the superintendence of their talented member, Mr. Marshman. He thought,

taking all things into consideration, he might say that the society was in a prosperous condition, and hoped that it may continue so, for it must tend much to the prosperity of the country. It was evident, if they could grow good cotton and good sugar, and increase the export thereof, the benefit would not be confined to India but extend itself to England also. He was sorry to say they were not supported by the particular class who interests were likely to be the most immediately benefited by the Society's exertions. There were a considerable number of members belonging to the civil service, but the merchants and indigo planters were more chary in giving their support. He hoped they would lend the society their aid for they had a deep interest in its proceedings.

The Chairman was loudly cheered at the conclusion, and the toast was drank with much applause.

Sir Edward Ryan, after noticing the applause with which the last toast had been received, was sure the members would not be less complimentary when he proposed the society's patron,

'Lord Auckland.' (Cheers.)

Dr. Wallich lamented his inability to speak as he could desire of the toast which had been assigned to him. But he was sure the members would readily supply the deficiency, when he proposed. 'The Society's friend and indefatigable supporter, our chairman.' (Much applause.)

The Chairman returned thanks. So far from having a deficiency to supply he was sure Dr. Wallich had said too much and spoken of him in terms which he did not deserve. His exertions had been very inefficient, nevertheless he had done his best.

Dr. Wallich.—How shall I, how can I possibly express what I feel when I propose the memory of my late friend, 'The illustrious founder of this society, Dr. Carey!'—(Solemn silence.)

The Chairman.—Fill a bumper, gentlemen! I propose the health of a gallant individual, not on account of the high rank he holds in this country, but because he is a distinguished and zealous member of this society. 'Sir Henry Fane.'

Sir J. P. Grant.—Gentlemen, I rise to propose the toast which has been put into my hands with much pleasure, both as a member of this society and as having been attached from a very early period of my life to agricultural pursuits. 'The Merchants and Shipping Interests of India.' I do not think any toast could have been better adapted to the present occasion. The prosperity of trade and agriculture are inseparable. The importance of one to the other might be illustrated by the remark of the French gentleman who translated Smith's 'Wealth of Nations.' He, when asked his opinion on the then much disputed point, whether agriculture or commerce were the more conducive to the national welfare replied that it was very like the question whether the right leg or the left is the more useful in walking. Their interest must keep pace with each other, and therefore all must unite in preserving the health of their agricultural and commercial members. If we have not enterprising merchants I do not know to what purpose we should employ our produce, but I appeal to this mercantile community, and ask if they too are not mainly dependant on agriculture? May they not by promoting the objects of this society, increase their means of profit, in a country, agriculturally considered, profitable beyond any country in the world? He trusted this hint would induce the mercantile community to lend the society their best support. Commerce had derived great benefit by being freed from her trammels, and Agriculture has to look for a similar lessening of her burdens.

Mr. A. Colvin was quite ashamed to acknowledge that, though he was aware of the importance of the purposes which the members had in view, he had, as yet done little in aid of their endeavours. This, however, was not to be attributed to a feeling of indifference but to other causes. However he promised something for the future, and did not doubt that his mercantile friends would improve by the lesson Sir John Grant had read to them.

Mr. W. P. Grant proposed the health of a body of gentlemen, who, he was happy to say, had good reason this year to be well satisfied with their condition. He proposed the '*Indigo Planters and a continuance of their prosperity.*'

TUNE.—'*Blue bonnets are over the border.*'

Mr. Pontet had the pleasure of having been an Indigo planter, though, and he said it with much regret, he had to enjoy none of the profits. Nevertheless, the latter circumstance, untoward though it was, did not prevent him feeling grateful for the honor just conferred on his early profession.

The Chairman proposed 'the Agricultural Societies of Bombay, Madras and Singapore' to which he added the '*Branch Societies at Bangalore, Meerut, and Beerbhoom*' with a few remarks describing the formation and progress of those institutions.

TUNE.—'*Cherry Ripe.*'

Sir J. P. Grant said he had much pleasure in proposing the next toast, being the health of a person whose interests are common with the interests of a community whose prosperity he was sure every European was desirous to advance. He alluded to the native community, one of whom, the Nawab Tahowur Jung, he had the happiness to see present, and another of whom, Dwarkanauth Tagore, would have been present had not indisposition prevented his attendance. He was proud to say that the distinguished gentleman then sitting at the table had always shown a lively interest in the proceedings of this society, and invariably expressed his anxiety to promote useful objects amongst his countrymen. He was sure this would have a beneficial effect, and hoped that the Nawab's excellent example would meet with many imitators, for it was quite clear, nothing could be done without the most strenuous exertions on the part of the natives themselves. Sure he was, that those exertions were well directed in promoting the improvement of Agriculture and Horticulture, the latter indeed an object of much importance, but when he reflected on the extent of soil, its fertility, and the means at hand to cultivate it, he could but consider the importance of improving agriculture as the greatest work on which they could be engaged. It was indeed prodigious. Sir John concluded by proposing the health of '*the Nawab Tahowur Jung and the native members.*'

The Nawab returned thanks. He thought his name highly distinguished by being associated with those of gentlemen pursuing objects so important and so laudable.

Mr. Prinsep.—When Englishmen and Scotchmen and Irishmen are congregated together they are apt to extend their views beyond the place of meeting to that home, not of all their hopes but of their best affections. He hoped they would not neglect local objects,—he was quite sure the least attention must satisfy every one they had not neglected them; and however useful they may be, they redounded to the credit of that country to which some may retire and all hope to return. They should not forget those institutions from which they had emanated and without which these would be of very little utility. '*The Agricultural Associations, of the United Kingdom.*'

TUNE.—'*I have fruits, I have flowers.*'

Dr. Mellis rose on the part of the Agricultural Societies of Great Britain, which, he said, was presuming

a great deal, and not the less so, that he also rose on the part of the Agricultural Societies of the north of Scotland, to whose diploma he recurred with pleasure. In Scotland he was born, there he has been brought up, and there (for which they had honored him) he had taken from India a little of what had pleased them all that night, namely, coffee, plantains, pomegranates, and pines from Dacca. All of which were most excellent. He vaunted not of his agricultural knowledge, but, from the circumstance of his having attended the lamented Carey for ten years, it might be supposed that he was imbued with a little; neither could he say he was a floriculturist, but the love of flowers was in his soul, and from his soul it would issue on his return to that country where the hope to be considered, in consequence of the death of the Duke of Gordon, Marquis of Huntley, '*The Cock of the North!*' (Much laughter.) The worthy Doctor, then, with infinite humour, lamented that the little should be extinct or in abeyance; he proposed that it be forthwith revived. 'And to commence,' said the Doctor energetically, 'let my 'excellent friend, Sir John Peter Grant, be Cock of the North in India!' Much laughter was excited by this, and we presume the dissentient voices, if there were any, were drowned in the round of applause and cheers which followed the proposal.

Mr. Masters here answered the chairman's call for a song.

H. M. Parker was labouring under the effects of a bad cold. But he thought the next toast conferred honor on him, and if his voice permitted, he would propose it with all his heart. He was proud to associate with his toast the name of the great nation who shared with us our ancient glories, the glories of agriculture, of art and literature; of Milton and Shakespear; of Poictiers and Agincourt; the glories of war and peace. There were few present who were not proud of their kindred with that noble race, their rivals in war, but who, hereafter, he hoped, would be rivals only in the arts beneficial to the interests of mankind Mr. Parker concluded by proposing '*the Agricultural Interests of the United States.*'

TUNE.—'*Yankee Doodle.*'

Dr. Hufnagle would deservedly be considered deficient in feeling were he to allow the toast to be drank without an acknowledgement, though he much regretted his country had not a more efficient representative than himself. He dwelt on the different positions of the agriculturists of India and America. In the last mentioned country the population were comparatively few and scattered, the soil less productive. There the woodsman, with his augur and his axe penetrates the forest; the log-hut rises, and (wood being of little value) fire is applied, the ashes of which enrich the soil, and afford the husbandman an ample return. The mill and the village school appear, and then the rural population, who, he was sorry to say, are yet deficient in knowledge. Here however, the agriculturist met, with few difficulties: the soil is rich and the population dense. He assured the meeting that in common with many of his countrymen he felt a warm interest in the agricultural prosperity of India. (Cheers.)

The Chairman proposed the health of a gentleman, thus said, distinguished in the best way a man can be,—distinguished for his superior intelligence, and known not only in this country but in all Europe. '*Dr. Wallich the father of the Society.*' (Cheers.)

TUNE.—'*Old Robin Gray.*'

Dr. Wallich returned thanks. He felt that he did not deserve the eulogy nor the distinction which the members had conferred upon him. To Drs. Carey and Marshallman and Captain Jenkins, the credit was due. He could but be considered, Dr. Wallich, who has been a long time associated with our society.

The chairman proposed the health of Mr. Bell, the secretary to the society, and eulogized the indefatigable industry with which that gentleman conducts its affair.

Mr. Bell returned thanks.

Mr. Low proposed 'The Gentlemen of the Press for the liberal manner in which they have given publicity to our proceedings.

Mr. George Finsep returned thanks.

The chairman then volunteered to toast a lady who had assisted the society at the exhibition that morning, whose husband, he was sorry to say, was not a member of the society. However, the chairman hoped he would soon become one. 'Lady Malkin.' The toast was drunk with much applause.

We can only briefly notice the remainder of the toasts. Sir J. P. Grant proposed the health of the Governor of Chandernagore, M. Bedier returned thanks. Sir Edward Ryan that of 'the Governor of Serampore,' who regularly attends the meetings of the society Dr. Wallich, Colonels Dunlop and Skinner; Captains Sleeman and Jenkins, whose exertions have been pre-eminent in the cause of agricultural improvement.' Mr. W. P. Grant, 'the cause of steam communication between India and England.' 'The Guests' by the chairman. 'The Bar,' by Mr. Bagshaw. 'Mr. Cracraft' by Mr. C. R. Prinsep, 'Prosperity to the Agriculture of Australia,' by Mr. Cracraft, 'Sir E. Ryan,' by Colonel Lehling. 'The Stewards' by Sir E. Ryan, 'Sir J. P. Grant' by Mr. Parker. 'Lady Ryan' by Sir J. P. Grant. The 'Memory of Mr. Kyd,' by Mr. J. C. Wilson.—Englishman, Jan. 23.

EXHIBITION OF VEGETABLES.—TOWN HALL.

List of Prizes awarded to Mallies, at the Agricultural Society's Exhibition of Vegetables, held on the 19th of January, 1837.

Silver Medal. Rs.

For the best sample of cauliflower,	1	8
For the 2d ditto ditto of ditto,	0	5
For the 3d ditto ditto of ditto,	0	3
For the best sample of peas,	1	8
For the 2d best ditto of ditto,	0	5
For the 3d best ditto of ditto,	0	3
For the best sample of lettuce,	1	8
For the 2d best ditto of ditto,	0	5
For the 3d best ditto of ditto,	0	3
For the best sample of celery,	1	8
For the 2d best ditto of ditto,	0	5
For the best sample of red beet,	1	8
For the ditto ditto of turnip,	1	8
For the ditto ditto of carrot,	1	8
For the ditto ditto of tomato,	0	8
For the ditto ditto of beans,	1	8
For the ditto ditto of Persian tomato, Swedish turnip, English beans, &c. grown at Tittaghur, from seed brought out by Lord Auckland,	1	8

For the ditto ditto of vegetable marrow,	0	4
For the ditto ditto of sea kale,	0	4
For the ditto ditto of potatoes grown from Sylhet seed,	1	0
For the ditto ditto of cabbage,	1	0
For the ditto ditto of knoll cole,	0	8
For the ditto ditto of potatoes,	0	5
For the ditto ditto of French beans,	0	4
For the ditto ditto of white brinjal,	0	3
For the best sample of Jerusalem artichoke,	0	4
For the ditto ditto of Tenasserim yam, grown from seed, given by Dr. Jackson,	0	5
For the ditto ditto of onions,	0	4
For the ditto ditto of capsicum,	0	2
For ditto ditto of green kale,	0	4
For the ditto ditto of carrot from acclimated seed,	0	6
For the ditto ditto of Tenasserim potatoes,	0	4

11 16q

Given indiscriminately 0 16

Total.. 11 15

—India Gazette, January 20.

GENERAL CHAMBER OF COMMERCE.

It is now our pleasing duty to announce to the Public the formation of the General Chamber of Commerce in Canton.

This important even took place the 27th Nov.

In thus announcing the commencement of a new era in the Foreign Commerce of Canton, we trust we may be allowed to express our own heartfelt satisfaction at the establishment of an Institution which promises so fair to be a safeguard to many of the most important interests of that commerce.

Never before has there been such a union of different national and individual interests in this city.

Knowledge is power, union is strength: dull, then, and hopeless indeed, must be he, who does not sanguinely look forward to a no-distant amelioration of our commercial condition in this country.

Resolutions submitted, on the 28th of November, 1836, to a general meeting of foreign residents in Canton, held within the hotel of Messrs. Stanford and Marks, for the purpose of taking into consideration the expediency of adopting measures for the establishment of a general Chamber of Commerce.

At the appointed hour of noon, most of the foreign residents in Canton had assembled in the room where the meeting was to be held; one member, at least, of each firm was present, and the room was crowded.

Mr. Lindsay was unanimously called to the chair, and Mr. Boyd requested to act as Secretary.

Mr. Lindsay, when he had taken the chair, addressed the meeting in the following words:

I should feel considerable diffidence in accepting the honor conferred on me of presiding in this meeting, were not the duties I have to perform so clear and defined

that I have no apprehension of the cause suffering from my inexperience in such affairs. We are now assembled for the purpose of taking into consideration the expediency of adopting measures for the establishment of a General Chamber of Commerce. The want of such an institution, as it is now proposed to establish, has long been practically felt by all of us; and I trust that before a year has elapsed we shall all find ample cause to congratulate ourselves that it has at last been adopted. The utility of Chambers of Commerce is now so universally recognized that there are few commercial towns of importance in any part of the world where they do not exist; and there is perhaps none where from the extent of commerce, the variety of interests concerned, and more especially from the peculiarity of circumstances in which we are placed, that this applies more particularly than in Canton. The general principles on which the proposed chamber is to be formed have already been laid before you, and I believe I may say have received your unanimous sanction. When the committee commences its labors, it will then be their duty to frame such regulations as may appear most likely to contribute to its general utility. Gentlemen, I know how valuable your time is, will no longer detain you, but proceed at once to the business of the meeting. Yet, ere we commence, allow me to offer one more remark. Our society has been accused, perhaps justly, of sometimes allowing party feeling to interfere with the public welfare. We have now an opportunity before us to show that such a slur upon our character is no longer justly applicable; and believe me when I say that the true and simple mode of preventing its recurrence is,—that we should all allow to our neighbour that credit which we with justice claim for ourselves, however much we may differ in opinion—namely: a sincere and earnest desire to forward the public good.

Mr. Dent.—In moving the first resolution, Mr. Lindsay's address has left little for me to say as to the objects of the meeting.

I should, indeed, have been better pleased if any one else had come forward to make the proposition, and especially Mr. Jardine, as the head of a house carrying on such extensive business; the presence, however, of Mr. Matheson, a partner in the Firm, is a sufficient guarantee of the concurrence. While I consider that our best thanks are due to those who have been so active in arranging the business, I may remark that I have hitherto refrained from taking any prominent share in the proceedings, not from any lukewarmness in the cause, but from a feeling that time alone would remove the obstacle which existed to the establishment of a General Chamber of Commerce: and these, I am happy now to believe no longer exist. The peculiarity of our position here, together with the increase of the trade and of the foreign community, seem particularly to call for such an institution; and a very little experience in Canton will point out when its influence is required. Amongst many other objects for consideration, I need only mention the restrictions on the exportation of silk; the want of accommodation for the accession of residents; the removal of the filth and rubbish in front of the Factories. It will be not less useful as a standard of authority on commercial questions, and the usages of the port. I therefore most cordially beg to propose the first resolution.

1st. Proposed by Mr. Dent, and seconded by Mr. Westmore—That it is desirable a General Chamber of Commerce should be established in China. Which to be really useful must comprise among its members the most respectable merchants resident in China of all nations. Carried unanimously.

Mr. Matheson, in moving the 2d Resolution said;

Mr. Chairman and gentlemen, I have been requested to move the second resolution, connected with the pro-

ceedings of the day, which I have much pleasure in doing, under the impression of its being generally concurred in by the meeting. Although I had no share in drafting it meets with my full approval; and as Mr. Dent has mentioned Mr. Jardine's name, I beg to add that he as well as the other members of our firm, freely and fully sanction the whole scope and tenor of the resolutions which we are here assembled to discuss.

When the information of a general chamber was proposed to us, and our concurrence requested, our first enquiry was whether such an association was generally desired by the mercantile body, and finding this to be the case, we at once agreed to afford our co-operation, our only object being, as it has always been, to join heart and hand in any measure that can tend to increase the prosperity of the general commerce of Canton.

2d. Proposed by Mr. Matheson and seconded by Mr. Fox—That the specific object of the chamber is purely commercial, it has nothing to do with political questions. Carried unanimously.

3rd. Proposed by Mr. Green, and seconded by Mr. Maclean That all firms established in China, and individuals interested in the trade are eligible to become members on the payment of the following entrance fee, and Annual subscription, which sums will be devoted to meet the requisite expenses of the Chamber. Carried unanimously.

Entrance fee for each firm Sp. Drs. 50. Annual subscription 25. Entrance fee for each individual 30. Annual subscription 15.

4th. Proposed by Mr. Turner, and seconded by Mr. Wallace. That a Committee, consisting for the present of 13 members, shall be elected by ballot from the general body, who shall, with as little delay as possible, proceed to draw up such rules and regulations as may appear best adopted to the case, and when completed they shall submit the same to a general meeting of the Members, when, if any alteration or amendments are proposed the sense of the meeting shall be taken by open voting and the decision of the majority shall be adopted. Carried unanimously.

5th. Proposed by Mr. Blonkin, and seconded by Dadabhoj Rustomjee—That the gentlemen present who wish to join the Chamber do now subscribe their names on a sheet of paper handed round, entitled—'Members of the General Chamber of Commerce.' Carried unanimously.

6th. Proposed by Mr. Bell, and seconded by Mr. Alexander Matheson—That each firm subscribing shall have two votes on all subjects, discussed at general meetings, and each individual one vote. Carried unanimously.

7th. Proposed by Mr. Gibb, and seconded by Mr. Inglis—That no two members of the same firm shall be members of the committee. Carried unanimously.

8th. Proposed by Mr. King, and seconded by Mr. Gray—That the Committee shall consist, at the commencement, of the following proportion of each nation. Carried unanimously.

English 5, American 3, Parsee 2, Dutch 1, French 1, open to any nation, 1, total 13.

9th. Proposed by Mr. How, and seconded by Mr. Stewart—That a ballot be held, for the purpose of electing the Committee, between the hours of 10 and 1 o'clock Wednesday, the 30th instant, and that Messrs. Bell, Gibb, and Gordon be requested to act as scrutineers on the occasion. Carried unanimously.

10th. Proposed by Mr. Dent, and seconded by Mr. Matheson, and carried unanimously—That the thanks of the Meeting be voted to Mr. Lindsay, for the trouble he has taken relative to the establishment of the Chamber, and for his services on the present occasion.

H. H. LINDSAY, Chairman.

W. S. BOYD, Sec. pro. temp.

Canton, 28th November, 1836.—Canton Register.

COAL AND IRON COMMITTEE.

It is with peculiar satisfaction we learn from a contemporary journal, that Lord Auckland has appointed a Committee of scientific gentlemen to examine the various localities of coal and iron in the country, with the view of developing the mineral resources of the empire. This enlightened course of policy is worthy of a great Government, anxious for the welfare and advancement of the community entrusted to their charge, and will, we are sure, be crowned with gratifying success. When a Government enters heart and soul upon a career of improvement, it is singular to observe how the work of benevolence appears to grow; how new wants arise, and at the same time new facilities are unexpectedly opened for the supply of them. Lord William Bentinck gave us the benefit of river steamers. The success of the enterprise has been unprecedented. At the present moment four vessels in active employment between Calcutta and Allahabad cannot receive and convey half the traffic which is crowded into them. No sooner is a vessel advertised to start from Calcutta than she is full; more than half the applicants for freight are disappointed. It is already found that double the present number of steamers must be laid on this line of communication to keep pace with the wants of the country. The multiplication of steamers brings into prominent view our present resources for the supply of coal, and it is discovered to be impossible to depend on the single source from whence it is now drawn, for an article which has attained a national importance; and hence the appointment of a Committee, to ascertain what mines may be worked in other places with advantage. The discoveries which are expected from the Committee will not only serve to keep down the price in the metropolis, but will furnish this important article at a more reasonable rate on the line of communication. The cheapening of this great element of Steam navigation will again lead to a reduction in the charge for freight, and this will bring on a demand for more steamers, till at length the internal carrying trade of these provinces, is conducted, perhaps exclusively, on the modern system of steam navigation. The search for coal leads in its turn to an enquiry for iron, and to the means by which these two most precious minerals in this golden age of iron may be brought to contribute to the improvement

of the country, and to render us in a measure independent of machinery from England. Thus, link by link, the chain of improvement in India advances to its completion.

We ventured a fortnight ago to suggest the vast advantages which would necessarily follow from the establishment of a rail road between Rajmahl and Calcutta. The appointment of the Coal and Iron Committee gives a new impulse to the project, and brings its accomplishment within a nearer range. To such an enterprise the first, perhaps the only, impediment, is the large sum it will necessarily cost. The iron must be imported from England. In consequence of the amazing demand for iron arising out of the numberless schemes for intersecting the little island in every direction with rail roads, the price of the article has been nearly doubled. The cost to us of an imported rail-way will therefore be greatly enhanced. But we may anticipate from the labours of the Committee, now appointed, such accurate information as shall lead to the establishment of forges in India to work our own indigenous minerals. In this case the cost of the rail-way we have proposed, would possibly be diminished one half. Perhaps a rail road, upon a broad estimate might, with these advantages, be laid down between Rajmahl and Calcutta for 4,00,000 £. Cannot the community undertake such an enterprise? Might not Government employ their scientific officers to survey the line, and form an estimate of practicability and the expense of such a road; and if it be feasible, charter a Company for this object, and as in the case of the Bank of Bengal, take a certain number of shares themselves? We will venture to affirm that if the enterprise were ushered into notice under such auspices, the whole sum required for it would be raised by the community here and in England without the smallest difficulty. It might moreover be provided, that the shares belonging to the State should be disposed of by public auction, at a certain period after the road had been opened; and the funds thus liberated, might then be devoted for a time to some new enterprise. Thus Government by keeping a hundred thousand pounds, constantly afloat in such undertakings, might stimulate the employment of five times that amount of capital on the part of the community.—*Friend of India, January 5.*

STEAM MEETING AT BERMHAMPORE.

A Meeting of the European Inhabitants of Berhampore was held on Thursday, the 19th of January, 1837, to consider the question of Steam Communication with Europe.

The Hon'ble W. L. Melville, in the Chair.

First.—Moved by the Reverend M. Hill, seconded by the Hon'ble R. Forbes, and resolved unanimously,—

That this Meeting is desirous that there should be established a more rapid and regular communication with England, through the Mediterranean, than that which at present exists.

Second.—Moved by Captain Goldney, seconded by G. G. McPherson, Esq., and resolved unanimously,—

That although this Meeting would prefer a direct communication by Steam to the Port of Calcutta, yet regarding that point as secondary and subordinate, they are quite willing, in the first instance, to support any well considered scheme for conducting the intercourse through the channel of Bombay.

Third.—Moved by B. Burt, Esq., M. D., seconded by R. W. Bird, Esq., and resolved unanimously,—

That this Meeting is satisfied that any public or Mercantile Body, which may undertake to open the communication, will feel bound or may be required to arrange the dispatch of the Steamers at Malta and elsewhere, so as to prevent all unnecessary delay.

Fourth.—Moved by G. G. McPherson, Esq., seconded by Captain Goldney, and resolved unanimously,—

That should the route by the Red Sea be found impracticable for Steam Vessels during any portion of the year, this Meeting is of opinion that, during such interval, the communication should be carried on through Syria and the Persian Gulf.

Fifth.—Moved by the Hon'ble R. Forbes, seconded by J. Watt, Esq., and resolved unanimously,—

That this Meeting having had under its consideration the outline of scheme submitted by Major Head to His

Majesty's Government, and to the Hon'ble the Court of Directors of the East India Company, according to the present state of their information, see no sufficient reason to disapprove of it, but on the contrary are willing, collectively and individually, to lend their cordial support to the establishment of it.

Sixth.—Moved by W. Hutchinson, Esq., seconded by J. Herklots, Esq., and resolved unanimously,—

That a copy of these Resolutions be published in the Calcutta daily Newspaper, and that another copy be forwarded to Major Head by the Chairman.

Thanks were then voted to the Chairman. The following Gentlemen, who took no share in the proceedings, have expressed their concurrence in the Resolutions:—

Major S. Speck, Mr. G. P. Leycester, Captain G. R. Wilton, Mr. W. Greaves, Reverend J. Paterson, Mr. A. Betts, Messrs. N. H. Hart and Co., Mr. H. Aikin, Lieut. Wilson, Lieut. Hill, Lieut. J. D. Cunningham and A. Kean, Esq., M. D.

W. L. MELVILLE, Chairman.

India Gazette, Jan. 30.

THE BEIROUT AND BUSSORA ROUTE.

TO THE EDITOR OF THE BOMBAY COURIER.

DEAR SIR.—As one of the dissentients to the proceedings of the Steam Committee (or rather the portion of it, not amounting to one half, assembled) who voted the appropriation of 1,000 rupees per month for eighteen months, for the conveyance of packets via Bussora and Beirut, I request you will give a place in your columns to a few observations on the notice in which you have pronounced us to be in error, four times told. In this notice there is allusion to a foregoing expose of the "grounds on which the steam committee have acted" which is referred to also, as affording proof that our "assumptions" are erroneous.

The points on which your position rests, if I understand rightly, are, when divested of extraneous and unimportant matter, as follows:—1st, that the admiralty are not only said to have determined to send steamers monthly from Malta to Beirut, "but they have done so already," 2nd. That an Arab chief in whom the utmost reliance could be placed, would carry the packets from Bussora to Beirut. 3rd. That the vessels trading between Bombay and Bussora will do, "if nothing better offers," to convey the packets to and from that place, or, the Indian Navy vessels may do so, or, the new steamers, which are to be employed against piracy "it is hoped" will do the business.

With reference to the 1st point let me ask, how comes it, that all the long preconceived arrangement, which caused the voyage of the *Hugh Lindsay* to Bussorah, did not secure the desired result? Did your Beirut steamer fail in her task? or did your Arab chief break his engagement? (possibly neither, but to other equally unlooked for occurrences the failure may be attributed.) The *Hugh Lindsay* left Bussora on the 15th November. By your own shewing, a packet should reach Bussora from London in 36 days, consequently a mail from Falmouth the 4th October by steam, via Malta to Beirut, and thence by dromedaries to Bussora, should have reached that place on the 9th November. It has, however, (I believe) been said, that had the steamer remained a few days longer, a packet, it was expected, would arrive. Good.—The H. C. Sloop of War *Coote* left Bushire for Bussora on the 19th November. She must have arrived there by the 25th. If the packet had then arrived (which was ten days after the steamer left) and the *Coote* had started with it, she must have been here before now. I therefore infer, that no steamer was running between Malta and Beirut in October, and I further infer that if, when hopes were held out that steam would be plying on the Euphrates, the admiralty did not keep up a communication that could be relied on, until the route was entirely abandoned, there can be little expectation that they will do so for the next eighteen months. But sir, I will give you the benefit of the

doubt. I will concede (for argument) that you have now, and that you will have, for the next eighteen months, an uninterrupted steamer monthly, between Malta and Beirut; and each month; it will avail you nothing without an equally regular transport of the mails between this and Beirut; for your Beirut steamer must start at a prescribed time, or she will miss the Malta steamer to Falmouth. You are doubtless too well aware of the fact, not to have given it due consideration, that each link in the chain of a communication connected with steam, must be preserved with the utmost precision and punctuality with respect to time, and that one link broken, the whole is for the time useless. We will, nevertheless, proceed in our examination of the points on which you rest the conclusion that our dissent is founded on "erroneous assumptions", and we come now to your 2nd point; "That an Arab chief in whom the utmost reliance can be placed, will convey the packets to and from, between Bussora and Beirut." In the exercise of hospitality, you may rely on his respecting the sacred character of an accepted guest; in some other matters too, to him points of honor, you may rely on him; in his dealings with the Giaour, where his cupidity is excited, some doubts might arise; but, for understanding the importance of punctuality, and its observance in the matter in question, is precisely this point at which my experience would lead me to say, reliance on an Arab chief must stop. I appeal to those who have had opportunities of observing even those Arabs who have been long engaged in commercial pursuits, and intercourse with us, and who might be supposed to have learnt the value of punctuality; whether they do not frequently evince a singular insensibility to its importance. Another thing to be observed, is the Sheikh in question may undertake to convey the packets between Beirut and Bussora, but I am much mistaken if he, or any one Sheikh, can regularly fulfil an engagement of the kind, without occasional interruption. Other tribes will be disposed to levy a tax on the passing packets; and sanguine indeed must they be, who will rely on the regular starting of a steamer from Beirut with mails having for its only security, the punctuality of one Arab chief, and the forbearance, and absence of cupidity in others. Something is said of an "European Agent" but it will be seen when tried, that he cannot remedy the inherent evils above spoken of, neither can he accompany the dromedary express, from Bussora to Beirut, and back again immediately with return packets; and if he could, his presence with the express, would only, by apparently enhancing the importance of the matter, offer greater encouragement to Arab cupidity, and double the chance of obstruction.

I come now to your 3d. point,—the means, of conveying packets, between Bombay and Bussora. With respect to trading vessel going direct from this to Bussora.

sora, such instances are too rare to afford any just ground of dependence on timing it with a steamer starting regularly from Beirut. As to the Company's vessels of war, their being available at the precise time required, is very problematical, and could they be so, the uncertainty at all times attapling the passage by a sailing vessel, coupled with the doubtful transport from Bussora to Beirut, would render the Beirut steamer useless. "The new steamers are, it is said, to be "for the prevention of piracy." They cannot therefore be available at stated periods, and if they could, it is to be supposed, that despatching them expressly to convey packets would be as much an infringement of the "prohibition" said to exist, as sending them to the Red Sea would be; besides which, there still remains the objectionable connecting link between Bussora and Beirut by means of our friend the Arab chief, which would ruin all.

To sum up, I will distinctly state, that had you a regular steam communication between Beirut and Malta, the attempt to edify packets from this to Beirut in the manner you have proposed, will be attended with repeated disappointment. In a word, that no good will result from it—I do not say your packets will not get home, but they will take their time about it; and at this stage of the business, when the question has excited the interest it has in England, it is by no means necessary that we should exert our ingenuity to devise means of throwing money away to keep alive the conviction that we earnestly desire the establishment of steam communication. Care should rather be taken, that what we do, should be calculated to create and increase confidence. With these opinions Sir, I signed the dissent, and I have endeavoured, at some length, to shew the grounds on which I hold them. I am content that they should abide the test of time to prove their correctness, and to that I shall leave them.

I take this opportunity of suggesting to the secretary to the steam committee, that in future, in promulgating the proceedings of that body (or more properly such part of it as may happen to meet) the following form be adopted, "At a meeting of the Steam Committee, present" (here give the names of those who are so,) "the following resolutions were carried." If unanimously, state so; if a difference of opinion exists, name dissentients. This may save much expenditure of ink and paper, and secure to each the credit due. In one part of your expose, you state that "the project did not originate with the steam committee, and if successful, they have no intention of taking credit to themselves for it." Such instances of self-denial; the extent of which may be better estimated hereafter; may be rendered unnecessary for the future by the adoption of the above suggestion.

Yours, &c.

J. H. WILSON.

Dec. 19, 1836.

I. N., Member of Steam Committee.

STEAM COMMUNICATION.

No less than three letters will be found in our previous columns relative to the steam committee's late proposal for spending a thousand rupees a month in keeping up overland communication with England during the suspension of the intercourse by the Red Sea. All these appear to have been elicited by some very brief remarks of ours upon the protest we published in our last against the committee's proceedings. How to reply to them all we do not well know, as time presses, and we have a good deal else to attend to. We shall, therefore, confine ourselves to Capt. Wilson, who on

questions of this kind is a three-decker; and has opened a formidable broadside upon the committee; though it would appear with blank cartridge; for instead of blowing them to atoms, we are prepared to show that he has not even carried away a single spar.

To commence then with the late trip of the *Hugh Lindsay*, we are asked, how it was that "she failed to bring a packet after all the preconcerted arrangements?" The answer is very simple. When the *Hugh Lindsay's* trip was planned, the loss of the *Tigrit* was unknown here; and, therefore, the route by the Euphrates was depended upon; and although the melancholy news had arrived when Steamer did go, yet it was hoped that the remaining vessel might be rendered available by lessening her draft of water. This expectation was disappointed, as the public have already been informed, and hence the non-arrival of the packets. But what this question has to do with the route across from Bussora to Beirut by dromedaries we do not see; for it was never contemplated that the packets for the steamer were to come by it, and their non-arrival, therefore, cannot effect it in the slightest degree.

As for the non-arrival of the *Coots*, upon which Captain Wilson lays so much stress, we can only say, it is useless to hazard any conjectures at present. It may arise from a thousand circumstances besides the detention of the packets: and even were they not to come under the present arrangement it would prove nothing against the feasibility of the Beirut scheme. This appears to be the mistake under which Captain Wilson labors throughout the whole of this portion of his letter. He proceeds as if the monthly stipend which is to be given for the conveyance of the packets were now in course of payment, —and the agent who is to be established at Bussorah to receive and look after them were attending to his duties; as if every part of the undertaking were in full operation; and then triumphantly exclaims, look at the result? where are your packets?

With regard to the despatch of steamers by the admiralty, the course he pursues, however, is the very reverse. Instead of supposing them to arrive regularly doubts are thrown out whether they will come at all; although the fact of their regular arrival is the very essence of the whole plan; and it was only upon positive assurances of it that the Committee were induced to adopt the course they have pursued.

We have merely to add on this part of the subject, that the English merchants of Beirut —a large and now growing place—have succeeded in obtaining a steam communication from the Admiralty for their own special use; and, therefore, that there can be no danger of failure in relying upon it.

The next and most plausible objection which Capt. Wilson has started is the uncertainty of a regular communication between this port and Bussora; and he justly and forcibly observes that "each link of a communication by steam must be preserved with the utmost precision, and punctuality with respect to time; and that one link broken, the whole is for the time useless." In reply to this we have only to state that the new steamers are understood to have been sent out expressly for cruising in the Persian Gulf; and it is supposed their trips may be so arranged as to meet the packets at Bussora without interfering with the public service; but should this not always be practicable, the vessels of the Indian Navy in the Gulf are available; and though they may not perform the passage with quite so much regularity, the difference will not be more than 12 or 15 days against them. If the steamers therefore, fail us, we shall only have to put up with packet in about 60 days instead of in 44 or 45.—Surely this is worth trying to secure.

If, however, after all, the communication over this portion of the route fail, no great harm can result. One or two thousand rupees will be expended before the arrangements can be broken up, and that will be all.

With regard to the conveyance of the packets across Arabia Captain Wilson says his experience leads him to assert that no reliance can be placed upon the punctuality of an Arab chief. We confess we venture with great diffidence to take a different view of the matter; for Captain Wilson's experience is of very long standing. But how happens it, we should like to know, if he be correct, that the Parars, Cossids, or whatever else they are called, of Arabia, have obtained such a reputation throughout the east as the carriers of letters and intelligence. When despatched from Bussora to Constantinople they never fail to perform the journey in the shortest possible time. Why then fear a different result when they are despatched towards Beirut? The route is equally favourable and secure; the greater portion of it is now regularly traversed by caravans; and no difficulty is, or has been experienced in communicating with Aleppo or Scanderoun from either Bagdad or Bussora.

It is not, however, upon mere general reasoning, such as this, that the present plan was formed. We believe we are justified in stating, and that Col. Chesney will have no objection in acknowledging, it to be his own; and resting, therefore, as it does upon his intimate acquaintance with the Arab character, the state of the countries to be passed over, and the arrangements made in the Mediterranean, there is quite enough to warrant all that the Steam Committee have done with regard to it.—One word more and we have done.—Captain Wilson suggests that in publishing the proceedings of the steam committee the names of the members present, and of the dissentients to every proposition which is carried, should be given. To this, though it is in direct opposition to the invariable practice of similar bodies elsewhere, we see no good objection. The proper way, however to bring the matter forward, is to suggest it at the next meeting of the Committee, and this the gallant officer himself can do as well as any one else.—*Courier*, December 20.

The late resolutions of the Steam Committee have led to a discussion in which the public must take a considerable interest, in so far as it affects a project of vital importance to this country. When the resolutions first were made public we had not time even to read them fully, having merely glanced at them as we were marking them off for publication,—that is, before the appearance of that number of our paper in which they were published. In that number we certainly did refer to them, and casting our eye at the first and two last resolutions we for the time rested satisfied with the evidence those resolutions gave of the change in opinion which had been come to by the Committee as to the disposal of the Fund, leaving the further consideration of the subject until an after opportunity.

But little did we dream that the resolutions proposed so wide a departure from the scheme which all of us have been so anxious to see carried into effect; little did we dream that at the moment of all others when determination and perseverance were necessary a proposition could be made which would have the effect, if adopted, of frittering away our funds, making us the laughing-stock of our neighbours, weakening our position, and proving us to be so very—very easily pleased.—little, we say, did we dream that such a proposition would have been made, and as little did we dream that such a proposition would have been adopted. Its

adoption however is as yet limited to those members of the Committee who set their seal on it, but it will—can have no more general parentage; it must go the way of all other living things.

We can hardly, now that we have read the resolutions of the Committee, hold ourselves excused for skipping them as we did at the time we first noticed them, but at the risk of being thought tedious we shall in limine just quote a part of the first and a part of the second resolution as well to show what impression they were likely to make on the mind, as to prove the inconsistency of the several resolutions with each other.

Resolved, say the Committee in their first resolution, "with reference to this unlooked for change of circumstances (they allude to the reported prohibition against sending the *Hugh Lindsay* to the Red Sea), and in compliance with the general feeling of the Community, that the resolution of the Committee of the 20th October last be suspended, pending, &c.;" and then, in their last resolution but one, they thus express themselves:—resolved, "that a copy of both resolutions (they mean those of 20th October and the present, be submitted to Government as an irrefragable proof of the unflinching anxiety of the public on this side of India for the maintenance of this mode of communication with England, and with an expression of the earnest hope of the Committee that the *Right Hon'ble the Governor in Council* may yet, under all the circumstances of the case, feel himself justified in despatching the *Hugh Lindsay* with this view, to the Red Sea, in the course of the ensuing month of January;" these are the words of the first and last but one of the resolutions, and naturally any person would conclude that the intervening resolutions between those two had reference to that which was the real winding up—the catastrophe of the plot as it were, and that catastrophe was no more or less than that the Bombay Government were to be again addressed, begging that the *Hugh Lindsay* might be sent to the Red Sea in January next.

But when we come to examine the other resolutions we find them adopt views which, however well intended as they undoubtedly are, are not only inconsistent with the immediately above alluded to resolutions but go to cripple the means of keeping up the communication via Egypt, (which is the professed object of the appeal to Government as recommended in resolution last but one,) as well as to withdraw attention from a route proved to be practicable. We are not now in the humour of trying experiment, nor have we the means of doing so however much disposed: nor is it the time to divide and subdivide our forces and dispatch them in search of adventures when the enemy are at our gates. We have not the excuse the Calcutta people had, for they were desirous of making their City Head Quarters, and so the waste of some thousands of rupees was considered by them a small sacrifice, where the gratification of the ruling passion was concerned; and what did they gain by their thirst for fame and exertions to secure it? why, the loss of their money; besides, when they thought proper to convert their silver into smoke matters had not approached that crisis which they have now done; the prospect was then comparatively blank; but now the scene is changed and almost cloudless day has succeeded murky weather, and the course is now to clear and the wind so fair that the voyage may almost be made without compass or helm.

The case is different with us; the advantage of our local position in reference to Europe is too well established to admit of a doubt, and the possibility of a speedy communication with Europe via Egypt has been made equally certain; no less certain is it that the chief portion of—may we say the whole of the mercantile body of England who have any interest in this country,

have their attention directed to Egypt and the Red Sea as the best line, at the present time, of communications with this country; nor is it less certain that the Court of Directors look upon the Red Sea route as the one by which a permanent communication ought, in the first instance, at least to be established; we believe also, that the Board of Control are much of the same opinion; looking to these facts, we must say, we consider it extremely impolitic—sitting aside the waste of money which the experiment of the Gulf route would lead to, for a moment to allow ourselves be diverted from the object of our desire when the possession promises to be so near, in whatever gaily or gilded guise, the temptation may present itself.

Those resolutions—at least one of them, to which we now allude, propose the grant of a sum of Rs. 500 a month for eighteen months—for what purpose would our readers suppose? For keeping up the communication by the Red Sea would be concluded from the last but one of the resolutions and to which we have above alluded; but no such thing; it is for conveying the packets between Bussorah and Beirut! a sequelur of its own kind certainly; for, on finding a vote for that amount for that particular purpose we would naturally expect that the government would be requested to send the Steamer to the Gulf, so as to put the packet in the way of being sent on its journey by that route, but after resolving that the above sum is to be granted monthly for the above purpose, and that the rest is to be placed in the hands of Government for keeping up a similar communication by the Red Sea—that is, after the 1st of February next, the government is then requested to send the Steamer to the Red Sea in January!

Glad as we should be to find that the government were willing to accede to this request and had the power to do so, we must candidly confess that the mode in which the troops are marched up is not calculated to make a very striking impression; and this the more particularly as the difficulties standing in the way of the employment of the Steamer as a Packet Boat are understood to have some relation to the cost of her journey. We certainly should have thought it by far the fensible plan to have voted the whole fund in hand for the purpose, *pro tanto*, of keeping up the communication by the Red Sea, for a certain time instead of the remainder as has been recommended. If it is expected that the Government will avail themselves of the remainder of the Fund as proposed for steaming or sailing up the Red Sea, what is the use of wasting money where there is none to spare, in trying another route at one and the same time? But the committee express a wish that both channels should be used; this sounds rather odd; yesterday we were setting our wits to work how we should manage to keep the steam up during a solitary passage to the Red Sea in January next, but now, not content with one for practical purposes—that is, for furthering our more substantial interests, we must have that and yet another of a more showy and shadowy description which may steam us into regions all unknown and of course the more interesting—the one for business, the other as a sort of voyage of discovery, and pleasure, of course.

That however wont do; if it really be found that the Supreme Government will not allow the *Hugh Lindsay* to make the Red Sea trip in January at the expence of Government, the more judicious course for the Steam Committee to pursue would appear to us to be—and it is only as a choice of evils that we would recommend it at the present time, to vote the whole sum to Government as an inducement to that authority to incur a certain portion of the expense of a Steamer to the Red Sea, stipulating perhaps for a certain number of trips, by which time matters would assume a more decided

complexion in England. If this view there is, every probability the Madras and Calcutta Steam Committees would also join, and thus we might be able to keep up the war until decisive measures were adopted at home, not relaxing however in our exertions to produce and hasten those measures in their march.

To the Committee and the Subscribers at large we offer these suggestions, assured that they will meet with such attention as they deserve; we are not willing to see our Steam Fund expended except in promoting the object for which it was collected, and we do not think that the resolution of the committee, if acted on, will in any way lead to that result; we have but to glance at their present scheme to see how rickety it is; amongst its many wants it wants the foundation stone, and that it will be allowed is an essential portion of a fabric, whether constructed of chaff as this is, or of a more solid substance as it ought to be. In all buildings it has ever been found necessary to lay a foundation stone, for, as we suppose, the good reason, that the buildings aforesaid could not preserve the perpendicular without it. Now let us look to this fabric—monument of the committee's good nature, we, if we were inclined to be facetious, might say, and see what its qualities of endurance are, for it must be a bad affair that wont bear to be looked at; well then, to begin at the beginning for we like to begin there, we find the committee voting a sum of money for conveying the India Packets overland; so far, good; and then we look to the road by which they are to send them;—by the Gulf; better still; there is something stale in the Red Sea route; it is now a beaten track which possesses no novelty, no new feature to gladden the eye or excite more than ordinary attention; there is a monotony about it which makes it tiresome: Egypt is like any other place to which the eye is accustomed, and mummies are as common as household gods; the Pyramids must have been mere Egyptian playthings, and the plague is nothing when one is used to it. Let us have the gulf route by all means; and as we cannot get there without the Steam committee's aid, why we must even walk in their wake,—following the leader as it were. Well, we are supposed to be in company with them, pinning our journeying propensities to their coat tails, when, after making a few enquiries as to the prospective pleasures of our trip and the facilities there are to the realization of our very sanguine expectations, we are astounded at finding that they suppose us and themselves "over the seas and far away" at some place or port in the Gulf aforesaid commonly called Bussorah! and then, say they, our walk on the wind is to commence: but we, in our day and generation being made of matter somewhat heavier than air (of lead, some ill-natured critics could sneeringly say), and not having the gift of skimming the seas in a corkle shell or astride on a broom stick as our grandmothers were wont to do in their day, imparted to us, either by legacy or heritage, find all the difficulty usually attendant upon the transportation of material bodies from one locality to another where seas intervene. The Committee have not provided us with the means of transport thither, and yet they provide for a portion of the journey beyond! Mr. Glas, in her Oracles on cookery, tells us we must first catch our hare before we stew it, and it might appear not less necessary for the Steam Committee to provide for the conveyance of their Packets from Bombay to Bussorah before they had provided for the conveyance of the same packets from Bussorah to Beirut.

There is an explanation offered in the *Courier* of yesterday of the calculations of the Committee on this point, but it does not bring us an inch nearer our journey's end; those calculations have nothing of that certainty in their data which could warrant us in devoting a single rupee on the project, even were the other cal-

culations of the Committee warranted by existing circumstances which we fear they are not; let us inquire for a moment what those calculations are.

The first is, that movements, of the new Steamers will be so arranged, without interfering with the public service, as to meet the packets at Busorah; this we believe to be an idle hope,—“the wish is father to the thought;” it is admitted that the Steamers are for the express purpose of cruising in the Gulf for the suppression of Piracy; if so, how can we reckon on the regularity of their visits to Busorah; the very fact of their being engaged on other express duties which may—and very likely will require their presence here, there, and elsewhere, is just the best illustration that could be offered of the impropriety—folly perhaps we should say, of trusting to their aid; and coupled with that we must keep in view the determination of the Court of Directors that their Steamers shall not be employed in conveying packets; where then are our hopes so far as this rod of support is concerned?

The second ground of calculation is, that should the Steamers not be able to visit Busorah regularly and fetch the packets to Bombay, the vessels of the Indian Navy in the Gulf will be available; but this position is not only open to the objections which we have stated to the first, but to the further objection, that it is not likely that, after the Steamers are stationed in the Gulf, there will be any Cruisers kept there, the very object of the Steamers being placed there being to supersede the cruizers,—at least such is the report, and we think a report most likely to be founded in truth.

The are several other objections to the proposed appropriation of the money in sending dispatches by the Gulf, but they are so well met by Capt. Wilson, in his letter which appears in our columns of this day, that we deem it unnecessary to enter into a lengthened consideration of them; so Capt. Wilson's letter we therefore beg to refer our readers.

We give those members (for we understand but a mere fractional part of the committee had met) who passed the resolutions every credit for their desire to serve India and acquit themselves properly in passing the resolutions which we now notice, but they will we are sure see the force of the objections urged, and at once relinquish all idea of the intended disposal of the Funds by the Gulf route; they will also see that whatever funds can be commanded had better be placed at the disposal of Government for keeping up in the meantime the communication by the Red Sea as we have already suggested, and that they will by doing so meet the wishes of the whole community as well as the subscribers. Nor would we omit drawing to their attention the late effort made by the Chamber of Commerce to secure the January trip of the *Hugh Lindsay*; and a resolution by them at the present time to devote a certain portion of the Steam Fund to meet part of the expence of that trip, in case the Supreme Government may demur at incurring the expence, would come with a very good grace, while it likely would contribute towards securing that object, and prove that we were still united in our desire of establishing Steam communication with Europe on a permanent footing.—*Gaz. December 24.*

NEW POST-OFFICE REGULATIONS.

The remodelling of our Post Office Regulations has at length some prospect of being carried into effect, since we observe by the *Bengal Harkaru* of the 21st Dec., that the Customs and Post Office Committee have sent into the Supreme Government a third Report, accompanied by a *Draft act and Draft Code of Post Office Regulations*. The Public have been growing somewhat impatient under the protracted appearance of any legislative fruit of this Committee's labours; but we shall readily be reconciled to the delay, if the embryo measure gain thence from some inculcation of those liberal and sound principles, which we have of late seen exercising their influence in every direction around us. Our allusion now is to the postage tax on Newspapers; that on Letters we will simply dismiss with the remark that, while necessary tax for the general good of the Community, it becomes at the same time a bounden duty of the Government to make the return for it as fully efficient as circumstances will allow.

On Newspapers the postage hitherto levied in India has amounted in some respects to an absolute prohibitory tax; a fact but realizing the desire, which has striven to keep the deeds of our rulers from the busy meddling of those, who would seek a reason and demand a justification, where the will of power would have held itself conclusive. Though their declension is slow, we yet hope these scales of darkness are at length falling from the eyes of our Indian rulers; and while all around them is progressing, they will hardly remain stationary and rigidly adhere to maxims whose vicious effects are sufficiently read in the depressed moral condition of the people of this country. In Europe, England and France took the lead in those reciprocal arrangements, which must combine to diffuse through each country the varied

and instructive intelligence that their respective Journals communicate: and other Continental powers we find are gradually meeting the advances, with a similar object in view, of our native country. In her internal arrangements, a notice in another column from the London General Post Office will shew on how liberal a footing the dissemination through Great Britain of all Newspapers from the Colonies is now placed; a measure the best adapted for securing to those distant possessions the interest that must follow opportunity of easily and regularly acquiring a knowledge of their local politics. Lastly the little Island of Ceylon promises to set us another shining example. After fixing the postage on Newspapers generally at the low rate of One Penny, the Governor has very favourably received an address from the inhabitants of Colombo, praying that all postage may be removed, on the ground of such a measure being calculated to benefit and improve the people by inducing them “to read and to think;” and there seems little doubt that the result will be a free circulation of Indian Newspapers in that Colony, and also of European as far as present necessity payment to the Captains, whose Ships bring them, will allow.

The infusion of some portion of this spirit into our Supreme Council, as we have already said, we hope may retrieve the too great procrastination that has been shown in adjusting this important question. An entire exemption from postage is what the country under existing circumstances can hardly look for, but that it shall be fixed at the lowest possible standard we trust may be confidently expected. One uniform rate also we deem it would consist with sound policy to establish, for distance should prove no bar to what is admitted as a medium of instructive information. This latter principle followed out, of

course is tantamount to the imposition of a stamp duty, and it would be a matter for the consideration of Government how far the recommendations of the one might out balance those of the other. Our opinion has always supported the stamp as the fairest system for the public at large, the most calculated to realize all the higher objects in view, and the easiest mode of levying that revenue from Newspapers which the Government may still find it necessary to secure.

The mediocre quality of the general Press of India has often been a source of just regret to those who warmly seek the progressive development of the moral and intellectual energies of the country; but we have never seen the force of a public address put forth to remedy the evil which forms its cause—the prohibitive nature of the postage rules—which, by confining all literary efforts to the capitals of the Presidencies, has in an eminent degree not only paralyzed their energy, but changed their direction from the public good into petty local controversies, and thus defeated the grand object of exciting the sympathies and arousing the interest of the people in the measures adopted by the Government presiding over them. The same cause (of course we do not forget the censorship and the penal laws but the present has been a formidable accessory) has operated to keep down any thing in the shape of a provincial press. At very large stations, such as Agra, Meerut, Delhi and Cawnpore, it is true that public journals have in the last few years been established, but the origin of one, if not of more, depended on the adventitious aid of high talent gratuitously afforded; and, where this has been withdrawn, the papers have given evident proof that the limited circulation of the place did not leave sufficient resources at the proprietor's disposal to command a requisite ability for the Editorial task. Yet the practical information and sound judgment, gathered and matured on the spot, ought, while imparting value of a high degree of these journals, naturally to ensure them an extensive circulation. Postage has however stepped in, and, beyond the circle of their own town or district, they have been known only through the occasional ex-

tracts taken by contemporaries. The imposition of a moderate stamp would certainly relieve this. The peculiar intelligence a provincial Press is most calculated to convey would ensure to it a certain circulation amongst distant readers, when brought within the compass of their pecuniary means, and individual enterprise it is to be anticipated would readily embark where a fair prospect of remuneration was extended before it. People would then generally see the theory of the capital, tested by the practice of the Mofussil: observation and experience would take a legitimate ground that we fear is now too much usurped by crude speculation, and a spread of much useful knowledge be the inevitable result.

One great advantage of a stamp duty over postage on a newspaper is the indirect tax it proves to the reader. However trivial the postage be there is something irritating in its repeated and perpetual demand, which tends to create an indispotion where the liberal policy of the present day would rather sow a desire. There has also never been a sufficient reason advanced why the residents at the capital should be exempt from the pressure of a tax imposed (or rather substituted) to further a common end—the diffusion of useful knowledge at a cheap rate. The postage system disturbs this because it must fall with comparative heaviness on a section of the community, while the Stamp disperses the load so as to make it every where too light to be felt. Of the additional facility, in its collection to the Government we need not speak, it is sufficiently obvious; but we may observe that it would moreover tend considerably to simplify their Post Office arrangements, by dispensing with that excessive labour which now requires so elaborate a registry.

In fixing a Stamp, the size and weight of a sheet to receive it would of course require to be defined; and as in this country any suddenly introduced law of this nature could not but be productive of private injury from the inability of procuring material on the spot to conform with it, fairness to all parties would require that it should have a certain prospective operation.—*Spectator, Jan. 4.*

CALCUTTA DOCKING COMPANY.

At a Meeting held on Monday, the 16th January, 1837, at the house of Rustumjee Cowasjee, and numerous attended.

WM. BRUCE, Esq., in the Chair.

It was resolved—That a good system of Docking, Repairing and Building upon a liberal footing, and supported by the Capitalists of Calcutta, in a manner to secure good and substantial work with readiness and punctuality, being highly desirable.

It is determined that an Association be formed to be called the Calcutta Docking Company.

That the Capital of this Association shall amount to six lacs of Rupees, to be divided into 600 Shares of 1,000 Company's Rupees each.

That Subscriptions to the above extent having been already received according to the List and Prospectus laid upon the table, each Shareholder shall be called upon to pay the first instalment of six hundred Company's Rupees per Share into the Union Bank, and upon the completion of the Deed of Association, shall give his Promissory Notes for the further instalments as follows:

For Co.'s Rs.	100,	payable 1st January 1838
"	150	" 1st January 1839
"	150	" 1st January 1840

That a Committee be formed of five Members, to prepare the necessary deed of Association, and to conduct the detail of its affairs in the mean while, and until their Schedules of Establishment and plan of operations shall be laid before another General Meeting.

The following Gentlemen consented to become the Managing Committee—

William Bruce, Esq.	W. Prinsep, Esq.
T. R. Crawford, Esq.	and
W. Stofn, Esq.	Rustumjee Cowasjee.

That the Committee are authorized to pay the first instalment due for the purchase of the Howrah and Kidderpore Docks, and also to appropriate the surplus funds to the provisions of such stock and materials as are required for the carrying on the works in hand.

That the Committee are authorized to make all engagements for repairs, &c. &c., and to sign and receive all bills for work done at the Docks.

That the Committee are authorized to treat with Government for the sale of the Eastern end of the Kidderpore premises, upon terms fixed by the Proprietors.—*Calcutta Courier, January 17.*

THE TRADE OF BOMBAY.

We published some time since, an estimate of the trade of this presidency in some of the principal articles of export, showing that their amount had greatly increased; and that as a commercial place, Bombay was advancing with extraordinary rapidity. The correctness however of many of our calculations was doubted at the time; and we shall, therefore, take the present opportunity of publishing the actual returns connected with the subject, up to the close of last year, showing that, generally speaking, we were quite within bounds in our predictions regarding it.

To commence with our most important staple—cotton—the following table shows the amount of the exports in it during a series of years, and the increase last year over any preceding one.

	TO CHINA.	TO GREAT BRITAIN.	TOTAL.
1828	103,533	84,604	188,137
1829	87,927	38,987	126,914
1830	117,268	37,295	154,568
1831	122,264	81,434	203,698
1832	115,094	98,631	213,825
1833	109,741	94,152	203,893
1834	120,623	82,082	202,705
1835	53,771	103,707	157,478
1836	121,121	168,961	290,082

Thus the trade in this article, which in no previous year exceeded 213 thousand bales, amounted last year to 290 thousand; and allowing only 160 rupees a candy, so the average value of cotton throughout the season, it may be estimated as worth two hundred and thirty two lakhs of rupees.

We will proceed in the next place to opium, which stands second on the list of exports. The following shows the progress of the trade in this article during the last 8 years.

Export of Opium

In 1829	3,420	chests.
" 1830	3,506	do.
" 1831	4,472	do.
" 1832	10,105	do.
" 1833	6,937	do.
" 1834	11,206	do.
" 1835	8,785	do.
" 1836	16,234	do.

We have merely to add, with reference to 1832, that the great increase it displays was principally owing to the abolition of the Company's monopoly of the drug; and that estimating value of the exports last year at 1050 rupees a chest, they would, in round numbers be worth one hundred and seventy lakhs of rupees.

We shall also insert the following table showing the progress of the trade in wool; for although its intrinsic value is but trifling, this article, as we have already on one or two occasions stated, promises soon, by means of the Indus, to be among our most important staples.

	SALES.	CWTS.
1833	106	303
1834	439	1719
1835	2290	6363
1836	5125	14,645

As regards imports, our information does not extend to so late a period as is comprised in the above tables; nor can we state the quantities of the principal articles of which they consisted; but our inquiries as far as they go, show as satisfactory a result as in the other branch of trade.

For instance, the valuation set upon Imports in the Custom house book is in.

MERCHANDISE.	TREASURE
1832.. Re 2,63,19,569	Re 54,79,600
1833.. " 2,66,74,081	" 119,00,127
1834.. " 2,66,29,302	" 110,30,696
1834.. " 3,11,95,427	" 135,91,557

The exports of bullion, at the same time, have been rapidly decreasing; thus showing a want, throughout the country, of a large currency, which we need hardly add above betokens prosperity. They were as follows:

1832	Re.	26,45,685
1833	"	19,50,512
1834	"	16,17,978
1835	"	15,43,414

The tonnage of the port, too, with foreign countries, has, as may be supposed, greatly increased.

In square rigged vessels the following are the returns connected with this branch of our subject.

	INWARDS	OUTWARDS.
1831	60,379	63,510
1832	56,051	63,200
1833	71,929	62,852
1834	69,803	87,930
1835	73,175	74,138
1836	102,571	104,424

A very large trade, it is to be observed, exists with foreign countries in other craft, of which we have not been able to obtain an account.

We cannot conclude this rough sketch of the trade of Bombay without adding a statement of the revenue of the presidency, which may be relied on as correct, having in a great measure been drawn from official papers recently published by the E. I. Company.

	TOTAL NET REVENUE.	CHARGES.	DEFICIT.
1831	32 .. 1,49,30,410	2,19,44,308	70,13,898
1832	33 .. 1,59,46,334	2,16,69,660	57,23,326
1833	34 .. 1,70,47,360	2,09,59,684	39,12,324
1834	35 .. 1,60,15,275	2,02,96,236	42,80,958
1835	36 .. 2,58,20,230	2,72,26,697	16,94,867

In the last year the total receipts and charges are given, for which of course, allowance must be made.

The revenue, in reality, appears to have increased during the year upwards of 20 lakhs, while the Bombay deficit has been reduced to the comparatively trifling sum of 17 lakhs of rupees.—*Courier.*

EQUALIZATION OF CREDITS ON SALES AND PURCHASES.

The following agreement, founded on a resolution, passed at the Chamber of Commerce on Monday, has been signed by all the principal British and Native firms in Bombay, and will form, after the 1st proximo, the commercial rule of this market :—

Bombay, 9th January, 1837.

‘ Considering it to be extremely desirable, that the credits on sales and purchases should be equalized in Bombay, we, the undersigned merchants of Bombay, do agree after the 1st February next, to adopt ourselves and recommend to others, the practice of reducing the credits on sales to one month, thereby making both purchases and sales effected at one month’s credit : and we further agree from the same date to adopt and recommend the practice of demanding and allowing as *tare* the actual weight of the packages, as more far and just to all parties than a fixed percentage, which is frequently very far from the real proportion.

Skinner and Co.
Ferguson Turner and Co.
W. Nicol and Co.
Edmond Bibby and Co.
Jejeebhoy Dadabhoj and Co.
Nadabhoj Framjee
D. and M. Pestonjee
Richie Stewart and Co.
Macvicar Burn and Co.
Leckie and Co.
Kamjee Ruttonjee
Owen and Co.
Manackjee Nowrojee
Remington and Co.
Cursutjee Cawasjee
Dhackjee Dadajee
Jamsetjee Jejeebhoy Souns and Co.
Dirom Carter and Co.

Gisborne Menzies and Co.
Duncan Gibb and Co.
Higson and Cardwell
Dinshaw Furdoonjee
McGregor Brownrigg and Co.
Wm. S. Grey per pro. J. A. Russell.
Frith and Co.
Gillanders Ewart and Co.
Geo. S King
Forbes and Co.
Pollexfen Milne and Co.
Cursetjee Ardaseer and Co.
Jahangheor Nasserwanjee
Roger De Faria and Co.
Aga Mahomed Rahim Sherazee and Co.
Khimchun Motchund
Viceajee Merjee—*Courier*.

THEATRICALS.

MR. LINTON’S NIGHT.—We are happy to observe, that notwithstanding the race ordinary, the change of day, the want of sufficient notice to the public, and the almost incessant and wearying round of gaieties and engagements, with which society is at present harassed, that the house was very well attended on Saturday evening. The Opera of Lodoiska, and several pieces of vocal music, Italian and French, constituted a pleasing variety of entertainments.

Of Lodoiska we can say that it went off very smoothly ; and considering the fact, that it was impossible, under circumstances, to have more than one *rehearsal* of it, we were, we confess, surprised that it was so successfully enacted. The music is very fine. Mrs. Atkinson, as Lodoiska, notwithstanding severe indisposition, sang her music, and acquitted herself of her part, very much to her own credit, and to the satisfaction of her audience. The piece was *quant aux amateurs*, very strongly cast, and we were delighted to observe in Khera Khan, an old and very deservedly favorite amateur, who has not appeared for some years. The audience appeared equally pleased with ourselves. The Count Floreski (Almaviva), sustained a very arduous part, both as to music and stag business, with unmitigated success throughout, in addition to which he sang a duett, from Tancredi, with Signora Schieroni ; the execution of which, we need not further characterise, than by observing, that it (the duett) very narrowly escaped an *encorr*.

In the Prince Lupauski, the audience at once recognized their old favorite, the Chowringhee Kean and the present stage manager, who, we are told, introduces into this, his new character, the same grace, courtesy, and blandness of manner, which constitute some of the many pleasing characteristics of this gentleman on, and off, the boards. His appearance in the insignificant part of Lupauski, was most warmly greeted. The Baron Lovenski, was exceedingly well dressed, and we thought very successful in the first act ; in the second, the noble Poland became slightly oblivious, and one or two un-rehearsed stage effects, interfered, by way of dampers, to check his sublime career of tyranny, perfidy, and illi-

cit love of the lady Lodoiska. The Tartar choruses and the quintett, in the first act, were very good. We observed amongst the singers several professors, and one or two amateurs of considerable musical pretensions. Come we now to Varbel, the facetious servant of Floreski, the well-known Bob Acres : he was as usual laughter-moving, and apparently laughter-loving ; and the careless gaiety evinced by him on all occasions, either of peril or of pleasure, seemed to flow as naturally from him, as if part and parcel of his own individual character. We have to congratulate this amateur on his newly acquired or at least newly exhibited, talents as a musician. We hope to see and hear more of him in this line.

Signora Schieroni, appeared between the 1st and 2d acts, *encostume* as Tancredi, and sang a scena, which was rapturously received, and a duett, with Floreski, of which we have already spoken.

Madame L’Hém ry, appeared between the 2d and 3d acts, and sang a very difficult, and at the same time pleasing, *morceau*, exhibiting most felicitously the flexibility, clearness and compass of her voice ; and Monsr. Welter followed with “ Vallons de L’Helvétie,” from the Opera of Le Chalet, of which we have spoken in a former notice of this Opera. Truly, this gentleman is a most delightful singer :—pure in method, refined in taste, and with a voice at once rich and soft, as crimson velvet. The grand scena of the storming and burning the Castle of Lovenski, the red and blue lights, the fighting, firing, flaming, and choruses of Tartars, Princesses, prostrate Polanders, agonised fathers, victorious lovers, &c. &c., &c., was all very grand, and the curtain dropped amid much applause.—*India Gazette, Jan. 9.*

MR. LINTON’S BENEFIT.—There is a certain familiar phrase much reprobated by Euponists, but yet in common use, the undignified but expressive colloquialism—a *flare up*. It is a delicate bit of slang, so full of meaning that one uses it instinctively ; for instance one cannot say, ‘there will be a flare up at the Town Hall on the 11th,’ or announce that ‘the Chief Justice flared up with a dinner to the gentlemen of the bar’—or declare that ‘Mrs. Atkinson will flare up on such a night

in her own house' or that a *flare-up* is expected' at G—— or any other great house—but every one will know that we mean by saying that 'Mr. Linton flared up at the Theatre on Saturday.' The expression puts a moving picture before our eyes, and fills our ears with extemporaneous discord. There we have the S——y to the C——e Th——e looking tyrannical in yellow and scarlet in an atmosphere of red fire; three gentlemen who do not know their parts concealing their confusion by prompting one gentleman who does know his; a crowd of guards without prisoners, and prisoners without guards; Count Almaviva singing through it all with a desperate effort at looking imperturbable; Master Walter trying to knock expression out of bombast; Mrs. Atkinson warbling her distresses in swan's down, and scarlet; Bob Acres making jokes out of dulness; guns, drums, tartars, and a host of supernumeraries knocking the skin off each other's knuckles with tin swords in what is called, in the stage directions, 'a general engagement.'

The piece was Lodoiska, one of those regular old staggers that every one has been to see when he was a little boy; a thing written in the days when inverted sentences were taken for fine language, and pathos was expressed by a triple repetition of the first person potential as 'could I—could I—could I leave you?' and so on. The talking part of these affairs is Radcliffe run mad; the musical, a selection of old melodies laid upon any of Haydn's quartettes, and then, as the silversmiths say, 'beat out fine.' The characters are always the same,—a tyrant in a castle with the usual complement of Eastern towers,—a heroine in the dungeon thereof,—a lover desponding on the outside,—a venerable and injured father,—a warlike hero endowed with an excess of stage generosity,—a servant who is brave and cowardly and sentimental and ridiculous and serious and silly and stupid and wise. The plot usually depends upon the dropping a letter which the servant aforesaid invariably picks up with a significant glance at the stage box (P. S.) saying with a deep meaning, 'This may be useful,' at which some people in the pit always laugh; we do not know why. The scious and sentimental style of the language we have above described: the jokes are generally such as—'Oh sir, I've lost my horse in the wood, and I'm quite hoarse myself with calling some one to catch him,' (laugh) or else 'well, here's a loaf and a bottle from the top of the tower: at any rate bread's down, and wine's lowered' (loud laugh)—or else, 'there, my master, the Count, fighting again! oh, sir, mind what you're arter, don't give any quarter, but make a *Murtyr o' that Tartar*.' (Bravo—enthusiastic applause.)

• Now we take upon ourselves to declare that these are much better than any joke in Lodoiska.

With two more rehearsals the piece of Saturday night would have gone off as well as such a thing can do. Mrs. Atkinson sang very well, and the scenery was beautiful. An old and favourite amateur took the part of Kera Khan. He has lost some of his spirit and expression, but no part of his stage knowledge or dramatic talent. We rejoiced to see him again on the boards in the hope that he may again appear and frequently: he was excellently dressed, and, with his commanding and graceful figure, looked and played the gallant Tartar chief to the life. Master Walter kindly took a very inferior part and Bob Acres, as the servant, was the gracious of the evening, the play whatever life it could boast of. He appeared for the first time as an operatic performer with great success. Count Almaviva sang with spirit, and the Secretary would have done well, had he known his words, and condescended to remember that the audience are quite content to dispense with stage directions aside.

Signora Schieronì sang an aria and a duet with the Count between the 1st and 2nd acts: she was warmly welcomed,—and performed both pieces (in the character of Tancredi) with her accustomed talent. Made-

moiselle Lemery, and Monsieur Welter also assisted Mr. Linton in his benefit by singing after the second act of the opera. The former gains more upon us the more we hear her; the latter was in splendid voice and was much applauded. On the whole Mr. Linton had no reason to be disappointed, for in spite of the many other engagements of the evening, the numerous audience bore testimony to the estimation in which the community of Calcutta hold that talented and respected professor.—*Englishman*, Jan. 9.

DER FREYCHUTZ.—This Opera drew together a very large concourse of persons, consisting principally of the *beau monde*. The performance of the Opera was highly successful. Madlle. L'Hémery was in splendid voice, and made the Theatre absolutely ring; we were delighted with her in her grand scena, and found ourselves repeating to ourselves the question of our—old friend Scipio, "*que diable allait-elle faire, dans cette galère?*" What on earth could have induced this accomplished Vocalist, to have left *la belle France* for that cavern of the whirlwinds, the chosen retreat of Auster and Boreas, the sandy Isle of France? However, 'tis the wind that blows no one good, and the execution of this lady to the Mauritius, having given us an opportunity which we should not have otherwise enjoyed, we thank the favouring deities for that which they have given to us, and have promised to ourselves to make the most of our opportunities, while they are afforded, and not to miss a single performance in which Madlle. L'Hémery shall, in future appear, and so will resolve, we doubt not, the whole musical world of Calcutta, after hearing her singing on Friday evening. The bridal costume of the prima donna, was as pure as good taste and white silk could make it; her very shoes "*cette chaussure mignonne*" as Rousseau said of Madame D'Houletot, had a sort of pure and bridal simplicity about them and her appearance and performance in this part must be written down and marked as something eminently pleasing and successful. Monsr. Welter was admirably dressed as the wicked Richard, and executed his grand air and scena delightfully. We thought him tame in the drinking song, and our notions of stage business were violated by his singing it *sitting*! half the effect of the song is thus lost. In Theatrical phraseology, we beg to observe, that this bit of business was woefully ill conceived. Monsr. Bonniol sang his share of the music very pleasingly, and Mad. Thonon deserves some praise; pity this, that her voice was not suited to the music she had to sing, the choruses and band were much too thin. We suppose, however, that financial consideration render it inexpedient for the present to increase the numbers in these two departments. Fradin as Kilian in the opera, and as Chapolard in the vaudeville, was all but the death of us, our very sides ache at the recollection of poor Chapolard and his absurdities.

Lord Auckland, Miss Eden, and a party were present. The house was crowded, and every one apparently much pleased with the performance. We recommend an addition to the orchestra and choruses is possible. Fra Diavolo, the next opera, will present a new attraction. Our Count Almaviva will play *Lord Althsh*, and of course every one will go to see how he does it: we anticipate for him the same success which has hitherto invariably attended the musical efforts of this accomplished amateur. The music of Fra Diavolo is by Auber, and the plot of the opera is singularly attractive.—*India Gazette*, Jan. 16.

A NEW WAY TO PAY OLD DEBTS.

MY DEAR ———,

I send you, according to your request, and my promise, a dramatic notice for your next number of the *Li-*

terary Gazette. I need not mention that it is written very hurriedly;—you know this already, and the reason why. I add my initials at your particular desire. It will at all events make me answerable for my own sins. Would it not be as well on this occasion to make some acknowledgment of my retirement from the editorial chair? I begin to fear that your readers will fancy they are still *mine*, and upbraid me in their hearts for my long non-appearance. An editor's continued absence is not readily forgiven. I ought in all courtesy to have made a formal bow to my old subscribers, and to have thanked them for their long and kind support. I am grateful, however, though I have not told them so. Wishing every success to a journal with which I have been so long connected, and hoping that my old subscribers will continue to be yours.

Believe me, my dear ———,

Your's very truly,

D. L. R.

CHOWRINGHEE THEATRE.

Massinger's "New Way to pay Old Debts."

When we look back to the personal history of Massinger, of which we have such slight and unsatisfactory fragments, and recollect the sad obscurity of his career, it is gratifying to observe that the justice which was refused to him in his life-time, and for more than a century after, has been so freely awarded to him in the present age. His name and his writings are at this day familiar to every student of English Literature, though when Johnson wrote his *Lives of the Poets*, he knew so little of one of our greatest dramatic authors, that he seems to have been ignorant that the *Fair Penitent* of Rowe was a plagiarism from the *Fatal Dowry* of Massinger. It is now well-known that Rowe had prepared an edition of the entire works of Massinger, of whose genius, at that period so rarely recognized, he appears to have been a warm admirer. When, however, his own avarice of distinction led him to covet the gold and jewels that adorned his idol, he determined to leave him in that obscurity from which alone he could hope for the concealment of his own sacrilegious theft. About the middle of the seventeenth century appeared an edition of Massinger prepared by Coxeter. This was an attempt, but a very unsuccessful one, to correct the numerous blunders of the old editions. It was followed soon after by an equally incorrect edition published by Mr. Davies, and to this succeeded that of Mason. None, however, of these reprints did any essential service to the poet's reputation, and it was not till Mr. Gifford produced his very careful and excellent edition in 1805 that the works of Massinger were generally read and justly appreciated. The only drawback from the gratification that every student of English poetry has received from this edition, is the excessive arrogance and acrimony which the editor has displayed in his very numerous notices of the errors of his predecessors. He never makes a silent correction, when he has an opportunity of expressing his malignant triumph over the ruins of another's fame. He seems to speak with the bitterness of personal hatred of men whom he never saw or who were at rest in the grave before he himself was in his cradle. This virulence and ferocity introduced into questions of no moral consequence, not only interferes materially with the more pleasurable and peaceful emotions which the contemplation of the poet's beauties is calculated to excite, but leads us to call in question even the personal character of the editor, and makes us less disposed than we otherwise should be, to recognize the indications of his laborious care and his critical acumen. Mr. Gifford is guilty of another, but a

more amiable and more common fault—a highly exaggerated estimate of the genius of the poet on whom he comments. There is no question that Massinger was a most distinguished ornament of what is called the age of Elizabeth, which, in reference to the History of our Literature, is generally made to include the reign of James the first. But we cannot agree with Gifford that Massinger is, in any one respect that has relation to the higher qualities of genius, a rival of the immortal Shakespeare, or that his superiority to all his other contemporaries is quite so decided as he would have us think. Some commendatory verses, addressed to Massinger by a friend, ought to have suggested to Mr. Gifford the propriety of praising his favorite poet with somewhat more reserve. The following passage in these verses reminds us of a correspondent sentiment in Pope.*

"Yet whosoever beyond desert commends,
Errs more by much than he that reprehends;
For praise misplaced, and honor set upon
A worthless subject, is detraction."

It is but fair to presume from the following compliment, (a very awkward one if not well founded) that Massinger did not himself pretend to an equality with the greatest of his contemporaries.

"You are not, I assure"

Myself, envious, but you can endure
To hear their praise, whose worth long since
was known,

And justly too preferred before your own,
I know, you'd take it for an injury
(And 'tis a well becoming modesty.)
To be paralleled with Beaumont or to hear
Your name by some too partial friend writ near
Unequalled Jonson; being men whose fire
At distance and with reverence you admire,
Do so, and you shall find your gain will be
Much more, by yielding them priority.
Than, with a certainty of loss, to hold
A foolish competition: 'tis too bold
A task, and to be shunned; nor shall my praise
With too much weight, ruin what it would
raise."

In fact Massinger's modesty is placed beyond a doubt by the fact that the same poetical friend subsequently wrote a similar address to him, in which he says somewhat inconsistently with his first epistle:—

"You remember how you chid me, when
I ranked you equal with those glorious men,
Beaumont and Fletcher * * * * *

I did but justice when I placed you so."

Perhaps after all, Gifford's fault was not so much an undue partiality as defective judgment. For though an acute and clever critic within a certain limit, and endowed with a quick sense of the tesser proprieties, the minor morals of literature, he had not a true relish of poetical excellence of the highest order. He would have written a better essay on Pope than on Shakespeare. As a critic he was of the school of Johnson, who wrote so much more ably on Dryden than on Milton. He was readier at the discovery of slight errors than of great beauties. He was a kind of legal critic who deemed it more his business and found it a more congenial task to discover a flaw or condemn an infraction of certain arbitrary laws, than to recognize and applaud those noble but irregular virtues that rise above them. He had evidently no sympathy for those poets,

Who snatch a grace beyond the reach of art.

When he criticised in the *Quarterly Review* the poetry of Shelley, he could discover not a single indication of

* Praise undeserved is censure in disguise.—Pope.

sense or genius in the rich and wild imaginings of that daring genius. To him it was a midnight chaos fitfully illumined by unwholesome meteors—a darkness visible, that served only to discover dismal vapour and demoniac phantoms. He who could speak of Rogers with enthusiasm could see no merit in the author of the *Revolt of Islam*. A critic of this sort is precisely the kind of person who would be likely to prefer Massinger to Shakspeare. Mr. Monk Mason had remarked the general harmony of the former's versification, which he pronounced superior to that of any other writer with the exception of the generally acknowledged monarch of the English Drama. Mr. Gifford most unreasonably objects to this exception, and asserts that rhythmical modulation is not in the list of Shakspeare's merits! He thinks that Shakspeare has been overrated; that Beaumont is as sublime, Fletcher as pathetic, and Jonson as nervous; and that wit is the only quality by which he is raised above all competitors! Here is a critic that would have pleased Voltaire. It would have been amusing enough if Mr. Gifford had been compelled to give a reason for the faith that was in him. He would have afforded a strong illustration of the absurdity and presumption of a mere satirist—an acute fault finder—

"A word-catcher that lives on syllables,"

attempting to take the measure of such a gigantic mind as that of Shakspeare. It is not difficult to understand why a critic who counts syllables upon his fingers should prefer the verse of Massinger to that of Shakspeare. It is more uniformly smooth, correct, and regular. But it has nothing of the freedom, the variety and expression that characterize the voice of

"Sweetest Shakspeare, Fancy Child,
Warbling his native wood-notes wild."

We wish not to under-rate the real merit of Massinger's versification. The march of his verse is noble and majestic, and his diction is singularly pure and perspicuous. The latter has quite a modern air, though written two hundred years ago. We prefer both his metre and his diction to those of Jonson; but in neither respect does he equal Shakspeare. For though Massinger's language and metre have fewer faults, they have also incomparably fewer beauties, and the beauties very rarely indeed complete with those of Shakspeare. They have not the same irresistible enchantment. The anticipated tones of Massinger always satisfy, but never surprise or ravish us. But the wild music of Shakspeare is like that of the Æolian harp touched by the wandering breeze. It reminds us of the music of the Genius, who in the habit of a shepherd, appeared before Mirza on the hills of Bagdad. He had a little musical instrument in his hand. As Mirza looked towards him the Genius applied it to his lips, and began to play upon it. "*The sound of it*," says Mirza, "*was exceeding sweet, and wrought into a variety of tunes that were inexpressibly melodious, and altogether different from any thing I had ever heard.*" We may describe the enchanting melody of Shakspeare's softer passage in his own delightful words—

"O it comes o'er the ear, like the sweet South
That breathes upon a bank of violets,
Stealing and giving odour."

Coleridge once remarked, that he thought he might possibly catch the tone and diction of Milton, but that Shakspeare was absolutely inimitable. This was a very just and discriminating observation. We need be under no apprehension that the music of Shakspeare will ever pall upon the ear in consequence of its frequent repetition by a servile flock of mocking birds. It will never be said of him, as it was said of Pope, that he

"Made poetry a mere mechanic art,
And every warbler had his tune by heart."

The only superiority to Shakspeare that can be discovered in Massinger, is in the greater general clearness and more sustained dignity of his language, and in the judicious abstinence from those puns and quibbles which so unhappily deform the pages of a writer who would otherwise be almost too perfect for humanity.

"Whoever thinks a faultless piece to see,
Thinks what ne'er was, nor is, nor e'er shall be."

The texture of Shakspeare's composition is often most vexatiously involved, and many of his passages are riddles still unsolved by the most patient and clear-headed of his commentators. These are his weightiest sins, and every school-boy can point them out for reprobation; but as it is hardly necessary to observe, they are redeemed by a galaxy of beauties that may be sought in vain in any other region of the world of literature.

Massinger has comparatively few of those fine and unaffected strokes of nature, for which Shakspeare is so remarkable. The "*What man! ne'er pull your hat upon your brows*," addressed to Macduff when he receives the afflicting intelligence of the destruction of his family, and endeavours to suppress and conceal his agony;—the single exclamation, "*Alas*," in *Othello*, when a lightning-flash of jealousy first breaks upon the Moor's tempestuous soul;—his "*Not a jot, not a jot*," when Iago observes that he is moved;—the "*Pray you undo this button*," of Lear when his heart swells almost to bursting;—and a thousand other simple but most expressive touches of a similar kind, are amongst the truly characteristic excellencies of Shakspeare and are never to be found in the stately lines of Massingers. But yet, if we compare Massinger with the Dramatic writers of the present day, in whom shall we find his equal? The golden age of the Drama has passed away. Our present poets can paint the moods of their own minds and can write dramatic poems, but not plays. Their mirrors reflect themselves alone. They do not hold them up to nature and reflect the very age and body of the time, its form and pressure.

The *New Way to pay Old Debts*, which was acted at the Chrowninghe Theatre on Tuesday evening, is one of Massinger's most striking plays. It is not so poetical as some of his other Dramas, but it is the most successful on the stage. It is a work of great genius; but its general effect is more forcible than pleasing. It is one of the most tragical of comedies. The interest would be painful throughout if it were not occasionally relieved by the humour of *Marrall* and *Justice Greedy*.

"Massinger that knows
The strength of plot."

has here put forth that strength. The interest increases by a very regular progression to the closing scene, and nothing breaks the unity of the design; though in the writer's determined attention to the conduct of the plot he is sometimes a little careless of the probability of the events of the consistency of the characters. It is quite evident, for instance, that *Lord Lovel* and *Lady Alworth* are mere machines, introduced for the author's convenience in the management of the fable. However useful as a part of the general machinery, they are very dull and inconsistent beings in themselves. The hero of the piece too, is as repulsive a personage as can well be imagined, and indeed there is not an interesting or a truly agreeable character in the whole play. That this drama should nevertheless rivet, as it does, the attention of the auditor or reader, is an unequivocal illustration of the author's power, though it does not show that higher order of "*sovereign sway and mastery*," which the greatest of his contemporaries has so gloriously exhibited in his more refined creations. *Sir Giles Overreach* is a vulgar villain, only preserved from unqualified contempt by his stern inveteracy of purpose and his dogged self-

will. His cunning is low and obvious. When compared with the character of *Iago* he sinks into contempt. He is merely a heartless and ambitious ruffian, convulsed with storms of passion which he can neither repress nor conceal; however much a prudent regard to his own immediate purposes may call for such self-control. But "*Honest Iago*" is a sublime and subtle, demon who knew of qualities with a learned spirit of human dealing," and who looked "quite through the hearts of men," while he drew an impenetrable curtain around his own. Massinger too often trusts for his power of affecting as to the mere repulsiveness of his pictures. Rather than run the risk of failure to move us by higher and more legitimate means, he thrusts before us objects that thrill us with unqualified horror, disgust, or indignation. There is something truly contemptible and indeed unnatural in the childish eagerness with which *Sir Giles Overreach* seeks the honor of a title for his daughter, for whose happiness or comfort he has not a single thought. Though without the slightest elevation of character, he is not a weak-minded man; but he displays, on the contrary, a good deal of cold, worldly wisdom and great steadiness of purpose. He has all his life grasped at gross substantial things. Gold has been his god. He must have known that great wealth was a more powerful instrument than a title with which to work his will on his fellow-men, to whose good or bad opinion he is alike indifferent; and yet he consents to give up every thing he possesses in the world for the sake of obtaining a title for his daughter, towards whom he exhibits not a single spark of affection, and for whose proposed husband he has neither friendship nor respect. This conduct in such a gross and selfish being is wholly out of keeping. It is said, that a *Sir Giles Mompesson*, mentioned in *Wilson's Life and Reign of James the first*, was the prototype of the villainous hero of Massinger's play; and to adduce the circumstance as a proof of the poet's adherence to nature, would be a poor defence. The character of *Sir Giles Overreach* might still be pronounced unnatural. It is inconsistent with our general experience, though it may have been actually copied in some degree from a monstrous original in real life. Poets who propose to interest and instruct us with pictures of human nature should not select those extraordinary exceptions to the general character of our race that astonish us with their apparent improbability. It would be offensive and absurd, for instance, if a Dramatist in his picture of human life were to introduce a double being of the nature of the Siamese Twins. The fact of there having been a prototype would not justify his choice of such an unhappy mal-creation. Nothing can be more objectionable than this mode of proving the truth and merit of a work of art. In combating an adverse criticism on the characters of Shakespeare's plays we are not reduced to so sad a necessity. We can always appeal to the general elements of human nature; and the more we study his characters and the more frequently we compare them with the living world around us, or look into our own hearts, the more are we inclined to put our faith in Shakespeare as the great painter of mankind. When a charge is brought against a dramatic writer that one of his characters is apparently deficient in truth and nature, the reply that the portrait was taken from the life, is too generally considered a most triumphant refutation. We recollect that Mr. Galt once exulted over a whole army of critics for having condemned as improbable and unnatural the fortunes and character of the hero of one of his novels, because he had it in his power to say that they were founded upon fact. In a court of law this kind of defence might have obtained him an acquittal, but not in a court of criticism. It is not literal truth that we look for in a work of art, but *verisimilitude*. In painting we must attend to the perspective, and, not represent things as they are by actual measurement, but as they appear to the general eye: nor are we to select extraordinary ac-

cidents, such as clouds in the shape of men or monkeys. A similar rule holds good in the Dramatic art.

We have said that there is not a single interesting character in the comedy of *A New Way to pay Old Debts*, and we think this will be readily admitted by any one who analyzes his own feelings at the conclusion of the play. He will find that none of the personages of the piece have enlisted his affections. They are all hypocrites. They all play a double part, from the sad and stately *Lady Alworth* down to the miserable *Marrall*—nay even to the domestics in the kitchen. It is unnecessary to point out the inconsistency of the sudden condescension of the *Lady Alworth* to the despised and insulted *Wellborn* after a single whisper—a secret even to the audience—or of her instantaneous acceptance of *Lord Lovel's* offer of his hand. Shakespeare never brings so sad a set of people together without introducing some pleasant contrasts. The most amusing character in the play is that of *rustic Gredy*, whose humours, however, required no great expense of the author's brain. He is simply a glutton, born for no purpose but to eat. It is the whole business of his life; his thought by day, and his dream by night. His jokes always take, because allusions to good eating are very generally understood and relished. But there is nothing social or hilarious in his Epicurism. He is not so anxious for a glass of sack, as a chine of beef. He is simply a gross feeder; and the ridicule consists in his interruption of the most important of his own affairs or those of his friends and the public, with his incessant attention to an insatiable stomach. He is not witty like *Falstaff*; nor does he, like honest *Jack*, thrive and get round upon abundant diet; for he has neither good nature nor a jovial disposition.

When we review the characters in this play, we cannot help wondering that Gifford, notwithstanding his narrow views in criticism, should not have seen the immeasurable inferiority of Massinger to Shakespeare in all the higher attributes of genius. But the critic appears to have been so taken up with the regularity of Massinger's plots, the accuracy of his metre and the purity of his diction, that he overlooked every consideration of a weightier and nobler nature. If in Shakespeare there are greater faults of style, there are far fewer errors of diction, and in the highest sense of the word, he was a more correct writer than either Massinger himself, or the learned and laborious Jonson. The faults of Shakespeare are errors of taste, and not defects of genius. Where the heart is to be touched or the imagination kindled, he rarely fails. Massinger had an intellect of great force; but, like Dryden, he had no power over the pathetic. Even his great eloquence, his most characteristic merit, is the eloquence of the mind, and not the heart.

It was more than once urged against Shakespeare by his competitors as a weighty objection, that "nature was all his art." It would have served these writers justly if he had retorted that art was all their nature. And, if rightly qualified, there would have been considerable truth in the criticism on both sides.

Notwithstanding our critical objections to this comedy of Massinger, it has sufficient merit to make us heartily wish to see it repeated on the Chowringhee boards. When we recollect the obscure and humble passages of the poet's life, it is pleasant to find his merits the subject of frequent and enthusiastic comment in the present age. We forgive Gifford his over-estimate of the author's genius when we think of this. Massinger little dreamed that his plays would be acted on this plains of Hindostan, two hundred years after the author was in his grave!

But it is high time to give some notice of the performance of Massinger's play at the Chowringhee Theatre. The part of Sir Giles Overreach, by our Indian Kean, was sustained with great vigour, and with very few exceptions, his acting on this occasion was distinguished by a degree of taste and judgment for which he is not usually so much distinguished as for his force and animation. It is true that he occasionally somewhat mumbled his sentences, that his action was sometimes redundant, and that his alterations of smiles and frowns were a little too abrupt, but after making these exceptions we have no hesitation in saying that it is long indeed since we have witnessed a more powerful exhibition of tragic acting on the Chowringhee boards. His conception of the part was almost perfect, and in several of the finest passages his acting surpassed our most favorable anticipations. Though he was occasionally somewhat too declamatory, we had often reason to be much pleased with the perfect sincerity of this gentleman's manner and the general gracefulness of his action.

The presumption of *Master Wellborn* was also an excellent piece of acting, and we have never known the accomplished amateur who undertook the part appear to so much advantage. We may now venture to tell him, that we thought his performance in the last farce a total failure, because we can honestly congratulate him on his great and decided success in a far more arduous undertaking.

Marrall (by *Master Modus*) was a capital performance, and characterized by a great breadth of humour. Perhaps it was broader than the author intended, but we do not complain; for his face and manner were a perfect feast. Nothing could be richer than his mode of declining the salute of *Lady All worth*. He now and then however, forgot the old man and walked across the stage with a too vigorous air.

"Our Secretary" took the part of *Justice Greedy*. It was a decided hit. He certainly made the most of the character and often convulsed the house with laughter.

Mr. Leach delivered some very eloquent passages with much propriety, grace and clearness; but she had no opportunity of displaying her talents to advantage. Nothing could be more invidious than the general character of her part—a mere walking lady.

On a perusal of what we have now written, with so little time for reflection, we perceive something rather too hostile in the tone of objection applied to Massinger, which makes us half inclined to suppress the article altogether; but as we have pledged ourselves to give a dramatic criticism to the *Literary Gazette* of this week, and we have no time or inclination to write another, we must let it pass with all its imperfections, on its head.

—*Literary Gazette*, Jan. 22.

D. L. R.

THE FRENCH OPERAS.—*FRA DIAVOLO* AND *LE MAITRE DE CHAPELLE*.—These Operas were presented on Monday, the 23d Jan., to a large and fashionable audience, and we are happy to say that the exertions and efforts of the artists to please, were completely successful, and well worthy of themselves and of that patronage, which their own merits and the good taste of the Calcutta public, cause them to receive. The first act of the *Maitre de Chapelle* was

repeated. The second performance was excellent. Fleury was not in good voice, but he executed his grand scena with his wonted ability, and the splendid duet, between himself and Madame L'Hémery, was executed in a manner which called forth the most enthusiastic marks of approbation from the audience. Of the Prima Donna in this piece, we cannot say enough in praise. As an actress and an accomplished vocalist, with what the French call an *organe*—we call it a voice—in point of power, sweetness, and flexibility, very high in the scale of sopranos, and with skill and musical accomplishment equal to the execution of any music, she would prove an acquisition in any theatre. We remember Madame Dantanger, at Feydeau, who certainly in our estimation had an inferior voice, and was only the equal of Madame L'Hémery as an actress. She was for many years the delight of a Parisian audience. We venture to predict, time and opportunity permitting themselves, that our present Prima Donna would be equally successful. The more frequently this music of Paer is presented to the audience the better will they be pleased. The characters in the opera of *Fra Diavolo*, were without exception well filled. Madame L'Hémery again exhibited her decided comic talents: the scene in which she retires to rest before the audience, divesting herself during the execution of a sort of cavatina and rondeau, of cap, kerchief, gown, and shoes, was managed by this lady with exquisite tact; and the mixture of archness, modesty and simplicity with which she envelops herself in the curtain, upon the abrupt entrance into her chamber of Lorenzo her lover, and her tone including him from her hiding place, took tremendously; in short, her personation of Zerlina was in every particular delightful. *Fra Diavolo*, was well represented by Bonniol, who was in good voice, and played with considerable spirit. Milord Cockbourg was delicious, and his audience repeatedly testified their sense of his merit. Comedy is the strength of this amateur; his merits are too well known, however, to require any further comment from us, his execution of the music assigned to him was successful; but that is no matter of surprise to those who recognised in his Lordship, the hero of a half a dozen operas; to the Court Almaviva, Fernand, Ebuza, et cetera, the music of *Fra Diavolo* was of course child's play. Milord Cockbourg was not however in good voice—he was not at times sufficiently audible. We are not quite prepared to admire his costume, but we are told that it was after the most approved fashion, and in the style adopted on the stage at Paris. We thought the great coat and the leggings, *de trop*. Madame de Ligny made a very interesting Aladin. Welter as Matteo, he not half enough to do—what he did was well done. We felt it a positive privation, when his splendid bass tones ceased to strike upon our ear. The public will have shortly the pleasure of hearing the powers of the gentleman called into full play in the magnificent part of Rambaut, in Mayerbeer's opera of *Robert le Diable*, which the French company are about to get up. Sivord and Charles, as the Brig, and companions of *Fra Diavolo*, were very good: Charles exhibited much humour in the execution of his conception of the part of Beppo; it was a good piece of acting. Lorenzo (Fradin) executed in exceedingly good taste, the pretty music assigned to him—he cannot help his want of power. We were much struck with the grace of attitude exhibited by him in this part—no one understands stage business better than Fradin. The opera went off with great spirit, and the novelty and freshness of the light and pretty music, appeared to strike upon the audience. This opera will bear repetition; but the chorusses are too weak; this is, indeed, the only defect we have hitherto been able to discover in these performances, and it is one, we believe, to which circumstances render it for the present inexpedient to apply a remedy.—*India Gazette*, January 23.

OFFICIAL CORRESPONDENCE RELATING TO THE CHUPRA THUG-
GEE CASE.

Letter from the Judge of Circuit to the Magistrate of
Suran, dated 17th January 1828.

To W. A. PARSONS, Esq.,

Magistrate of ENI & Suran.

With reference to various observations contained
in your proceedings in the above Case and others con-
nected with it, I have the honour to request that you will
favour me with any information you may possess on the
following points.

1stly. What were your reasons for assuming that
Dookhur and Dihul Mushalchees had been murdered
between the Ganges and this Station at the period that
you directed Abdul Alee to commence his investigations
and apprehensions? Were you aware that the bodies
of Sepoys and other murdered persons have frequently
been found in the vicinity of Patna, Phoolwarree, and
other places on the opposite side of the Ganges thro'
which their route lay after they had been left behind
your Servants? Is there any thing very improbable in
the supposition that two persons of low cast should have
quitted their Master's service and have returned to Cal-
cutta, or gone elsewhere?

2dly. Had you, previously, obtained official and au-
thentic information that numerous robberies or murders
had been recently perpetrated on the road from the
Ganges to Chupra, had any hodies been discovered near
it, or were any of the inhabitants of Chupra and its
vicinity who keep up a constant intercourse with Patna,
missing and generally supposed to have been murdered
after passing the Ganges?

3dly. What evidence did you possess of the existence
of numerous bands of Thugs in this Division, with the
exception of that apprehended by Mr. A. Prinsep near
Barhampoor, the individuals of which were tried and
convicted by myself?

4thly. Are you aware of any regulation authorizing
a Magistrate without previous proof obtained of the oc-
currence of any specific offence of magnitude, to in-
stitute a general search throughout his District for Bud-
mashes or suspected persons, and to delegate to a Than-
nadar the power of making a general search for suspect-
ed persons and property, and of apprehending any per-
son against whom such Thannadar might see cause of
suspicion?

5thly. Have any new or important facts been
brought to light by the researches of Abdul Alee or any
light thrown on old ones; in short what compensation
has been obtained for the disgrace and misery which
must have attached to hundreds of persons in conse-
quence of his proceedings; to say nothing of the loss of
time to yourself and others which might have been turned
to much better account?

6thly. Is it your opinion that a Magistrate can by a
verbal order to his Umrah dispense with obedience to the
Regulations of the Government?

7thly. Why is the possession of a piece of cord, a
black or other innocent and indispensable domestic utensil
reference to shape, size or dimension held by
you, mentioned in your proceedings, to be a sure indica-
tion that the proprietor is a Thug or a robber?

beg to be informed for what reason the Dohur or sheet
found on the Prisoners is repeatedly stated, in your pro-
ceedings, to be stained with blood when no such marks
were perceptible on it when examined before this Court,
so that even Abdul Alee, who originally stated the
fact in his Petitions, was unable to point it out?

I am, &c.

(Signed) J. B. ELLIOTT, Third Judge.

Patna Court of Circuit, at Chupra, the 17th January 1828.

Extract from a letter from the Judge of Circuit to the
Magistrate of Suran, under date the 22d January 1828.

Para. 1st. The present Session being brought to a
close I consider it my duty to communicate to you such
observations on the general state of the business and
Police of the District as have occurred to me during the
course of it.

2d. You have already received warrants in all the
Cases of your Calendar, with the exception of No. 16,
referred for the final orders of the Nizamut Adawlut.

3d. Your commitments have appeared to me, gene-
rally speaking, proper and judicious, some of the Cases
however appear to call for particular notice.

The charge of highway robbery, attended with mur-
der, preferred against Niamut Khan* and ten other
Prisoners, in No. 42, of the Postponed Calendar for the
last Sessions, appeared to me to be unfounded, and to
have been got up by Abdul Alee, the late Thannadar of
Chupra, solely with a view to his own promotion and
emolument. As the operations of Abdul Alee, and
those acting under his orders in this and the cases con-
nected with it, form a very prominent feature in the state
of the Police and business of the District during
the period under consideration; it appears proper
to enter into rather a detailed review of the
subject. It appears from the evidence in your proceed-
ings, and that taken before this Court, that on the 5th
March last, in consequence of the depositions of Moosa
Btwureea and Moost. Beaduree, stating that their
relations Dookhur and Dihul Mushalchees in your em-
ploy, who had left Calcutta in company with your Ser-
vants, and had been heard of as far as Bankseepoor, were
missing, you deputed Shakh Abdul Alee, the Thannadar
of Chupra, to search for them, and to apprehend all
Budmashes and suspicious persons, dwelling near the
high road between Singheea and Lalbegwah, (a distance
of about four Coss), and to inquire into their characters.

Abdul Alee accordingly commenced his operations
on the 8th, apprehending every person he met with on
the high road or neighbouring villages, without reference

* The facts stated, in this paragraph, have been care-
fully abstracted from your Proceedings and the records
of this Court in No. 42 of the postponed, and No. 34 of
the present Calendar; also from your Proceedings in the
Cases of Indur Khan and others, Khair Khan and Peer-
bukhsh, Subhoos and others, Kookur and Uliak ordered
by you to find security for good behaviour. Any argu-
ment on the point of fact can only, therefore, be deter-
mined by reference to those documents. The arguments
and observations are of course, my own.

(Signed) J. B. Elliott, Third Judge.

three or four days collected from two to three hundred persons, the greater part of whom he released after detaining them for various periods, and twenty-six of whom he forwarded to your Court.

The proceedings of the Thannadar at this period appear rather to have resembled the furcation of a foreign enemy than the deliberate investigation of a Police officer. For instance, Baguet Das, the Mubhat at Singhee, (whom Abdool Alee, in his reply before you affirms to be a person of great respectability, deposes that nineteen laborers were reaping the grain in his field, when on a sudden he was alarmed by the cries of their women and children, and on inquiry found that the Thannadar had apprehended them. Upon this he brought the Thannadar to make some investigation, but he also apprehended the deponent and forcibly detained him for two days. On the second day in consequence of a hint from the Thannadar he paid him 25 Rs. and was released. His laborers were detained for two or three days afterwards. He further states that during the many years which he has resided in that place, he was never subjected to similar disgrace and illusage.

Rummoo Sing, an Invalid Havildar, deposes he was also apprehended and detained by the Thannadar without reason for three days, and that the Thannadar gave out that a servant of the Judge's had been murdered on this side of the Ganges.

Ramsahae, theekadar of the Ghat at Dorogunge, deposes that his Peedaa having been apprehended he went to obtain his release, but was also apprehended and forcibly detained for three days without food. These witnesses, it is to be observed, were all summoned by Abdool Alee in his defence, and a number of others deposed to the same effect. Niamut Khan and five other of the prisoners, afterwards charged with the robbery and murder of your servants, were among those who were apprehended in this tumultuous and indiscriminate manner. No satisfactory reason for suspecting or apprehending the prisoners, who like many others were peaceably pursuing their way on the high road, is assigned by the Thannadar or Police Burquandaze. It must appear somewhat extraordinary to every cool and reflecting person that those very individuals, inhabitant of a distant part of the District, who are supposed to have perpetrated the murder about ten days before, should have presented themselves to the Thannadar on the very day on which he commenced his search, at a short distance from the place where the witness Ghasee Khan, subsequently, deposed that the murder occurred. They were confined four days in the Mofussil and two days at Thannah Chupra previous to be chained to your Court.

At this period there appear to have existed merely vague suspicions against the prisoners, unless we believe with Abdool Alee, that every piece of rope is intended to strangle persons a sack or bag for conveying away, and a Koorkee for entering their bodies. The Darogha, indeed, states in his report, that sheet stained with blood was found upon them, and the same assertion runs through all your proceedings; however no such stain was perceptible when the cloth was examined before this Court, nor was Abdool Alee himself able to indicate it when interrogated by me on this point. The female relations of the deceased and some of the Thannas, Burquandazes of the same cast (Dosa), with the Mughalchees did, indeed, depose to some of the property found on the prisoners; but with reference to all the circumstances of the case and the great influence of Abdool Alee, this evidence, unsupported by other circumstances, appears to be unworthy of credit. It is observable that Abdool Alee, saying in his report stated his dissatisfaction at the conduct of Rahmoolah Burquandaz of Thannah Gollungunge and of Syalab

Burquandaz of Thannah Koorree, the whole of the Thannas at both Thannas, with the exception of the Thannas, Mohurir and one Burquandaz of the latter and two Burquandazes of the former Thannas, were, in your proceeding of the 17th March, ordered to be dismissed from their offices.

In this state of affairs Abdool Alee was again deposed by a Perwannah under date 29th March, to apprehend 12 persons by name suspected of Budmashies, and also to apprehend and search the houses of such other person as he might see reason to suspect of that offence. Accordingly, from that date till the end of April, he appears to have been engaged in this inquiry in the jurisdiction of Thannah Hooseepoor, Dapules, Goliadogunge, Butudha, Betesah and Sewan.

It further appears in evidence that the Thannas Om-lah considered themselves bound to obey all the orders of Abdool Alee, which, considering what had befallen those of Kusmur and Gollungunge, is not at all surprising. On the 1st of April Ghasee Khan, Sheikh Afreen and Jothee Koorree, the principal witnesses on the part of the prosecution, and indeed the only ones whose evidence, if credited, could at all effect the prisoners, were apprehended, and their houses searched by Jothun and Kholabuksh Goidahs, and Fugerebuksh Chuprasee. They were then conducted to Thannah Hooseepoor (Buragong), where they were confined for seven days in the stocks as Dacoits and Thugs under the orders of Abdool Alee, who sent for them and conversed with them repeatedly, and at length released them from the stocks, after which they remained for about eight days at the Thannah in the capacity of witnesses. It is remarkable that Abdool Alee in his Urzee dated the 4th April, merely mentions their apprehension, and in his Urzee of the 10th states, generally, that Afreen had mentioned the names of robbers, and forwards a list of them in which the names of none of the prisoners occurs; but in the depositions of these witnesses, taken by Abdool Alee on the 13th, and forwarded to you with his Urzee of the 14th, their evidence inculpating the prisoners is given in detail pretty much to the general purport of that taken in your Court. Now, it does to me appear extraordinary and quite out of the ordinary course of events that Abdool Alee, in addition to his success in apprehending the perpetrators of the supposed murder, close to the spot, at the interval of ten days after its perpetration, should also have the good luck, after the expiration of a month, to find three material witnesses to the fact residing at the distance of 50 miles from the place where it was committed. The following facts deposed to by several witnesses before this Court, will, in all probability, furnish a satisfactory solution of the means by which he was enabled to make these extraordinary discoveries.

Zalim Rae, Talumund Rae, Praso and Koorree, Zumeendars and inhabitants of the village of Biloun, depose that on the 5th of April Abdool Alee came to their village, accompanied by a number of people, and without making any inquiry went direct to the house of Indur Khan and apprehended him, his son Kubeel Khan, with two men their guests, and a little boy, who had come to be married to their daughter. He then searched their house and found nothing but cooking utensils, wearing apparel and such other articles as people in their condition of life usually possess. The piece of rope which makes a figure as a lethal instrument in the Thannadar's report and your proceedings, they depose to have been used for drawing water from the well; further, that Indur and Kubeel were persons of good repute and livelihood, and that neither they nor any of their village had deposed to the robbery as stated in the Thannadar's Secretum. Also, that the Thannadar had and confided Angoo, Banoon and Uwada, for these persons the stocks, but that they could not depose against

ably to his suggestions, viz. Kachol and Andur. The statement is confirmed by the presence of Burgeo, Baran and Dwindh, who further depose that they were detained for 27 days as witnesses before your Court.

Abdool, Boodra, Mahadeo, Panshun and Radheo, depose that on the 1st of April, Abdool Alee came to the village of Gopalpur, and apprehended Dusan and four other Goolas, men of good repute, and residing there for eight years past, and searched the house of Purneshwar Pande, a Brahmin and respectable Brilidar, and of Subhoo Goola at night by torch light in their absence; that he ordered Radhe and Dhuonee to be beaten by Burquidzees because they would not depose that the Goolas were men of bad livelihood, the witnesses were then carried to the Thannah of Buragong (Hoozpoor), where they were confined for fourteen days; subsequently, they attended your Kutcherry for four months, and were imprisoned by you for one month and some days because they deposed on oath that the Darogha's Sooruthal was a fabrication; further that some of them being in a state of starvation returned home, when they were again apprehended and sent in with bamboos on their necks. Many of the above particulars are confirmed by your own proceedings, from which it appears that you preferred the statement of the Thannahdar's Sooruthal to the evidence of five witnesses on oath in your own presence and ordered them, the witnesses, to be imprisoned till their own livelihood could be investigated.

It appears quite needless to comment on the natural result of such a course of procedure.

In short, for I have not leisure to go into further detail, it appears from the Uizees of Abdool Alee and your proceedings, that while employed on this investigation he admits having apprehended (in addition to multitudes of whom he makes no mention) 150 suspected persons, who have ultimately been disposed of as follows:—

Apprehended by Abdool Alee,..... persons	150
Released by him at his own discretion.....	75
Committed to the Magistrate's Kutcherry.....	75
Released by the Magistrate after detention for various periods.....	46
Imprisoned by the Magistrate.....	29

Of these, 29 committed on charge of murder of Dookhit and Dihul, and acquitted by the Court of Circuit.....

11

Ordered to give security and released by the Court of Circuit.....

13

Found security and released by Magistrate....

4

Dead in Jail.....

1

Total, finally released, 29

Such has been the result of the operations of Abdool Alee after full judicial investigation.

On the above very extraordinary case and course of proceedings I consider it my duty to offer the following observations.

1st. There exists no proof that robberies or murders have been particularly frequent on the road leading from the River to Goldeanguage during the last seven years.

"I had requested information from you on this and some other points connected with these trials in my letter of the 17th, which you decline giving in your reply of the 20th inst. However, I have no reason to believe that the records of your office would supply many well authenticated facts, evincing the frequent occurrence of the offences of murder, high way robbery and Thug, in the District of Sarun during the last fifteen years. The peculiar circumstances of emergency noticed in the 1st para. of that letter are not very evident, as the circumstances of two travellers being missing, or even murdered, can scarcely be termed one of peculiar emergency, requiring extraordinary or unusual exertions on the part

Accordingly, we find that the number of offences of this description brought to light is the whole district averages lower than at present, during that period, nor does it appear to have increased of late. The bodies of persons supposed to have been murdered, may occasionally have been found on this as on most other great thorough fares; but this appears to have been rarely the case.

I have myself, in various capacities, frequently had occasion to travel that road and to be acquainted with that part of the district during the last fifteen years; but never have heard any remarkable frequency of crime in that direction. Gentleman's servants, Mahajans, Beparees and others are in the constant habit of travelling that road with valuable property, none of whom are known to be missing.

Your Mahatchee and his companion Dihul were both men of low cast (Dooda-), who appear to have had no property sufficient to tempt any one to murder them, while their knowledge of the neighbourhood would naturally induce them to take ordinary care of themselves. I further see no reason to believe in the existence of that formidable and organized band of Thugs and Robbers which you suppose to have made such depredations in the District. I should, on the contrary, believe that the greater part, if not the whole of that class of people, were apprehended by Mr. Prinsep in Tirhoot, and convicted by me at former session.

2dly. The latest information, worthy of credit, respecting Dookhit and Dihul is that of your servant, who depose that they parted from them at Nudwul, a place situated about 12 kos S. E. of Sherpoor, on the opposite side of the Ganges, and as they stated their intention to proceed via Poochwuree, and there is no credible evidence that they crossed the Ganges, it is my decided and deliberate opinion, that they must either have absconded or been murdered on the road from Nudwul to Sherpoor, the bodies of Sepoys and other travellers having been frequently, of late years, found murdered in the vicinity of Poochwuree, Patna, Dinapoor and the neighbouring villages.

3dly. The evidence of Ghasee Khan, Afreen, and Joothee is, from the frequent contradictions which pervades their depositions and the general improbability of their whole story, evidently false, and the result of tutoring and fabrication. I have further not the slightest doubt that they were suborned and taught by Abdool Alee, and those under him by his direction: for that he had no scruple to fabricate evidence is clear from the above statement, and that he considered his reputation and credit with you to rest in detecting and furnishing proof against the perpetrators of the offence, real or supposed, is clear from the whole tenor of his proceedings.

4thly. It appears to have been the intention of Abdool Alee rather to strike a general terror into the people and to make as many apprehensions as possible, than to conduct the investigation in a regular and judicial manner. It is further observable that in like manner, that his seizures were irregular and illegal, so the means adopted by him to convict, discredit, and throw suspicion on his victims were in the highest degree unjust and improper.

I particularly allude to the exaggerating tone of crimination and misrepresentation which pervades all his communications, and which could scarcely fail of itself to convince any one tolerably acquainted with the habits and mode of living of the Mahomedan inhabitants of this part of the country, that this conduct was solely the result of perverted ingenuity put in operation by the workings of interested and affected zeal.

For instance the marks of iron rust or of such are, in his reports, convert into marks of blood; a cord used for innocent domestic purposes is intended to strangle passengers, a snake is to convey them to their graves, which

J. B. ELLIOTT, Third Judge.

There are intended to be. The manner of the way in which a man happens to be, is scrupulously contrasted with the number of burglaries which he is supposed to cultivate. Does a man possess a well furnished home? Has he an empty one? Does he carry money? Has he none? All and several of these allegations equally serve to criminate those whom we see reason to suspect, or to apprehend. Does a man occasionally go from home without openly proclaiming the reason to all his neighbours, that man is held up as undoubtedly a Thief, Budmah or robber. That such doctrines should have been broached by an interested Native Police officer is not perhaps very astonishing; but I must express my surprise at finding many of them implicitly and without a shadow of proof, adopted and authorized in the proceedings of a British Magistrate.

It further appears that Abdool Alee, (who was not long ago deprived of the office of Nazir in Purneah for improper conduct of a similar nature) having succeeded in obtaining your confidence, and being deputed by you to conduct an inquiry which left much to his discretion availed himself of that opportunity to make himself generally dreaded throughout the District, while he conciliated your good opinion by his apparent zeal and activity, and the result has been that some hundreds of people have been exposed to great oppression and misery, all of whom have been ultimately acquitted and released by the Thannadar, by the Magistrate, or by this Court for the want of any satisfactory or judicial proof of their criminality, while no new or important fact has been brought to light by his researches, and the general police of the District has been injured and enfeebled by this illjudged and unfortunate exertion. In the meanwhile it must be presumed, by every one acquainted with the Native character, that he has extorted large sums from those whom he thus arbitrarily imprisoned and released, and he was on the point of realizing the object of his ambition, having been nominated by you to succeed to the office of Foudjaree Nazir immediately on the death of the former, and had also succeeded in having several of his relations appointed to various offices connected with the Police. In short it appears that he would, in a short time, have rendered himself so powerful as not easily to have been controlled by the Magistrate, one of the reasons I have understood which led to his removal from Purneah.

Silly. None of the many irregularities thus noticed appear to have particularly attracted your attention, or to have drawn down upon him any reprehension or punishment. The system also established by you with reference to Budinashes, thieves and the responsibility of Zemindars, appears to me, from many cases which I have had occasion to review, to be much at variance with the principles laid down in the letter of the Chief Secretary to Government to the Register to the Sudder Deewanee Adawlut, under date the 13th October 1820, and the Circular Orders of the Nizamut Adawlut, under date the 8th June 1821. To conclude, it appears to me that the system above delineated can be attended with no other result than that of filling the Jails* with persons unjustly and illegally suspected and apprehended, who must, at all events, be again released after a short imprisonment, in a state of mind, the effect of poverty, disgrace and bad example, which must strongly incline them to become delinquents if not so originally.

In short so far from having a tendency to introduce order and regularity into the Police, to put down crime and to protect the innocent, it appears to me evidently

* About 100 persons were in Jail on security when I visited it, which is I believe much larger than the number of persons of that class imprisoned in the other Jails of this Division.

(Signed) J. B. Elliott, Third Judge.

for it is clear to demonstration that there can be no improvement, no progress in society where security for person and property is not firmly established, and what security there can exist for either where such a system is tolerated, appears to me to require no discussion.

4th. I deem it my duty to notice that the prisoners in No. 1, of the calendar, appears to have been committed on slight and unsatisfactory grounds, the circumstance of their being of the Dom cast, appearing to have operated unfavourably against them. There appears also to have been no sufficient evidence against the prisoners in Nos. 12, 25 and 32, also charged with burglary. Some of the prisoners in these cases appear to have been beaten in the presence or with the knowledge of the Thannadars with the view to obtain further proof. Indeed it is painful to observe the system of terror and violence which there is reason to believe is not unfrequently resorted to by the prosecutors of Police in this District for the purpose of covering stolen property, procuring proof, or extorting money. One case of this nature appears in the Calendar (No 43,) in which the prisoner was tried and punished by this Court.

5th. I have much pleasure in turning from the consideration of this series of cases in which there is but too much reason to apprehend that the Police has been rendered an instrument of oppression to that of No. 20 of your Calendar, which has the advantage of equally demonstrating the facility with which a false charge of Dacoity may be fabricated, and also detected and punished, when exposed to the cool and deliberate investigation of the Courts. In this case two prosecutors and four witnesses deposed on oath to the fact of the Dacoity, one of whom was Dacoity, one of whom was wounded; some act of violence had evidently occurred and the search for property in the presence of the Thannadar, produced some property said to be plundered from the prosecutors. They had also clearly property about them sufficient to account for the perpetration of the supposed offence. Yet, after a deliberate, and in my opinion very judicious investigation, you arrived at the conclusion that no Dacoity had really taken place, that the ground work of the charge was a simple breach of the peace, and that all this apparatus of evidence had been got up with the view of defrauding the Government of a sum of money, and of ruining some people with whom they had a trifling dispute. The prosecutors and witnesses were committed by you on the charge of perjury, and tried and convicted by this Court.

Extract from a letter from the Judge of Circuit to the Register of the Nizamut Adawlut under date the 21st April 1828.

Zillah Sarun, No. 42
Postponed 2d Supplementary Calendar of the 2d Sessions of 1826.

Government Prosecutor,
versus

109 Niamut Khan,
110 Mudaree Khan,
111 Sheikh Bukhshee,
112 Shekh Mohab Alee,
113 Mosahab Khan,
114 Shewchurn Dood,
115 Bukhtour Khan,
116 Torab Khan,
117 Mudaree Khan,
118 Hitchha Khan,
119 Shekh Golab,
120 Shekh Janbuksh;
charged with murder and highway robbery; and No. 34 of 2d Supplementary Calendar of the 1st Sessions of 1827.

Para 1st. Accompanying I have the honor to submit the prescribed documents relating to the trials noted in the margin, which have been called for by the Superior Court, on the petition of Abdool Alee, late 2d Thannadar of the town of Chupra, and one of the prisoners in the latter case.

As that petition contains several false and scandalous reflections on my official conduct: as the trials are in themselves of the highest importance as exhibiting numerous instances of gross violations of the Regulations enacted for the protection of the people committed by Abdool Alee, acting under the authority of the

Government Prosecutor, Magistrate, and as such a course of conduct if permitted to pass unpunished must tend to reflect great discredit on the Judicial establishment and the British Government, and to render the lives and properties of our Native subjects precarious and insecure, I trust that I shall be excused in trespassing at some length on the attention of the Court by entering at considerable detail into the subject.

3d. Niamut Khan was brought to trial with ten other prisoners in No. 42 of a 2d Supplementary Calendar at the 2d Sessions of 1826, before the Second Judge of this Court, (Mr. Fleming) on the charge of highway robbery attended with murder; but after taking the evidence of forty-four witnesses on the part of the prosecution, Mr. Fleming was induced to postpone the trial till the succeeding Session for the reasons assigned in the proceeding of the 25th April 1827, to which I beg particularly to draw the attention of the Court. The following is an abstract of the reasons for postponement:—

1stly. Because there was no credible and satisfactory evidence that Dookhit and Dihul the persons supposed to be robbed and murdered, had actually passed the Ganges into Zilla Chupra. 2ndly. Because the evidence of the Toorunt and other Thannah Burgundees, of the manner of apprehension and search of Niamut Khan and six other prisoners by order of Abdool Alee, was confused and unsatisfactory. 3rdly. The evidence of Abdool Alee was further required respecting the apprehension of Bukitour Khan and four other of the prisoners whom he had brought from a distant part of the District. The Second Judge also expressed his doubts respecting the evidence of Ghasee, Afreen and Joothee, and censured the conduct of Abdool Alee as presumptuous and evincing undue assumption of authority.

3d. In conformity with the above instructions the case was again brought on for trial before me at the 1st Session of 1827. No material evidence however, in addition to that taken before Mr. Fleming, had been obtained.

The statement of Ghasee, Joothee and Afreen that they had seen the Mughalchees (with whom they had no previous acquaintance) in company with the prisoners, remained quite uncorroborated, so much so that not one out of 104 Mullahs and others examined by the Magistrate, was able to depose to any knowledge of the Mughalchees having entered the District. The witnesses Ghasee, Afreen and Joothee on being examined by me also contradicted many parts of their evidence taken at the former Session, and furnished the statements of each other to such a degree as to evince that they were mere fabrications, the result of conspiracy and subornation.

Abdool Alee and several other Police officers were in attendance; but their evidence instead of throwing any satisfactory light on the mode in which the prisoners had been apprehended served rather to lead to the conclusion that Abdool Alee had apprehended Niamut Khan and five others while travelling on the highway, quite without reason in the first instance, and had trusted to his ingenuity to bring the charges home to them subsequently as opportunity might offer. I beg particularly to call the attention of the Court to the deposition of Abdool Alee taken before me on the 31st December, 1826, compared with his reports on the same subject which can be more satisfactory. The Court will observe that the stains of blood said to be on the *Dohur*, or wrapper of Buxhoo prisoner, are laid great stress on in the reports of the Thanadar,

and the proceedings of the Magistrate, but though the *Dohur* was produced to Court in its original unwashed state, yet Abdool Alee admitted his inability to indicate their existence. With reference, therefore, to all the features of the case, particularly the want of credible evidence to the fact of the murder of Dookhit and Dihul; or even of their having entered the District; the irregular and indiscriminate manner in which the prisoners were apprehended; the suspicious circumstances under which the evidence of Ghasee, Joothee and Afreen was obtained and the prejudiced and exaggerated style of Abdool Alee's reports the charge was not established to the satisfaction of this Court: but appeared, on the contrary, to be perfectly void of foundation.

Further, as no doubt existed on my mind that the whole was a fabrication got up by Abdool Alee to serve his own views, and attempted to be supported by perjured evidence, I considered it my duty to direct the Magistrate to commit Abdool Alee and the three witnesses to stand their trial for the same.

4th. Having thus given a general outline of the nature of these trials, and of the course of procedure adopted by this Court, I shall now proceed to enter at greater detail into the origin of the charge of murder and robbery brought against the prisoners in No. 42, the conduct of Abdool Alee, and the Police deputed by the Magistrate to investigate into the circumstances of the supposed offence, and to apprehend those whom they might suspect to have been concerned in it, the mode in which the evidence of Ghasee, Joothee and Afreen was obtained, and such other particulars of the conduct of Abdool Alee as were brought to light during the investigation. It appears from the proceedings that in consequence of the depositions of Moost. Etwuree and Moost. Beaduree, stating that their relations Dookhit, and Dihul Mughalchees in the employ of the Magistrate; who had left Calcutta in company with his other servants and been heard of as far Bank as Bankeepoor, were missing, the Magistrate deputed Abdool Alee Thannadar of Chupra, on the 5th of March, to search for them, and to apprehend all Budnahs and suspicious persons, dwelling near the high road between Singheo and Lalbegwa, (a distance of about four kos) and to inquire into their character.

Now, it is evident that it was the duty of the Thanadar, in the first instance, to attempt to obtain some traces of the persons missing, particularly whether they were really known to have passed the Ganges, and had been seen in Zillah Sarun, with other information calculated to establish the *corpus delicti* in case of so doubtful a complexion. Bankeepoor, where they were said to have been heard of, being distant about five kos on the opposite side of the Ganges from the Ghats in the Chupra District where the inquiry was to be made. However, the Thanadar appears to have considered himself empowered to dispense with all such preliminary investigation, and therefore commenced his proceedings with apprehending every person he met with on the highroad and villages leading from Goldeengunge to Lalbegwa, without reference to rank, cast, or condition, and having, in the course of three or four days, collected some hundreds of persons and detained them as long as he thought proper, he released the greater part of them and forwarded twenty-six to the Magistrate.

Among others he apprehended and detained for ten days Bussunt Das,* the Mughat at Singheo, who deposes that he obtained his release on paying the Thanadar 25 Rupees. Rummun Singh, an invalid Havil-

* Bussunt Das, an old English and man of property, was summoned by Abdool Alee to give evidence in his defence, and is stated by him to be a person of respectability.

(Signed)

J. B. ELLERY, Third Judge.

dar, an old man, was detained for three days without reason; as was Ramnath. The leader of the Gang, who went to obtain the release of the friends, similarly apprehended. Nineteen laborers employed on reaping the field of the Mubani, were also apprehended and carried away by the Thannadar in the same indiscriminate manner, and detained for four or five days. Niamur Khan and five other prisoners (subsequently charged with the murder and robbery) were among those who were thus illegally and immotivally apprehended. No reason for suspecting or apprehending these prisoners, who were peaceably travelling on the highroad, is assigned by Abdool Alee, or any of the witnesses. Niamur Khan states (see Abdool Alee's deposition) that the Thannadar offered to release him if he would pay 25 Rupees, which appears from the whole of his conduct to be far from improbable. On the other hand it is highly improbable that the individuals, inhabitants of a distant part of the District, who had perpetrated the murder near the spot several days before should thus voluntarily, as it were, throw themselves into hands of the Police on the very first day that the Darogha commenced his operations. The female relatives of the Alu-halchees and some others of the same cast (Dosaads) and some of the Magistrate's servants, did certainly depose to recognizing some of the property found on the prisoners as having belonged to the persons missing; but taking into consideration the great influence of Abdool Alee, the readiness of the natives to recognize property not capable of being identified, and the nature of the other proofs adduced by the Thannadar in his report against the prisoners; for instance that a common piece of cord such as is used by travellers for drawing water was intended to trangle passengers, that a bag was designed to convey away their bodies, and a *koorpes* to bury them, I must confess that I am disposed to give very little weight to this evidence.

As a proof of the influence exerted by Abdool Alee at this period I have only need to adduce, that having in one of his reports, expressed his dissatisfaction at the conduct of some of the Burqundazes of Thannahs Goldeengunge and Kusmur, who appear not to have been sufficiently subservient to his views, the Magistrate, in his proceeding of the 17th March, ordered all the Umlahs of both Thannahs to be cashiered, with the exception on one Thannadar, one Muharrir and three Burqundazes, without hearing any evidence, or what they might have to allege in their defence.

5th. On the 29th of March the Magistrate again deputed Abdool Alee by a Perwannah of that date to apprehend Ghusee, Afreen and ten other persons by name, etcetera ("Waghyaah"), who are *sobbers* and *Bud-mashes*, to search these houses and to take evidence to their livelihood, and to send in to the Magistrate such of them as he might see reason. Accordingly from this date till the end of April, he appears to have been employed on this duty in the jurisdictions of Thannahs Hooseepoor, Dyrulee, Gobindpoor, Butudah, Beteenah and Sewan, during which the Thannah Umlah and Zemindars appear to have considered themselves bound to obey all his orders and requisitions, and to have treated him with as much personal respect as could have been shown to the Magistrate himself. On the 1st of April Ghasee Khan, Sheikh Afreen and Joothee Koor-mee, the principal witnesses on the part of the prosecution, and indeed the only ones whose evidence, if credited, could at all affect the prisoners, were apprehended and their houses searched by Joothun and Khodabukhah Gondaha, and Fuggerbukhah Chupraee. They were

then conducted to Chupach Hooseepoor (Buragong), where they were confined for seven days in the stocks as *Dosm* and *Thugs* by the orders of Abdool Alee, who sent for and conversed with them repeatedly, and at length released them from the stocks. They then remained about eight days longer at the Thannah in the capacity of witnesses. It is remarkable that Abdool Alee in his Urzee dated the 4th April, merely mentions their apprehension; in his Urzee of the 19th he states, generally, that Afreen had mentioned the names of others, and forwards a list of them in which the names of none of the prisoners occur; but in the depositions of these witnesses taken on the 13th, and forwarded by Abdool Alee with his Urzee of the 14th, their evidence inculpating the prisoners, is given in detail pretty much to the purport of that taken before the Magistrate. How far such evidence, thus obtained from men of this stamp, is deserving of credit it is for the Court to decide.

6th. From the depositions of Zalimrae, Talamudrae, Ruggoo, Owlul Goala, Praho, Kinnos Kooree, Lotun Pande, Bundhoo, Radherae, Purbhoo, Mahadeo Kooree, Shewdeal, Bhuloh, Choolahaw and Gintherae, taken in No. 34, it will appear that Abdool Alee, without any regular warrant or process, and in the absence of any prosecutor, or acknowledged informer, proceeded from village to village apprehending whomsoever he might think proper, sometimes ordering them to be beaten, at others confining them in the stocks for any period he thought proper; that he broke into and searched the houses of persons both present and absent by day and at night by *mushal-light*, and that he tampered with beat and put in the stocks such of the *Wakifkars* or respectable inhabitants of the villages, as refused to depose to the bad livelihood of those whom he had selected as his victims. In particular it appears that having apprehended some Goalas at the village of Gopalpoor, he ordered Radha and Dhunnee Wakifkars, to be beaten by the Burqundazes because they would not depose to the bad livelihood of the Goalas; the Wakifkars or witnesses, were carried to the Thannah of Buragong, where they were confined for fourteen days; subsequently they were detained at the Kutcherry of the Magistrate for four months, and were imprisoned by the Magistrate for one month because they deposed on oath that the *Soorih* drawn up by Abdool Alee was false and a fabrication, and finally, some of them being in a state of starvation, returned home when they were again apprehended (the Court will please to recollect that they were involuntary witnesses whose sufferings I am describing) and sent into the Magistrate with bamboos, attached to their necks. The proceedings of the Magistrate in the cases of Dusyn, Seebhoo and other Goalas of Gopalpoor, of Indurkan, Quoboolkan, and others of Billorah, of Kooroo, of, of Bismampoor, and of Peerbukhah, Kgeeroo Khan and Ramnath Khan, which accompany this address, and to which I beg to draw the attention of the Court with a view to confirm the particulars above detailed from the evidence taken before this Court.

In short I feel justified in asserting that the conduct of this Police Officer, acting under the orders of a British Magistrate, himself responsible to Laws and Regulations, appears rather to have resembled the incursion of a foreign enemy than the operations of a Peace Officer in furtherance of public justice. Should the Court entertain any doubt of the correctness of the above statement let them now turn to the reply of Abdool Alee and see what he has to allege in his defence. Not a word is he capable of advancing in his own justification, but endeavours to screen himself by the general assertion that the statements were got up by Umlah Alee, a person himself in Jail, and the *Fanjidare* Umlah. It is further observable that all the *Soorih* above mentioned and the charge of *sobbering* Ghasee, Afreen, and Joothee

* This system of general search of such respected property, and by a Burqundaz or Chupraee, is clearly contrary to the provisions of Section 16, Regulation No. 17 of 1817.

to give false evidence so far from being contradicted, are strongly corroborated by the testimony of the twenty-five witnesses, many of them Police Officers, who were heard on his defence.

7th. Subsequently to closing the trial No. 42, Government serves Niamut Khan and others, and previously to commencing that of No. 34, Government serves Abdool Alee and others. I addressed the Magistrate, requesting that he would favor me with any information or explanation in his power on the subject of several points on which doubts had occurred to me while conducting the former trial, and I have again had occasion to call his attention to the many improprieties and irregularities above noticed in the usual address at the conclusion of the Session, dated so far back as the 22d January last; however the only reply I have received is contained in his letter of the 28th January* in which he declines giving any answer to my inquiries; first, because my queries related to "detached parts" of what he is pleased to call "a long chain of circumstantial evidence," and secondly, because they "are calculated to draw from him a defence, on general principles, of measures he had recourse to under peculiar circumstances of emergency." Though I am by no means prepared to admit the reasons assigned by the Magistrate for his silence, and feel disposed to deny the existence of any "peculiar circumstances of emergency" which should have induced him to act in a manner not to be defended on general principles (I suppose he means the Regulations and general rules laid down for the guidance of Magistrates), yet in the absence of all explanation on his part, and on a mature consideration of the evidence I am led to the following conclusions:—

1st. That there exists no credible evidence that Dookhit and Dihul Mushalchees in the service of the Magistrate of Sarun, who parted company with their fellow servants at Nudwah, about 12 kos S. E. from Sherpoor, on the opposite side of the Ganges, ever crossed that river into Zillah Sarun.

2ndly. That there is no evidence that they have been robbed and murdered in Zillah Sarun or elsewhere.

3rdly. That no sufficient reason existed to warrant the apprehension of Niamut Khan and five other prisoners, detained in company with a number of other people travelling in the highway.

4thly. That Abdool Alee apprehended some hundreds of people in an illegal and unwarrantable manner, searching their houses, beating them, confining them in the stocks, and ultimately, releasing or churling them without any apparent motive, but to gratify his own caprice, or serve his own interest.

5thly. That among others Ghasee Khan, Joothee and Afeen were apprehended and confined for about eight days in the stocks by order of Abdool Alee, during which he had frequent interviews with them, and ordered them to be released from the stocks at the end of that period when they were still detained at the Thannah in the capacity of witnesses.

6thly. That the evidence of Ghasee Khan, Joothee and Afeen abounds with discrepancies and contradictions, and is, further, highly improbable in its general scope, and in short, bears all the marks of having been produced by subornation.

7thly. That from the whole tenor of conduct pursued by Abdool Alee, his apprehending hundreds of persons on speculation, beating and imprisoning witnesses, and the distorted, inflammatory and exaggerating style of his reports, there is the strongest reason to believe that he is guilty of suborning Ghasee, Joothee and Afeen in

order to bring home the heinous charge of murder and robbery against Niamut Khan and the other prisoners whom he had previously apprehended.

8thly. That Abdool Alee by obtaining the removal of the Umlah of two entire Thannahs and his influence with the Magistrate, had rendered the Police of the District subservient to his views, and struck terror into the people, therefore the evidence adduced by him of the bad livelihood of Niamut Khan and other prisoners, and of the property found upon them, must be considered unworthy of credit.

Finally, it appears from the whole of the evidence, that Abdool Alee (who had been lately removed from the office of Nazir in Zillah Purneah from similar conduct) having obtained the confidence of the Magistrate, and being deputed on an inquiry which left much to his discretion, availed himself of the opportunity to make himself dreaded throughout the District, while he conciliated the good opinion of the Magistrate by his apparent zeal and activity, and the result has been that some hundreds of people have been exposed to great oppression and misery, all of whom have been ultimately acquitted and released either by himself, by the Magistrate, or the Court of Circuit.* In the mean while no new or important fact has been brought to light by his researches, and the character of the general Police of the District has been deteriorated by the commission of such irregularities under the apparent authority of the Magistrate. That the Thannahdar did not neglect so fair an opportunity to extort large sums of money, and that many acts of oppression were committed which have not yet been brought to light, no person at all acquainted with the Native character can entertain reasonable doubts.

To W. H. MACNAUGHTEN, Esq.

Register to the Nizamut Adawlut, Fort William.

SIR,—In continuation of my address, which accompanied the cases noted in the margin under date the 21st April last, I have now the honor to submit to the Court that having previously to the dispatch of the proceedings alluded to addressed a letter to the Magistrate of Zillah Purneah, requesting him to communicate to me any documents connected with the removal of Abdool Alee from the offices of Foujdaree and Deewanee Nazir in that District, I take this opportunity of forwarding the documents received for the information of the Nizamut Adawlut.

2d. From these it will appear that the whole of the assertions contained in the petition presented to the Court on the part of Abdool Alee relating to the respectability of his character and his good conduct while in office in Zillah Purneah, are utterly false and unfounded, and that he was on the 11th June 1824, removed from the office of Foujdaree Nazir by Mr. Shaw on account of irregularities connected with the Malkhane, which had

* In addition to numbers of persons of whose apprehension and release he makes no mention, the following statement is prepared from the report of Abdool Alee.

Apprehension.....	150
Released by Thannahdar at his own discretion, ..	75
Churlanned.....	75
Released by the Magistrate.....	25
Imprisoned by the Magistrate.....	25

Of the 29th imprisoned by the Magistrate,	
Acquitted by Court of Circuit.....	21
Security—prisoners released by Judge of Circuit..	12
Found Security.....	4
Died in Jail.....	1

Total released 29

Copy of this letter is forwarded.

(Signed) J. B. ELIOTT.

(Signed) J. B. ELIOTT.

been under his charge, and general misconduct: and that on the 18th June 1825, he was, by the order of the late Mr. Macleod, the Officiating Judge of the Moorshedabad Court of Circuit, directed to be committed for trial on the charge of subornation of perjury, there being strong reasons for believing that he had tutored several persons to give false depositions in some charges of Dacoity tried before the Judge of Circuit.

2d. On a mature consideration of the documents now submitted with those already before the Court, I feel no doubt that it will appear that the said Abdool Alea is a common incendiary and a man of most infamous character, who has repeatedly been in the habit of getting up false charges of Dacoity, with the assistance of perjured witnesses for the purpose of gratifying his malice, or of forwarding his prospects of official promotion. Should such conduct be suffered to pass unpunished there is strong reason to apprehend that this miscreant and his gang may yet succeed in making a tool of the judicial institutions of the Government for the purpose of perpetrating legalized murder.

I am, &c.

(Signed) J. B. ELLIOTT, late Third Judge.

Patna Court of Circuit, the 21st June 1828.

Extract from the Circuit Report of the Judge of Circuit, under date the 30th June 1828.

Para. 24. No offence appears to have prevailed in this District, during the period under review, to the extent to call for any particular observations. Dacoity has but rarely occurred for many years, and though eight or ten cases of highway robbery have annually occurred for some years past, yet they have but rarely been attended with aggravating circumstances. The present Magistrate appears to have evinced a lively anxiety to repress this description of offence, which is, of course laudable as indicative of zeal; but not having been in my opinion, under the regulation of a sound judgment, has led to the adoption of measures highly injudicious in themselves, and appears to have inflicted greater evils on the people than those from which it was proposed to protect them.

25. The entire confidence placed by Mr. Pringle in a Thannadar named Abdool Alea, and the great influence which he permitted him to obtain in the District, appears also to have led to results, which call for the serious animadversions of the higher authorities. The circumstance of some hundreds of persons having been apprehended in the Mofussil by Abdool Alea without any sufficient reason or legal process, and released without being reported to the Magistrate is, in my opinion, very discreditable to the Police. Part of the hardships suffered by these unfortunate people has appeared in evidence before this Court; but I greatly apprehend that by far the larger portion will, from the character of the Natives and other causes unnecessary to enter into, never be brought to light.

Extract (para. 21) from a letter addressed by the Registrar of Nizamut Adawlut, and present W. Leicester, Esquire, Chief Judge, and A. Ross, C. T. Sealy and B. H. Ruttray, Esquires, Puisne Judges of the Court, to the Secretary to Government in the Judicial Department, under date the 26th Sept. 1828.

Para. 21. The Court entirely concur in the observation contained in the concluding part of the 24th paragraph of Mr. Elliott's letter, so far as it refers to the proceedings of Abdool Alea, late Thannadar of Chupra, whose gross and systematic abuse of authority has been viewed by the Court with feelings of the deepest indignation, and whose iniquitous acts unchecked as they seem

have been by any controul, cannot but be considered as reflecting serious disgrace on the official character of his immediate superior Mr. Pringle. The Court have had before them the proceedings held on the trial of Abdool Alea for subornation of perjury, which were called for on a petition being preferred by him appealing against the order of the Judge of Circuit. The Court of Nizamut Adawlut, present the Chief and Second Judges, found it necessary to acquit him of that specific charge. But the Court are of opinion that the individual in question should be declared incapable of ever serving in any official capacity for the reasons set forth in the accompanying minutes recorded by Mr. Ross, in which the Chief Judge fully concurs.

To W. H. MAGNAGHTEN, Esq.

Register to the Nizamut Adawlut, Fort William.

Zillah Tirhoot, Calendar, No. 28, of 2d Session of 1825.

Government Prosecutor, versus

- 80 Soodes, the son of Jugwo,
- 81 Gondur, the son of Bhounur,
- 82 Bundhoo, the son of Rughun,
- 83 Rostum Khan, the son of Gholam Alea,
- 84 Gobind, the son of Beharee,
- 85 Jankee, the son of Bundhoo,
- 86 Rambuksh, the son of Dheerujrae,
- 87 Shoomrun Koormee,
- 88 Chinghee Tuntwa,
- 89 Dooneea Goala,
- 90 Peerbuksh Khan,
- 91 Thunnoo Goala,
- 92 Seeborae,
- 93 Goordial Koormee,
- 94 Fuqeer Tuntwa,
- 95 Goorraj Koormee,
- 96 Laloorae Rajpoot,
- 97 Sndashew Goala,
- 98 Lalkhan Pythan,
- 99 Mohurrae,
- 100 Hinchu,
- 101 Koolahul Tuntwa, and
- 102 Ramoorae, Prisoners.

Sir.—Accompanying I have the honor to submit the usual documents respecting the case noted in the margin.

2d. It appears from the evidence that on the 21st of December last, a person named Syfoo Khan went to the Thannah of Durbhunga and informed the Thannadar that a party of Dacoits were coming from Purneah, with four travellers in their company, whom they intended to murder. The Thannadar accordingly proceeded with a party of Barqundazes to a place named Ghonsaghat, about three koss off, where they arrived at midnight and stationed there, so as to surround the grove in which the Dacoits had alighted. Early in the morning the Thannadar apprehended them, and finding suspicious articles and money on some of them, and not meeting with the four travellers, began to suspect that they had been murdered. It seemed also, from the appearance of the ground that bodies had been dragged along it, he therefore questioned one of the party named—and prevailed on him to point out two freshly dug graves in each of which two bodies were buried. The bodies were quite fresh and had all of them marks of strangulation on the neck, and several knife wounds on other parts of the body.

3d. Seven of the party named Mohun Gujek, Bootun Khan, Bhichook Khan, Kashae, Rambhuroo (since dead) and Bhichook Koormee were admitted as King's evidence under the provisions of Regulation 10 of 1824, and appear to have given their testimony *bona fide*. From their evidence it would appear that the party accompanied by four travellers from Purneah, had come to the place the evening before, and that four of the prisoners named Deana Puthan (since deceased), Soodes, Gondur and Bundhoo took an opportunity to throw a kind of towel over their necks and strangled them, while the prisoners Rostum Khan, Gobind, Jankee and Rambuksh held their hands and feet. The knife wounds were probably inflicted subsequently, as I understand that it

usual with the Thugs after strangling their victims to stab them in the abdomen to prevent the bodies from swelling and thereby discovering the places where they are buried. The persons of three of the travellers have been indentified, as well as various articles of their property found on some of the prisoners. Four towels wet and twisted, said to have been used in the strangling, with some bloody cloths and a knife were also found upon them. They are, further, described to the people of bad likelihood, having no ostensible means of support, and passing a great part of the year absent from their families in the pursuit of unknown or suspicious objects.

4th. As I concur with the Law Officer in considering the whole of the prisoners a gang of Dacoits or Thugs,

and as it appears to be established by the evidence that Soodes, Gondur Bundhoo, Rossum Khan, Gobind, Jonkee and Rambuksh Khan were actually concerned in the murder of the four travellers and that the remainder of the prisoners were of the same gang, aiding and assisting them in their illegal pursuits; I beg to recommend that the seven prisoners above mentioned be sentenced to suffer death and be hung in chains, and that the remainder be sentenced to be imprisoned with hard labor for life.

I am, &c.

(Signed) J. B. ELLIOTT, Third Judge.

Patna Court of Circuit, at Seekundurpoor, 3d Aug. 1826.

SUPREME COURT.

MONDAY, JAN. 9.

Sha Beharry Lall v. Anna Celestina Smith.

Case will be shown against the rule absolute on Thursday next.

Rajah Burrodacaut Roy v. Bissusoondery Dabee.

Mr. Clarke moved for an order that the Sheriff be at liberty to sell the property seized by him under the writ of sequestration, or so much as may be sufficient to pay the complainant the sum of Sa. Rs. 3,900 due under the decretal orders, and also all costs incurred by the complainant in suing out the writ of execution, the process of contempt, and this application. The learned counsel stated that this application had been before Mr. Justice Malkin, who have doubted the power of the court to sell real property sequestered even though the sequestration had been made under a final decree; and the Registrar entertained the same doubt. Mr. Clarke cited Beam on costs, p. 356; Prankissen Holdar v. Omaychurn Bonnerjie, and two other cases decided in this court:—*Rule nisi.*—*India Gazette, Jan. 11.*

MR. DICKENS.

The resignation of Mr. Dickens as keeper of the records having been received and accepted, the court appointed Richard Vaughan, Esq., to the vacant office, and he was sworn accordingly.

Miss Polhill v. the Rev. Mr. Macqueen.

We understand that the action for libel brought by Miss Polhill against the Rev. Mr. Macqueen will come on for trial on the 17th January. About thirty subpoenas have been taken out and served on the young ladies of the Orphan School.—*Calcutta Courier, Jan. 10.*

MONDAY, JAN. 16.

In the Goods of Julia Gregoris.

Mr. Advocate General moved that the usual citations do issue. The learned counsel moved on the affidavit of Mr. Turner, which set forth that the deceased executed her will on the 6th of April 1832, and which will she afterwards delivered to the deponent, and it was duly filed on record in the court. Mr. Ballard, of the late firm of Alexander and Co., was appointed sole executor, but the deceased having lost a large sum by the failure of that firm, became displeased with Mr. Ballard, expressed her anxiety to cancel the will, and that the deponent should have another prepared. The deceased was about to destroy the will first mentioned, but deponent desired her to keep it, as he would then with little trouble be enabled to describe the landed property therein mentioned in the will that he was about to prepare. Instructions were given for another will which were explained to, and

approved of by the deceased, who at first intimated her intention to leave all her property, with the exception of a few legacies, to her daughter, Mrs. Boroughs, excluding her other daughter Miss Julia Ballard; subsequently, however, Miss Ballard's name was introduced into the instructions at deponent's suggestion, but the deceased invariably expressed her intention to leave nothing to Mr. Ballard. About ten days previous to her death, the deceased expressed her anxiety to have the will executed. But that formal will was not prepared at the time of her death. Deponent believes the deceased imagined he had destroyed the first will. After the testator's decease the will first mentioned was delivered by deponent to Mr. Smout, who, in the absence of Mr. Ballard, the executor named, applied for letters of administration, advising deponent, at the same time, to bring the whole of the circumstances, before the court, and obtain their opinion whether the instructions, under the circumstances detailed, did or did not amount to a partial revocation of the original will as far as concerned the personal estate of the deceased.

Mr. Advocate General again mentioned the case of *Polhill v. Macqueen*. Friday is the day fixed for the trial, and the Clerk of the Court has been directed to prepare a room for the accommodation of the female witnesses.—*Englishman, January 17.*

JANUARY 16.

At the sitting of the Court on the 18th Jan., the Registrar read a notice which was in substance as follows:—

“Mr. Smout having resigned the office of Ecclesiastical Registrar, the Judges take this opportunity of expressing their regret at the retirement of this officer, who has been so many years attached to this Court, and who has given such general satisfaction. Mr. Dickens has resigned the office of Master, the Chief Justice therefore, and Mr. Justice Malkin, have appointed Mr. Dobbs as Master Accountant General. Mr. Dickens has been appointed Ecclesiastical Registrar.”

Mr. Dobbs was then sworn in, and took his seat on the bench. Mr. Dickens was sworn in as Ecclesiastical Registrar. The Court then proceeded to take motions.

During the last week the Court has been occupied in hearing a Benares case.

MUTTY CHUND v. JANOEY DOBS AND OTHERS.

The Advocate-General, Mr. Dobbs and Mr. Leith, for the complainants. Mr. Prinsep, Clarke and Mr. Cochrane, for two defendants, Mr. Osborne and Mr. Nott, for another defendant, and Mr. Sandes for another defendant.

The complainant is one of four brothers, partners in cooties or houses of business situate at Nagpore and Cut-

tack; the defendants, for whom the Advocate General appeared, were the sons of Ramchund Doss, the managing partner up to the year 1828; his management running over a period of about 30 years. The demand against the defendants is to a very large amount, some 10 or 12 lacs of rupees. The other defendants are the grand sons of another partner, but they had in no wise interfered in the management of the business. The principal question was as to the accountability, to the complainant, of the Advocate General's clients. The defence set up by them was: that their father Ramchund, during his life time, in 1824, had separated from his sons, and given them about 5 lacs of rupees; and that he subsequently by his will gave the whole of his remaining property, amounting to upwards of twenty-five lacs, to Hurry Doss, the son of Janakey Doss, the eldest of the Advocate-General's clients. The case came on, on petition of rehearing on evidence. The court, after hearing the evidence and all the counsel, took time to consider of their decree.—*India Gazette*, Jan. 18.

TUESDAY, JAN. 17.

In the matter of James Nicholson.

Mr. Clarke applied to enlarge the time of a rule nisi calling on Mr. James Nicholson, one of the attorneys of the court, to show cause why his name should not be removed from the roll of attorneys for non-payment of fees to officers within the time prescribed by the rules of the court. The learned counsel stated various circumstances which prevented Mr. Nicholson paying the fees, - he had finally placed in the hands of Mr. Macnaghten the title deeds of landed property with instruction to sell and pay off the fees, when it was discovered that the title was defective; this defect, however would be remedied in a few days, and for that period he now asked that the rule may be enlarged.

The rule of the court enjoin that a list of defaulters shall be suspended in the court house on the third day of each term; if the defaulter's name be not removed before the end of the term, he is prohibited from acting as an attorney; and unless within six months thereafter, upon payment of fees, he shall have obtained leave to resume his practice, his name shall be removed from the roll. The Chief Justice observed that this was a very important rule and might henceforward, under the new arrangement, be much more so. He was at first inclined to consider the rule peremptory, and suggested that perhaps the safest course would be to remove the name of Mr. Nicholson from the list of attorneys; that gentleman, however, on obtaining a certificate of payment of fees might apply to be re-admitted and, the Chief Justice intimated, he was not aware that application would be refused. This course, if he were re-admitted, would not be injurious to Mr. Nicholson, who is prohibited from practising, either directly or indirectly, during his suspension.

Mr. Clarke urged that the consequences to Mr. Nicholson would be perfectly ruinous. If his name were to be removed from the roll, the clients would immediately withdraw their papers from his office.

The court, after much consultation and consideration, granted further time for shewing cause. But the court laid down the rule for the future, that the Clerk of the crown should remove from the roll of attorneys the name of any defaulter which had been on the board for the period of six months, without calling on him to show cause, or giving him any notice whatsoever. The court further intimated that they would not be satisfied with certificates of payment of fees alone from applicants for re-admission on the roll, but would require from attorneys so removed certificates the same as those produced at their first admission.—*Englishman*, January 18;

WEDNESDAY, JAN. 18.

Esther Guernuieus v. Elizabeth Brilliard, executrix of the last will of Peter Brilliard, deceased.

The advocate General, with whom was Mr. Leith, stated the case for the plaintiff. The action was brought on a bond for Rs. 9,336, made by the late Hester Brilliard at Dacca in 1829. Brilliard died in 1832, and his widow having taken out probate, was therefore subject to the jurisdiction of this court. Evidence was given as to the execution of the bond by the attesting witness, and as to the probate of the will by the officer of the ecclesiastical side of the court. The case was not defended. Verdict for the plaintiff.

Dent and others v. D'Souza.

Argument postponed till Tuesday next.

Assignees of Fergusson and Co. v. Adam Maxwell.

In this appeal Mr. Clarke obtained an order nisi on the 7th of January, that the petition of appeal of the appellants be struck out of the paper of cause with costs for irregularity, unless the appellants should in four days from the date of the order shew cause to the contrary.

The Advocate General now shewed cause, and the rule was made absolute with costs, the respondent consenting that the appellants shall have liberty to set down the appeal for hearing on or before the last day of term.

MINUTE.

The sanction of the Governor General in Council, pursuant to the 12 clause of the letters patent of 1774, having been obtained. It is ordered that from and after the 6th day of January 1837, in all the offices of this court whatsoever, the folio or sheet for all purposes whatsoever, shall consist of twenty words, and seven figures shall be calculated as one word, and the charge for all writings charged per folio shall be reduced to five annas per folio of twenty words.

It is ordered that in the office of Examiner in Equity the practice of engrossing and the charge for it shall be abolished.—*Englishman*, Jan. 19.

FRIDAY, JAN. 20.

Polhill v. Macquoen.

Mr. Clarke opened the case.

The Advocate General stated the case for the plaintiff. This is an action brought to recover damages for a libel written by the defendant. Without any aggravation, or wish to make the case were an appearance not likely to be borne out by the evidence, I may with truth say that though there have been libels charging individuals with offences and crimes of great enormity there has never been one of a more cruel description than this. It is necessary that I should state the nature of the institution with which the plaintiff and defendant are connected, and this I will do briefly not to uselessly occupy the attention of the court. The officers of the Bengal Army contribute monthly a certain payment in expectation of an event particularly likely to happen in this country, though to a certain extent in ail. These payments are made to an institution in which their children may find an asylum should they die otherwise unable to provide for them. The father of the plaintiff in this case was an officer of the army; she herself was an inmate of this institution, of which too the defendant is the secretary and chaplain. It is

necessary to state the defendant's position in the institution, because whatever may come from him with reference to the character or conduct of any one under his charge, must, of course, have very great effect. Here young women grow up, are married, and some die; friendships are formed here and continued. The wards are occasionally indulged with the very harmless privilege of visiting their friends. It so happened that the plaintiff was acquainted with Mrs. Fergusson, a lady well known in this town, and respected where she is known, and an application was made by Mr. Fergusson to Mr. Macqueen that she should be permitted to visit his house. I have stated to your lordship the substance of Mr. Fergusson's application, and I will now read the defendant's answer. (Reads.)

'It is out of my power, and wd. be perfectly inconsistent with my duty to comply with your request. The young lady in question has been ruined as far as veracity, and proper feeling are concerned, by too much indulgence. She has been found, to the satisfaction of every member of the G. M. guilty of wilful falsehood and misrepresentation. Still she is treated with much more kindness and consideration than she deserves, but to restore to her the privilege you ask is altogether out of the question. If I cd. get any fit person to take permanent charge of her, I shd. be happy to have her removed at once from Kidderpore House, were, she does no good, and has done, and may do much harm.'

Mr. Macqueen might have the privilege of refusing the request of Mr. Fergusson: I am not going to discuss that, though it might suit the views of some who are present that I should do so, and had he contented himself with a mere refusal, without having made use of harsh language, I am sure your lordships would not have been put to the trouble of hearing this case. But your lordships will see this is not a simple refusal, it is couched in language unnecessarily harsh, and equally remarkable as a literary composition as it is for being written by a minister of the gospel of peace. 'I should be happy to have her removed at once from Kidderpore house, were she does no good, and may, and has done much harm.' Has this gentleman forgot at once what is due from him as a clergyman, and what is due from him as the secretary to the institution? He assumes an authority as if the money were out of his funds, whereas in truth he is naught more than the mere salaried servant of the institution. But this is not the charge. I will put it whether under any circumstances he is permitted to use harsh language except for the purpose of correction. But here he persists in it. He was guilty of it in April and now it is January without an attempt having been made to conciliate, on the contrary he has instructed my friend to come here with a justification of what he has done. But where is the justification of an assertion such as she has been ruined for veracity? where is the justification 'she has done no good, but had done and might do much harm?' The only justification my friend has ventured to put on record is that others were dissatisfied with her conduct. This I apprehend will prove a very thin and limited justification before your lordships. But it is useless now to enter at any length on this part of my friend's case; I shall have an opportunity to comment more at large, and will only say now that I can very well contrast the conduct of the father of this young lady, a member of a profession which has always been more distinguished for honorable feeling than for the accumulation of wealth, I say I cannot conceive a greater contrast than the situation the father thought he had secured to her, and the situation in which she is now placed by Mr. Macqueen who has deprived the daughter of the fruit afforded by her father's sacrifices. We ask from you, my lords, that protection which the protector provided by her father has refused to afford.

Mr. Clarke then called.

Mr. F. T. Fergusson.—I am a member of the firm of Jenkins, Low and Co. and am acquainted with plaintiff and defendant, the latter is a clergyman of the Church of England. In 1836 he was secretary to the Orphan Asylum, and chaplain also. Miss Polhill in April was a ward of that institution. I have known her for ten years. In April last I addressed a letter to Mr. Macqueen: this is a copy of the letter; and this is the answer; the letter is in Mr. Macqueen's handwriting.

Mr. Prinsep stated that the original letter addressed by Mr. Fergusson had been destroyed. He did not object to the copy which was now put in and read together with the answer. We subjoin the former; the latter appears in the Advocate General's opening.

'My dear Sir,—I hope to hear that Miss Polhill has got over her troubles now, and is permitted to see her friends. Trusting to meet with a favourable reply.

I remain, yours obedient,

F. T. FERGUSSON.

Rev'd. Mr. Macqueen.

Examination resumed.—I presume the letters 'G. M.' in the answer refer to the 'General Management.' Miss Polhill is more than thirty years of age.

Cross-examined by Mr. Prinsep.—I cannot say if the plaintiff is forty; she was a ward ten years ago. It was at plaintiff's request that I wrote the letter, she was under some restraint, and said she could not go out. I was not then aware what she had done to cause dissatisfaction. I knew there had been an investigation upon charges and complaints brought by plaintiff. The result was, the charges were pronounced unfounded and untrue. I heard this from Miss Polhill. I miss understood you. I do not know the result of the charges to which you allude; the charges I refer to, were those in which Miss Polhill's conduct was impeached. I wrote to the secretary, instead of the mistress in consequence of the plaintiff having begged Mrs. Fergusson to make the request: she did make the request to Mrs. Wyatt who referred her to Mr. Macqueen, Mrs. F. did not like to apply to defendant, and therefore, I wrote to Mr. Macqueen. Plaintiff is an out-ward at present, and has been so for that last four or five months; before her 'troubles' she held an office in the institution: she was then in the habit of visiting her friends, but I do not know if she was accustomed to exceed the limits of her leave. I was much horrified at the Secretary's answer, and showed it to several parties; it was finally given to the plaintiff by my wife, about three months after I received it. The answer was subsequently published in the *Medical Journal*. I did not know of the publication until I saw it in the book sent to me by the publisher. I mentioned this to plaintiff. I presume she gave it Dr. Corbyn. I understood so. As to the 'troubles' I believe she got into them before the request was written, I do not know that plaintiff had been in 'trouble' on a former occasion; the inmates of the institution are under certain regulations: there are certain days set apart for visiting, but it is necessary to obtain permission. I never knew of any other refusal, it was always asked for, and a permission obtained.

Re-examined by Mr. Clarke.—The letter was shown to several of my friends previous to publication in the journal. I know Captain Sewell; it was shown to him, and its contents were generally known before publication. In Mrs. Hovenden's time permission was never refused. Out wards have an allowance from the institution: there are several out-wards. Dr. Corbyn had been a manager of the school; he was a friend of Miss Polhill's.

This was the case for the plaintiff.

Mr. Prinsep.—He certainly did not think his friend would have closed his case and left it in so threadbare a condition, and especially after the array of witnesses who have been subpoenaed, and who, as their lordships might have learnt, were then within the precincts of the court. The case was simply this. A gentleman holding an official situation in the institution, is applied to in his official capacity, at the desire of one of the wards, that she may be permitted to have a temporary leave of absence. Their lordships would bear in mind that this request was made at the express desire of the ward, that the note to Mr. Ferguson was a confidential communication, and unless those circumstances he asked, what other course could Mr. Macqueen pursue, than that which he has done, namely, stating the grounds why he refused permission? It is stated by the witness that in the first instance the application was made by the plaintiff to his wife, that the latter felt some difficulty in addressing Mr. Macqueen, and so got her husband to write this letter of enquiry. The answer is given conscientiously; there is no evidence, nor the slightest imputation of malice, therefore, he, the learned counsel, insisted that the answer was a privileged communication, and such a one on which an action for libel cannot be maintained. The whole current authorities, and common sense as well as law, bore him out in this view of the question. Mr. Macqueen was applied to in his official capacity, the communication was strictly confidential, and he was bound to give a true reply. But putting aside the fact of the reply being true, whether it were true or not, provided the defendant made it bona fide as a true statement, the learned counsel argued, he could not be made responsible in a court of law. He cited *Child v. Affleck*, *9th Barnwell and Cresswell*, and an action brought on the character given by the mistress of a discharged servant, in which, no malice being proved, the plaintiff was nonsuited. He grounded his defence on the position of the defendant who was bound to give the information when he was so asked for it.

Chief Justice.—If this is a privileged communication it is a perfect answer to the action. But the question is whether the defendant had a right to communicate to Mr. Ferguson on the grounds of his refusal.

Mr. Justice Grant.—And that he did so without malice.

Mr. Prinsep.—Yes my lord. It is for the plaintiff to show the malice, and for this purpose, I suppose my friend has subpoenaed a host of witnesses whom he has not called. As to the propriety of defendant stating the grounds of his refusal to Mr. Ferguson, your lordship will see from that gentleman's letter to Mr. Macqueen that it was not the first communication, and therefore the explanation was the more imperative. Had Mr. Ferguson simply asked permission for Miss Polhill to visit his house a refusal as simple might have been sufficient; but when he writes, 'I hope to hear she has got over her troubles,' it was incumbent on the officer to whom the communication was addressed, to show why the refusal was persisted in. It would have appeared harsh conduct indeed had Mr. Macqueen done otherwise. My friend has talked much of the defendant's being a minister of the gospel, but I think it would have been very inconsistent with that character had he shewn a harshness without assigning a reason for it. In *Child v. Affleck*, it might have been sufficient to say 'I can give no character,' but the defendant then went further, and was right in so doing, for the existence of order in society requires it in the law of master and servant. If then that is a privileged communication why is not this? Mr. Macqueen's conduct was not officious, on the contrary, it was known to Mr. Ferguson that it was Mr. Macqueen's duty to enquire into the 'troubles' to which he referred, and it would have appeared strange indeed when an appeal was made to him if he did not satisfy the friend of a

party who was shewn to be in trouble, whether his request regarding that party was refused justly or unjustly. The learned counsel admitted if any malice were shown it would take away the privilege, but he insisted that there was nothing to warrant such an inference. As to the publication, it was clearly the act of the plaintiff himself, as was the application to Mr. Macqueen in the first instance. If she made that application for the purpose of obtaining an institution against herself, it is quite clear this action cannot be maintained, nor can it be unless the plaintiff prove a motive beyond the matter in Mr. Macqueen's communication. The institution was in its nature somewhat monastic, one sex being precluded from associating with the other, a circumstance, the learned counsel thought, not calculated to exclude broils and ebullitions of ill temper from its precincts. Mr. Ferguson had warranted Miss Polhill thirty, a period of life at which, under other circumstances, she might have been allowed to come in and go out when she pleased. But rules were necessary for the institution, and it was proper for the government of the junior wards that those rules should extend to the wards of a more mature age. Here the plaintiff had a desire to go out. She infringes certain rules and must abide by the consequences. The learned counsel then submitted that the communication being privileged, the plaintiff must be nonsuited, but if the court were of opinion that the communication was not privileged, he was perfectly ready to prove that the statement was a true one.

Chief Justice.—You wish to have the court's opinion whether this is, or is not a privileged communication. We will give our opinion, there the case must end. It is laid down in *Child v. Affleck* that the question of a privileged communication is for the jury. You must make your election,—either go for a non-suit, or go on with your case.

Mr. Prinsep.—In *Child v. Affleck* malice was charged, and therefore it was a case for a jury. But here malice is not charged or presented.

The court decided that Mr. Prinsep must make his election either to leave the case as it then stood, or go into his defence.

Mr. Prinsep elected to go on. He would shew a justification; he would prove Mr. Macqueen's communication true; he would shew that an investigation into Miss Polhill's conduct did take place; that two officers made their report, and that the General Management, one and all, declared her charges utterly unfounded. This he would prove by the evidence of a gentleman who was himself one of the management. As to the malice, it was quite evident there was none on the face of the letter, nor could any arise in consequence of the investigation, from the circumstance that Mr. Macqueen took no part in it that gentleman having broken his arm a little previous to the time the enquiry took place. The charges themselves arose out of the monastic nature of the institution, which, as he said before, was little adapted to improve a temper naturally querulous and dissatisfied. But the justification was not that the plaintiff had been guilty of falsehood and misrepresentation. It was that was so established by the general management.

Chief Justice.—But your justification only goes to a part of the alleged libel.

Mr. Prinsep.—Certainly, my lord, but the rest is not actionable. It goes no further than would the assertion of a schoolmaster that one of the pupils had been ruined by too much indulgence.

Capt. R. J. H. Birch, examined by Mr. Leith.—I have been a member of the Orphan school Management, since September 1832 in February last Major Young was deputy governor; he is now with the Commander-in-Chief. Several officers who were then members of the

management are now absent from Calcutta. On the 30th January 1836 I heard of complaints having been made by Miss Fitzpatrick. The complaints were separately made. I reduced Miss Polhill's complaints into writing. The complaints led to an investigation, and Mrs. Wyatt was desired to explain them fully. She addressed a letter which I submitted to Major Young, who—

Advocate General.—How do you know that?

Witness.—It is within my personal knowledge. I saw a letter in Major Young's handwriting.

Advocate General.—That is not within your personal knowledge, and you cannot speak to it.

Examination continued.—These papers, (papers produced) were submitted to the management. Nothing was done by the management as a body: they had not the power. Letter number 13 was written in my office, and circulated to the general management, and signed by them all. I proposed that we should testify our opinion to Mrs. Wyatt, and this was method suggested by me. The charges brought by Miss Polhill were that Mrs. Wyatt had subjected the wards to privations of all sorts: she alluded particularly to the junior division; she stated that not only had Mrs. Wyatt stinted the children of food, but that she had taken from that insufficiency for her own table, leaving the children hungry. She does not say this on her own authority, but she referred us to Miss Paterson. She stated that the teachers were allowed fowls and ducks twice a week, but that Mrs. Wyatt had discontinued this indulgence, and afterwards that she had allowed little fowls which were not satisfactory; that sable fish were denied also; a deficiency of dull and rice in the junior division; sometimes when she was out and sometimes when she was present; that the durwan had examined her bundle by Mr. Wyatt's order, and that she had been refused leave to go out on a Friday which she attributed to her (Miss Polhill) having brought the deficiencies to Mrs. Wyatt's notice; that to her knowledge Mrs. Wyatt had not opened bundles previously;—that she had been desired to go into the cook-room in the heat of the day, because the servants took away the meat. She said the servants were honest, but Mrs. Wyatt took away the meat. She mentioned a number of other grievances, amongst the rest, that a certain duty had been imposed upon her. I did not think it proper to enquire what this 'certain duty' was. The witness stated several other grievances enumerated by the plaintiff. Captain Hawkins and I enquired into these charges. My opinion is, they were quite unfounded, and from the manner as well as matter I think it was malice that prompted them. On the close of the investigation, letter number 13 was written to Mrs. Wyatt. After these enquiries had been made I expressed my opinion in writing. This is it (No. 4) Major Young, Colonel Dunlop, Major Honeywood, Major Hutchinson, Major Irvine, Captain Stoddard, Captain Sewell, Colonel Beaton also expressed their opinion in writing. At this time Mr. Macqueen was superintendent. His duties are mentioned in Rule 89 of the institution, Rules 290 and 291 relate to application for leave of absence on part of wards. Rule 206 relates to the appointment of wards in the internal management of the institution. Miss Polhill, under this rule was the superintendent of diet in the junior division: she was removed from that situation on the 8th of February, the day following that on which the investigation took place. The power of removal rests with the deputy governor. No. 15 is the hand writing of Miss Polhill, Mr. Macqueen, and Major Young. The date is 1st of March. Plaintiff was then in the house. Mr. Macqueen was thrown from his horse and broke his arm the beginning of last year. He was not present during the investigation. It was true that Mrs. Wyatt had taken away the meat, but I believe the charge that she had left the children hungry was false. I wish to qualify that answer. The

charge was that Mrs. Wyatt had taken away meat from the junior division. This I believe was not true, but Mrs. Wyatt had taken away meat from the senior's table.

Mr. Prinsep now proposed to put in the Minutes of the management. The advocate General objected. He had a writ to the opinion of the management from the witness box. Mr. Prinsep was heard and the Advocate General replied. The court overruled the objection. The minutes were evidence on the general issue, and they were then put in and read:—

IN CIRCULATION.

By order of the Deputy Governor the Secretary circulates the accompanying papers for the information of the general management.

A letter from Mrs. Wyatt soliciting an investigation into the truth of certain charges preferred against her by Miss L. Fitzpatrick.

The result of this investigation consisting of depositions made before Captain Birch and Hawkins by Misses Polhill, L. Fitzpatrick, Patterson, Levide, and two of the native servants of the Institution.

A letter with its enclosures from Mrs. Wyatt to Capt. Birch, noticing the accusations made by Misses Polhill and L. Fitzpatrick.

The above documents having been laid before the Deputy Governor, the Secretary, under instructions from Captain Young, deprived Miss Polhill of her situation as one of the superintendents of dieting and of leave to visit, the latter punishment being also extended to Miss L. Fitzpatrick.

The Secretary takes this opportunity of laying before the general management the daily dieting bills of the Female Department for May and June 1835, and Jan. 1836, because this will furnish a distinct and undeniable proof of the groundless-ness of the charge of deficiency of food, in as much as a comparison of the bills for the former period, the period of alleged deficiency, when the letters of 'Philanthropos' appeared in the *Englishman*, will show that the dieting expenses were greater than at the latter period, the period of admitted sufficiency. The inference is obvious.

JOHN McQUEEN.

Orphan Society's Office, 17th February, 1836.

If so much falsehood, malice, and insubordination were to go unpunished, there would be an end of all discipline. The restraint on visiting will of course be with drawn after a reasonable time, but it would be very desirable if the Misses Fitzpatrick and Miss Polhill could be well disposed of as outwards. To girls of a certain age the freedom of a private family must be more agreeable than the routine of Kidderpore house, and these three young ladies have been so much accustomed to living with their friends (part of every week and sometimes for weeks and months at a time,) and been so much encouraged and abetted in their undutiful, behaviour, that there is little hope of amendment. There is some reason, however to expect that Dr. Pearson will withdraw the Misses Fitzpatrick from the oppression of the G. M. It is even said that he intends to petition the Court of Directors to be exempted from subscription to the Orphan Fund! The strength of Miss Fitzpatrick's tea and the smartness of her shoes being of more importance in his eyes than the welfare of a hundred Orphans in England.

G. Y.

As one of the managers who investigated the charges advanced by Misses Polhill and Fitzpatrick against Mrs. Wyatt, I feel called upon fully to disclose my deliberate opinion.

Miss Louisa Fitzpatrick's complaints I think altogether frivolous and malicious; Miss Polhill's are also generally exaggerated, but her principle grievances being Mrs. Wyatt's harsh manner towards her, originating as she supposes from her having pointed out that she considered the diet of the junior division, of which she is the superintendent, insufficient; and Mrs. Wyatt having omitted to touch upon this point in her letter, I am uncertain whether the accusation itself or the cause to which it has been attributed be correct; being too of opinion that the diet of our younger wards is susceptible of improvement. I am very sorry to hear Miss Polhill has been deprived of her situation, as the punishment is not only, considering that I agree with her as to the insufficiency of diet, too severe towards her, but the example is likely to deter others from coming forward should there even be more substantial grounds of complaint.

In an institution like ours limiting food to the exact quantity likely to be consumed, is I think wholly unnecessary and injudicious.

On examining the remnants of junior division dinner table on the day of our investigation. I found a large dishful of dhal and but two or three small bones of chickens; shewing that if a few of the children had been more than ordinarily hungry they would have had dhal only to satisfy their appetite. The inference the secretary wishes to draw from a comparison of the diet rolls at various periods is far from conclusive. He ought first to prove that the system of examination and check were at both periods equally strict, and that all that was charged for was laid on the table. I have no doubt that until Mrs. Wyatt established the excellent system of making the superintendents of diet see the meat and vegetables weighed, and the fowls reckoned at the hour of commencing cookings, that the native servants made their own harvest.

I trust it will not be supposed, because I object to the punishment inflicted upon Miss Polhill that I blame Mrs. Wyatt. Very far from it, I cannot sufficiently admire her generally excellent management, the regularity and neatness she has established, the tone she has given to the whole institution, together with the affection and respect, the general civility of the wards appear to feel for her. I quite agree with the deputy governor that it would be desirable to dispose of Misses Polhill and Fitzpatrick as outwards.

F. S. HAWKINS.

I differ very much from Capt. Hawkins, not only as to the accusations of Miss L. Fitzpatrick unfounded but those of Miss Polhill are in my opinion not only generally exaggerated, but altogether false and malicious. It was a very painful thing to my feelings, and to those also I believe of Capt. Hawkins to have to request Mrs. Wyatt to answer such accusation; but we did make the request, and Mrs. Wyatt has, in my judgment, most successfully answered all the imputations. It was stated by Miss Polhill as her greatest grievance that Mrs. Wyatt's manner to her was habitually harsh, and she could only attribute it to her having repeatedly informed Mrs. Wyatt of the deficiency of food at the tables of the junior division. Capt. Hawkins has remarked that Mrs. Wyatt has not noticed this particular accusation in her letter. She has not especially noticed it in that letter, but how was such an accusation to be met? Would Mrs. Wyatt's simple denial have sufficed? She had no other means of contradicting it, but perhaps by referring to the testimony of the wards under her charge, a course which is so very obviously ob-

jectionable that it was not likely to suggest itself to a well regulated mind such as Mrs. Wyatt's. But there is ample answer to this malicious accusation to be gathered out of Mrs. Wyatt's letter and the document which accompanied it. The letter sets out with alluding to the malicious and vexatious nature of the charges and terminates with a distinct assertion that they are 'malicious, frivolous and vexatious.' It is stated in the second page of the letter that 'Miss Polhill never complained to Mrs. Wyatt of any want at the junior division table till after the document from the young ladies had been sent to Mrs. Wyatt', so that we find Mrs. Wyatt's habitual harshness of manner dwindles down to what has occurred in the brief period which has elapsed since the receipt of the address from the senior division, a period quite too brief to warrant the attribution of habit as a characteristic of what has originated within it. It is true, as Mrs. Wyatt mentions, that in June last Miss Polhill assured me there was no deficiency nor complaint in the junior division, and we have now Mrs. Wyatt's assertion that the charge of insufficiency of food has been refuted by the children themselves, by the teachers who have presided in weekly turns, and by Miss Levide, who has almost always acted for Miss Polhill, the latter having been absent for more than a third of the previous year. Besides in the letter Mrs. Wyatt wrote to Mr. McQueen on the 20th Oct. 1855 (and which was suppressed on Miss Polhill's expressing her regret for what she had done) Mrs. W. says that she had hoped a mild and kind manner would always soften any unmitigated feelings arising in the aggressor. In the present instance, this was not the case, the more forbearing she was the more angry was Miss Polhill. The perusal of the entire letter will shew how Mrs. W. treated Miss Polhill in one instance, (the fact that Mrs. W.'s conduct was in reality, as the letter describes it, being fully borne out by Miss Polhill having apologized, which she would hardly have done had she been right, and Mrs. W. to blame,) and if on a most provoking occasion she was so gently used, what is thereto make us believe she was otherwise treated, especially in the subject of the diet of other girls a matter not personally affecting Miss Polhill? We have nothing to go upon in so believing, but the assertion of Miss Polhill and Miss L. Fitzpatrick; and on the other side we have the known character of Mrs. Wyatt before she came to the institution, testified to by many who had long been personally acquainted with her:—We have the fact that she is generally, indeed with very few exceptions, universally, beloved by the wards, by the little ones especially whose food she is said to have stinted!; We have the spontaneous testimony of the senior division in their late address to her; and, speaking individually, I have the personal assurance of several of the eldest of the wards that Mrs. W. is incapable of harshness of manner, besides my own knowledge of her since she has been at Kiddlepore.—Am I to set aside all this because Mrs. Wyatt has not taken the trouble to answer Miss Polhill's assertion that she is habitually harsh? I am perfectly satisfied, and I trust the rest of any colleagues will be convinced that this particular accusation, like the other is groundless and malicious.—But we shall in vain expect that Mrs. W. or any other lady would remain at Kiddlepore, if notwithstanding that the accuser is proved to be false on every other instance (a fact which of itself is enough to upset her assertions) we allow ourselves to attach any credit to one remaining accusation, especially when that accusation is such that while it scarcely admits of any reply but a mere negative, it is yet fairly met and overthrown by the well known character of Mrs. Wyatt as daily exemplified at Kiddlepore. I know not that any lady has even been placed on so painful a situation as Mrs. Wyatt has at the head of our institution. I join with all my heart in Captain Hawkins's testimony to Mrs. Wyatt with which his minute closes, and I doubt not that all our colleagues will agree on this. But let it

be recollected that it is our part to step⁰ between Mrs. Wyatt and her malicious calumniators, and our bounden duty to shield her from the unmanly attacks with which the newspapers have teemed, and at the same time to protect her from the insubordination and falsehood of any of the wards. So far from concurring with Captain Hawkins that Miss Polhill's punishment is to be regretted, I am of opinion that our thanks are due to the deputy governor, for the firmness and promptitude with which he has acted in depriving her of her office and in prohibiting the indulgence of visiting to her and Miss L. Fitzpatrick (of the subject of the quantity of food given to the junior division, on which Captain H. has remarked, and which I had nearly forgotten to notice. I agreed with Captain H. on the day of our inspection that the remnants of chicken we saw clearly showed that the appetites of the little girls had nearly overruled the quantity of that particular dish. But I do not judge of the diet from the disappearance of one day, and knowing how variable the tastes of children (and not of children only), are, I can easily conceive that a run upon any particular dish would speedily exhaust the supply, while on the other day that very species of food will leave the tables scarcely touched at all. There is but one remedy for such an occurrence to give but one unvarying dinner, and that I suppose no one would advocate. There is another possible measure, and that is to provide enough of every dish for the full appetites of all without touching the other; a measure too wasteful to be supported for a moment. The middle course is the proper one, and that I know is the one which Mrs. W. endeavours to pursue in her management of the dining.)

I beg pardon for having trespassed so long on the attention of my colleagues, I will conclude with one proposition which I have to make, and for which I solicit the concurrence of my colleagues. It is that we address a letter to Mrs. Wyatt signed by us all expressive of our satisfaction with her admirable management of the institution; of our assurance that we look upon the numerous insinuations and statements in the *Delhi Gazette* and *Englishman* newspapers to be calumnious falsehoods, and that she may rely on our support and countenance. If the subjoined draft be approved, let that be sent, if not perhaps some of my colleagues will do me the favour to amend it or substitute another. Our letter should not be in the Secretary's hand-writing at any rate, the compliment would be that the deputy governor should write it if he has no objection.

Dear Madam.—We gladly avail ourselves of the opportunity furnished by recent occurrences at Kidderpore to assure you that we are satisfied of the groundlessness of the accusations lately preferred against you by two of the elder wards. The minute enquiries we have thought it just to institute have only tended to confirm our previous impression from attentive personal observation, that your presence at Kidderpore is an invaluable advantage to the wards, and that under your management the institution is distinguished by a tone and character greatly superior to what it previously possessed.

It has been with considerable surprise and regret that we have observed the gross accusations which have appeared in some of the newspapers regarding you, and although we trust you will not think that we consider any notice or refutation of them to be necessary, yet we presume, it may not be unacceptable to receive our testimony that they are unwarranted and wholly unjust towards you.

We perused the late address of the senior division to you with very mixed feelings, for while we perceived that the proffer of such a document was inconvenient as precedent and undesirable in many points of view, yet

we could not but congratulate you on the existence of the feelings which dictated it, and which were therein so warmly expressed.

We entreat you not to allow yourself to be moved by the unmanly attacks made upon you, and to repose with confidence on our sympathy and support in the continued discharge of those functions which it was our privilege to entrust to your hands, and which we are sure could not be confided to an abler or more conscientious person.

We remain with much esteem and regard your sincere friends.

R. J. H. B.

The charges appear to me frivolous, and undue importance attached to trifles from malicious motives. I think the institution owes much to Mrs. Wyatt's attention, and I concur with Captain Birch that the letter he proposes should be addressed to Mrs. Wyatt.

G. D. S.

The charges are indeed truly frivolous, I highly approve of the measures adopted by the deputy governor, which will, I feel convinced, be very beneficial at this time and enable Mrs. Wyatt who well deserves support, to uphold discipline. I concur in the letter proposed by Captain Birch, and shall have great pleasure in signing it.

H. H.

J. W. J. O.

A. J.

G. H.

I approve of the letter for Mrs. Wyatt. Until we can get these two young ladies sent out of the establishment there will be no peace at Kidderpore. I happen to know from other sources of information that Misses F. and P. were actuated by vindictive feelings towards Mrs. Wyatt. Dr. Pearson ought to have these minutes read to him.

W. D.

There's treason in the Court of Denmark. The idea of hungry girls turning up thier noses at dhal bhat! why I frequently dine of it myself, and very good wholesome food it is. In medio-tutissimus,—my memory fails me, and the last word has flown, expresses my opinion, and accords with Captain Birch's middle course, his first and second courses being altogether objectionable. If the taste of the young ladies is so strange that they fix always on the same dish, I would propose to give one day all beef the next all pudding, and so on taking care that there be no choice. This will be an effectual method of promoting diversity of opinion as to the merits of the cuisine, when the introduction of varieties will be estimated and acknowledged. I shall sign the letter with pleasure, as it conveys sentiments which I participate I believe, with all my brethren.

T. SEWELL.

After an attentive perusal of all these papers, I concur on all that Capt. Birch has said, and in his proposed letter in which I have suggested some slight alterations.

W. S. BEATSON.

Here follows various correspondence read in court.

8th February, 1836.

Mrs. Polhill.

Privations of all sorts: privation of food, and of comforts of every kind. Children of junior division retrenched since Capt. B.'s visit in 1835, on some days not sufficiently fed;—beef insufficient 8 seers. Mrs. W. has taken occasionally from the cook room meat intended for the children, for her own table, when even, there is not enough: the khansama has come and taken from table a plateful of beef saying it was for the men, and the children were left hungry, formerly 16 and 20 seers. (Report that once the Muttons came down to dine suddenly with Mrs. W. and Mrs. W. took a leg of mutton from the children's table for their dinner: this not on the personal knowledge of Miss Polhill, but Miss Paterson can speak to it.)

The teachers used to have a roast duck once a week or roast fowls twice a week: this is now denied. Mrs. W. has allowed little fowl, but that was not thought worth while by the teachers. Sable fish is denied.

Deficiency of dhall and rice in the junior division when Miss P. is out; and sometimes when she is present.

Miss P. expected to go out on a Friday some months ago, and Mrs. W. allowed the durwan to examine the bundle and look at each article in it. This was by Mrs. W.'s order.

Told Mrs. W. on entering the room, that she had an invitation to go out, and that at the request of her friend she was sending her clothes. Mrs. P. attributes the opening of the bundle to displeasure on Mrs. W.'s part at Miss P.'s having brought to her notice the deficiencies in the diet. Mrs. P. told Mrs. W. that she was using her very ill, and she did not know why she should be treated with so much want of confidence. Mrs. W. told her she did not think there was any harm in it. Mrs. W. never to Miss P.'s knowledge opened any one's bundle before, but afterwards she did examine some of the young ladies' bundles. Mrs. W. threatened to complain of Miss P. to the general management telling her she had been rude which Mrs. P. disclaimed, saying she did not intend to be so, but that her agitation at seeing her bundle so examined by the durwan might have raised her voice louder than she intended. Miss P. was refused leave at first, but on Miss Sturrocks advice she apologized to Mrs. W. saying she had no intention to be rude, and hoped it might be passed over, and she was allowed to go out.

Miss P. has been desired to go into the cook room in the heat of the sun, instead of in the cool, of the morning as formerly, the reason assigned is that the servants may take the meat;—still, though Miss P. believes the servants to be honest, she distinctly affirms that Mrs. W. has to her certain knowledge taken meat, beef, and mutton from the cook room intended for the junior division.

A certain duty imposed upon Miss P. which no one was ever required to perform before: Miss Brietzkeke had also a similar task, and left the school in consequence.

Shoes diminished in quantity: one pair in 6 weeks or 2 months, formerly once a month.

Needles and thread, flannel, &c. Mrs. W. now desires shall be purchased out of the young ladies pocket money: formerly the school used to provide these things.

Cloth cut for clothes by Mr. W. instead of by the young ladies: as formerly and cut too small, as to be obliged to be patched, and unpicked and resewed. These last at the expense of some of the young ladies pocket money, some doing it with their own hands. This is the first occasion the annual supply.

Harsh manner of speaking to Miss P. the greatest grievance: and Miss P. attributes it to her representations to Mrs. W. regarding the food.

Deprived of going out several times apparently from the same motive.

Statement herein detailed made in the presence of

F. S. HAWKINS.

Dear Madam.—We gladly avail ourselves of the opportunity furnished by recent occurrences at Kidderpore, to assure you that we are satisfied of the groundlessness of the accusation lately preferred against you by two of the elder wards. The minute enquiries we have thought it just to institute have only tended to confirm our previous impression from attentive personal observation, that your presence at Kidderpore is an invaluable advantage to the wards, and that under your management the institution is distinguished by a tone and character greatly superior to what it possessed when you joined it.

It has been with considerable surprise and regret that we have observed the gross accusations which have of late appeared in some of the newspapers regarding you, and although we trust you will not think that we consider any notice or refutation of them to be necessary, yet we presume it may not be unacceptable to you to receive our testimony that they are unwarranted and wholly unjust towards you.

We perused the late address of the senior advisor to you with very mixed feelings for while we perceived that the proffer of such a document was inconvenient as a precedent and undesirable in many points of view, yet we could not but congratulate you on the existence of the feelings which dictated it, and which were therein so warmly expressed.

We entreat you not to allow yourself to be moved by the unmanly attacks made upon you, and to repose with confidence on our sympathy and support in the continued discharge of those functions which it was our privilege to entrust to your hands, and which we are sure could not be confided to an abler or more conscientious person.

We remain, &c.

(Sd.) G. Young, J. W. Ousley, F. S. Hawkins, Thos. Sewell, E. J. Honeywood, W. Dunlop, G. D. Stoddart, G. Hutchinson, W. S. Beaton, R. J. H. Birch, and A. Irvine.

Calcutta, 20th March, 1836.

To Mrs. WYATT, Kidderpore.

Captain Birch cross examined by the Advocate General. The enquiry into Miss Polhill's charges was made by Capt. Hawkins and myself, the others had not time; the management took it for granted that all we said was accurate. I have officiated for some time as deputy judge advocate general, but I never knew, while acting in that capacity, a court of enquiry sign a report satisfied with the evidence only heard by two of their body. I heard complaints and determined to make enquiries. I went to Kidderpore on the 30th of January; asked particulars from Miss Polhill, letting her know that I wished to know her grievances. I in part invited her answers. We found that Mrs. Wyatt had taken meat from the table, but that the children were not hungry in consequence. My note says 'the children' but in my evidence I have said the 'junior division.' I believed the children were not hungry in consequence. Such was my interpretation. I did not say 'interpolation.' I beg you will not accuse me of 'interpolation.' The managers allowed Mrs. Wyatt to board, but not to take the meat into a private room. This was not generally known. It was understood that Mrs. Wyatt was to board at the table. I do not believe that the

taking of the meat from the table would have received the sanction of the army. I do not know that it would not. Mr. Macqueen is Mrs. Wyatt's son-in-law. The report was that Mrs. Wyatt took a leg of mutton from the children's table and put it on her own. I investigated that charge, and believe it false. Dr. Corbyn applied to the management for all documents connected with Miss Polhill, but he was refused, because as a subscriber he had a right to go and examine every thing on record connected with the matter. The demand was unreasonable..

No other witnesses were called.

Mr. Prinsep then intimated that he had closed his case.

Chief Justice.—We will hear you, Mr. Advocate upon the case; but we can save you some trouble. It is quite clear that a verdict must be for the plaintiff generally, because Mr. Macqueen has stated as fact, what he must have known was untrue. The evidence which Mr. Prinsep has put in, that of Capt. Birch and Major Young, only goes to establish fact of the want of food. Captain Hawkins is of a different opinion, and the other managers know nothing of the matter; the defendant has, therefore, misstated a fact in his own knowledge, and there is therefore evidence of a malicious motive. On the special plea of justification, there must be a plea for the plaintiff, because he has stated that the investigation took place by all the managers, when it was only investigated by two, we will therefore hear you on the question of damages.

The Advocate General for damages. Mr. Prinsep had said he had left his case in a threadbare condition. He acknowledged it was not so well dressed as his friend's, but it had less need of external ornament. He congratulated his friend on the very high opinion he had formed of the army, in comparing the orphan children of officers to servants seeking for places. But he would have little difficulty in convincing the court that the situation of these orphans and servant girls were not analogous; a man in the latter case might have a robber or a murderer introduced into his family, the safety of society therefore rendered a character necessary. Here however Mr. Macqueen was not bound to give an answer, but he was bound to give a true answer if he gave any at all. What sort of a case had his friend made out against this young lady? That the general management had no means of forming an opinion regarding her charges, and that they are disproved by the two who had. Capt. Hawkins, as to the point of food, admits that there was not food enough, or to use the elegant expression of another of the management, the young ladies' appetite outturn the dish? Now Mr. Macqueen knew that these charges had not been investigated by the general management, he had access to the minutes, and knew that of the two who did investigate them, one differed.

Mr. Prinsep.—They all concur.

Advocate General.—Admirable concurrence! Just the kind of one which is necessary to a case of my learned friend's!

The learned Advocate then noticed the quarrel with Mrs. Wyatt, and the relationship between Mr. Macqueen and that lady. He urged that Mr. Macqueen had volunteered an attack on the plaintiff, because she had quarrelled with Mrs. Wyatt; that the plaintiff had passed three-fourths of her life in the institution, and yet no previous charge had been preferred against her. The original cause of the quarrel was a charge preferred by Miss Polhill that Mrs. Wyatt had taken meat from the children's table, and this was admitted by Captain Birch to be true, but, he added, she did not leave the children

hungry. How, in God's name, did he know that! But he would refer to the rules and see what construction the general management had put on them to allow Mrs. Wyatt to dine elsewhere than at the table with wards.

23d. Besides the observance of the fore-mentioned General Rules, it is the indispensable duty of the Head Mistress (as forming a part or object of her particular engagements) not only to be with the children at dining hours, but herself regularly to dine at the same table with the elder girls, and to be in conversation with all of them during the intervals of the day and evening, until they retire to rest; for the purpose of forming their ideas, of improving their minds, of rendering them agreeable in their manners, and easy and sociable in their habits and dispositions; which points cannot otherwise well be accomplished, and are materially essential to their proper education as the daughters of gentlemen; and it is considered the indispensable duty of the head mistress, as general superintendent of every department of the school, to see that this rule is strictly compelled with, as she will be held responsible for any departure from it.

He was sure neither their lordships nor himself would allow their daughters to go to a school where the mistress did not set and dine at the head of the table. This was no frivolous charge. It was the duty of Miss Polhill to see that there was a sufficient quantity of food,—a quantity which Captain Hawkins says there was not,—and because she has done this she is held forth to the world as a person whose character for veracity, is, in the elegant phraseology of Mr. Macqueen entirely ruined. But his friend had said that Mr. Macqueen was privileged to give a reply of this description. If so it must surely be given to one who is entitled to interrogate. Mr. Ferguson was not entitled to interrogate; it was a mere volunteering on his part. The applications for leave, are through the matron and superintendent, to be submitted to the deputy governor for his inspection and approval.

The learned counsel then read the following rule:—

294. All applications on the part of the relations or friends of the children to visit the schools, are transmitted by the head master or head mistress, through the secretary, to the deputy governor for his decision, or that of the General Management, if he conceives it necessary; and in all cases they reserve to themselves, without question, the right of granting or refusing the permission required, as to them may seem proper.

Now what becomes of the case made by my friend? In what possible way can Mr. Macqueen now justify his letter? He was not the Deputy Governor, but that official had himself no right to make statements affecting the character of the plaintiff; he might have refused and refused only. But what business has this secretary to send this letter stating, 'I will not allow her leave because she has lost her character for veracity? Why should he volunteer this remark? My friend has called him a minister of the Gospel—his character as a clergyman, is no warrant for his character as a libeller, for libeller the court has pronounced him. The learned counsel then, after a few forcible concluding observations, left the case with the court.—*Englishman*, January 24.

Having laid before our readers the case of Polhill *versus* Macqueen, and the communications relating thereto, which have reached us from our correspondents, we will not further delay those comments, which are suggested by the great importance of the interests affected by the transactions developed in the course of the trial.

This libel case, is in many respects most important; and in many respects calculated to give rise to feelings of regret. We lament to see the clerical character, mark-

ed by the verdict of a Court of Justice, by so very serious an act of deliberate misconduct, as the case displays. We do not wish to dwell on the errors or failings of any man, but being fully enabled to judge of the merits of the case, from the evidence before us, we feel called upon to notice the subject in this place : from the proceedings, however, and not from even the bare verdict of a Court of Justice, we must form our judgment ; and the evidence is conclusive in the present instance, bringing home a case of positive dereliction of duty, to use the very highest word that truth will furnish us with. But although we are fully impressed with the impropriety of conduct which has drawn down a verdict of damages in this case—impropriety which is greatly aggravated by the defence set up—which was, what is termed in law, a justification, that is to say, a persevering in Court, in maintaining the slander uttered out of Court, which the defendant failed to make out ; nay, in the attempt to maintain which he himself furnished evidence for his own conviction, of having stated the thing that was not,—strange over-sight and forgetfulness in his counsel,—notwithstanding these strong claims to our sympathy for the plaintiff, we yet might, in our public capacity, have deemed it more consistent with the duties of our station, to refrain from comment, but that the interests of the Orphan institution, and the well-being of the orphans, are intimately connected with the facts developed in the course of this trial. We do implore the army to awaken to the importance of this matter ; we do implore them to assert the right of the Orphan progeny of their deceased comrades, and to redeem them, from that worse than bondage, the contempt with which, in the eyes of vulgar importance, the child of charity is regarded. They are not, however, the daughters of charity ; they have, as we have stated on a former occasion, as just and good a right to maintenance and education, adapted to gentlemen's daughters, as the beneficial object of an insurance for life has a right to the sum insured, under the premium paid by the assured. The institution appears to be badly managed ; the children are humiliated, and taught to entertain a mean opinion of their condition by the very persons who are fed, clothed, and maintained out of the funds, contributed at great sacrifice during their lives, by the parents of the orphans. The Governors of this institution must plead guilty to great neglect ; and we do most earnestly call upon them to arouse from their lethargy ; they little reflect upon the mischief which their apathy is creating ; they have on instance now before their eyes ; let it, we implore of them, be a warning to stimulate them to exertion. Let them reflect that they are doing a wrong, nay that they are, to speak plainly, permitting a fraud upon their deceased comrades, if, by their supineness, they allow the offspring of their deceased comrades to be treated, by those very persons who are paid and remunerated by their comrades' money, as object of pity. We repeat, what we have before said, that every orphan of the school has as much a right to the care and attention, service and respect, of every salaried person on the establishment, not merely as an officer has to his pay, but as a master has to the services of his dependent. The retainers of that establishment should be taught to know, and manifest in their conduct towards the orphans, that they, such retainers, are the dependance, if there be any dependance in the matter, and not the orphan. The orphan has a vested, a legal right, to proper maintenance and education, suited to a gentleman's daughter ; and we are most astonished that Mr. Macqueen's counsel should have attempted to raise an analogy between a character given by a mistress of a maid servant, and a gratuitous, uncalled for, and unwarranted " character " given by a party who had no authority to speak to character, nor could do so with propriety at all. Looking to the prejudices of little minds, and the influence which even a name will have upon the vulgar, we have

little doubt that the mere circumstance of the Orphan School, being denominated an " Asylum," has had its influence, in leading upstart impudence, to look down upon the offspring of the Soldier. An Asylum, it was no doubt intended to be ; an Asylum from the whips and scorn of the world ; but it is rather too bad, if it be no Asylum from the scorn and contempt of those who are fed and clothed out of its funds. We must speak plain in this matter. The Directors have in this, as in many other instances, forgotten their duty. The Institution—let the word Asylum be discarded, for it has influence with little minds—the Institution, is not properly seen to. When the Secretary of this Institution, in defence of an action for libel, can instruct his counsel to assimilate the Orphan, from whose property he is paid, with a maid servant, it is high time for those who feel for the interests and character of the orphan, to interfere. The counsel of Mr. Macqueen, who is paid out of the funds of the orphan, has the temerity to compare a character given by his client of the orphan, to a character given by a mistress of a paid chamber-maid. Had Miss Polhill given a bad character of Mr. Macqueen, there would have been a strict resemblance in the cases, and, as Mr. Macqueen's counsel clearly showed by his precedent, in that case Mr. Macqueen could not have sustained his action ; it would have been a privileged communication respecting a hired servant ; never was a case more injudicious cited. Mr. Macqueen was, in fact, the hired servant of Miss Polhill, not she of him, as his counsel endeavoured to persuade the court.

The *Courier* of last evening has some desultory remarks upon the case of Polhill v. Macqueen, and upon the above observation, to which we have something to say ; but as our contemporary postpones his further observations upon the subject, till to-day, we shall reserve what we have to say, till we are furnished with the additional comments of our contemporary.

We assure our correspondent *OFFICIAL*, that in the above remarks upon the late trial, it was far from our intention to " throw the first stone " at any individual whatsoever ; and we deeply regret that our duty compelled us to take notice of what appeared to be the first stone cast, and cast unjustly. We are among the lost to confound moral with legal guilt ; but we beg to put it to our correspondent, whether in the trial to which he alludes, it would not have been more charitable—whether it would not have been more just, decent and becoming ; and lastly, whether it would not have been more prudent, had the defendant, instead of attempting to justify an action which was calculated to render infamous the character of a friendless orphan, by calling witnesses to substantiate the charge, to have let judgment go by default, admitted the publication, at least at the eleventh hour, when the court intimated that it was libellous, and put the whole defence, upon the fact, that the letter was written in a moment of indiscretion, under a belief that it would not be published beyond the party to whom it was first communicated ? We fear that *OFFICIAL* will only make matters worse ; and that in every point of view. If a secretary benomally justified, in warranty of a charge of " ruined veracity," made against a female, and an orphan, to vouch a whole board of 11 or 12 managers as having had proved to their full satisfaction, so serious a charge, whilst only two of them have investigated it, the statements of the secretary involving infamy of character are mere matters of form ! Our correspondent asks us if the plaintiff in her charges against her superiors stated the whole truth, and nothing but the truth. We do not presume, to judge that question ; but not having the means to decide it before us, we will not assert to the position that it is either fit or becoming that any secretary, whether of state or of a public institution, can have a right to make gratuitous and disgraceful allegations against any female whatever. He it is who throw the first stone.

The *Englishman* of Jan. 24, exhibits in its editorial columns, some powerful and decorous observations, on the minute of one of the Managers of the Orphan School, which was read in the course of the late trial. He talks of the *expose* which has taken place, gross neglect and so forth. We have the misfortune to concur with this contemporary, as to the *expose* &c. &c.; but we think he has been unfortunate in his selection of the minute; and that the Gallant Captain to whom, in his worshipful zeal for the orphans, he has thought proper to allude, is not exactly the Manager the most deserving of the editorial notice of our conscientious and independent contemporary. Indeed, the allusion to the minute, is made the vehicle of something so like personality, that the zeal of the editor of the *Englishman*, in the cause of the orphans, and of the army, appears to have led him beyond the bounds of discretion, and he has brought himself within the compass of what in the schools is called, the *argumentum baculinum*. It is, moreover, unfair to start with a general censure of a body of Managers, and then to select, by way of illustration, the minute of one of the least offending of those Managers. Nothing but a fufibond zeal, or rather a faribond affectation of zeal, in the cause of the army, could have betrayed our judicious, upright and independent contemporary, into such an exercise of his editorial weapons, unless indeed *personal motives should actuate him*; and that it is impossible for a moment to suppose, as every one who has watched the career of our respected contemporary, will readily admit.

Since writing the above, we have heard that in consequence of the gross, offensive and insulting language made use of by Mr. Stocqueler, the Editor of the *Englishman*, in regard to Captain Sewell, that gentleman, accompanied by his friend Captain Hawkins, waited upon Mr. S. and demanded its immediate retraction or the usual alternative. Mr. Stocqueler declined to retract; and the parties therefore crossed the water. After receiving his adversary's fire, Mr. Stocqueler discharged his pistol in the air, which necessarily led to a termination of the affair, but why he made this *quasi* apology "after" instead of "before" the meeting, is not very intelligible.

Our contemporary has had the good fortune to escape on this occasion the penalty of his unwarranted personal abuse; and we trust we shall, in future, have less of it in the discussion of matters of a public character. Unwarranted, we repeat, for all who know Captain Sewell, are well aware that a kinder heart, or a more frank and honest spirit, are not to be found in Calcutta; and that the tone of his minute, congenial as it was to the prevailing cheerfulness of his humour, did not really contain one single word that the most malicious perverseness could construe into neglect of the duties he had to perform as a director of the orphan institution, unless that perverseness had been instigated by some petty personal feeling. We say this the more readily, as on the general question of the Orphan School management, we differ from Captain Sewell and his colleagues; but heaven forbid, that in the discussion of the subject, we should forget what is due to them as gentleman and officers, voluntarily and gratuitously undertaking an invidious and thankless office.—*India Gazette*, Jan. 25.

JANUARY 24, 1837.

SEBUN ANDERSON VERSUS SARROOPCHUNDER DUTT.

The Advocate-General, with whom was Mr. Clarke, stated, that this was an action on a promissory note made by the defendant, in which he promised to pay the plaintiff Rs. 500 rs. without interest, and signed himself an inhabitant of Calcutta. The note was proved, and the hand writing of the defendant.

Mr. Prinsep, with whom was Mr. Leith, then called witnesses to prove that the defendant was only a Gomastha in a cootee or house of business in Calcutta, to which place he came daily to perform his duties, but that he resided over the water, in the 24 pergunnahs, and slept every night out of the jurisdiction; upon this evidence it was contended, that the defendant was not liable to the jurisdiction of the court.

The court held, that as it appeared by the evidence, that the defendant had represented himself in February last (the date of the note) subject to the jurisdiction, and as, so subject had contracted a liability, and obtained a credit, that he could not now be permitted to come and shew that he was not liable to the jurisdiction, in Oct. last, at the time of the action brought; he must be bound in this matter by the representation which he had given of himself to the plaintiff.

Mr. Justice Grant mentioned a case taken from the notes of Mr. Justice Hyde, in the early period of the exercise of the jurisdiction of this Court, in which a person had obtained credit by representing himself a servant of the Company, and the Court would not permit him to shew, that the representation was false, and so get rid of the liability incurred under such a false representation of himself.

Mr. Prinsep then set up as another ground of defence that there had been dealings between plaintiff and the defendant's son, and that in the course of such dealings the plaintiff took, by way of better security, the note or receipt in question, the subject of the action, from the defendant; and that in point of fact there was nothing owing from the defendant's son to the plaintiff, although he happened to retain the note in question still in his possession.

Verdict for plaintiff 400 rupees.—*India Gazette*, January 25.

TUESDAY, JAN. 24.

Radamadub Bonnerjee v. Omachurn Bonnerjee.

The plaintiff and defendants in this case are both respectable Hindoo banians residing in Calcutta, and the action was brought for amount of a judgment recovered against the defendant on a former trial. The facts were not disputed, the only point being whether interest should be charged, defendant having suffered judgment to lie dormant on part of the amount recovered. The court were of opinion that plaintiff had not used proper diligence, and gave a verdict for the amount due, without interest, each party to pay their own costs, with leave to Mr. Prinsep to move to increase the verdict to the amount which would have been due with interest. The Advocate General and Mr. Barwell for defendant; Mr. Prinsep and Mr. Clarke for plaintiff.

Surroopchunder Dutt v. Muddoosudden Day.

Mr. Advocate General, with whom was Mr. Leith, stated the case for the plaintiff. The action was brought to recover the amount due on a promissory note for Rs. 2,000. The case was set down *ex parte*. Verdict for plaintiff.

Nunducoomar Day v. Bustoomchurn Day.

This was an action to recover Rs. 1,000 for goods sold to the plaintiff. The case was set down *ex parte*. Verdict for plaintiff.

There were several other *ex parte* cases disposed of, not one of which is of the least public interest.—*Englishman*, January 26.

FRIDAY, JANUARY 27.

Shibchunder Chatterjee v. James Ambrose.

This was an action brought to recover amount of goods supplied and money lent to defendant by plaintiff, his sircar, under a contract to supply whatever may be wanted in the ship building yard at bazar prices. The case was set down *ex parte*. Verdict for the plaintiff, amount of balance due Rs. 11,715, and interest at ten per cent. since 24th November last.—*Englishman*, Jan. 31.

MONDAY, JANUARY 30.

In the goods of Mohunt Debit Gree Gossain.

The deceased, a hindoo religious votary, in the charge of a temple at Goosoorree, in the twenty-four Pergunnahs, died in testate, 1836, leaving property in the Burra Bazar, Calcutta, and also personal estate and effects. In his life time he was bound to observe celibacy, and at his death did not leave him surviving father, mother nor brother, but had in his life time two cheelas or disciples, standing according to the laws and usages of Hindoos, in the relation of adopted sons. One cheela survives, the other died, having in his life time, in like manner, adopted two cheelas. The surviving cheela, adopted by the deceased, is aged and incapable of assuming the office of mohunt or of transacting any business, he is therefore taken care of by the cheelas of the cheela deceased, one of whom (the other is an infant) at his request applied for letters of a lministration of the estate and effects of Mohunt Debit Gree Gossain deceased. The application was made in Chambers before Mr. Justice Grant who doubted the jurisdiction and directed the application to be made in court. The opinion of the pundit of the court, was favourable to granting the application and Mr. Prinsep now applied for letters of administration.

But the court did not consider the cheela of a cheela as the next of kin, and as they did not on the ecclesiastical side try the rights to property, the application was refused.

In the matter of — Chads, Esq. and others.

Mr. Cochrane applied to the court, on the admiralty side of its jurisdiction, to fix a day for the examination of witnesses touching the capture of pirates by the commander, officers and crew of H. M. S. *Andromache*, in order that the examinations may go under the seal of this court, to the Commander-in-Chief or senior officer of his Majesty's ships and vessels in the East Indias. The learned counsel applied under the 6th Geo. IV. c. 49 which enacts that from and after the passing of that act there shall be paid by the treasurer of His Majesty's Navy upon bills to be made, &c. &c. unto the officers, seamen, marines, soldiers, and others, who shall have actually been on board any of H. M. ships, boats, &c. at the actual taking sinking, burning, &c. of any ship, boat, &c. manned by pirates, engaged in acts of piracy, the sum of twenty pounds for each piratical person, either taken or secured or killed, and the sum of five pounds for every other piratical man of the crew not taken or killed who shall have been on board such piratical vessel. Mr. Cochrane put in a petition the substance and matter of which were sworn by Captain

Chads, and which set forth that there had been four actions in which a number of pirates had been engaged, and of whom many had been destroyed.

The Chief Justice observed that there were two Admiralty Courts here, and he was doubtful if this application should not be made to the vice admiralty court and not to the Supreme Court.

Mr. Cochrane.—Yes, my lord, and as this is a novel application, we have drawn up two motions, one for this court on the admiralty side of its jurisdiction, and one for the vice admiralty court. We will put in which your lordship please.

The Chief Justice, after consulting Mr. Justice Grant and Mr. Justice Malkin, was doubtful if the Supreme Court had jurisdiction, this being a civil application on the admiralty side of the court, and the occurrences to which the petition referred having taken place in the straits of Malacca. He would, however, if counsel thought proper to make the application, appoint Wednesday to hear the evidence. The jurisdiction of the vice admiralty court was wider, and it was a matter for counsel's consideration if the application had not better be made in that court.

Mr. Cochrane elected to apply in the Vice Admiralty Court, and the court was opened in the course of the day and the application was then formally made.

Newton v. Newton.

In this case defendant has been in contempt for costs but provisionally absolved by the court. Mr. Prinsep now moved to propound all matters preparatory to going to trial. But the court held that defendant must be stopped, as the absolution was not complete until they had evidence of his having complied with its provisions. Motion suspended.

In the goods of Ringsted Plantagenet Field.

Mr. Clarke moved that special citations may issue to William Masters and Mary Anne Burnside calling on them respectively to prove the alleged wills of the deceased in solemn form, and in default thereof of that letters of a lministration may be granted to the ecclesiastical registrar of the court, and that for such purpose the usual citations may issue, to his creditors and next of kin to the said deceased.

The learned counsel moved on two affidavits sworn by Captain Birch and Mr. McCann which set forth that the deceased was of unsound mind at the time he made his will, and that he had but known Mary Anne Burnside a few days previously to naming her executrix.

VICE ADMIRALTY COURT.

Mr. Justice Grant and Mr. Justice Malkin having left the bench, Sir Edward Ryan, sitting as sole judge, opened the Vice Admiralty Court. Mr. Dickens was appointed and sworn in Registrar, and Mr. Biri, Marshal of the Court, and Messrs. Cochrane, Osborne, Nott, Leith, Sandes, and Barwell were admitted to practise as Advocates therein. The Vice Admiralty Court was then adjourned to this day, when the evidence in the case of the *Andromache* will be taken.—*Englishman*, Jan. 31.

INSOLVENT COURT.

In the matter of James Cullen and Robert Browne.

The examination, adjourned on Saturday the 21st Jan., were resumed this day.

Russomoy Dutt.—I entered the service of Cruttenden and Co. in December 1825, at first as binion, then the cashier, afterwards I had charge of their books. I went into the accountant department in March 1829, and had charge of the books in March 1831. A committee was formed in 1833 to whom was referred a statement of the affairs of the house. Mr. Browne and I made out that statement from the books of the firm. We referred to all necessary books;—it was formed from the account current books. The first book is a cash book, or rather a day book from which one set of writers posted into the account current book, and another set into the journal and ledger. The statement was made at the direction of Mr. Browne. In consequence of the then recent failure there was a want of confidence, and this statement was drawn out to pacify the creditors. I became acquainted with the books in 1829, and after a certain time became acquainted generally with the state of various parties' accounts. This is an office copy of the schedule. There is an entry to the debit of W. A. Williams, amount Rs. 26,599. It is mentioned here 'dead,' I do not know if he were dead when I entered the house; I do not know when he died, but referring to the Reserved Fund, I find in May 1827, one lakh debited on Williams' account. The account current shews no sum at credit of W. A. Williams in 1827-8 except a transfer of a lakh of Rupees to the debit of 'Reserved Fund,' in order to reduce the account. The balance that then remained was Rs. 17,237. I think after the one lakh had been written off, that account did not bear interest. There is no credit to that account from May 1832 to Jan. 1834, in the former period it was 23,491, at the latter 26,599. I see interest has been charged at the rate of 8 per cent. in 1832 and 5 per cent. in 1833. The common rate was 10 per cent. It was considered a doubtful debt; if it had been a bad debt it would have been written off altogether, but from the circumstance of one lakh only having been written off, it strikes me there was a chance of recovering the whole or part of the remainder. I see no commission charged in this account. Capt. J. White is debited in the schedule Rs. 2,54,158. There was a considerable insurance on his life, twenty in the Lancers and ten in the Oriental. The firm paid the policies. It never was considered a bad debt. The account extends from 1830 to 1834, no money was received on it, and no interest charged. The value of the policies in 1830 was about 1,40,000. I do not know if Captain White be alive. There was a large sum, Rs. 1,43,200 written off 'Reserved Fund,' of Captain White's account, the balance of Rs. 2,54,158 remains to Capt. White's account after the Rs. 1,43,200 are written off. I see in 1825-6 Captain White's account was to his debit Rs. 2,26,821; there are no entries to his credit in that year. In 1825-7 balance to debit, Rs. 2,59,280, no credits, the debit are premium on policies and interest. In 1827-8 balance Rs. 2,91,481, no receipts during that year to his credit, amount of premium Rs. 10,910; that was the annual sum on two insurances and of six months on one, another six months would make Rs. 2,730. In 1828-9 balance Rs. 3,28,945 made up in same way. After this the sum was written off to the 'Reserved Fund,' and then the debt stood at two lakhs. In 1830 the interest stopped, but the premiums were still charged, and so they continued to be till the day of failure when the amount was as per schedule. There was a large sum at credit of 'Reserved Fund,' to which 6-16ths of the profits were added, and afterwards part of Mr. Bryce and Mr. Hutton's

profits were added. Mr. Bryce's profits were carried to that fund by an understanding with Mr. Cullen his executor. It was a transfer of account, that part was never carried to Mr. Bryce's account, but carried at once to the 'Reserved Fund.' From Mr. Hutton's profits, sums were also carried to the 'Reserved Fund,' but not from the shares of other partners. I do not know why this was done, nor do I remember hearing the reason. Mr. Browne ordered it to be done, I made out a statement of profits and took it to Mr. Browne, he ordered the amount to be carried to the Reserved Fund, and that was my authority. When debts were written off it was generally when the books were made up to 30th April. I heard there was a committee sitting in 1836, of which Captain Vint was chairman. We did not write off any debt that there was a chance of recovery; speculation losses were written off at once to profit and loss. I do not remember if any individual account were so written off. Mr. Bryce's interest ceased in 1828. Turning to his account at 30th April, his credit, 2,62,667, his profit that year was 1,03,997, there are no losses to his debit that year. I see at the debit of his account in 1828, Rs. 1,82,948 his share of excess of loss. This entry was not made till January 1829; it bears date 30th April 1828, but the date of entry is shewn by the book. I should say the amount of loss was his share of excess of loss beyond which the Reserved Fund would cover. I did not keep the books at that time; the books will not show this loss; separate statements were made up. Mr. Wolff was book-keeper in 1829, Mr. Patton succeeded him. When I had charge and before I made up these statements, I copied one in a foolscap book but what became of it I do not know. It contained a statement made at the time of the retirement of George Mackillop. Sometimes that book remained with Mr. Browne and sometimes with me. In Hutton's case we analysed the accounts. There was a distinction in making up this statement, and the principle on which the Reserved Fund was calculated, for instance in the former we never valued Indigo accounts, but in the event of a partner retiring then a value was set upon the Indigo accounts. I must have seen that book about the time the committee sat in 1834; the statement which was submitted to the committee was made up not from that book but from the books of the house; they sat on Sundays. I only saw them on one occasion. I saw Mr. Turton there: he was the firm's retained counsel. I should have made a higher per cent. deduction than the creditors did. I was left to myself when I made up the statement at the time of Mr. Hutton's retirement. It would take much time to ascertain the state of the house by looking at the books. Mr. Browne kept the foolscap book, Mr. Cullen could have access to it, the book was kept in Mr. Browne's desk or in mine. I have not seen it since the date of the failure. I did not see any of the committee examine the books; they might have done and I not know of it. [Returns to Captain White's account.] In 1824-5 there are credits 845 Rs. the amount to debit Rs. 2,04,610, I think Mr. Hutton was advertised out; notice was given to the constituents in a letter dated January 1833, and to the Europe creditors in May 1833. I do not recollect the paper, but I have a strong recollection of having seen the advertisement. Mr. Wolff had property of his own in the house and trust property; a letter of instruction was left in 1829 by him, this must be in the records of the house. I cannot say if he left instructions to invest his property.

The Court then adjourned till Saturday next, Mr. Leith in the meantime to separate the cases which he wishes to examine on into classes.—*Englishman*, January 16:

SUDDER BOARD OF REVENUE.

In February 1836, the unconvenanted deputy collector of Bhaughulpore was authorized by the Board to expend a sum of Rupees 250 for an office tent, but he was previously to making the disbursement, removed to a similar situation in Tirhoot, and he now applied to the Board to sanction the expenditure of the same amount for the like purpose in that district. But, the Board, on further consideration, decided that unconvenanted deputy collectors are not entitled to tentage, and the application was refused.

Mr. Belli, the collector of Hoogly sent in a communication setting forth that the resumptions under Regulation IX, of 1833, are progressing and as local enquiries would be shortly called for, the employment of a deputy collector was necessary. He stated that Mr. R. W. Bets had been formerly recommended for this situation, but as that officer was now filling an appointment in the Burdwan districts, the collector now nominated Ranthone Shaw.

The Board, after some discussion regarding the resumptions in the Hoogly district, some of which are not under Mr. Belli's charge, but under the charge Mr. Taylor, the deputy collector for resumptions, ordered that the collector do specially state the duties on which he would employ, at present, the proposed deputy collector, and requested the Commissioner to consult with the Collector regarding the remuneration.

Mr. Nisbet, the late acting commissioner of Bhaughulpore, had, without reference to the Board, authorized the assistants to the Collector to hold sales. This coming to the Board's notice, the Commissioner was informed that he had no power so to authorize an assistant, and that all sales held under such authority would be void. The officiating commissioner questioned the correctness of this order, and the matter was yet under the consideration of the Board, when the acting commissioner was relieved by Mr. Harding, who referred the correspondence to government, with a request that, under the peculiar circumstances of the case, the acts of the assistant might be legalized by granting him authority to hold sales from the date of the acting commissioner's first order.

This was done by government, and the discussion at the Board was thus in a manner superceded. But the second member declared his intention to bring it forward on a future day.—*Englishman*, Jan. 3.

On the 10th January 1834 Mouzah Ruheempore Rowneah in Pergunnah Munier, Zilla Panna, was sold for the recovery of arrear of revenue due to government from 1237 to Poose 1241, amounting with interest, &c. to Sa. Rs. 1518.

The proprietors complained to the Commissioner that a sum greater than the balance was in deposit in the Collectors's treasury, due to them on account of the collections of Dearea Durveishpoor. The Collector was called upon for a report which he furnished, dated June 5, 1834.

From this document, it appears, the Dearea in question was brought under investigation, according to the provisions of Regulation 11, of 1819, on the 23rd February 1826. On the 30th December 1828 the Dearea was attached under the provision of clause I, Sec. XIII. of the above regulation, and from that period the collec-

tions were made on the part of government, and credited in the Collector's treasury accounts under the head of 'Profit and Loss.' It further appears that when the sale took place the suit instituted under Regulation 11, of 1819 was still pending. The Collector admitted that the proprietors had frequently applied to him for an adjustment of accounts, in order that the amount of collections from the Dearea might be carried to their credit in the payment of the revenue of their permanently settled estate, and that they openly stated they would not pay their revenue until their accounts adjusted.

Notwithstanding this the Collector sold the estate without any adjustment or even examination of accounts to satisfy himself whether there was a balance due to government or not. On the 7th February 1834 the case under Reg. 2, 1819 was decided, and the Dearea declared, liable to assessment. It became subject to the payment of revenue to government on the 7th August 1834.

On the 26th August 1834 Mr. Officiating Commissioner Cuthbert cancelled the sale, and directed the Collector to adjust the accounts, giving credit to the proprietors for the collections realized from the Dearea previous to the resumption.

On the 4th December 1834 the collector submitted the accounts in Persian, exhibiting a sum of Sa. Rs. 1997 due to the proprietors exclusive of interest much exceeding the amount for which their estate had been sold. On the 24th of February, Mr. Tucker, the Commissioner, instructed the collector to submit an account in English, which he did.

The first division exhibits the balance of revenue due to government from 1236 to the close 1241. The second division shows the amount of collections for the same period. Balance due to government Sa. Rupees 1,516. Some due to proprietors without interest and penalty 1,997. Mr. Commissioner Tucker recommended that the account be adjusted without giving or taking interest or penalty, and applied to the Board for their approval of the mode proposed.

The matter was referred to government by the Board with their opinions on it, and, at the instance of government, the Board called on Mr. Commissioner Tucker to institute enquiries regarding the particular circumstances under which the attachment was made, and also in what cases, and under what circumstances, and by what authority the amount of similar collections, pending attachment, had been refunded to parties. It appeared to his lordship, that it was the intention of the legislature in framing section XIII. of Regulation 2 of 1819, that the collections made from the lands during the period of attachment should belong absolutely to Government, and that, whether the Board's or thereafter the civil court's decision might be in favor of or against the claim of Government, to assessment.

The Commissioner replied on the 5th of November, as follows:—

'After the permission of the Board of Commissioners of Behar and Benares was obtained to put the question to the liability of these lands to assessment in train of enquiry and investigation under the provisions of regulation 11, 1819, the notice required by clause 11, section 5, was issued to the occupants on the 23d February, 1826, calling upon them to produce title deeds. But the parties neither attended nor offered to produce their summonses or other writings in virtue of which they possessed lands.

There follows a suspension of all proceedings for nearly three years which is not accounted for in any manner. On 28th October, 1828, the notice to produce account under the provisions of section X. was issued. Receipts for notices were granted, but no account produced, and on 30th December following the lands were attached under the provision, of clause 1. section XIII. There another lapse of upwards of 5 years occurred, and the decision of resumption passed on the 7th February, 1834. This last gap in the proceedings is stated to have arisen from the Collector not having had time to spare from his other avocations to go and visit the Deoras, and map and measure them. He was directed by Mr. Commissioner Smith to do this by an Ameen, on whose report and proceedings the final decisions are rounded.

Thus, it will appear, as surmised by Mr. Secretary Mangles, that these lands were attached in consequence of the contumacious conduct of the proprietors, though, I confess, until now, I never viewed the act of attachment under the provisions of section XIII. in the light represented by Mr. Mangles, and which I must also confess now appears to me to be the correct construction of the law.

The Commissioner then proceeded to state that the attachment had not been made in strict conformity to the Regulations, and in reply to the second paragraph of the Board's letter, he said he was not aware that in any similar instance the amount collections pending attachment had been refunded to parties.

The Board now forward the Commissioner's reply to Government, and submit that Regulation 11. of 1819, gives a more favorable view of the proprietor's claims than the Government have taken.

For the convenience of our readers who may not have the regulation at hand, we subjoin the clause in question :

First—If the holder of any land in regard to which the collector shall have been authorized by the Board of Revenue, or other authority exercising the powers of that Board, to institute the enquiry described by section 7 of this regulation, shall refuse on neglect to furnish the accounts relating to such lands, within the period specified in the collector's requisition, the Board of Revenue, or other authority exercising the powers of that Board, shall be competent to direct the lands to be immediately attached, and the rents collected on account of government, in the same manner as if the lands were the property of government. In such cases however it shall be the duty of the collector to make a full enquiry into the title of the holder of the lands, and to transmit his proceeding to the Board who will decide whether the lands shall be permanently liable to assessment.

The Board consider that this clause, if read in connection with the rest of the enactment, means merely that the collections should be made through the officers of Government pending the attachment; and does not warrant the appropriation of the collections by Government.

Or the country the collections should, in the Board's opinion, be always refunded to the proprietors at the termination of the suit.

In the particular case in question, in which the attachment was irregularly made, the Board recommended refund of the collections with interest.—*Englishman*, Jan. 4.

In the *Sumachor Durpun* of 8th October last, there appeared an article headed 'Employment of Dismissed Amlahs', which attracted the notice of Government, and caused enquiries to be instituted as to the accuracy of the

statement. One Gholam Nudde is the person alluded to, and the situation to which reference was made in the *Durpun*, is that of the sheristadar in the Collector's office, zillah Sarun. The commencement of the paragraph is as follows :—

'The chief native officer of the Opium Department at Patna, after a long career of gross corruption, was, by the meritorious exertions of the third judge of the Patna Provincial Court, dismissed with disgrace.'

The inquiry of Government called forth a report from Mr. Commissioner Tucker, who had appointed Gholam, in which he stated that the *Durpun's* paragraph was a gross exaggeration, and enclosed, for the Board's information, Mr. Fleming's report to the Board of Customs, Salt and Opium, dated 4th February 1828, in which that gentleman set forth two grounds for the dismissal of the sheristadar, first, that the conduct of the latter had occasioned suspicion, and secondly, that he had lost the confidence of the agents. But no instance of 'gross corruption' was brought home to him. After his dismissal, Gholam went to Jessore, 'where' it is said in the *Durpun*.

'Owing to his delinquency being unknown, and his having powerful friends, he became sherishtadar to the collector, but renewing his old habits he was obliged to absent himself by obtaining leave of absence. The discovery of his corruption was made immediately after his flight, and the late Board of Revenue issued orders for his being brought to trial. Returns to these orders were repeatedly made, that he could not be found, and thus for a time he also escaped.'

But Mr. Commissioner Tucker states that Gholam did not go to Jessore after having been dismissed from office at Patna. He was sheristadar of the collectorate of Jessore from 1816 to 1820, when Sir Charles D'Oyly offered him the situation of dewan to the opium agent at Patna, and in consequence he resigned his former office. Mr. Tucker adds, that he (Mr. F.) was collector of Jessore till June 1820, and though circumstances may have transpired since his departure implicating the character of Gholam, he never heard of them, and that although the succeeding collector of Jessore reported that Gholam was 'not to be found' it was notorious that he had gone to an appointment at Patna.

The *Durpun* goes on to state :—

'Some years afterwards the late Board of Revenue discovered that this corrupt native had obtained the office of sherishtadar to the collector of Beerbhoon, and orders were immediately issued expelling him from that office. On this occasion great exertions were made to get him restored and the Government was petitioned by influential individuals, but, luckily, our late Governor General at once directed that the orders passed in regard to this individual should not be disturbed.'

That Gholam was expelled from the office of sherishtadar of Beerbhoon, Mr. Commissioner Tucker says, is perfectly true. But here again, Gholam was the victim of suspicion, never having heard the charges preferred against him, nor was he called upon to defend himself.

'Notwithstanding this decision [says the *Durpun*] the Commissioner of Dacca solicited the permission of Government to appoint him his sherishtadar,

But Mr. Commissioner Tucker states that he solicited permission of Government to appoint Gholam his sherishtadar in April 1829. Gholam has subsequently appointed to Beerbhoon, and removed from thence under the circumstances above stated in 1832.

'The application was ingeniously drawn up, and great intelligence was employed to palliate the conduct of the delinquent, and to induce commiseration and forgiveness. But no other notice was bestowed on the letter than a peremptory refusal of any such consideration.

Mr. Tucker says he plainly stated to government his wish that Gholam should have the appointment, and that the latter was the person who had been dismissed from the situation of Dewan to the opium agent at Patna, and he stated also his reasons for still reposing confidence in him. The reply was, that 'Government cannot sanction the employment in the responsible situation of sarishtadar of an individual who has been dismissed from the public service under the circumstances which characterize the removal from office at Patna of Gholam Nabbee.' Mr. Tucker remarks, here is no absolute prohibition against the employment of the native, but merely, that his employment in the responsible situation to which I was desirous of appointing him, could not be sanctioned. Indeed no man is held to be debarred from employment that has not been proclaimed as unfit to serve the government in a public capacity :—

'It is hardly to be believed, but it is nevertheless true, that this incorrigible native, so often discharged for abuse of office, is now and has been for some time sheristadhar of Chuprah. It is to be hoped that the Commissioner of Patna, who was the Commissioner of Dacca above referred to, has not allowed this appointment without reference to his superiors.'

Mr. Tucker states 'it is hardly to be believed, but it is nevertheless true, "that this incorrigible native" has never, in the course of a service of thirty years, been discharged for abuse of office, but on the contrary has earned for himself, with those who know him, a character for integrity and zeal in the discharge of his official duties.' The Commissioner then enters into a detail of the career of Gholam, and investigates the various charges which have been brought against him. The result of which, on the Commissioner's mind, is the favourable opinion above set forth.

The whole of the proceedings above alluded to have undergone investigation by the Board, and the result is that orders have gone forth, under a protest by the Second Member, for the dismissal of Gholam from his appointment. The Second Member states, 'To be consistent, the Board cannot interfere, to remove Gholam Nabbee, and to instruct their subordinates not to allow him to hold office under any of them, is a power with which the Board is not vested, and would be totally inconsistent with their orders in other cases' which he cites. 'The matter having been laid before government, it will be a more becoming course to await the final decision of higher authority, and not to issue orders opposed in principle to the Board's previous practice in all other cases.'—*Englishman* Jan. 11.

The revenue authorities at this Presidency have issued the subjoined circular :—

No party in possession of lands liable to summary assessment under the provisions of Sec. 12, Regulation 111, of 1828* and the laws therein cited, as far as the same relate to Bengal, Behar, and Orissa, shall be dispossessed, nor, if he be entitled to enter into engagements with government for the revenue, shall the said lands be subjected to assessment until the expiration of six months from the date of the Collector's or Deputy Collector's order for resumption unless the Commissioner of the division shall consider immediate measures for the assessment of the Muhl essential to the preservation of its integrity or to the maintenance of

its full assets in the event of its being deemed indispensable, on the above or similar grounds, to oust the party in possession, or to proceed to an instant assessment, a sum equal to the net Mofussil rental of the Muhl for six months, shall be paid to the party dispossessed from the treasury of the Zillah collectorate.—*Englishman*, Jan. 13.

Considerable interest has been recently excited amongst the upper classes of the Mahomedan community regarding the appointment of the Mootawalle of the Hooghly Emambarrah, a situation of much importance and respectability. The state of the emambarrah and its disbursements having attracted the attention of the revenue authorities, Mr. Belli, Mr. Samuel, and Dr. Wise, the local agents, were directed to enquire into the expenditure and general management of the funds, and to afford such information as their means permitted respecting the then condition and prospects of that valuable institution. The local agents endeavoured by a strict scrutiny of the papers which were presented to them, and by taking the evidence of the different officers of the establishment to satisfy their minds as to the correctness or otherwise of the accounts. This, however, they soon found to be a hopeless task. The papers with which they were furnished were prepared by the officers in the Emambarrah, under the direct superintendence of those who were most interested in concealing any malversation which might have taken place, and the amlah positively refused to assert their correctness either by 'half' or 'half namah.' After lapse of months and years, it was of course impossible to ascertain, with any degree of precision, whether the various sums had been expended in the manner stated or not. There was no one interested in exposing the delinquencies of the officers of the Emambarrah supposing any to exist, while there were hundreds who had a powerful interest in concealing them. Sufficient, however, came to the knowledge of the local agents to induce them to recommend a total revision of the rules for the government of the endowment, and there being a large deficiency not satisfactorily accounted for, the Mootawallah was dismissed.

A difference of opinion arose amongst the revenue authorities regarding the selection of a suitable person to fill the appointment. There were fifteen applicants, some of whom being of the Soonee cast were disqualified. Of those to whom this objection did not lie, Mr. Pattle, the senior member of the Board of Revenue, was of opinion that Mirza Mohummud Mendec Ispahanee, a merchant of great respectability and considerable wealth, was the most eligible, provided he devoted sufficient time to the performance of the duties, and which he promised he would do. In his nomination, however, Mr. C. W. Smith, the junior member, objected on the ground, that the Mirza unless he should relinquish his mercantile pursuits, would not have time to devote to the faithful discharge of the responsible duties that would devolve on him, and the performance of which is totally incompatible with his residing elsewhere, than at Hooghly. In addition to which the Junior Member was aware of no claim on the score of previous service, which could be advanced by him as entitling him to succeed to so valuable and honorable an office. Mr. Smith expressed himself more in favour of the nomination of Moluee Zynnoodeen of whose abilities and judgment the local agents, had spoken highly. But Mr. Smith was by no means satisfied with that nomination, 'being desirous,' so he said, 'that the appointment should be given to some person whose previous well earned character would be a pledge to the government for his faithful discharge of the duties of Mootawalle.'

The subject was referred to Government, and all the original applications of the candidates submitted for the Governor's inspection. His Lordship concurred with the Junior Member in thinking it desirable that the appointment should be bestowed as above quoted, and the Board

were desired to use their best endeavours to find an individual thus qualified for the trust, and requested to ascertain whether there was any *Shree* of consideration employed in the revenue or any other department, whose services had exhibited fidelity and integrity, and had given satisfaction with respect to ability. After the experience of the past," said Mr. Secretary Mangles, "his lordship would be very unwilling to entrust the management of that institution to any person, however ostensible respectable, not of tried high character."

It occurred to the Junior Member that Kermut Uly, a native gentleman, who accompanied Lieutenant A. Conolly through Persia to this country, and who had been the means of saving the life of that officer, would be willing to take the appointment if it were offered to him. On the 6th of November last a reference was made to Lieutenant Colonel Alves, Political Agent at Jeypore on the subject of Kermut Uly's qualifications. The reply of Colonel Alves satisfied the Board that they could not make a better nomination. Both Colonel Alves and Captain Trevelyan gave him a high character for integrity, information, and intelligence, and the latter officer added, he is eminently calculated to fill such a post as the one in question."

Government have approved and sanctioned the nomination of Kermut Uly, and on the 9th Jan. the necessary communication was made to him in Ajmeer, requesting that he will join his appointment as soon as practicable.—*Englishman*, Jan. 19.

DISPUTED POSSESSION OF LANDS.

R. D. MANGLES, ESQ.

SECRETARY TO THE GOVERNMENT OF BENGAL.

SIR,—May I request you will do me the honor to submit, for the consideration of the Right Hon'ble the Governor of Bengal this my very respectful application on behalf of Baboo Dwarkanauth Tagore, praying that, under the circumstances herein stated, his Lordship will be graciously pleased to exercise the powers vested in him by clause 2, section 28, regulation 11 of 1822 and to appoint a Local Commission for the purpose of giving possession to my client of Dehee Shazadpore, Zillah Rajshahy, purchased by him at a Government sale for arrears of revenue.

2. This zemindary, paying an annual jumna of Sa. Rs. 10,293-14-16 formerly belonged to Seebchunder Bhuttacharjee and others, and was sold for arrears of Government revenue by the Deputy Collector of Pubna on the 17th March 1240 B. S. (29th January 1834.) The sale was of course by Public Auction, and Juggutchunder Chatterjee, the Mookhtar of Baboo Dwarkanauth Tagore, being the highest bidder, the state was knocked down to him for Sa. Rs. 53,000. At the time of the purchase, the Mookhtar was called upon to produce his authority from Baboo Dwarkanauth, when it appeared that the powers in his possession were either of a general nature, or for particular purposes unconnected with the transaction in question, and contained no special authority to make the purchase. In consequence of this defect, the Deputy Collector recorded the sale as having been made to Juggutchunder Chatterjee on his own account, but this person distinctly stated in reply to the questions put to him, that the purchase was really made on behalf of Dwarkanauth Tagore, and with his money.

3. The usual deposit was made at the time of purchase, and the sale having been confirmed by the Commissioner of the 13th division, the balance was paid into the office of the Pubna Collectorate on the 5th Bysakh, 1241, B. S. (16th April 1834.) Subsequently to this, the Deputy Collector, in conformity with the provisions

of clause 1, section 28, regulation 11 of 1822, addressed a Rubikaree to the judge of the district, requesting him to give possession of the estate to the auction purchaser, and an Ameen was accordingly appointed by the judge for that purpose.

4. On the 19th September 1834. Juggutchunder Chatterjee having executed a *Kubala*, or deed of transfer, making over the estate to Baboo Dwarkanauth, the name of the Mookhtar was cancelled in the records of the Collectorate, and that of Dwarkanauth Tagore substituted, as proprietor of the zemindary.

5. After the Ameen had proceeded to Dehee Shazadpore, and, in conformity with the order of the Civil Court, had given possession of a part of the estate to the auction purchaser, Seebchunder Bhuttacharjee, the late zamindar, and Tarramoonsee and Kistomoonsee Deeban, (his mother and step-mother) presented petitions to the judge, alleging that many of the villages so made over to the purchaser (being the most valuable ones in the estate) had been respectively granted to them in *Puinee*, by the father of Seebchunder and the husband of the other two petitioners, under which they still claimed to hold possession, notwithstanding the sale by Government, and grants protesting against the legality of the Ameen's proceedings. On the 22d May 1835, Mr. R. Barlow, the judge of Rajshahy, decided that Baboo Dwarkanauth could not oust the Putneedars, by a summary suit, though he might obtain possession of the zemindary by taking Kuboolents from those parties on the same terms as had been agreed to by the former zemindars. The Ameen was accordingly directed to effect the cancellation of the agreement which had already been executed by the ryots and others in favor of the Auction purchaser, and to obtain Kuboolents from the Putneedars, binding them to pay Baboo Dwarkanauth the same rent as the former zemindar had received—a sum so low as to be little more than nominal.

6. As these under-tenures were created by the Zemindar subsequent to the decennial settlement, and with an obvious intent to defraud the Government revenue, my client conceived the above decision to be directly opposed to the provisions of Sec. 30 of Reg. 11 of 1822, which declares the Auction purchaser to be competent to avoid and annul all such tenures; he therefore presented a summary petition of appeal to the Sudder Dewannee Adawlut, which was heard by Mr. D. C. Smyth, on the 11th September 1835. That gentleman then passed an order which, after reciting the circumstances of the cases, observed that the Rubikaree of the collector requested the judge to give possession to Juggutchunder Chatterjee, not to Dwarkanauth Tagore; and although it appeared that a *Kubala* had subsequently been executed in favor of my client by Juggutchunder, yet there was nothing in the papers before the Court to shew that Baboo Dwarkanauth was the Auction purchaser, nor had the Collector applied to the judge to put him in possession as such—and that as section 28 regulation 11 of 1822, referred only to the case of an Auction purchaser, and merely directed the judge to give possession to such party when called upon to do so by the Collector, there was no ground on which the petitioner's appeal could be supported, and it was dismissed accordingly.

7. Dwarkanauth Tagore now applied to the Revenue authorities to assist him in getting possession of the estate. His first petition to this effect was refused by the Deputy Collector of Pubna on the 27th February 1836; and upon an appeal to Mr. Steel, the Commissioner of Bauleah, that officer passed an order on the 17th February, stating that although it was proved to his satisfaction that Baboo Dwarkanauth was really the Auction purchaser, yet he (the Commissioner) had no power to give possession of the under-tenures. My client then had recourse to the Sudder Board of Revenue, who, on the 4th March 1836, decided that as Dwarkanauth Ta-

gore was clearly the *bona fide* auction purchaser, the Collector was bound to give him possession according to the provisions of Sec. 28 Reg. XI of 1822; and they accordingly directed that authority to immediately address a Rubikaree to the Zillah Judge, stating the circumstances of the case, and requesting possession of Dehee Shazadpoor to be given to my client as the auction purchaser. In conformity with these orders, an application to the above effect was forwarded by the Deputy Collector of Pubna to the Judge of Rajshahy on the 24th March.

8. On the 8th April, Mr. Barlow passed his orders upon this application of the Deputy Collector, to the effect that, notwithstanding what had been stated by the Revenue authorities, he was of opinion that Dwarkanauth Tagore was a mere private purchaser and that as Reg. XI of 1822 related only to auction purchasers at Government sales for arrears of revenue, he must decline complying with the requisition of the Collector.

9. Against this decision, my client again applied to the Sudder Dewannee Adawlut, and on the 21st July, Mr. D. C. Smyth expressed his opinion that Dwarkanauth Tagore having now been recognized by the Revenue authorities as the auction purchaser, and there being no doubt that virtually he was so, possession of the estate ought to be given to him in that character. At the same time Mr. Smyth wished the opinion of another Judge to be taken as to whether, under the terms of Sec. 28 Reg. XI—1822 the Court could consider any one as an auction purchaser, besides the party whose name was entered as such in the Collector's books at the time of sale. The papers of the case were accordingly sent to Mr. Rattray, who, on the 27th July, recorded his opinion that, as the Mookhtar had distinctly stated at the time of sale that the purchase was made with Baboo Dwarkanauth's money and on his account, and had subsequently executed a Khabala in favor of that gentleman, there could be no suspicion of any thing collusive or unfair in the transaction—the entry of Jurguchunder's name arose simply from a defect in the powers of attorney given to him, and the revenue authorities having now recognized Dwarkanauth Tagore as the auction purchaser, there was no doubt in his (Mr. Rattray's) mind that the Court ought to consider him as such to all intents and purposes, and give him possession under the provisions of Reg. XI—1822. The case having been sent back with this opinion to Mr. Smyth, that gentleman, on the 1st September, passed orders directing the Zillah Judge to consider my client as the auction purchaser of Dehee Shazadpoor, and to give him possession as such; but added, that if any person should oppose possession being given of any particular lands, the Judge would be at liberty to investigate such claim, and in case either party should be dissatisfied with his decision, an appeal to the Sudder Dewannee would be open. Although the above orders were passed on the 1st September, no proceedings have yet been taken by the Judge of Rajshahy to give possession to Dwarkanauth Tagore.

10. But the above mentioned claims of the Putneedars do not constitute the only difficulties against which my client has had to contend in endeavouring to obtain possession of his Zemindary. Nilmoney Bonnerjee, the Zemindar of a neighbouring estate, and Gopenauth Sagdal, a mouroosedar of Dehee Shazadpoor, have, at the instigation of Shreebhunder Bhuttacharjee, raised disputes as to boundaries in almost every village given over by the Ameen to the auction purchaser, and as these persons support their pretensions by violence, Dwarkanauth Tagore's people have been forcibly dispossessed of nearly the whole of that portion of the estate which is not included in the Putnee grants alleged to have been made by the father of the late Zemindar to his own son and wives. These parties have proceeded to such extremities that a case is now pending before the Joint Magistrate of Pubna, in which Dwarkanauth Tagore's men

were accused of having killed certain retainers of Nilmoney Bonnerjee, but the Magistrate having proceeded in person to the place where the affray occurred, and fully investigated the circumstances, discovered that the murdered men were Baboo Dwarkanauth's own servants, and that the complainant were themselves the real criminals: had the inquiry been left to the Darogha, a partisan of the Zemindar, the result would probably have been very different. This circumstance will shew what is the state of affairs in Shazadpoor and how little prospect there is of my client's obtaining and holding peaceable possession of his property, if no further assistance be granted him than what a native Ameen can afford.

11. Such are the circumstances under which the present application is made. Nearly three years have elapsed since Baboo Dwarkanauth purchased this estate at a Government sale, and up to this moment he has been unable to obtain effectual possession of any portion of it. The collections have not been sufficient to cover the expenses of the establishment, and he has been compelled to defray the whole of the Government revenue out of his private funds. If he is now to be told that he must have recourse to a regular suit for the determination of every disputed claim, it is no exaggeration to say that ten years more will pass away before his rights can be established—and during this period (not to speak of the vexation and expense of such tedious and complicated litigation) it will be utterly impossible for him to default of which payment the property will be sold for arrears.

12. It is unnecessary for me to dwell upon the importance of the present case with reference to the interests of Government. It is clear, both from the Regulations and the common sense of the matter, that a Zemindar can by no possibility grant to a third party any right which he does not himself possess, and his right to his estate is entirely contingent upon his punctual discharge of the Government revenue. In the instance now under consideration, a Zemindar makes over the most valuable portion of his estate in perpetuity to his own nearest relatives, on the condition that they shall pay him a nominal, or at best, a grossly inadequate rent—the Government revenue is then suffered to fall into arrear, and these under-tenants (one of them being in fact the defaulter himself, the father having died in the mean time) claim to hold the lands at the same fixed rent against the purchaser from Government. A more palpable case of fraud it is not easy to conceive, and yet Dwarkanauth Tagore has already been told by the Civil Court that he is not at liberty to dispossess these parties in a summary suit; in other words, that he is without remedy, unless he chooses to engage in a series of law suits, the termination of which no man can foresee. If such a principle is to be upheld, I fear there will be but few persons willing to encounter the risk of purchasing at a Collector's sale. In the present case, the lands unclaimed by the pretended Putneedars, even if possession could be obtained of them, will not yield sufficient to defray the annual assessment.

13. I need not detain his Lordship by entering into any argument to shew that the provisions of clause 2, Sec. 28, Reg. XI. of 1822, are strictly applicable to this case, for it presents a combination of circumstances, any one of which would be sufficient to bring it within the scope of that enactment. The clause provides that it shall be competent to the Government to appoint a covenanted civil servant as a local Commissioner, whenever obstacles may be experienced in giving possession of an estate sold for arrears, "whether in consequence of the opposition of the former proprietors, and the difficulty of settling their claims to reserved interests in any part of the lands sold, or from the opposition of persons asserting themselves to be in possession of Talooks and other interests not affected by the process of sale for arrears, or because of boundary disputes with neighbouring Zemindars or the like;" or in consequence of the general

circumstances of the estate. Now here there is an opposition on the part of the former proprietor, Sheebchunder Bhattacharjee, who claims a reserved interest in part of the lands sold; there is an opposition by his mother and step-mother, who assert themselves to be in possession of interests not affected by the process of sale for arrears; there are boundary disputes with Neilmoney Bonnerjee, a neighbouring Zemindar, and with Gopenauth Sandal, —and the general circumstances of the estate are such that a native Ameen would not have the power to give possession, even if directed to do so by the judicial authorities. If then, in the present instance, which comprises in so remarkable a manner every one of the contingencies contemplated by the legislature, the Government should decline to exercise the special powers with which it is vested, I surely do not go too far in saying that for the future the above clause must be regarded as a dead letter.

14th. I will only add, in conclusion, that should the Right Hon'ble the Governor be graciously pleased to accede to the prayer of this application, my client authorizes me to state that he will most gladly defray any expense that may be incurred by Government, in consequence of the appointment of a local Commissioner.

I have the honor to be, Sir, your most obedient servant,
Calcutta, 6th December, 1836. M. A. BIGNELL.

Constituted attorney of Baboo Dwarkanauth Tagore.

No. 47.—To M. A. BIGNELL, ESQ.,

CONSTITUTED ATTORNEY OF BABOO DWARKANAUTHTAGORE.

Revenue.

Sir,—In reply to your Letter of the 6th Dec., I am directed by the Right Hon'ble the Governor of Bengal to inform you, that instructions have this day been issued to the Sadler Board of Revenue to depute Mr. Yule, immediately on his return to Purnea, for the purpose of placing the Auction purchaser of Dhee Shabzadpore in possession of his purchase under the Provisions of Clause 2, section 28, Regulation XI of 1822.

I am, Sir, your most obedt. Servant,

ROSS D. MANGLES,

Secy. to the Govt. of Bengal.

Fort William, The 3d January, 1837.—*India Gazette*, January 30.

RESUMPTION OF RENT FREE TENURES AT CHITTAGONG.

The resumption of the Revenue of lands, held free of assessment under illegal, or invalid tenures, in the district of Chittagong, and the recent publication of several articles on that subject, by a contemporary journal, having attracted attention, we lay before our readers some facts which are now before his lordship in Council, and which display the extraordinary distress, to which a native family of that district, known by the name of Mirttoonjoy, has been reduced, owing to the enforcement of the Provisions of Regulation II. of 1819, and Regulation III. of 1828.

The Mirttoonjoys were, up to a very recent date, considered the most wealthy and influential family in that district; they are the hereditary Canavagoes of it, and are now in a situation, in which they are hardly able to provide themselves with common necessaries. We, nevertheless, hope that the liberal and enlightened policy of our present ruler will be the means of restoring the family to their rights.

A sunnud for chur, or alluvial lands, caused by accretion from the sea in the frontier of the district of Chittagong, was granted to Captain Sutherland in the year 1763, by the then Governor-General, and the Captain, while reclaiming a portion of the lands by destroying the jungles by which it was overgrown, died: his son, Mr. Charles Sutherland, not able to follow up his late father's operations in more difficult parts, on account of the dread caused to labourers by the depredations of wild beasts, sold his right to the ancestors of the Mirttoonjoy family under a sunnud, the negotiations and boundaries of which were recognized and determined by the authorities of that date, and the possession of the lands in question was taken, at an outlay of one hundred thousand sicca rupees, by the family of the Mirttoonjoys. A portion of the proceeds of the lands was applied to certain religious purposes, and a portion of the lands was transferred by gifts, with the view to encourage settlement and cultivation. The lands were generally known by name of Dhoorony Monzah.

In 1822, Mr. W. Walters, the then Collector of Chittagong, declared the Monzah in question liable to resumption under the provisions of Regulation II. of 1819, caused the attachment of them, and submitted his pro-

ceedings for the confirmation of the Board of Revenue: the Board confirmed his decision on the 26th of September of the following year. His successor, Mr. Phillips, was about to dispossess the family, who were dissatisfied with the decision of Mr. Walters, and tendered the security required under Section 22, of the Regulation above cited, and proceeded to seek redress in the Dacca Provincial Court, pending which appeal Regulation III. of 1828 was promulgated, and the case was transferred to the special Commissioner of Chittagong under that regulation.

In 1829, while the case was pending decision, the Collector dispossessed the family, without any regard to the grants made by the ancestors of the family for encouragement of settlement and cultivation as stated before, and took the whole of the lands under Khas management.

A decision was given on the 26th August 1830, by the special Commissioner in favor of resumption, and on the 6th January 1832, the special Commissioner sent his final orders to the Judge of the district relative to the wasilaut demandable from the family for the period between the Board of Revenue's confirmation of the Collector's proceedings, and the date of the dispossession. The wasilaut with 12 per cent. interest per annum was directed to be collected according to such rate of assessment at which the lands could probably be permanently settled.

Contrary to orders, Mr. Walters caused all the properties, real and personal, including those which were given in security by the family (while complaining against the Collector's decision) to be summarily attached, to which the family did not object, as they were certain that if the collections from the mehals were duly made under any circumstances, would exhibit a credit in favor of the family on the wasilaut account, and prevent any sacrifice of property. The family relied just as much on the fairness of the collections while under attachment, as while under their own management. But the period of attachment was of too short duration to admit of a full collection, and the consequence was, that out of an asset of about 200,000 sicca rupees only

88,000 was realized, leaving a balance of about 120,000 sicca rupees, add to which the arrears of 1825 (of which nothing could have been realized) which makes the balance due to the family 140,000 sicca rupees, without taking to account the assistance rendered, and the supplies made to Government troops by the family of the Mittoonjoys during the late Burmese War.

At this stage, Mr. officiating Commissioner Harvey, in further deviation of the special Commissioner's orders, proceeded to the sale of the mehals, fixing the demand of wasilaut for the period herein before stated at sicca rupees 1,14,000, averaging annually to 11,355 12, exclusive of interest, and founded on a ryotwarree assessment made by the deputy Collector, Mr. Plowden, which unjustly included even the lands in possession of others under grants from the ancestors of Mittoonjoy. The rate was fixed at 16 rupees per droon, whilst the highest rent ever realized by the family under a talookwarree assessment, never exceeded 10 rupees per droon. The word "wasilaut" in its literal acceptation signifies nothing more nor less, than the *actual collections made* from a mahal. The Zemindaries whoever were all ultimately sold, and a property yielding a Sudler Jumma of sicca rupees 40,301, and at any rate worth 400,000 sicca rupees, was finally, in February and August 1835, bought in at the peril of Government and others for sicca rupees 65,028, independent of other moveable properties which were sacrificed at the same time.

The consequence now is, that the very inadequate amount of the sale, being insufficient to cover the high demand of wasilaut, that two members of the family, Hurchunder, and Mittoonjoy Rai are in prison for the balance, and another member, Issurchunder Rai, has escaped incarceration by being in Calcutta. The balance is understood to be about 30,000 rupees.

After due consideration of the foregoing circumstances, it becomes manifest that the proceedings of the local authorities were not only precipitate but inequitable. As the mehals were under attachment by and in the hands of Government, the officiating Commissioner would have been at no hazard, to have allowed the wasilaut to stand over, until a settlement of the lands were made, a measure which, while it would have accorded with the orders of the superior authorities, would also have been the means of considerably increasing the collections. But setting that consideration aside, the regulation of the rate of wasilaut was made without any regard whatever to the actual rates of collection from the resumed lands during the last six years of Khas management, Mr. Harvey would have been at liberty to have prosecuted his enquiries much further, viz. into the resources of the mehals, and the rates of rent paid for similar lands in the adjoining villages, either by deputation, of ameen, or by any means that may have appeared proper to Mr. H.

An undue weight ought not to have been allowed to the ryotwarree assessment, which, it has already been shown, was by no means reasonable or just, and the defectiveness of it becomes clear on reference to the terms on which Dhoorooty Monzah has now been permanently settled. It was rated by Mr. Harvey at sicca rupees 11,355-12 annas per annum, and the present settlement is only 9,044 rupees, showing a considerable balance.

The only means now left to redress the wrongs of the Mittoonjoys is to cancel the sales forthwith, and realize the wasilaut as now sanctioned by Government by holding the mehals under Khas management, until the whole demand is liquidated. We shall conclude by stating that the facts above given are now before Government. — *India Gazette, January 31.*

SUDDER NIZAMUT ADDAWLUT.

FOURDARRY.—THURS. 27TH DEC.—BEFORE E. R. BARWELL, ESQ., SESSIONS JUDGE AND MOULVIE HAZUL UL RUBY, FUJWA.

(Murder of Byramdee Sirdar.)

Jakeer Khan, Dhoob Khan, Namdar Khan, Culan-dar Khan, and Cazin Mundul, were charged with the wilful murder of Byramdee Sirdar, by Badool his son, who deposed.—That his father returned home sick from Calcutta, and that on the night of the 5th of Bhadoor, corresponding with the 19th of August last, he went to sleep at a relation's named Mahommed, in company with his youngest son. That they did not return that night, and early on the following morning a friend called and enquired where Byramdee was, and informed complainant that his father had been arrested by the prisoners for having stolen a *lota* and *thullia* belonging to one Kooloosa Beera. Complainant informed his mother of it, and she was told by one Cabilmundul that complainant's father had been flogged and apprehended by the prisoners. Poorsoodlee chowkedar also informed his mother of Byramdee's arrest for theft, and on being desired by her to take Byramdee to the thana, the chowkedar struck her with a club on her breast. On the following morning Byramdee was brought home by the chowkedar and Namdar Khan, in a languid state, and thrown into

his house. Complainant said to them you have brought a man here in this state, if he dies who will be answerable? The chowkedar made no answer but went away and did not return, and on that evening complainant's mother went to look for him, when she was informed that he had gone to the bazar. Byramdee died that night, and in the morning his wife went and brought the chowkedar, and told him to inform the thana of it. The deceased was bruised in several parts of his body, and his right eye appeared to have been forced out of its socket. The prisoners then took the body of the deceased and buried it. Complainant attempted to go to the thana but was not allowed to do so, but on the fourth day he got by stealth to the darogah and informed him of all the particulars. The darogah came to the spot, and after the necessary enquiries, disinterred the body, and discovered the bruises, the eye and two *dow* wounds on the legs. The body was not in an inflamed state or decomposed.

Kooloosa Beera, deposed.—That Cazin and Namdar Khan are her brothers, and that the other prisoners are merely acquaintances. Knows complainant as son of Byramdee deceased. That an August last, her child and mother were asleep in their house. At a late hour of night she was called by her mother and asked if she had kicked the *thullia*, to which she replied in the negative, after which they heard a noise at the door, and

immediately screamed out for help, and Cuzim and Namdar came at hearing the noise and apprehended a thief. The house of the two prisoners is at the distance of fifty yards from her house. After apprehending the thief, (the deceased) they were taken to the house of the prisoners and what was done, with him witness does not know. The night was dark and it was raining hard. She recognized deceased by his voice. Deceased got into the house by introducing his hand inside and by opening the hook.

Arjee Bawa, mother, of the last witness, deposed.—That in August last a thief was caught near her house, and corroborated the testimony of her daughter. The witness appeared to be about 80 years of age.

Babee Joe, wife of the deceased, deposed:—That on the night of the 19th of August last, her husband and second son went to sleep at the house of a relation, and did not return that night. Early on the following morning she was informed by Poorsoodee, chowkedar, that her husband had been arrested with two brass utensils belonging to Koolasa Bawa. Witness desired he should be taken to the thana and went to Kholoosa's house and saw Byramdee bound hand and foot. Her husband complained of having been harshly treated by the prisoners. Namdar Khan struck her with a club. Witness then went home, and a little after her return, Poorsoodee and some of the defendants brought Byramdee home. She desired the chowkedar to remain as her husband seemed very languid and unlikely to survive, but the chowkedar went his way. On the following morning Byramdee died and was buried by the prisoners and other villagers. No intelligence was sent to the thana in consequence of the indisposition of her son, beside which, none of them were allowed to go to the thana by the prisoners. On the fourth day, however, her son went and informed

the darogah of the facts of the case, and then an enquiry was set on foot, and the body having been disinterred, discovered several bruises, two *dow* wounds on the legs, and that the right eye had been severely hurt. That Cablinnudul offered her 200 Rs. to drop the case, and that her husband had not been and was not sick either before or after the beating.

Fourteen other witnesses were examined, but of minor importance, and Kholoosa and Arjee on cross-examination prevaricated, and their present testimony was generally contradictory of what they had stated before the Magistrate of Barraset.

JUDGMENT.—It appeared to the Court that the evidence of Kholoosa and Aajee were quite prevaricatory of their having witnessed the beating or wounding, and their present statement was different as to circumstances, when compared with their depositions before the local authorities at Barraset, nor is there other evidence, either direct or constructive, to attach the beating and wounding to the prisoners. From the time of the death of the deceased to the time of his disinterment, no evidence beyond that of Beebe Joe has been adduced as to the appearance of violence and wounds on the body of the deceased, add to which, the time that elapsed (nearly eight days) between the burial and disinterment, and it is natural to suppose that the body must have been in a state of decomposition. The Court therefore would not place any reliance on the character or sufficiency of the evidence, and pronounced the prisoners not guilty. They were forthwith released.

The above case occupied the Court from Saturday last to 2 p. m. to-day, after which the case of Fizamdee and others for dacoity at Barraset was called on. We left the Court sitting after 5 p. m. —*India Gazette, January. 4.*

THE BALLYGUNGE TANK CASE.

The last public notice of the Ballygunge Tank case mentioned that the Nizamut Adawlut had, at the desire of the Government of Bengal, called for all the proceedings, for the purpose of revising them and reporting its opinion to Government. It was subsequently discovered that the effect of this requisition was to prevent Mr. Pattle being heard upon his appeal, the practice of the Nizamut Adawlut not allowing Mr. Bignell, the appellant's pleader, to address the Court on a case not judicially before it, but merely referred by the Government with a view to ascertain the state of the law, and the Commissioner being unable to proceed with the case, after it had been called for by the superior tribunal. Under these circumstances, an application was made to the Government, setting forth the injury that might accrue to the appellant from the course that had been pursued, and the Nizamut Adawlut was in consequence, informed, that it was far from the Governor's wish to interfere with the regular trial of the case, and was directed to time its requisition to the Commissioner so as not to cause any delay in the decision of the appeal by that authority. The record of the case had however been already received by the Nizamut, who, in consequence of the last mentioned letter from Government sent it back without any comment to the Commissioner, but

that gentleman had most unfortunately just started for his circuit and there is therefore no prospect of the case being decided for some time to come.

It will be remembered that, in November last, the Commissioner directed the Magistrate to make certain enquiries as to the formation and proprietorship of the tank. Several witnesses were accordingly examined, and Mr. Patton, in a proceeding of the 13th December, stated that the evidence went to shew that the tank was the property of Government, but admitted that the testimony was not satisfactory, and called upon the Collector for a report on the subject. That authority passed a rotikary on the 20th instant, stating that after reference to the papers in his office, and a local investigation, it would appear that the Government had no claim to the disputed property, but that it belonged to Govindpersa Bose, the person who appeared before Mr. Patton in the first instance, and acknowledged he had directed the tank to be shut up, for which he was fined 200 rupees. It may just be observed, that these investigations as to the proprietary right would seem to be quite irregular, inasmuch as that is a question for the Civil Courts to decide—the criminal authorities ought to look only to the fact of possession.—*Harkeru.*

MISCELLANEOUS NEWS.

CALCUTTA.

CRICKET MATCHES.—On the 24th Dec., the Calcutta Club played a cricket match against eleven officers and privates of His Majesty's 44th regiment. The club won the match by two hundred and sixty three runs.

A match between the Calcutta and Dum-Dum Clubs came off on the 31st Dec., the Calcutta Club winning it in one innings by sixty-seven runs.

The concluding cricket match between the Calcutta and Dum-Dum Clubs, came off on the Calcutta ground on the 21st Jan., and was won by the Dum-Dum party.

SUICIDE.—Mr. J. D'Santos, Interpreter of the Court of Requests, hung himself on the night of the 24th Dec in an empty house adjoining his own dwelling. Depression of spirits, in consequence of the death of his wife, is the alleged cause of this rash and fatal act.

ROBBERIES.—Two dacoites were recently perpetrated in the Twenty-four Pergunnahs' one in Kidderpore and the other in Tollygunge. The magistrate has succeeded in apprehending the robbers, who have been committed for trial.

A servant in the employ of Conductor Canfield, who resides in a tent at Cooly Bazar, was on the night of the 9th January taken to the Chandney Native Hospital in a state of insensibility, with his head horribly battered. The poor man was found in that state by his master, on his return to his tent; who also discovered that a box which contained two hundred and fifty rupees and some precious stones, had been stolen. The box, denuded of its contents, was found at a short distance from the tent, on the morning of the 11th, as well as three foraging caps, a stock belonging to some soldier of H. M. 44th regiment—one of the caps having the letter M. on the peak—and a tent-peg, slightly stained with blood, which is supposed to be the instrument made use of in committing the dreadful assault. Captain Birch found the box on the plain. The wounded man's life is considered to be in danger.

Ten men were tried before the Sessions judge of the Twenty-four Pergunnahs, for having committed a gang robbery, on the 12th of July last, at Keotsha Bazar, Zillah Burdett. Nine of the accused were convicted and sentenced to labor in irons for seven years; the other was acquitted.

The house of Doctor Mellis at Dum-Dum, was attacked some nights ago, during his absence, by dacoits, and the almirah containing all his silver plate broke open, and rifled of its contents, not even leaving a silver spoon for the worthy doctor to use at breakfast.

CIVIL SERVICE.—It is said, that letters have been received from London, dated late in August, which mention, that orders either have been despatched or were on the point of being despatched, restoring to all civil employes the two per cent. of which they were mulcted by Sir Charles Metcalfe's measures for introducing the new coinage.

ATTEMPTED LAUNCH.—Two attempts were made, on the 24th and 26th, to launch the new clipper *Rob-Roy* from Messrs. Ambrose and Co's. building yard; but in consequence of some malicious person heaving driven a nail into the cradle, she was checked in her progress on the ways, and brought up close to the water's edge, where she remained till the next springs.

CHANGE IN THE CLEARANCE OF VESSELS.—A very important change has taken place in the forms hitherto observable in the clearance of vessels bound to the United

Kingdom. Instead of the large and bulky manifests in duplicate or triplicate, and the troublesome true list, a simple application, detailing the cargo on board, the number of packages expressed in figures, not words, is all that is now required to clear a homeward bound vessel from this Custom House.

SHIPS BURNED.—The *Gregson*, Capt. Hamilton, was totally lost by fire on the night of the 18th Jan., forty miles south of the light vessel. The crew and passengers were all saved in the boats. The *Princess Victoria*, with a very valuable cargo, was also burned about forty miles from Bourbon, and her crew and passengers were saved by the French ship *Thermidor* and landed at St. Leu, in the island of Bourbon. The *Republie* was likewise nearly burned, while laying at Saugor, owing to some hemp having caught fire; but the flames were fortunately subdued.

MASONIC PROCESSION.—On the 27th of December, being the anniversary of the natal day of St. John, the Patron Saint of the Free Masons, a company of about two hundred and fifty members of that fraternal body, assembled in the Town Hall, from whence they issued at about ten o'clock, and marched to St. John's Cathedral, two abreast, the van of the procession being led by the Governor-General's band, playing the usual masonic tune of "Come let us prepare, we brothers that are," and the rear being brought up by the masters of Lodges. After divine service, the brethren returned to the Town Hall in the same order in which they went to the church, the band playing Burnes's farewell, and they dispersed, apparently very joyous, at about noon.

A very excellent and appropriate sermon was preached on the occasion by the Venerable Archdeacon, who taking for his text the first chapter of the second Epistle of Peter, verses five to eight, endeavoured to inculcate on the minds of his hearers the necessity of practising all the cardinal virtues.

Brother Hamerton, very kindly assisted by his daughter and Mrs. Atkinson, sang in an exquisite manner, an anthem composed by brother H. for the occasion.

The appearance of the procession altogether was very imposing, and attracted a numerous concourse of spectators who lined the streets from the Town Hall to the Church.

Major R. C. McDonald, one of the fraternity, conspicuous for his zeal for the institution, took an opportunity that morning, of presenting Lodge Humility with Fortitude, No. 279, with a very handsome allegorical masonic engraving, in token of his good feeling towards that Lodge.

SPORTING.—The Auckland vase, was won by Mr. Grey's grey country bred horse *Hoornayoon*; but the gallant grey dropped dead immediately after winning the race. The Calcutta Welter was won by Mr. Cockerell's bay Arab horse *Pirate*. The Tagore cup was won by *Absentee*, on the 16th instant. The knowing ones were completely taken in respecting this horse.

BENGAL ARCHERS.—The competition for the handsome medal given by the Earl of Dalhousie to the company of Bengal Archers, commenced on Saturday, the 7th Jan., and was continued the two following Saturdays. The medal is called the Dalhousie Prize. J. C. Wilson, Esq., having scored the most points, was declared to be entitled to the custody of the medal for the year. This is the first time this prize has been shot for.

ICE.—The last of the ice was delivered from the ice house on the 27th instant, and another supply just arrived

in the Brighton. has been landed. It is found to be in good order, and turns out a hundred maunds,—a large proportion of the original quantity with reference to the length of the voyage.

DR. HELFER.—The service of Dr. Helfer have been engaged by Government, as a naturalist to be employed in the Tennesseem Provinces.

KIDDERPORE DOCKS.—On the 30th of Dec, the Kidderpore Docks &c., the property of the late Mr. James Kyd, were knocked down at the Exchange, to a company of merchants, formed by Rustomjee Cowasjee, Esq., for three hundred and fifty-one thousand sicca rupees. The Government had given orders to purchase the concern for three hundred thousand rupees, for the purpose of obtaining a portion for a Steam boat depot.

RUSTOMJEE COWASJEE'S BALL.—Rustomjee Cowasjee gave a splendid ball and supper to about five hundred friends, on the night of the 30th of December. Amongst the guests were the Hon'ble Misses Eden, Lady Ryan, Sir John and Lady Grant, Sir Benjamin and Lady Melkin, &c. The party broke up at three o'clock in the morning. The supper, consisting of most deliciously prepared and tastefully ornamented viands, was almost entirely supplied by Messrs. Mortimer and Co., who, aided by their six European assistants, succeeded in executing in the ornamental way, any thing yet supplied by their baking and boiling contemporaries.

MURDER.—On the 29th Dec., Jakeer Khan, Dhorah Khan, Namdar Khan, Culunder Khan, and Cazin Munder, were charged with, and tried for, the murder of Byrandee Sirdar; but were acquitted for want of sufficient evidence to establish the charge.

Four individuals were most cruelly murdered recently by a salt Darogah, near Chittagong. A party of men who were carrying salt without a pass, which salt they declared was purchased at a Government sale, were seized and confined by the Darogah on a suspicion of their being smugglers. Being unable to make them acknowledge that the salt was counterband, the Darogah proceeded to torture them by tying their arms behind and hauling them up to the roof of the thana, by ropes. One of the party escaped by bribing the villain; but of the others, after a continuance of the torture, four were actually starved to death; and the Darogah reported that they had died of cholera; but on the bodies being examined by the Surgeon of the district, the truth of the case was discovered. The affair is now under the investigation of the district Court.

Dabee Sing, a durwan in the employ of Maudhub Dutt, of Colootollah, committed a murder on his master's premises about three o'clock, on the morning of the 9th of Jan. There had previously been a dispute about a female, between Dabee Sing and the other durwans of the Baboo, three or four in number, of whom Jewan Sing, the deceased, was one. On the morning of the 8th Jan., the prisoner obtained leave from the Baboo, under the pretence of going to Cally Ghaut, and returned late in the evening; his real object, however, seems to have been to obtain a sword, with a view to put his fellow durwan to death. About three o'clock on the morning of the 9th instant, when all the durwans were asleep, he took advantage of the opportunity, and unsheathing the weapon, dealt a blow to Jewan Sing, which very nearly severed the poor fellow's head from the body. He then proceeded to Ramdial's bed, and struck him twice with the sword, first on the head and then on the shoulder; but the blows being broken by the shed he was sleeping under, they did not prove fatal. On receiving the first blow, Ramdial was roused from sleep and cried out "murder! murder!" which awakened Sutee, a syce, who, on hearing the alarm, came to Ramdial's assistance, and, after a great deal of struggling, succeeded in disarming the murderer. Sutee's hand was wounded in seizing the sword.

The police, soon after coming in, took the man into custody, and sent Ramdial to the Native Hospital. A Coroner's inquest being held on the body of the murdered man, a verdict of wilful murder was returned against Dabee Sing, who is to be tried at the next sessions for the crime.

On the 14th instant, one Buddoonauth, was tried before D. C. Smyth, Esq., Judge of the Nizamut Adawlut, for murdering a woman named Jawroo, with a Malay krese. The case has been postponed, in consequence of some informality in the proceedings.

A man of the Seikh tribe, named Ojagur, who lived at Machua bazar, disappeared on the evening of the 21st Jan., under the following circumstances. Between the hours of eight and nine on the evening in question, some person came to Ojagur's house, and called out for him; he came down stairs, and went out into the street and has not since been seen or heard of. Soon after day break the following morning, it was discovered, that the whole of Ojagur's moveables had been taken out of the house and scattered about on the floor of the room. Besides what was thus found, about 2,000 or 3,000 rupees' worth of property, is supposed to have been removed from the premises. It is suspected by some that Ojagur has deramped with the property which belonged to individuals that mortgaged it with him, and by others that he has been murdered.

PAYMENTS OF GOVERNMENT SALARIES.—Letters received recently, corroborate the statement week, that the Government determination in the payment of salary in the new currency has not been considered just, and that orders have come out directing that no individual shall suffer loss, but shall have the value of his siccas paid in Company's rupees.

ESSENCE OF MORCHA COFFEE.—Mr. Thomas Payne, the respectable provisioner of Cossatollah, has succeeded in making most excellent Essence of Mocha Coffee.

LAW COMMISSION.—It is said that in consequence of Mr. Cameron's proceeding on sick leave to the Cape, Mr. F. Millett has been appointed to officiate as a Member, and Mr. J. P. Grant as Secretary of the Law Commission.

THE PSEUDO RAJAH OF BU DWAN.—It is said that General Allard has twice recently visited the individual now confined at Hooghly, who represents himself to be Maha Rajah Purtabchund of Budwan. The General paid his second visit on the 4th of Jan., to the *soi disant* Rajah, and on both occasions he professed to recognize this individual as the person he met many years ago, on pilgrimage as a fakier, in the dominions of Runjeet Singh. In fact, the very first moment the General saw him, he addressed him as an old acquaintance, and remarked on the contrast in the situations in which he had met the pseudo Rajah then as a fakier—now in a rich dress which a number of *burra sahibs* attendant on him. At both visits the General held a long private conference with this person, and made minutes of what passed.

The period of this man's imprisonment will cease on the 30 proximo, and Mr. W. H. Tydd and Baboo Ramruthen Ghose, appeared on the 23d Jan., at the Collector's Kutchery in Allipore, to file the Nazir's kaifeet on security tendered. Rajkissen Rai Chowdry, and Gopee Kissen Roi Choudry, have tendered their shares of the extensive talook of Gowrdapore, situated in the 24 Pergunnahs, as security for the release of Pretaub Chund. It is expected the Ex-Raja will be at the Collector's office on the 5th proximo.

GENERAL ALLARD.—General Allard quitted Calcutta on the 7th Jan., en route to the head quarters of Runjeet Sing.

PILL.—A large shed, erected under the wall of the Custom-house, for the purpose of breaking stones for

the roads, caught fire on the 6th Jan.: it made a tremendous blaze, but fortunately, by the timely aid of the fire engine, was got under without doing any damage.

ACCIDENTS.—A boy was accidentally burned to death in a house at Baug Bazar on the night of the 5th instant.

About two o'clock, on the afternoon of the 9th Jan., an old upper-roomed house suddenly fell in, killed an old woman, and wounded an old man.

A melancholy circumstance occurred on the river on the 14th instant, opposite the Chaudpaul Ghaut, which led to the loss of two lives by drowning, one a young lad, named John Brown, and the other a native doolaul. The crew of the *Robert Small* had obtained three days' leave for a spree, and hired two bhauleahs to take them on shore, to be towed by the ship's cutter, accompanied with a band of music. They left the ship with three cheers, the whole of them congregating on the poop of the bhauleah. The boats had not left the ship more than twenty yards, when one of them gave a roll, being rather crank. A second roll, and she filled, turning completely over, and precipitating all hands, who immediately clung to the side of the other boat, bringing that over also. A scene of confusion ensued, some got on the bottom of the boats, others were picked up by the cutter and a few by the surgeon of the *Greenville*, who was then passing in a dingy while the natives, who were near the place in dingies, looked on with their usual apathy. It was fortunate that the cutter was down, or a greater loss of lives would have taken place. After rescuing those about them, they followed the bhauleahs, which had drifted down as far as the fort, and succeeded in saving the remaining portion.

A man was recently carried away by a tiger, from among a boat's crew which had landed between Kedgerie and Mud Point. This is the eighth person destroyed by these savage brutes within a month.

THE STEAM MAIL FOR THE HUGH LINDSAY.—The 5th January being the last day for despatching the Steam Mail for the *Hugh Lindsay*, the press of letters was so great that the Bombay dawk did not leave the Post Office till half past ten at night. The number of letters received for the steamer that day was 793 and on the preceding day 130. This mail, it is believed, will be the largest ever sent from India by steam, being probably between 1,000 and 1,100 from Calcutta alone, and perhaps almost as many more from out-stations in Bengal and the Western Provinces, sent direct to Bombay.

THE INTERPRETERSHIP OF THE COURT OF REQUESTS.—The applicants for the Interpretership of the Court of Requests, vacated by the demise of Mr. J. Santos, were so numerous, that the Commissioner, Mr. Gordon, was several days occupied in examining the candidates. It is supposed that several hundred applications must have been made for the situation.

NAWAB OF MOORSHEEABAD.—Letters of a late date in August, have been received from Mr. Henry Chinquary, who left this port in March last in charge of presents from His Highness the Nawab of Moorshehabad, to His Majesty the King of England, stating that His Majesty had been graciously pleased to accept the presents, and signify his intention of conferring on His Highness the most noble order of the Guelph.

GOOMSOOR.—Letters from Goomsoor, up to the 4th of Jan., mention, that not the slightest trace could be found of Dora Bischoy's movements. A naique and cooly, who had strayed from the main road, had been killed, but no other deaths of any sort had occurred; several officers were however sick, and the hospitals beginning to fill.

UNCOVENANTED APPOINTMENT.—Mr. W. G. Smith, read assistant in the Revenue and Judicial Accountant's Department, has been temporarily appointed head Accountant in the Accountant-General's Department, vice Oxborough resigned.

ECCLIESIASTICAL REGISTRAR, &c.—Mr. Smoult, in consequence of severe indisposition, has tendered in his resignation of the office of Ecclesiastical Registrar, which appointment, according to the new Court regulations, has been amalgamated with that of Equity Registrar, now held by Mr. Theodore Dickens, who, in accepting it and the Admiralty Registrars, has vacated the offices of Master and Recordkeeper, which Messrs. Richard Vaughan and Archibald Dobbs succeed to—the latter to the Mastership.

THE NEW CRIMINAL CODE.—It is said that the Criminal Code is at length complete, and will shortly be presented to Government, after which it will require to be submitted for their sanction to the home authorities, and at the same time to be translated into the languages of the country, that the judgment of the most enlightened natives may be obtained in regard to laws which are to bind them and their posterity. It will hardly, therefore, be brought into actual operation much before the beginning of 1839.

HUMAN SACRIFICE AT BURDWAN.—The *Sumbad Probakur* states, on the authority of a correspondent, that about two months since, a human sacrifice was perpetrated in Burdwan, and that it is expected the horrible crime was committed by some ignorant, superstitious Rajah, in order to induce the sanguinary goddess Dabee, to grant him some object he desired.

BORING EXPERIMENTS.—The operations of the Boring Committee in the Fort have been suspended many days by an obstruction which has baffled all the efforts of the workmen to withdraw the rods. The depth of 320 feet, however, has already been attained, but with less prospect now of near approach to rock than when the former experiment was interrupted at little more than half the depth, and almost without any hope whatever of finding an artesian spring.

NATIVE SCHOOL.—Baboo Moteelaul Roy, has lately established an English School, at the residence of Baboo Ramchunder Chatterjee, of Bajepara, at which a great number of children are receiving the benefit of a good education.

SAUGOR RAILROAD.—The *Englishman* states, that Mr. Horneman has declared the Saugor Railroad, with a little deviation from the track laid down in the original plan, perfectly feasible; and that he will shortly return from England to commence laying down the rails.

DROMEDARY DAWK.—The Supreme Government has sanctioned the proposition from Bombay for the establishment, for the present, of a dromedary dawk between Mohammara and Benioot.

SEPARATION OF THE OFFICES OF COLLECTOR AND MAGISTRATE.—The propriety of separating the Magisterial and Revenue duties, especially in the large districts of Bengal, is now fully recognized, and a commencement of the desired reform is about to be made in the immediate separation of the offices of Collector and Magistrate in the Moorshehabad district, where the disadvantage of the union has been most strongly exhibited.

DALL TO THE MISSIS EDEN.—The ball given to the Misses Eden on the 17th of Jan., went off with great spirit, and was numerously attended, although a paucity of visitors was at first expected, from the circumstance of many of the elite of society, who have been accustomed to be consulted respecting the decorations, &c., having taken umbrage at being totally neglected in this matter. The decorations were far from being showy, but were extremely tasteful; and the only circumstance that tended to cast a shade over the conviviality of the evening, was the indisposition of Miss F. Eden, who was thereby prevented from honoring the party by her presence.

BONDED WARE-HOUSES.—It has been intimated to the Committee for the Bonded Ware-houses, that Government, after reconsidering their promise, find they cannot

give the Export Ware-house grounds for the building of the necessary godowns, but offer in lieu, the Naval Store-keeper's premises and an adjoining pile of brick work, &c., which cost the Government, some ten years ago, about a lakh of rupees building. It is said, that the probability is, that the Committee will again propose the Import Ware-house ground, finding they cannot obtain the Export Ware-house premises.

MILITARY ITEMS.—It is said that Major General Watson, C. B., commanding the Presidency Division, has taken his passage in the *Scotia*, in anticipation of the assent of the Commander-in-Chief to his application for leave to England.

A letter from the Upper Provinces says:—It would appear that there is every probability of the abolition of Gurrawarra as a military post; but when the abolition is to take place it is impossible to say. The officers who accompanied the Head-Quarters of the 46th regiment to Jubbulpore, have not yet had their building ground allotted to them, although they arrived at Gurrawarra on the 19th of December.

DEATH OF DR. BRAMLEY.—Principal Bramley, of the New Medical College, died at midnight on the 17th of Jan. His remains were entered in the 19th instant, attended by a numerous assemblage of friends.

NEW DISPENSARY AND HOSPITAL.—A hospital and dispensary have recently been established, mainly through the exertions of Mr. Brett, where the poor gratuitously receive food, medicine, and medical attendance. It well deserves the support of the charitable community of Calcutta, without whose aid, it seems, this useful, though small institution, will soon be extinct. Surely, the laudable exertions of the founders, will not to be frustrated, by disappointment!

MEDICAL APPOINTMENTS.—Dr. A. R. Jackson has, it is said, resigned the superintendence of the Gurranihutta Dispensary, and it is supposed that Dr. D. Stewart will succeed him. The lamented demise of Principal Bramley, vacates the Park-street Dispensary, to which Mr. Brett is likely to succeed.

REPORT ON NATIVE JUDICIAL OFFICERS.—It is said, that Government have issued a circular to the Covenanted officers of the Judicial Department, calling upon them to make a report of the names of the Aumeens and Moonsiffs,—the names of their immediate ancestors, their places of abode,—their ages,—their religion,—the number of years they have served the Company,—the number of original suits they have decided since Lord William Bentinck's Regulation 5 of 1831,—the number of those which have been confirmed,—the number not confirmed,—and on the general character of the Aumeen or Moonsiff so reported on. The objects of this circular are to ascertain precisely the effects of that just policy, which has admitted the natives to the officers in question, and which has been the subject of so much discussion; and to mark the meritorious for promotion.

ASSAM TEA.—Further specimens of tea have been sent down from Assam, which are tolerably good, and fully equal to much of the tea imported from China. These were prepared out of season, merely to give the Chinese an opportunity of teaching some of the people of Assam, how to render us independent of the Celestial Empire.

A DUEL.—In consequence of the strictures of Mr. Stoequeler, the Editor of the *Englishman*, on the minute of Captain T. Sewell, respecting Miss H. Poihill, a meeting took place on the 24th of Jan., between the parties, which terminated without any bodily injury to either of them.

ECCLIESIASTICAL APPOINTMENTS IN INDIA.—It is said that the Court of Directors have determined to increase the strength of the ecclesiastical establishment in India, and that hereafter chaplains on their first appointment will receive only 600 rupees a month for a certain period, instead of nearly 800 rupees, the present salary. Two nominations have taken place in England upon this footing.

ADVENTUROUS EXPEDITIONS.—Two rather adventurous expeditions have been undertaken from Moulmein by two gentlemen in the Company's Service. One of them, Dr. Richardson, has set out with the intention of penetrating to the capital of Ava, by a new and unexplored route; the other, Capt. McLeod, is gone upon a more distant journey towards the frontiers of China, hoping to improve the favorable disposition manifested by the Shann tribes, and to establish friendly relations with the Chinese, who come down to that country in caravans for the purposes of trade.

BENGAL MARINERS' AND GENERAL WIDOWS' FUND.—The Bengal Mariners' and General Widows' Fund annual meeting took place on the 25th of Jan. The Fund has increased about 1,000 rupees, the balance being now Rs. 3,08,561 against Rs. 3,07,544 at the end of 1835. There are at present fourteen old members of the second class and two of the third class, whose joint contributions amount to 1,990 rupees.

PRESENTATION TO CAPTAIN CHADS.—The articles the merchants of Calcutta presented on the 28th to Capt. Chads, at a dinner at the town hall, consist of a silver breakfast set and a large silver salver, each of the articles bear the following inscription:—"PRESENTED TO CAPTAIN CHADS, C. B., BY THE MERCHANTS OF CALCUTTA," and the following words are added to the same inscription upon the salver.

IN COMMEMORATION OF HIS DISTINGUISHED SERVICES,

WHILE IN COMMAND OF H. M. S. ANDROMACHA,

EMPLOYED IN THE STRAITS AGAINST THE MALAYAN

PIRATES; AND IN ADMIRATION

OF THOSE PROMPT, BOLD, AND SUCCESSFUL MEASURES,

WHICH HAVE RENDERED ESSENTIAL BENEFIT TO COMMERCE, AND TO SUFFERING HUMANITY.

JANUARY A. D. 1837.

PRESENTATION TO CAPTAIN BALCH.—The humane exertions of Captain Balch, of the American ship *George*, in aiding the crew and passengers of the *Heroine*, when that vessel was dismantled, have induced the passengers to present him with a silver breakfast service.

ESCAPE OF CONVICTS.—Three of the European convicts on board the *Pestonjee Bomanjee*, which arrived off town on the 22d of Jan., from Bombay, contrived to make their escape a little after gunfire, on the night of the 24th. Their names are John Berry, Francis Todd and Thomas Seaward. Todd has since been captured by the Police officers, but no trace has as yet been discovered of the other two.

COUNTERFEIT RUPEES.—A large number of counterfeit rupees, composed of pewter and copper, is now in circulation; and they are so admirably constructed that few persons, besides the money changers, could detect the fraud.

MOFUSSIL.

DELHI.—There was a slight shock of earthquake felt at Delhi on the 17th of Dec., at 4 P. M.

It is said that there is good reason to believe that Mr. John Munro, nephew of Sir Thomas Munro, was shot at Kittoe by the friends of the Thugs he had been so recently engaged in arresting.

The Nuwab Akbar Ood Dowla, has just added another attraction to the Imperial City in the shape of a splendid mausoleum to his grandfather, which was completed last month.

AGRA. The Ekeekant Raja Ruttun Singh, arrived at Agra on the 13th of Dec., under a salute from the fort. His Highness's camp is pitched on a sand bank between the Taj and the fort, and is accompanied by a very large

mob of about 5,000 people, whose food is supplied by the Company, at an expense which they will as considerably find an excuse of reclaiming from him some day. The troops of the station were reviewed before the Rajah on the morning of the 15th of Dec., and his audience with the Government took place on the 13th Dec. and his departure for Gya on the 16th. An escort commanded by Captain Hawkins accompanies His Highness.

Mr. Beckett left the station on his return to Europe on the 15th of Dec. The Office of Secretary to the Bank has been temporarily assigned to Mr. Abbott, the Assistant Secretary.

The Commander-in-Chief and Staff arrived at Agra on the 28th of Dec. His Excellency held a levy on the afternoon of the succeeding day.

The following are the names of the candidates for the Secretaryship of the Agra Bank:—

Mr. Grant, Calcutta; Mr. Gordon, Calcutta; Mr. Johnson Bombay; Captain Gray, 21st Nat. Infantry; Mr. French, Agra; Mr. Worsley, Neemuch; Mr. Bridgman, Gorakhpore; Mr. Cooke, Bank of Bengal, Calcutta; Mr. Metcklejohn, Attorney, Calcutta; Captain Cox, Invalid, Simlah; Mr. Lloyd, Allahabad; Mr. Paterson, Ghazepore; and Mr. Abbott; making a total of thirteen applicants.

The troops of the Station, under command of Brigadier Cartwright, were on the 31st of Dec., paraded for review in brigade, before His Excellency.

It is understood that the Civil Auditor and Accountant of the North Western Provinces, have been directed to remove from Allahabad to Agra.

The Commander-in-Chief left the station on the morning of the 5th Feb., in progress to Bhurtpore, Deeg and Muttra. The Lieutenant-Governor gave a brilliant evening party to His Excellency on the 2d instant, who dined on the 3d with the station at a large party, amongst whom were Sir Charles and his Staff, and on the 4th he reviewed the Artillery and entertained a party in Camp.

The Races commenced on Thursday and attracted a number of visitors, among whom appeared Sir Charles Metcalfe, General Stevenson, Brigadier Churchill, Col. Arnold and several of the Commander-in-Chief's Staff. The horses were few but the running good, particularly for Sir Charles's Purse, in the race for which the favorite at odds was completely beaten by the favorite sportsman of Agra.

FUTTEGHURH.—The general character of the khureef crop on the banks of the Ganges has been a complete failure, more especially among the pulses. Wheat is selling at 16 seers per rupee.

ALLAHABAD.—The present Editor of the *Central Press* has abandoned a seat which he could no longer retain with comfort; and with his secession comes the downfall of the paper.

On the 27th of December, the New Lodge Rooms were thrown open to the public, and Divine Service was performed by the Rev. Mr. Pratt. There was a goodly assemblage, and the reverend gentleman was enthusiastically masonic in his discourse. The building is quite an ornament to the station.

It is said, that Government have been applied to, to sanction a handsome stone ghaut near the mouth of the Jumna, for the convenience of passengers by the steamers, and for the safe landing of packages.

BEHAR.—A Sutte took place in this Zillah in the early part of this month. The deluded victim of this superstition was intrusted by her relations—whose feelings, in common with those of a great portion of the

community, appear to have taken a natural channel since the illegalization of the rite—to forego the dreadful ceremony but in vain. When the preparations were completed the police of the neighbouring Thana, appeared to enforce the law, but were opposed by the very people who had attempted to dissuade their relation from the act. The ceremony accordingly went on. Subsequently all who were identified as offering opposition to the police, were apprehended and committed for trial.

GYAN.—A woman was recently murdered by her paramour, who strangled her in the night, with a sheet. The act excited a considerable sensation, and, after a strict search under the immediate orders of the Magistrate of the district, two persons of the Kuhar caste were apprehended and committed for trial.

The Raja has just completed the betrothment of his grandson amid the usual extravagance and waste of these ceremonies.

MOORSHEDABAD.—An anonymous petition having been received by Mr. Forbes, the Magistrate of Moorshedabad, on the subject of receipt of bribes by his amlah, he instituted an inquiry regarding the truth of the statement, and caused many mooktears, &c., who have constantly causes pending before the magistrate, to depose before him whether they had ever paid any thing to his amlah in the shape of bribes. The mooktears exculpated the amlah from any charge of the kind against them. It happened, however, while this was going on, that a person of the name of Hydaet Hosee, a mooktear of the Nawab of Azimabad, made his appearance in the cutcharry, and was interrogated by the Magistrate as the other mooktears had been. Hydaet Hosee, on this, stated that he was not a little surprised at the question, as he had been called upon but two days before, in the name of the Magistrate himself, by his Nazir and Naib, for no less a sum than five thousand rupees, which sum he did carry to those officers' house for delivery, but took back again, only because they said that they were not then prepared to take him before the eshab, to whom he wished personally to deliver the money; but of which ten rupees were taken by them on the occasion. The Magistrate upon this, threw the two worthies into jail, but the Naib has been since released.

MHOW.—The society of this station have experienced a considerable sensation in the following recent event. Mrs. Palsgrave, who was restored by her forgiving husband to her usual place in his affections after the action Palsgrave v. Worrell in the Supreme Court; and whose frailty was being forgiven by some of the charitable fair of the station, partly from religion, and partly from the feeling of the sex; being tired of acting the part of Calista or finding a little of the old leaven remaining which required removal, subjects herself to the penance of a new lover. An error in the delivery of a note roused the demon suspicion in the husband's heart, and search into the lady's escutcheon revealed the full extent of his honours. He forthwith walked out of one door—the lady by the opposite, and next morning the injured husband had a meeting with the destroyer of his peace, Lieutenant B——. The parties fired two shots but without effect.

KURNAUL.—On Tuesday the 27th Jan., being St. John's Day, the brethren of the ancient and honorable fraternity of Free and Accepted Masons, meeting at Kurnaul under the designation of lodge "Light of the North," accompanied by the greater number of the brethren of the station not members of the lodge, walked in procession to hear divine service. The appearance of the Mystic Craft was most imposing and grand. They were arrayed in jewels, sashes, and aprons, and marched from a tent erected near the Racket Court to the Church Bungalow.

The married men, gave a grand ball and supper to the ladies and bachelors of the station on the 6th.

LOODESEANAH.—Mr. Clarke, the Umbala Resident, arrived at Loodeeah on the 6th of Dec., a circumstance which has given strength to a report of Captain Warle's departure for Lahore, on some important Mission. Mr. Clarke returned to Umbala on the 9th of Dec.

The native town is all alive with the marriage pomp of one of the sons of Suju-ul-moolk, which is now in progress.

The 1st company, 2nd battalion of Artillery, arrived on the 14th Dec., from Neemuch.

The Vakeel of Thibet died at Loodeeah lately after a long illness, and was burnt according to the custom of his countrymen.

NATIVE STATES.

LAHORE.—Maharaja Runjeet Singh is, at present, located at Summun Booraj.

A splendid khilut was bestowed upon Monsieur Avietavel, upon the occasion of his being invested with the Government of Vuzzeerahad.

An urzie was received from Koonwur Kurruck Sing, intimating, that the Scinde Vakeels had waited upon him, with proffers of submission and fidelity from their masters; he, at the same time, urged, that if the Maharaja had not foregone his intention of conquering Shikarpore, a sufficient force should immediately be sent to enable him to effect this object. A reply was despatched, that the subject would be considered and the necessary steps taken; but that, pending this, the Scindians should be required to give 50,000 rupees in cash, two horses, to guns inlaid with gold, and two swords, as nuzzerana, to the Sikhs; also 21,000 rupees and two horses to the Koonwur himself; and that the Fort of Roojean must be made over, immediately, to the Shikhs.

Two urzies were received from Shah Newaz Khan, the Ex-Chief of Dera Ismail Khan, requesting permission to accompany Koonwur Nownehal Sing to Lahore to pay his respects to the Maharaja. Permission was granted, providing the Koonwur consented to the arrangement.

Khojja Mahomed, the son of Sultaun Mahomed, was asked what news he had of his uncle, Dost Mahomed; he replied—nothing farther, that he was still at Cabool. The Prince was told to write to his father, and tell him to place himself under the command of Sirdar Hurree Sing.

A most impudent imposture was recently practised in Lahore. The only child of a very rich bunneah was, at an early age, kidnapped from his parents' house, and although the strictest search was instituted, no clue, whatever, could be obtained towards its recovery. Twenty years subsequent to the abduction, a Hindoo faqueer, came one day to the bunneah's door, and proclaimed, in a loud voice, that he was the lost son, which assertion he bore out by a circumstantial detail of the events which preceded and accompanied the disappearance of the child; and, so much did the plausibility of his story deceive the bunneah and his wife, that they, at once, acknowledged him to be their son. They had, however, soon reason to repent of their credulity; for, after a short period, the faqueer decamped with a large quantity of money and jewels, and every effort to detect him has proved unavailing.

The appointment of Sirdar Hurree Sing to the command of the troops at Peshawur, has already produced official results, in as much as the Uzun Zies Pathans, could never, heretofore, be induced to pay their tribute, have now readily come forward to do so.

An urzie was received from Sirdar Hurree Sing, stating that he was out with his troops against the Uzun Zies Pathans, who still persisted in withholding their tribute from the Sircar: an answer was sent that no

portion of the usual amount of revenue should be allowed to be withheld; and that, if any resistance were made, condign punishment should be resorted to.

Ellahce Buksh, Kamdar to Koonwur Kurruck Sing, represented that nothing definitive had as yet been settled regarding the contested question of nuzzerana, and that the Vakeels of Scinde were still disputing it. An order was given to the Kamdar to write to his master and tell him not to forego any portion of the original claim of 50,000 rupees and a certain number of horses, with the exception of the fort of Roojean, which would be given up again.

OWALIOR.—The Committee of officers attached to Scindia's reformed contingent, have recommended Sippre as the best situation for the cantonment about to be established.

BELOCHISTAN.—The tribe, headed by Oomur Khan, of the predatory hordes which infest this country, lately plundered a richly laden kafilah of shawls and other valuable goods; but, the merchants having submitted their case to the Chief of the country, he paid a large sum of money to the robbers and induced them to restore the stolen property, as he foresaw, that the immense revenue he derived from the trade passing through his country, would be materially injured were he not to afford protection to the merchants.

There having been no rain since the hot season, the country has been dried up and a consequent scarcity of grain prevails. The inhabitants have resorted to foraging across the border. A large body of them attacked several villages of Kanduhar, overpowered the inhabitants and carried off all they could lay their hands on.

BOKHARA.—The Chief of Bokhara and the King of Persia, Shah Mahomed, having come to issue upon the subject of the delivering up of one of the Persian Princes who, having escaped from prison took refuge with the Chief of Bokhara, a force of 30,000 Persians was despatched to Bokhara with injunctions to spoliage and depopulate the whole country; and, at all hazards, to bring back the Prince. The Chief of Bokhara hearing of this, solicited the aid of Ibrahim Pasha of Egypt (Mizr); which was readily granted; but which cannot now be afforded, as Ibrahim Pasha has quite enough to do in his own country, in subduing the Bedouin Arabs; so that Bokhara must fall a prey to the Persians, as the Chief cannot, with his small army, oppose so large a force as 30,000 men.

INDIGAN.—The thoroughly disordered state of this province, and the predatory habits of its short-sighted population, have effected a total interruption of the trade carried on through it between China and Cashmere. The Chinese Governor of Kashgul, irritated at this destruction of his traffic, adopted wise expedients to cancel it, and sent a large party to increase the natural poverty of his enemies by destroying their property, and carrying off as many for slavery as they could. The latter object was tolerably well effected in the capture of a large number of the Indigans. Those who escaped retaliated by an irruption into the Chinese Territories, conducted with all the humanity of man in his natural state.

HEERAT.—Shah Kaimran has just frustrated an attempt to dethrone him by his son, who had been instigated to it by some of the Heerat nobles, whose affections were alienated by the alienation of a portion of their property. The son, with a considerable number of followers, has fallen back to some distance from Heerat, from whence he menages a new effort to put himself in his father's place.

CABOOL.—The winter has commenced with such severity, that almost all the passes between Cabool and Kanduhar have, at this wary part of the season, been blocked up, and all intercourse suspended. Dost-Moohumud's attention is now directed principally to the regulation of his capital.

JEYPORE.—As a party of Major Forster's regiment of Shekhawatee Horse (about forty in number) were proceeding to Jeypore, on the 25th Dec., for the purpose of escorting treasure, when near Chowmoora, they received intimation that between seventy and eighty Kuzzaks, belonging to the disaffected Chief of Mundah, who had been recently plundering in the neighbourhood of Jeypore, had made their appearance and were not above three miles distant. The native officer, with the utmost promptitude, gave chase, and had the good fortune to come up with them just as they were about to retreat, after plundering some villages. The little party were immediately formed up, whilst the Kuzzaks gave them a volley of matchlocks; however, ere they could reload, the horsemen charged in and broke them, when several were cut down, and the rest fled and escaped, being favoured by the approach of night. The little band returned in triumph to Jeypore, bringing with them the head of the Chief of the Kuzzaks, together with other spoils. The Rawul was highly gratified by the zeal and activity of the detachment, and gave a handsome *Zaisit*, by way of manifesting his approbation.

A letter from Jeypoor of the 16th Jan., mentions that the state criminals Joha Ram and Fuih Lal, were to be marched off the next morning for Chunar, escorted by three companies of the 52d regiment N. I., and a party of suwars of the 3d Local Horse.

Major Alves has sent to the Rawul Buere Sal, a box of precious stones found amongst the property of Joota Ram. The Rawul sent the box to the Rannee, who assembled a committee of jewellers, to value the contents, which were estimated to be worth about seven lakhs of rupees. Rao Jewan Sing has taken the field with two regiments of foot and three hundred suwars against the banditti, which infest the country and commit outrages on all hands. One body, to the amount of several hundreds, at the head of which are two zamendars, are particularly obnoxious.

LUCKNOW.—Mr. Robertson, the aeronaut, made a successful ascent on the morning of the 27th of December, which excited great curiosity and admiration among the natives. After this was over, His Majesty performed the ceremony of presenting colours to his newly raised regiment of Foot Guards. The colours were presented by the King with the usual ceremonies and a complimentary speech to the commandant, Colonel Roberts, who made suitable reply. The novelty of the ceremony created considerable interest among the native spectators.

MADRAS.

CAPTURE OF A FEMALE THUG.—The celebrated female thug Jugdumali, has been seized with eighteen followers at a village twenty or thirty miles from Bangalore, through the exertions of Lieut. Dobbs, Assistant Commissioner in Mysore.

Another large body of thugs has been apprehended in Mysore, and evidence is accumulating against the party formerly captured, so as to leave no doubt of their guilt.

SIR T. MUNROE'S STATUE.—The site of Sir T. Munroe's Statue has been determined by the Governor-General. The spot is exactly in the centre of the Mount Road, equidistant from the Government House and Wallajah Bridges. The head of the figure, when set up, will be forty-three feet above the level of the ground.

DEATH OF MRS. CORRIE.—Mrs. Corrie, the lady of the Right Revd. Lord Bishop of Madras, died on the afternoon of the 21st Dec.

ROBBERIES.—Captain Wynch, who left Madras recently on leave to Bangalore, was attacked near Arcot, by a band of robbers, who deprived him of all he had in his palankeen, and having given him a cut upon the head, ran off.

A robbery to the amount of two lakhs of rupees has been committed in the neighbourhood of Nellore. Part of the property stolen consists of one diamond of immense value - 1,25,000 rupees. The greatest exertions are being made to trace the property and discover the perpetrators of this offence.

MEDICAL SCHOOL.—The foundations are being laid for a building, near the wells immediately in front of the General Hospital, which is to be a medical school house.

THE WEATHER.—The most unfavourable accounts of the weather have been received from the Coimbatore district. A drought almost unparalleled has this year been experienced; ploughed lands have in many instances not been sown, and sown lands have brought no fruit; the supply of water is so limited that even the garden crops have failed, and from lack of pasturage a heavy mortality amongst the cattle seems inevitable. By the register of a pluviometer kept at Coimbatore, the whole depth of rain, which has fallen from the commencement of last year to the 15th of December, is only 7.14 inches. Grain is already rising materially in price.

From Tanjore unfavourable accounts have also been received. Near the coast a trifling fall of rain had kept alive so much of the crops as was still standing; but the sickly appearance of the rest is apparent on the advance inland. The ryots were growing very apprehensive, and the price of rice was advancing materially.

GOOMSOOR.—Intelligence received from Goomsoor, mentions, that Bulear Sing is taken, and Dora Bissove is so hard pressed, that Mr. Russell has no doubt he will be captured in three or four days. He has but eight or ten men with him; the rest have fallen into Mr. Russell's hands. Accounts subsequently received state, that matters are progressing but slowly. Mr. Russell, was at Sinda, completely at fault, having lost all trace of, or clue to, Dora Bissove's movements, although a sort of belief existed that the rebel chief must have moved into some of the southern districts. Some sickness is experienced in camp, and officers have been lost to the service since the present campaign opened. The first victim to the fever was Lieut. Hayman, of the sixth, who died about a fortnight since. The second is Lieut. Colonel Hodgson, who died at the end of last month.

RUMOURS OF WAR.—The zemindary of Golcondah, half way betwixt Rajahmundry and Vizagapatam, has occupied the attention of the regiment stationed at Samulcouth to very little purpose for some months past. During the rainy season at Goomsoor, the Commissioner proceeded to that quarter to see what diplomacy could effect. The results of the said diplomacy have not yet transpired, but it is expected that a brigade of two and a half corps will shortly be marched into that district, in order to bring matters to a satisfactory issue. The zemindaries of Nyaghar and Dvypulla, bordering on Goomsoor, also afford grounds for uneasiness. The former is understood to be quite ripe for a row, and nothing but very adroit management on the part of Mr. Ricketts, the Cuttack Commissioner, will prevent a flame from bursting forth along the whole valley of the Mahanuddy, which would probably extend throughout the excited districts between that river and the Godavary.

RED HILL'S RAILROAD.—Captain Cotton's experimental line of rail-road from the Red Hills, will be completed in a few days.

DANGEROUS POWER.—The following circular order has recently been issued from the Madras Fouzdar Adalat:—

No. 81.—In pursuance of instructions received from the Right Honourable the Governor in Council, the Court of Fouzdar Adalat desire that the several magistrates in the provinces be instructed, that in cases where it may happen that conviction is not procurable from a deficiency in the evidence, and it may be desirable for reasons of State Policy to retain the accused in con-

finement, on that object not being attainable in the ordinary course of legal proceedings, it is their duty to bring the case to the special notice of the Government, in order that, if requisite, the provisions of Regulations 11. of 1819, may be put in operation.

BANK PREMIER.—The *Wellington* has brought to Madras, several lascars belonging to the late bark *Premier*, which was burnt near Ascension Island, by spontaneous combustion of her wet cotton.

SHIPWRECK.—An Arab vessel, the *Fathul Bury*, of 150 tons, was lost off Mangalore on the 19th of December. She was laden with salt and bound from Bombay to Cochim. The cargo was all lost, but about 4,000 rupees of treasury, which with the crew, were saved and landed at Mangalore.

NEW LODGE.—A new free-mason's lodge has been established at Madras by the members of the Armenian community, and named the Armenian lodge.

CEYLON.

FREE TRANSIT OF NEWSPAPERS.—An address has been presented to the Government of Ceylon, signed by almost every individual of respectability in Colombo, to request them to exempt newspapers from postage. The measure might be carried into effect by the Government incurring the trifling expense of £ 112 14s. 2d. per annum, which they can hardly refuse to do.

SALE OF CINNAMON.—At the Government sale on the 2nd Jan., the following were the prices of cinnamon.

1st qty.	of 1830 from 3s. 7	to 3s. 11 pr. lb.
"	1832 from 3s. 11½	to 4s. 3½ "
"	1836 from 4s. 5	to 4s. 6½ "
2d "	1831 from 3s. 2	to 3s. 4½ "
"	1833 at 3s. 3½	" "
3d "	1831 from 2s. 3	to 2s. 6½ "
"	1836 from 2s. 7	to 2s. 9½ "
Broken cinnamon of 1831 from 2s. 2	to 2s. 2½ "	

JUDICIAL APPOINTMENTS.—On the 31st Dec., the Hon'ble J. Jeremie, Esq., was sworn in Senior Puisne Justice of the Supreme Court of Ceylon. By this appointment the Hon'ble Mr. Carr immediately returns to his former place as King's Advocate; and the other gentlemen lately promoted *pro tempore* to their original positions at the conclusion of the Northern Circuit, where they are about to be engaged.

BOMBAY.

PRESENT TO CAPTAIN CHADS.—The sum subscribed for the piece of plate to be presented to Captain Chads, for killing the Malay Pirates, amounts to four thousand seven hundred rupees.

GANG ROBBERIES.—About 12 o'clock of the night of the 10th Dec., a gang of robbers, consisting of five or six men, broke into the shop of a marwarree and pawnbroker situated at Girgaum, near the pleasure garden of Jugonoth Sunkernett, and possessed themselves of Jewellery and other property of the value of about Rs. 6,000. Resistance was offered by the inmates when the robbers, who were armed, wounded in several places the marwarree, and hung his wife, who was then near her confinement, out of a window which stood about fifteen feet from the ground. The poor woman was picked up after the robbers had retreated, in a senseless state.

About 12 o'clock of the morning of the 11th of Dec., another robbery was committed in the house of an oilman in the Paydownee Road, close to the Bhendy Bazar road, and there also they made use of their arms, having wounded the oilman's wife in the leg in their attempt to take off her anklets; she received two cuts, apparently with a large knife or sword.

COL. CHESNEY.—The Bombay Chamber of Commerce have voted Colonel Chesney, the gallant leader of the

Euphrates expedition, their thanks, and presented him with a sword, in token of their acknowledgment of his exertions in conducting the Expedition.

MONUMENT TO THE OFFICERS OF THE EUPHRATES EXPEDITION.—Government have determined to erect a monument to the memory of the officers and men of the Euphrates expedition, who perished at Anna, and a subscription for the relief of the widows and children of the sufferers has been opened at the office of Ritchie, Stuart and Co., and at the rooms of the Literary Society.

STEAM COMMUNICATION.—The Bombay Government has declined the offer made by the Bombay Steam Committee of a sum of 1,000 rupees per month to the purpose of promoting the overland route from Bussorah to Beirut.

NEW BANK.—A meeting of merchants took place at the office of Messrs. Skinner and Co. on the 26th of December last, for the purpose of establishing a bank. A prospectus for the institution upon the principles of the Bank of Bengal, was agreed too, and all the shares for the thirty lakhs, were eagerly taken before twelve o'clock the next day.

Mr. George Ashburner, the Secretary to the Bank, which it is proposed to establish, was to proceed to England by the *Hugh Lindsay*, on the 8th Jan., for the purpose of endeavouring to obtain a charter for the Bank. Mr. Ashburner is to be succeeded in the Editorship of the *Bombay Courier* by Mr. Phillips, the Barrister.

AWARD IN THE CASE OF THE BARK CLAIRMONT.—A great many persons who applied for and engaged their passage on the bark *Clairmont*, to proceed to the Red Sea, on the day of the starting of the vessel on her voyage, and while she was about the mouth of the harbour on her way onward, saw reason to find fault with the trim of the ship, as well as other points about her, on which their comfort, as they considered, depended, and they thereupon determined on cutting their voyage short and finding their way back to Bombay. They were accordingly landed, and then arose the question which led to the arbitration in which the award we allude to has been made; that question was, whether the individuals who had so thrown up their passage were or not entitled to have their passage money which they had paid, returned to them; the arbitrators have decided that the money must be returned.

ATROCIOUS MURDER.—A most atrocious murder was committed on the body of a girl aged about 11 years, at the village of Sinaure, about 20 miles from Nassick, on the 10th of October last, in open day. The perpetrators have been seized, and are now in custody at Ahmednuggur. The only cause assigned, is the jewels which the unfortunate victim had on her at the time, valued at 1,000 Rs. The murderers decoyed the girl into their house, where they gagged her, fractured her head with stones, and buried the corpse within the compound. The parties implicated are three Brahmins, with the mother of two and wife of the third prisoner—a caste hitherto held in the highest veneration by every sect of the Hindoos!

MURDER.—On the 6th of Jan., the son of Narayan Sponléjree, the head clerk of the Naval Storekeeper's office, was murdered by some villains on account of the jewels he had on his person. The affair is under investigation.

THE KHASORE TAX TRANSIT DUTY IN CONCAN.—Another tax, called Khassore, which was imposed upon all merchandises brought in Poona and consisted of a portion in kind, has been lately abolished. The sum which it yielded, amounted to upwards of sixty thousand rupees.

The transit duty in the Conkan, the exaction of which was for sometime suspended, pending, a reference to Bengal, has been established again.

MIGRATORY ARABS.—Some hundreds of Arabs, who were discovered at Poona *en route* to Hyderabad, were prevented by the magistrate from going thither. Some more Arabs, who had just arrived at the Presidency with a view of going to the Nizam's Capital were also arrested in their progress. It is said that this course is adopted by our Government at the request of Chundoo Lall, who, finding these migratory Arabs so very troublesome, has at last appealed to the British to put an effectual stop to the nuisance.

AGRI-HORTICULTURAL SOCIETY.—The annual exhibition of vegetables took place at the Town Hall on the 19th Jan., under the direction of the Committee of the Agri-Horticultural Society: there was a very splendid show of every description of vegetable esculent. About eighty members of the Society and their guests dined together at the Town Hall the same night. The dinner was good, the vegetables excellent, and the whole most sociably complete.

There was a little scrambling for seats, which seems to have caused some members to retire dissatisfied from the party.

THE PRIME MINISTER OF THE RAJAH OF SATTARA. The Dewan or Prime Minister of H. H. the Raja of Sattara, was marched into Poona a short time since, under a strong military escort, and lodged in prison, in consequence, it is supposed, of some treasonable acts against the British Government, brought home to him in the affair of last Dewalee.

NEW PILOT VESSEL.—Another vessel for the Calcutta Pilot Service, was launched on the 4th Jan., from the dock yard. She was named the *Kishnah*; and, like the others which have been built at Bombay for the same service, was constructed with an elliptical stern.

MR. WEDDERBURN.—There was a meeting on the 10th Jan., at Mr Bruce's office, of some of the European and native friends of Mr. Wedderburn, for the purpose of considering how they could best testify their respect and regard for him on his approaching departure for Europe, and a resolution was passed for purchasing a piece of plate with a suitable inscription to be presented to him in England.

CHAMBER OF COMMERCE.—It is said that Government has, in reply to a letter from the Chamber of Commerce, intimated its intention to adopt all means for bringing Act XXV, of 1836, into effect here, and declaring Bombay a free port, as practicable, consistent with its due adoption to the local circumstances of the Presidency.

PENANG.

THE ACHEENES.—Penang papers received during the week, intimate that the Heir-apparent, or Raja Muda, of Acheen, had seized the *Nacoda* and Secretary of the bark *Hamoody*, of Tellicherry, sailing under British colours, while that vessel was at Teluksamoy, had extorted 200 dollars from the pilgrims on board, taken away several articles from the ship, and declared his intention of treating every vessel bearing the British Flag in the same manner, if he can, until the prohibition to admit Acheenese craft into Penang harbour, be removed.

SUMATRA.

A letter from Padang, of the 13th of December, intimates, that the war between the Dutch and the Boonjal Padres, was still carried on with great obstinacy on the part of the latter. Mynheer had prevailed against the Priests, and had taken and sacked the town of Boonjal, burning a Mohammedan temple of great sanctity in it. The Boonjalites had fled further into the country,

and although they had been repeatedly defeated, were in no way subdued: they still harassed the Dutch, by attacking them whenever an opportunity was afforded, and cutting off their supplies, and their determination to carry on the contest to the death, remained unshaken. It was however expected, that they would shortly be starved into submission, as in their endeavours to oppress the Dutch, they were destroying their own sources for obtaining provisions, by devastating the country.

SINGAPORE.

SHIPWRECK.—The *Pascoa*, of Raffles Bay, has been wrecked in the Straits. She struck upon a rock shortly after leaving Singapore for China, and returned to that island with difficulty, and was run ashore upon the mud. She has been condemned.

CHINA.

The intelligence received from China, up to the 6th of December, has been of a very interesting nature. Bengal opium has made a slight nominal advance in price, but no transactions are reported, and Luckey and Malwa continue without demand. The purchasers of the drug are still under considerable apprehension from the proceedings of the authorities, and vigilant investigations are being instituted in all quarters, with a view to the total prevention of the importation of the article. The constant residence of the foreign merchants in Canton, has also attracted the attention of the Chinese authorities, and elicited an edict from the Viceroy for their expulsion; on the grounds that their long continuance in the city is contrary to the laws of the Celestial Empire, and that they are accessory to the surreptitious introduction of opium into the country. Pursuant to the edict, the hong merchants had addressed letters to the principal members of the foreign mercantile community, intimating the order of the Viceroy, that they should leave Canton within a fortnight, and return to their homes and threatening coercive measures, in the event of their hesitating to obey the mandate. The edict was treated lightly by most of the foreign merchants; but some of the well informed Chinese attached great importance to it. The foreigners are enjoined by the Hoppo, for the future, to leave Canton immediately after the departure of the vessel on which they bring their merchandise, — to entrust the disposal of their goods to the hong merchants, and to proceed to and reside at Macao, and there receive the proceeds of sales made by the hong merchants; but even at Macao they are prohibited from protracting their stay for any length of time.

While the Chinese were thus endeavouring, to their own detriment, to repel all association with the foreigners, the latter were simultaneously exerting themselves to ameliorate the condition of a country, from which they had been peremptorily ordered to depart within a fortnight, by the establishment of institutions highly calculated to benefit the trade of the place. A meeting of merchants was held on the 29th of November, at the residence of Messrs. Stanford and Marks, at which a General Chamber of Commerce was established. The entering fee for each firm on joining the association, is Sp. Mds. fifty, and an annual subscription of twenty-five dollars: for each individual Sp. Dhs. 50, and an annual subscription of fifteen dollars.

The formation of a Committee for the annual examination of apprentices, &c., of ships trading to China, has also been decided on, in commemoration of the late Captain Horsburgh.

The dispute between the hong and tea merchants, has been nearly settled, some slight differences only remaining unadjusted.

PERSIA.

The following has been received from Persia during the week—

A Letter from Tabriz dated 13th August, speaking of the departure of Mr. Ellis, H. M.'s. Ambassador to the Court of Persia, says:

"He came here last year charged with a complimentary Embassy and expecting only to be detained a few weeks; he has, however, been kept here in suspense for nearly a year, expecting daily to be relieved. His health has suffered much from worry and the climate; and he leaves this to-morrow in hopes of meeting Sir J. Macneil, the new Envoy, on the frontier, about the end of the month.

"What think you of a Shah who attends to public business from morning till evening, who has only three wives, living only with two of them, rarely inconstant

to them, who accents, as a peishensch, with joy, 30 tomanas, where old Futeh would have required 5,000, and who gets up in the middle of the night to say his prayers; who despises jewels and would exchange all he has for military stores? Bamkyullal! say you, but, alas! the Shah does not understand business, and fancies his infantry is complete when the men stand in line. In short, Persia was never weaker than just now. The Shah and his Ministry have, however, a good time of it, playing the two European powers one against the other, but giving the turn to Russia. We are too polite to hold up our stick, while our rival puts a little money into one hand and has always his club in the other.

"Until the Persians fear us they will never put us on an equality with the Russians. Some think that a few officers and small supplies of military stores, are sufficient to excite the gratitude of the Shah, and make him a mere card in our hands—time will shew."

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, Jan. 31.)

INDIGO.—Nothing by private contract has been done since our last, holders evincing no disposition to sell but at previous prices.

At the public sale at the Mart on Thursday about 288 chests, were put up, and the quantity sold consisted of only 78 chests, the rest were withdrawn for higher prices than buyers were disposed to give.

RAW SILK.—Very little doing in the market just now in consequence of the high prices at which this article is held. Provision is extensive by advances at the Aurungs.

SILK PIECE GOODS.—The demand particularly for Corals for the English market continues active, and the prices are quoted at a slight advance on last week's rates.

COTTON.—Without report of transaction and the prices remain as last quoted.

SALTPETRE.—Has been in fair enquiry during the week for the American market. We have heard of no transaction for Europe, and the prices remain as last quoted.

SUGAR.—Some purchases are reported for shipment to England and Bombay, at our last quotations.

LAC.—A few transactions, in Shell and Dye are reported for the English and American markets at our quotations.

SAFFLOWER.—Without report of transaction.—The Article is quoted at an advance on previous prices.

DRY GINGER.—Also without transaction.—We have no change in price to notice.

TURMERIC.—Has been enquired for, for the French market, and the prices have somewhat improved.

GRAIN.—Operations during the week consist of Rice and wheat, and the prices of the latter are quoted at an advance.

Amongst the occurrences of the week, we observe a purchase of 1,200 mds. Dooda Wheat by the Hon'ble Company.

OPIMUM.—Very little doing in the market, a purchase of 10 chests Benares is the only transaction for Shipment reported since our last.

TIN.—A few sales have been reported during the week, and our last quotations have been firmly maintained.

PEPPER.—Has slightly given way in price, owing to recent importations.

MACE AND NUTMEG.—A sale of the latter is reported at our quotation.

BEEFLENUT.—Is in good enquiry, and is quoted a shade higher.

MULE*TWIST.—The position of the market in respect to demand, and the prices of the assortments, may be reported as in our last.

TURKEY RED YARN AND ORANGE YARN.—May also be reported as last week.

CHINTZES.—Sales of some Pines have been effected at a shade of decline in price. The market remains inactive.

WHITE COTTONS.—Long Cloths, Lappets and other figured Scotch Manufactures continue to be enquired for.

The Market remains slack for other descriptions.

THEATRICALS.

LE MAÇON.

This opera, which is full of pleasant and interesting incidents, and the music of which is light and sufficiently attractive, was represented on Wednesday evening. The house was pretty well attended, and the performance went off with much spirit, and was hailed during the process of representation, and at its conclusion, with considerable applause. Madame de Ligny, and Mademoiselle Fleury, in the second and third acts, executed with great felicity two very comic duettes, the accompaniments of which were very pretty. The acting of both these ladies was admirable. Bonniol and Fleury, upon whom the brunt of the battle rested, enacted their parts, and sang the music of those parts, with much ability. Fleury having something to do in this opera, did it with his usual excellence. Welter had about six bars to sing, but his beautiful voice, chaste method, feeling, and expression, made those six bars the gem of the performance. It was a sort of invocation, calling down celestial protection for the innocent, and was so touchingly made, that we cannot but suppose as a consequence that the divinities invoked became favorable. Both Fradin and Malle. L'Hémery, the objects of the invocation, were well deserving, by their admirable performance of their respective parts, of the divine protection. The artists will, we understand, give as their next performance, Rossini's opera *Le Barbier de Séville*.

We venture to ensure them a full attendance. With Fleury as Don Bartolo, Welter as the Barber, L'Hémery for a Rosina, and Bonniol for a Count, the cast will prove very strong. This, be it observed, is our cast of the piece; it may be that Welter will do the Guardian, and Fleury the Barber; in either case, however, the representation cannot fail of offering great attractions. The minor parts of Basil, and the second lady, will find representatives in Madame Thonon, Madame Fleury, and Charles.—*India Gazette*, February 3.

FRA DIAVOLO.

The reputation of Fra Diavolo has added materially to the laurels already acquired by the French artists. *L'Hémery*, *De Ligny*, *Almaviva*, and *Charles*, were inimitable in their respective characters; and the industrious Fradin, still struggling with physical infirmity, interested all hearers in the *petit amour* of Lorenzo. Bonniol certainly does the Brigand better than anything else—and it is by no means a part easily sustained. Thonon, as usual, had his orchestra in capital trim.

The vaudeville of *Angeline*, ou *la Champenoise* brought out *De Ligny* and *L'Hémery* in new characters. The former far surpassed the efforts of our little friend *Flore*, as might have been expected from a person of her acknowledged talents, but we did not think *L'Hémery* quite so happy as *Madame Isidor* in her own personation of *Rose*. There was much genius, much humour, much clever conception, in *L'Hémery's* essay—all calculated to raise her very highly in public esteem as an actress—but there were not that finish and delicacy about the performance which constituted the charm of *Isidor's* efforts. Nevertheless the whole personation excited great amusement and was rapturously applauded. The *Champenoise* song and rustic *pas* elicited a vehement encore. Fradin and Charles were both at home in their respective parts.

The house was well attended, and many persons staid till the vaudeville had concluded.—*Englishman* Feb. 13.

ITALIENNE EN ALGER.

The opera *L'Italiana in Algeri*, done into French was remarkable rather as affording an opportunity for hearing Welter to advantage, than for any intrinsic merit of the piece. This was however, attractive enough to all who love to listen to a magnificent bass voice exercised by an accomplished and tasteful singer. We know not how we shall have the patience to see this excellent performer thrust back into the "deep obscure" which, in most French operas, begets the *bass* after having had the satisfaction of hearing him sing in the true sense of the word. With all the disadvantage even of French instead of Italian words, we hardly remember to have listened to more successful execution of the bass in the well known *Pappalaci* trio than Welter's. The opera was, however, not Rossini's either in music, or in story. The French school, which has no music for the *contralto* voice, and which does not cultivate voices of that description, could not of course admit the adaptation of the Italian Opera as it was written, since the part of *Isabella* was composed by Rossini for a celebrated contralto singer, whose voice was remarkable for extreme beauty, great depth of tone, and very small compass. Hence the French school, in undertaking the engraving on itself of such a work, was compelled to omit most of the real music written for *Isabella* and transpose the rest where transposition was possible. This induced a remodelling of the whole piece, and in time, consequently the Italian two acts were spun into four French ones, in the two last of which there were positively only four introductions of the original music attempted, of which one piece only was sung in its complete state, the rest being mere bits and snatches of popular pieces of the Italian Opera. Add to this the adoption of the opening choruses from the *Seni ramide*, as accompaniments to the most comic incidents of the piece, and the thing may really, as far as Italian music was concerned, be termed a regular travesty. The humour of the original story was also filtered out of its broad burlesque into something not humorous and hardly even droll. It is impossible for the clever company of comedians who gave the piece, to do any thing, let it be ever so dull, without redeeming it somewhat by their acting; but still, this Gallic adaptation of Neapolitan extravagance, put us in mind of Antonio's imitation of himself in the masquerade: it is himself and not himself; yet he is known "by the wagging of his head, for he doth it so ill-well," but by nothing beyond this one item in an unfaithful self-copy, which is somewhat stupid withal. The finale of the first act was well sung; but the general effect of the opera was, (as we heard once observed of a dull farce well acted) 'unfunny.' How could it be otherwise when *Tuddeo* was made Kaimaran to the tune of 'Ergi omai' from the most severe of Rossini's tragic operas, and when *Mustafa* is invested with the dignity of *Pappalaci* behind the scenes, and enters as such in all the spruce propriety of a remarkably well dressed Marquis, instead of the loutish awkwardness of an unaffaired Algerine.

The Calcutta public will not now, perhaps, call so anxiously as they have done for Italian opera-Gallicised. The *Barbier* is, we believe, almost the only one of the so adapted operas, which is left nearly as the composer wrote it. Generally speaking the musical impress of the piece adapted from one country into another must suffer serious change from the difference of the schools of music prevalent in those different nations. Before the Italian company arrived here, a Calcutta paper (the *India Gazette* we believe) congratulated the public upon the intelligence of their approaching advent, for, observed the acute critic in music, "we shall now see *Der Freyschutz* done to advantage." The clamourers for

Gallico-Italic operas are much upon a par with this ingenious gentleman. They might just as well ask for the English Barber of Seville, as Rossini's, in which, after the singing of an air of Paisiello's, introduced by words translated from Beaumarchais, Don Bartolo comes forward, and roars out to a feagular old whack-fol-de-rol-too-roo-loo-roo air.

Learned men
Now and then

Yield to very odd vagaries.

It's all very funny, but is no more Rossini's opera than the 'Italienne en Alger.'

We look forward to seeing the talented artistes who compose the French company once more in their own element in Masaniello, or some other opera of the school written in, and for the school in which they studied and were taught.—*Englishman*, Feb. 27.

THE MADRAS HINDOO LITERARY SOCIETY.

A deputation of the Madras Hindu Literary Society waited upon Mr. Norron on Saturday for the purpose of presenting him with a piece of plate in token of their grateful sense of his exertions for the intellectual improvement of the Native Community, in the delivery of a course of lectures some months ago in the College.

The deputation consisted of the following Native Gentlemen.

C. Lutchmiah Braminy,	Ramasawmy Chity,
W. Ragava Chariar,	Armoogun Moodley,
C. Ragavah Chityar,	G. Sashiah Braminy,
C. Vencatachellum yar,	Siddooloo Chity,
Chocapah Chity,	Rungah Chariar,
Strenevasa Pilly,	Gojay Jugga Row.

The deputation being seated, Jugga Row rose and spoke to the following effect—

SIR,—You have in numerous instances manifested a desire for our welfare—You have expressed it by words and you have evinced it by deeds; so that we cannot entertain the shadow of a doubt that in you we possess a warm friend, not only willing, but able to advocate our interests and to protect our privileges as natives of India and subjects of Britain. In the series of lectures which you have delivered for our instruction in a most valuable species of knowledge, you have laboured to impress on us that the elevation of our political and intellectual consideration is inseparable; and justly connecting them together, you have succeeded in convincing us of their mutual dependence upon one another. But our design on the present occasion is neither to expatiate on the exertions which you have employed for our improvement, nor on the sentiments with which the valuable nature of your services to our society inspires every enlightened member of it: we have already expressed the importance which we attach to your exertions: not indeed so fully as we might desire, but sufficiently to convince you of our gratitude, which we assure you increases in proportion as we advance in knowledge; for every day adds to your stock of intelligence, and by widening the sphere of our vision discloses to us in all its value the nature of your services to our society. It is therefore not for this purpose that we wait on you to-day, we have done so not to wound your delicacy by a repetition of sentiments which we have more largely expressed in an address presented to you by us on a former occasion, but we now wait on you with an offering of gratitude as a proof of its sincerity. We are sure that the less substantial evidence of our simple assurances would be more agreeable to you, but we could not be satisfied with the mere expression of our sentiments, and you will excuse us if we have gone a step further towards furnishing you with a more unequivocal token of our lasting esteem for yourself. This piece of plate has been purchased by our society, including the inhabitants of Bombay, as a lasting memorial of the feelings with

which they regard your exertions in their favor, and we thus earnestly beg your kind acceptance of it as an additional obligation conferred on our society, who in now taking leave of you, do so by tendering you their most grateful acknowledgments and their most fervent wishes for your health, happiness and prosperity.

MR. NORRIS said, that, in replying to the kind and feeling address he had just heard, he would have the liberty to resort to that familiar course to which his friends before him and others had been so often accustomed on former occasions. By dispensing with formality he should perhaps more easily and more agreeably give utterance to the sentiments he had at heart. His uppermost feelings were those of grateful pride in acknowledging their sense of his efforts to be of use to them, and in receiving amidst his few more intimate friends the beautiful token of it on the Table. It was indeed a most elegant Specimen of the arts, and valuable as it was in itself, it was a gratification to him that it was not of that exaggerated quality as to raise invidious notice. He begged them to convey as publicly as they could his warm thanks to the members of the Hindoo Literary Society and others, and also to his partial friends at Bombay, who had joined in this tribute of respect and regard, and assured them he should not only himself ever look upon it with the happiest and most grateful sensations, but those who came after him, and to whom his memory would be dear, would preserve it, and cherish the honor they now paid him, with the same feelings.

He was desirous of taking this opportunity of their so happily meeting again, of calling their minds to some topics of peculiar interest to them, and to which he had had occasion to allude more or less on those evenings which they so well remembered. Since that period the Charter Act, to the anticipated qualities of which he had then so warmly directed their attention, had passed into law—and had truly and plainly opened to their view prospects of unlimited progress towards all the objects of political and social ambition. It required only that they themselves should become equal to the position they were called to occupy. It was unreasonable to suppose that so vast and interesting a change could be produced in practical effect at a moment—indeed, in his opinion, no greater mischief could be devised to their legitimate hopes and claims, than the over-sudden advancement, either in society or in the business of life, of unqualified persons to duties or stations which it was impossible they could without due preparation worthily fill. But the characteristic of the new constitutional law of this Indian Empire was, that the various stations and dignities in the state, and in social life, were open to all parties equally—and that the attainment of them would now mainly rest with themselves, as indeed for the most part it did with their fellow-subjects of the European community. It was a source of unfeigned happiness

to him, as those friends before him would from their knowledge of his feelings on these subjects believe, that he was able to allude to actual instances of proof of these effects of the new charter in his own Presidency as well as in both the others. In the other Presidencies, owing to that advancement in European knowledge and literature, as well as in commercial wealth and more intimate communion with European society, (which he should deceive them if he should not plainly say was certainly greater than at present characterised the Native community of this place) many native gentlemen already occupied posts of importance, which they filled to great public benefit. There sat before him at that moment their friend RAGAVAN CHARIAR—a Magistrate—assigned to fulfil useful and dignified functions in the state under our own Presidency and holding a lawful rank in society equal to that of any European gentleman now before them. Another Native gentleman whom he did not personally know, held the responsible office of Assistant Collector, which they knew was one ordinarily filled by a member of the Civil Service. His allusion to these topics, which must be so gratifying to their feelings, as they truly were to his own, naturally led him to advert again to those impressions by which he had been actuated in his efforts to impart that desirable information which, at their suggestion, he had before engaged in, and which they were then requiting. His own persuasion was, that it was to such as were assembled in that room—to the superior classes of the Native community—that the public at large must look for any effective endeavours towards the political and social amelioration of the people of this country. It was their sense of the value of mental culture, of the astonishing powers attendant on the superior attainments, in the arts, the sciences, in general literature, and in knowledge of every quality, which distinguishes Europeans, which alone could give the true and successful impulse towards such grand and exciting results. They must themselves feel urged to the gaining for their own service and gratification—or at all events to the procuring for the rising members of their families—the means, through intellectual improvement, of cooping with others of the superior classes in the state, and of becoming more and more qualified, as well as inclined, to court a nearer intercourse in social life with the European community, as the surest course to that share of independence and wealth and political station which they had a right to seek. It was not to the lower order of natives, and to the progress they might be made to attain through charitable means in the inferior branches of education, that he was disposed to look for important results like these—though he would not be understood to disparage those exertions directed to the improvement of the lower orders, which might without doubt produce some benefit. But his object was to direct their minds to higher considerations, and to departments of knowledge, in which it was not to be expected that the lower orders could make any proficiency, and which were, of course, not at all adapted to their condition of life. It was vain to expect that instruction was to be imparted from the inferior classes throughout the higher, (composed of gentlemen such as there sat before him,) of the quality, for instance, which distinguished their friend JVOOA ROW who had just addressed him—whose literary labours, he would venture to assure him, were marked and anxiously watched by others, as well as those kind friends of his who were his habitual instructors. It was not to be expected that those labours in explaining the history and antiquities of India in which their friend CAVELLY LURAMIAH (whom he was happy to see on this occasion) had been so long and creditably engaged, and whose name was so well known and respected in England, could be appreciated, much less followed up by others than such as themselves. It must be obvious also that all advancement in the highest order of attainments—such as political knowledge and jurisprudence—could only be the

aim and hope of the more cultivated and wealthier classes. At the same time, it must necessarily follow, that the mental progress of the superior members of the Native community, in those departments of knowledge which advanced them to higher stations in the state, and which introduced them to friendly and familiar intercourse with European society, would shed an influence far and wide, and to which it is impossible to fix any limits. Impressed with these ideas and views he had proffered them those slender services which they had so well received, and so amply repaid. It was under that impression that he was as desirous as ever to prove himself useful to those among their community who had become his friends, whenever the occasion may offer. A project with that view had been suggested through the medium of two or three of the gentlemen now sitting with them, which he had sincere gratification in recommending to their notice. It was, that some arrangement should be made for periodical meetings of a friendly and familiar kind at which they might freely converse with him on subjects connected with literature, or science, or political knowledge, in which they might take an interest, and which were worthy of their attention. He would not enter into any details on this topic on an occasion like the present, which was not quite suited to a practical consideration of them. He would be content to mention, in a general way, that it did appear to him likely that they might spend in company a few occasional hours in the enquiry into and discussion of subjects of this nature at least agreeably, if not usefully. That he was engaged in avocations that left him time to be but very partially acquainted with those departments of knowledge altogether unconnected with his profession and duties; but, as a friend among friends, rather than as a professor or teacher before his pupils, he should be happy to renew his intercourse with them with these objects in view and he would leave it with them to consult together, and afterwards with himself, upon arrangements of the nature proposed. Whether in this or in any other manner by which he could testify his anxious desire to aid their honorable efforts towards the attainment of useful knowledge, he hoped they would believe and act upon his sincere assurance of his cheerful co-operation. He had the greatest value for their esteem and good-will—he should retain the recollection of the present and their former expressions of it to the close of life, when—after all—the sweetest and dearest reflections must arise out of testimonies like these of having lived for the benefit of those around us.

A few of Mr. NOKRON's particular friends only, were present on the occasion.

The piece of plate, which is of exquisite workmanship, from the hands of GREEN and WARD, forms a centre piece for the dining table. It is composed of a circular elegantly shaped base, upon which rest the figures of two Hippodoms in thoughtful attitudes, and that of a youthful Muse in the act of writing from dictation. These figures are beautifully finished in frosted silver, and the expression of the Muse is conceived with remarkable effect. From this base rises a fluted column surmounted by palm leaves which support a richly modelled flower dish. On one side of the base the arms of the proprietor are emblazoned, and on the other appears the following inscription—

Given by the
Madras Hindu Literary Society,
on behalf of the
Native Inhabitants of Madras and Bombay,
GROWER NOKRON, Esquire,
Advocate-General of Madras.

As a mark of their grateful acknowledgement
of the obligation conferred by that learned
Gentleman upon their community,
by the delivery of a series of lectures
on the System of Government and

Administration of Justice in India,
1834.

The piece is certainly one of the most masterly specimens ever executed in this department of the arts.—
Conservative, Feb. 7.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general meeting was held in the Town Hall, this morning, at half past 9 o'clock.

PRESENT.

The Hon'ble Sir E. Ryan, in the chair,

The Hon'ble Col. Rehling,	F. P. Strong, Esq.,
W. Storm, Esq.,	N. Wallich, M. D.,
H. Walters, Esq.,	A. Dobbs, Esq.,
C. Hufnagle, M. D.,	Arch. Grant, Esq.,
John Allan, Esq.,	H. Wilson, Esq.,
M. S. Staunton, Esq.,	Col. Colvin,
Alexander Colvin, Esq.,	The Rev. T. Boaz,
H. Cowie, Esq.,	G. A. Prinsep, Esq.,
Colonel Caulfield,	and
David Hare, Esq.,	John Bell, Secretary.

VISITOR.

Monsieur DELFSEERT.

The proceedings of last meeting were read and confirmed.

The following gentlemen, proposed in January last, were duly elected by ballot, viz.

F. Colbyn, Esq.,	Alexander Beattie, Esq.,
W. B. O'Shaughnessy, M. D.,	G. T. F. Speed, Esq.,
H. H. Goodeve, M. D.,	D. W. H. Speed, Esq.,
John Hains, Esq.,	E. Latour, Esq., C. S.,
Alexander Colvin, Esq.,	M. Maclean, Esq.,
H. Cowie, Esq.,	J. R. Colvin, Esq., C. S.,
J. S. Stafford, Esq.,	G. A. Prinsep, Esq.,

The following gentlemen were proposed as Members, viz.

J. F. Cathcart, Esq., C. S., proposed by the Secretary, for D. McFarlan, Esq., seconded by John Bell, Esq.

James Hills, Esq., G. S. Hills, Esq., James Hills, Junior, Esq., and Frederick MacLagan, Esq., proposed by Charles Deverrigne, Esq., seconded by John Bell, Esq.

Nathaniel Alexander, Esq., proposed by C. K. Robinson, Esq., seconded by W. Storm, Esq.

Dr. W. Speirs, proposed by Dr. Wallich, seconded by John Bell, Esq.

Dr. G. N. Cheek, proposed by Dr. Wallich, seconded by Dr. Strong.

M. Bignell, proposed by Dr. Wallich, seconded by John Bell, Esq.

G. Cheap, Esq., C. S., proposed by H. Walters, Esq., seconded by John Bell, Esq.

Dr. O'Dwyer, proposed by H. Walters, Esq., seconded by John Bell, Esq.

Captain Lysaght, proposed by H. Walters, Esq., seconded by John Bell, Esq.

W. H. Macnaghten, Esq., proposed by A. Dobbs, Esq., seconded by Sir E. Ryan.

Lieut. Hannington, proposed by Col. Caulfield, seconded by Dr. Wallich.

Baboo Maudhub Dutt, proposed by Col. Colvin, seconded by A. Colvin Esq.

Col. Colvin presented to the Society a large bag containing upwards of a maund of upland Georgia cotton, being the reproduction of several successive crops, derived from seed, originally brought from America, and forwarded through Dr. Wallich. This large sample was highly thought of by the meeting, and a bag of seed which accompanied shewed that it had experienced no deterioration.

Col. Colvin stated that he had induced 100 villages along the line of canal to adopt the cultivation of this superior cotton, and had distributed to each village, seed sufficient to plant about one beegah—as a beginning. Col. C. further informed the meeting, that the natives were most anxious to obtain further supplies of seed, which will now be put within their reach, through the aid of R. Lowther Esq., of Allahabad, who has kindly relieved Capt. Watt of the balance of seed, in that gentleman's department, Capt. Watt being under orders to march to Saugor.

Proposed by D. Hare, Esq., seconded by Dr. Wallich, and Resolved unanimously,

That the special thanks of the Society be offered to Col. Colvin for his zealous exertions, in introducing this cotton into Upper India, and for the fine sample this day produced.

Resolved further on a motion from the President, that his cotton be submitted for the opinions of such gentlemen as are competent to form a judgment of its quality.

Resolved, that the surplus cotton be made into cloth.

Proposed by Col. Colvin and Resolved, that the Secretary, be requested to address Mr. Lowther, the special Commissioner, at Allahabad, on the subject of a verbal communication, made to Col. Colvin by Mr. Lowther in December last, proposing to establish at that station, a *Brass Society*, and experimental farm for the reception of such plants and seeds as might be forwarded by the Calcutta Society, for the purpose of supplying, the wants of members and others beyond Allahabad, and with reference to the peculiar advantage which that station possesses as a central department, that Mr. Lowther be solicited to ascertain how far by voluntary contribution and subscriptions, these desirable objects could be carried into effect.

Proposed by the Revd Mr. Boaz, seconded by H. Walters, Esq., that a premium of 1,000 rupees, be offered to any person who will compile in English an *Indian Gardeners' Manual* and that the Society do subscribe for 200 copies of the Translation in the native language.

Resolved, that the proposition of Mr. Boaz be referred to the Agricultural Committee for further consideration, and that it be brought forward for final determination at the next general meeting.

Proposed by the Secretary, and unanimously resolved, that the sum of one hundred rupees be allowed for the

purpose of purchasing some seeds and bulbs, brought to this country by Monsr. Arnold, lately arrived in Calcutta, with a view to encourage him.

Proposed by the Secretary, seconded by W. Storm, Esq., and Resolved, that with reference to the prosperous state of the Society's funds, a small sum (as may be recommended by the Committee of papers) be left to the discretion of that Committee, to lay out from time to time in useful referential works relating to Agriculture and Horticulture.

Read extract of a letter to the address of H. Walters, Esq., from Capt. Lysaght, dated Bolaram, near Hyderabad, soliciting a supply of fresh garden seeds. Capt. L., states that in that quarter they have peas in August and September, and also in January.

Read extract of a note from H. Walters, Esq., to the Secretary, stating that the Collectors of Midnapore and Tipperah and the Judge of Mymensing have written to him to say that they are desirous of establishing Branch Societies at their stations.

Mr. Walters suggested to the Meeting the propriety of requesting the aid of Government to procure monthly returns of the prices of grain, from the magistrates and other officers, throughout the different districts, and that those functionaries be requested to forward their reports under cover post-free to the Secretary of this Society.

Dr. Wallich submitted a pamphlet by Mr. N. B. Ward, "on the growth of plants without open exposure of air."

The President stated, that the next paper which he would bring forward, was one of great interest, that it was rather too long to be read at a meeting which he would be obliged to withdraw from immediately, but the members would soon be gratified with a perusal of it in a printed form, he would only therefore at present give the substance in abstract.

The paper Sir Edward Ryan added, was presented to the Society, and had been specially prepared for that purpose by Dr. McClelland by desire of Lord Auckland, and is as follows. Report on the physical condition of the Assam Tea plant, with reference to Geological structure and soils, by Dr. John McClelland.

This report is divided into the following heads.

1. Signs of subterranean movements on the northern frontier of Bengal.
2. Proofs of the upheavement of the Kossia mountains evinced by the remains of a talus extending along their base and by a raised beach characterised by tertiary shells.
3. Geological structure of lower Assam and evidence of the local disturbance of rocks in this situation, and consequent obstruction of the Bramaputra.
4. Hydrographical extent of the rivers which enter Upper Assam, and a description of the alluvium they have there produced.
5. Tea plant connected with certain streams and confined to the alluvial basin.
6. How rice grounds are formed and sand banks converted into arable land.
7. How birds and wild animals contribute to these changes.
8. Tumuli and other remains of the former power of the Asamese, and how these affect the indigenous character of the Tea plant in Assam.
9. Migration of the plant.
10. From whence derived.

Proposed by the President, seconded by Dr. Wallich, that Dr. McClelland's report, be forthwith published in the Society's transactions.

From Ross D. Mangles, Esq., Secretary to Government, Revenue Department, dated 20th Dec. 1836, enclosing extract of a letter from the Court of Directors under date 27th July last, and with reference thereto, calling upon the Society to furnish a report of experiments made, from the American cotton seed, sent from England some years ago.

The Secretary had replied to the above call, by enclosing a copy of the Society's printed report, on the experiments in question.

From H. T. Prinsep, Esq., Secretary to Government, General Department, dated 28th Dec. 1836, forwarding copy of a letter from the acting Secretary to the Bombay Government, dated the 12th Nov., addressed to the Government of Bengal on the subject of procuring a supply of the Otaheite sugar-cane, and requesting the assistance of the Society on the occasion.

The Secretary had referred the question to Captain Sleeman, soliciting that gentleman's aid, in forwarding a supply to the Collector at Ahmednuggur, as the Society have been dis-appointed in supplies from all quarters for their own nursery.

From W. Blundell, Esq., Moulmein, dated 24th Dec. 1836, acknowledging the receipt of cotton and other seeds, sugar-cane and coffee plants, which had been forwarded by desire of the president and with the assistance of Dr. Wallich.

From Captain Watt, dated Allahabad, 14th January, in reply to the Secretary's letter of the 16th December, 1836, acknowledging the receipt of the nine bags of cotton seed therein alluded to.

From the same, to the same, dated 27th January, intimating his regret, that in consequence of being under orders to move from Allahabad to Naugor, he would no longer have it in his power to be useful to the Society,—and that he had made over to R. Lowther, Esq., the remainder of the seed (cotton), which had been forwarded to his care from time to time for distribution.

From Colonel Dunlop, to the Secretary, dated Camp Mahamedabad, 19th December, giving an account of the manner he has distributed the cotton seed from Allahabad up to Cawnpore, enclosing a letter from Lieutenant W. Stewart, stating the manner in which he intends disposing of his portion of the cotton seed, and offering his services to the Society.

From Mr. Grant Thorburn, of New York, to the address of Dr. Wallich, dated 20th July, enclosing invoice of the vegetable and cotton seeds alluded to in a former communication.

From F. Campbell, Esq., dated Midnapore, January 6th, stating that sugar-cane, cotton and tobacco, are extensively cultivated in that district and offering his services to the Society in distributing seeds and plants.

From M. P. Edgeworth, Esq., to the Secretary, dated Ambala, 4th December, advising despatch by the Steamer from Allahabad, of seven different specimens of soils, with a request that they may be analyzed and the results communicated to him.

From Major Gwatkin, dated Haupper, December 5th, acknowledging receipt of a parcel of seeds (part of the Collection brought out by Lord Auckland), also of the Egyptian cotton seed, mentions the total failure, with the exception of tobacco seed of the former,—and the loss of the latter, before the plants attained maturity. Desires to have a supply of seed oats and Otaheite sugar-cane.

From W. Liddell, Esq., Secretary to the Madras Society, acknowledging receipt of the plants and seeds forwarded per "John Adam", which had arrived in excellent order.

From J. Vaupell, Esq., Secretary to the Bombay Society, acknowledging receipt of a box of Peruvian

cotton seed, and advising the despatch of 100 Mauritius sugarcane cuttings, per *Ernaud*,—and encloses a paper on Cebithual by a member of that body.

From Dr. Helfer, dated 8th January, acknowledging the receipt of the Secretary's letter, with some boxes and bags of seeds for distribution in Assam.

From James Prinsep, Esq., Secretary to the Asiatic Society, dated 2d February, forwarding for circulation among the members of the Agricultural Society, six copies of a circular received from the Royal Asiatic Society on the subject of the collection of information, regarding the natural and agricultural products of India.

From Dr. Huffleagle, dated 21st December, in reply to the Secretary's letter on the subject of procuring vegetable seeds from America, expresses his willingness to forward the wishes of the Society in this matter.

The Secretary, submitted the produce of the plant "maranta arundinacea," brought out to this country by Lord Auckland. This plant Mr. John Bell received from the Botanic Gardens in April, and had it planted in the scorching heat of that month—it was re-transplanted in August, but under these disadvantages has given abundant returns in bulb.

Mr. Bell also laid before the meeting the produce of a few slips of real *West India Ginger*, received from Mr. Hodgkinson on the 2d February, 1836, (vide proceedings 10th Feby. 1836.) The returns are abundant, and it is hoped that this root so superior to the best ginger cultivated in India, will now be extended.

These plants have been handed to Dr. Wallich, for the purpose of being planted in the Society's nursery.

The Secretary informed the meeting that, with the concurrence of the Committee, H. Walters, Esq., J. P. Grant, Esq., and Baboo Dwarkanath Tagore—he had forwarded to Government a series of Agricultural and Statistical Queries, with a solicitation that Government would be pleased to sanction and countenance their circulation—as proposed by Mr. Walters in his paper read at a former meeting, a copy of these queries has been forwarded this day to the several Editors, who, by giving them a place in their columns, will be doing a service to the Society at large.

The thanks of the meeting were ordered for the foregoing presentations and communications.

JOHN BELL, Secretary.

Calcutta, Town Hall, Wednesday, 8th February, 1837.

P. S.—Read a note from J. C. Marshman, Esq., laying before the Society, 2 copies of vol. 3, Society's transactions, complete, with a memo. of the cost of publication amounting to 736/12-6.

Resolved, that Mr. Marshman's bill be passed and that the thanks of the Society are given to Mr. Marshman for his indefatigable exertions in getting the vol out so soon.

AGRI-HORTICULTURAL SOCIETY QUERIES.

Queries about to circulated by the Agricultural and Horticultural Society, with the view of collecting information regarding the Agricultural resources of different districts of India.

1st.—The nature of the soil, and climate of the district?

2d.—The manner in which the land is possessed by great or small proprietors?

3d.—The manner in which the land is occupied, whether by great or small farms?

4th.—The manner in which the land is employed, whether in pasture, in husbandry, or both?

5th.—If in pasture, what grasses are cultivated? Has the Guinea-grass been tried, and if so, to what extent do you think it could be advantageously introduced? Has the clover been tried, and with what success?

6th.—What species of stock is kept? Whether the breeds can be improved, or whether new breeds ought to be tried? Is there any individual in your district, who would be disposed to pay attention to improving the breed of cattle?

7th.—Whether any of the land is watered, and whether any considerable extent of ground is capable of that improvement?

8th.—For what particular crops is land in your district irrigated, and what is the mode of irrigation?

9th.—If the land is employed in husbandry, what crops are cultivated?

10th.—What is the rotation of crops?

11th.—Is indigo cultivated, and to what extent? Is cotton cultivated, and to what extent? Is sugar-cane cultivated and to what extent?

12th.—What are the peculiarities of the soils, occupied by these articles?

13th.—Have the varieties of foreign cotton been tried, and with what success? Has the Otaheite cane been introduced, and to what extent and with what success?

14th.—Is fallowing practised, or is the same land applied to the same purpose from year to year?

15th.—Is manure used, and of what kind? Could the system of manuring be extended, and could the natives be induced to pen their cattle, instead of using the manure as fuel?

16th.—Are oxen or buffaloes commonly used? Would mules not be preferable for draft?

17th.—What are the usual sorts of roughs, carts, and other implements of husbandry? Could originals or models be procured for this society without much inconvenience?

18th.—What is the usual seed time and harvest for the different crops?

19th.—What is the extent of waste lands and the improvement of which they are most capable?

20th.—What is the rate of wages, and price of labor? and what are the hours at which labor commences, and ceases at the different seasons?

21st.—Is any attention paid to draining lands, and what sort of drains are used?

22d.—Is any attention paid to embankments?

23d.—Is the country well wooded, and what sort of timber is chiefly grown?

24th.—What is the state of the roads?

25th.—Is the district intersected by streams?

26th.—Is land or water carriage resorted to for the conveyance of produce?

27th.—To what extent have manufactures or commerce been carried on in the district, and have they had either good or bad effects on its agriculture?

28th.—If a manufacturing district, what proportion of the population has been thrown out of work by the cheaper imported European cottons, and have they taken to any other employment?

29th.—Are there any other societies instituted in the district for the improvement of agriculture?

30th.—Do the natives seem to have a turn for improvements, or how could such a spirit be best excited?

31st.—Are there any obstacles to improvements, and in what manner can they best be removed?

33d.—Is there any individual, who could favor the Society with a rough map of your district, subdividing the lands by colors, in reference to the portion cultivated by particular crops, say blue for indigo, brown for sugar, yellow for rice, green for pasture, white for waste lands, and so on?

33rd.—What are the names and addresses of those who are the most active, or the most skilful improvers in your district, and who are the most likely to be useful correspondents of the Agricultural and Horticultural Society of India?

34.—Could any number of influential native landlords or farmers be induced to join a branch society in your district, and to promote its objects by personal exertions?

N. B. These queries are inserted in the daily papers with a view to their more general circulation, and the Society will feel obliged to any gentlemen who will take the trouble to reply to any, or all of them.—*India Gazette, February 10.*

MEERUT AGRI-HORTICULTURAL SOCIETY.

Colonel Dunlop, Quarter-Master-General of the Army, an active and distinguished Member and Vice-President of the Agri-Horticultural Society of India, and several other gentlemen of Head-Quarters, have during the past week, visited the garden of the Meerut Society, and expressed themselves much pleased at the progress made by the Society for the short period which has elapsed since its foundation.

We cannot but deem this a favorable opportunity for noticing the general indifference, which seems to pervade almost all classes, as to the active progress of the Society in question. Identified as we presume to say, we are with the institution since its very first foundation, it may be said we are interested in promoting the views of a Society, with which we are so closely connected; to this charge we shall be most happy, should it be brought against us, to plead guilty; we are interested, and, as far as our means will admit, will take every step which may appear to us in any ways likely to lead to creating an interest for the Horticultural Society in others. We conceive that, independent of all other incitements to the promotion of its objects, one alone in a philanthropic point of view, ought to be powerful enough in every right thinking mind, which is, that by means of this and similar Institutions, we may in some degree be enabled to pay the inhabitants of these Realms, the price of the salt we are eating, hard as it may seem to own it, at their expense.

It is the duty of every one, but more especially of those deriving in a direct manner, especially the Civil and Military Servants of the Company, largesums for the administration and Government of the country, to do every thing that may in any way, directly or indirectly, tend to the improvement of the moral and physical state of the people they are called upon to dwell amongst, and coeval with the extension of trade, and providing the means of carrying it on more advantageously, is the improving the material for that trade, and the discovery of new sources of speculation and profit.

The pursuits of Agriculture and Horticulture are, moreover, so interesting and amusing in themselves, so little likely to lead their cultivators into the difficulties and dangers which cross the paths of the votaries of more sensual, and less innocent amusements; that on this score alone, they deserve the especial attention of the Indian community, especially the military portion. The observation of the circumstances under which our natural production will thrive, where another will perish, the noticing of the soils, the temperature, the necessary attention required by each plant, are all so many points which would engender a vast stock of information, that would be useful in every situation.

It is objected by the indifferent on the subject, that no sooner have they begun to take an active interest in any thing of the kind, and contributed their quota to the funds of the Society, they are in the course of a relief compelled to abandon all they aided in carrying on, and deprived of the fruits of what labour, or money they may have expended. But the progressive Institution of Horticultural Societies in the principal Stations of India, will entirely remove this objection, as we imagine it might easily be arranged that for example, the Member of the Horticultural Society of Meerut, might, should he proceed to Lucknow, be permitted to become a Member of the Society there without being called upon to pay any entrance Fee, and vice versa. We have heard several gentlemen say that the monthly subscription (2 Rupees!) is too much, and that the entrance fee of 16 rupees is altogether unnecessary; it is true that 2 rupees here and 2 rupees there, soon cause a serious deficit in the monthly income of a Subaltern, but where it is considered how many 2 rupees are at times squandered in idle nothings, in many cases much to the detriment of those who act in this manner, we cannot but express our astonishment that this should form an item in the scale of objections.

We hope that the objects of the Society will soon become more attractive in the eyes of the public generally, and lead the Members of the Meerut community to join one and all in supporting one of the most useful, amusing and agreeable pursuits, which can attract the attention of those who have not leisure, inclination or perhaps capability of diving into the more abstruse mysteries of sciences, which require severe attention, and constant study to secure any degree of proficiency.

We apprehend an erroneous impression has got abroad, that the garden is open only to the members of the Society, which is far from being the case, as it is one of the objects of the Committee to render the Garden available as a place of public resort as much with the view of amusing, as of interesting those who may visit it, and induce them to contribute their mite by becoming members, to support the establishment.

We have much pleasure in adding that His Excellency Sir Henry Fane, who is well known to take an interest in the progress of agriculture in India, has since the above was written, presented a considerable pecuniary Donation to the Society, as a testimony of his wishes to serve the institution in the most efficient manner it can be supported. Colonel Dunlop has also contributed to the funds.

These examples ought not to be thrown away.—*Delhi Gazette February 8.*

PROCEEDINGS OF THE ASIATIC SOCIETY.

Wednesday Evening, the 1st February, 1837.

The Rev. Dr. Mill, Vice-President, in the chair.

Mr. J. Curmin, Captain F. Jenkins, Mr. George Hill, and Mr. Richard Walker, Captain Edward Sanders, Baboos Ram-mo-th Tagore and Prasannakumar Tagore, proposed at the last meeting, were ballotted for, and duly elected Members of the Asiatic Society.

Mr. J. Mill, and Mr. W. Cracroft, were proposed by Mr. J. Prinsep, seconded by Dr. Mill.

Mr. P. A. Lair, proposed at the last meeting, was, upon the favorable report of the Committee of Papers, elected an Honorary Member of the Society.

The following letter from Sir Alexander Johnston, Chairman of the Committee of Correspondence, Royal Asiatic Society, was read.

*Royal Asiatic Society, Grafton Street, Bond Street,
June, 1836.*

My Lords and Gentlemen—The vast extent, fertility, and populousness of our Indian possessions, are known, in a general way, to all the world. A glance, indeed, at the map will shew that their extremes of latitude may, without exaggeration, be indicated by the distance from Gibraltar to the farthest point of Scotland; and that the measure of their extent, from west to east, will be nearly found in a line drawn from the Bay of Biscay to the Black Sea. Lying between the 6th and 31st degree of north latitude, with almost every conceivable variety of position and exposure, they present a range of soil and climate greatly exceeding that which is to be found within the bounds of Europe. They embrace, in truth, the utmost limits of vegetable life, from the burning heat of the desert to the point of perpetual congelation; presenting, in one quarter, the loftiest mountains in the world; and, in another, vast alluvial plains, intersected by the natural channels of many noble rivers, with a corresponding variety of productions belonging both to tropical and northern regions. Not less than eighty millions of people are subject to the dominion of England; already they produce (though with imperfect skill) most of the articles which form the great staples of the import trade of this country, as materials of its manufacture, or as the objects of comfort and luxury to the great body of its inhabitants, of which cotton, silk, indigo, sugar, coffee, and tobacco, may be mentioned as pre-eminent; and they offer an assured prospect of an almost boundless market for the produce of English manufacturing skill, if the capabilities of their country be drawn forth, and their industry be duly instructed, directed, and fostered.

But though these general truths be readily acknowledged, their practical application is very imperfectly understood. Few men in England really know what India does or can produce, with sufficient precision, at least to justify commercial speculation. Few in India know what England requires; and none of the lights of modern science having been applied to the agriculture of the former country, its productive powers have, as yet, been very imperfectly developed.

Believing that the interests of both countries may be very importantly promoted by an interchange of knowledge, and especially by communicating to India the information and stimulus which are alone wanting to the full development of its vast resources, it has been resolved by the Royal Asiatic Society, to constitute a distinct Section, for the following and other similar purposes: provided the necessary funds can be raised for giving adequate effect to the design.

1st. The examination of the natural and agricultural products of India, available for the purposes of commerce and art.

2ndly. Inquiry into the causes of the general inferiority of the staple articles of Indian commerce.

3rdly. The introduction of new articles and processes from analogous climates in other parts of the world.

The Committee of Correspondence of the Royal Asiatic Society beg leave to bring the circumstance to your notice; trusting, confidently, on your zealous support of a measure, calculated to promote objects alike interesting to the patriot and the philanthropist.

Of the means of support, the most acceptable, would, of course, be such an accession of new members, European or Asiatic, as would at once provide the necessary funds, and as would afford the requisite contributions of knowledge and experience in the various branches of inquiry to which the labors of the Section are to be directed. But the Society will be most happy to receive the tender of the aid (whether in knowledge or funds) of affiliated Societies, pursuing the same beneficial objects, or any other co-operation or assistance which you may have the goodness to offer.

For the fuller explanation of the scheme in question, the Committee direct me to transmit to you the accompanying printed papers; and I shall be happy to afford you any further information in my power, in regard to it, that you may require.

I have the honor to be,
My Lords and Gentlemen,
Your most obedient humble Servant,

ALEXANDER JOHNSTON,

*Chairman of the Committee of Correspondence, R. A. S.
To the President, Vice-Presidents and Members of the
Asiatic Society of Bengal.*

Resolved, that a portion of the papers be made over to the Agricultural Society, and that general circulation be given to the Royal Asiatic Society's prospectus.

A letter from Mr. Alexander Vattemore, addressed to the Governor-General of India, was read, proposing to negotiate a general system of exchanges of duplicates between the various libraries and museums of the world.

Resolved, that copies of the library catalogue now printing be furnished to Mr. Vattemore, in furtherance of his laudable design.

The following protest from members of the Society residing in the interior was communicated by Colonel J. Colvin.

Dissentient.

It appears to us that in a society constituted as the Asiatic Society of Bengal is, the existence of a fund vested in Government Securities is, absolutely necessary for the permanence of the foundation.

We consider that such funds are intended to be reserved for cases of extreme emergency, and that the interest only of such funds should be carried to the current expenses of the Society.

We also consider that any infringement of a law upon which the Society's existence may be said to depend, is injurious not only to the Society itself as a body, but to the interests of the members individually; and may be drawn in as a precedent for further encroachments, leading to the ultimate dissolution of the Society.

For these reasons, we dissent from the resolution passed at the meeting of the Society of the 4th May 1836, continuing the services of a Curator at two hundred rupees per mensem; the account current shewing a deficiency of rupees 671-0-1, and the payment of the Curator's salary being proposed to be made out of the vested funds of Mr. Bruce. Further, in adverting to the Secretary's remark,

"that M. Bouchez, the assistant and working Curator, would be competent to set up all new specimens and preserve the present collection," we see no necessity, under the present difficulties of the Society, of retaining higher appointments.

Northern Donb, } P. F. CAUTLEY, Capt. Arty.
14th Dec. 1836; } H. FALCONER, M. D.
W. M. BURAND, Lieut. Engrs.
W. E. BAKER, Lieut. Engrs.
and Calcutta, } ALEXANDER COLVIN.
26th Jan. 1837. } JOHN COLVIN, Lt.-Col. Engrs.

After discussion it was agreed, that the protest could not affect the resolution passed by the Society in May, 1836, but that it would very properly become matter of consideration at the expiration of the annual term for which the museum grant was then confirmed.

The Secretary read correspondence with Mr. Laue, respecting the publication of his Anglo-Burmese Dictionary under the Society's auspices. He had written to Colonel Burney for the manuscript, which would immediately be put in hand.

A statistical paper having been communicated by Mr. H. Walters, that gentleman was requested to join the Committee lately appointed for that object, to which he assented.

And much exceeding in size, as was remarked by Colonel Colvin, any that had been found in the *Sewalik* range, many vertebræ and unidentified bones and horns, tortoise fragments, and a peculiarly perfect saurian head. The special thanks of the Society were voted to Lieutenant Fulljames for his magnificent donation.

Lieutenant Fulljames mentions that he is now employed in sinking a bore at Gogo, about five miles from Perim. It has been already carried to 250 feet:—the last 150 through an immense bed of blue clay, containing pyrites and shells, resembling the muscle:—the deepest bed of sandstone was thirty feet, but it differed essentially from the bone stratum of Perim.

A skeleton of the common hog (*sus scrofa*), was presented by Dr. A. R. Jackson, mounted in the museum.

Mr. William Cracroft presented to the Society a large variety of objects of Natural History, collected by himself during his residence in new South Wales and Van Di-

man's Land; accompanied with an illustrative notice.

This collection contained three volumes of a *hortus siccus* of the chief indigenous plants of these colonies—a rich series of ornithology and conchology—and specimens of the fossil shells, fossil wood, and minerals of which the islands present so many fertile deposits; ores of lead, copper, and iron, have been discovered, but are not yet worked, and coal is plentiful.

Dr. G. Evans exhibited to the meeting a very large skull of an animal generally considered to be the Bison of Indian forests, which he recognized as the Gaur (*Bos gaurus*), and distinguished from the skull so named in the museum.

It was moved by Sir Benjamin Malkin, seconded by Colonel Colvin, and carried unanimously,

That, with reference to the rapid increase of the museum, particularly in the department of fossil geology and to the limited funds at the Society's disposal, the subscription of individual members shall be invited for the preparation of cabinets and other improvements connected with this highly important branch of the Society's researches, and that the Secretary do circulate a notice to this effect to members of the Society.

The following notice, dated Sihor, 17th January, was recorded in hopes of eliciting further observations of the same phenomenon.

At Bersia, Lat. 23° 38', Long. 77° 30', on January 11th, at 6th '00m, a meteor appeared near β Andromedæ, and not far from the Zenith; it went down to the westward, occupying 2 or 3 seconds in its flight, and inclining a little to the left; at about 30° of altitude it burst into a globe of light little inferior to the sun in size and brightness; and then disappeared leaving behind a long train of smoke which continued visible for many minutes, like a thin cloud enlightened by the sun's rays; at about 6h 5m a faint rumbling sound was heard like the distant discharge of artillery. The appearance was nearly the same at Sihor, though distant 36 miles S. S. W.

Should this meteor have been noticed at Mhow or Ajmir the place over which it burst may be determined, and probably a meteoric stone discovered.—W. S. J.—*Journal of the Asiatic Society* for January.

MEETING OF THE MEDICAL AND PHYSICAL SOCIETY.

At a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, on the 4th February, 1837.

J. Forbes, Esq., of the Madras establishment, proposed at the last meeting, was elected a member of the society.

Letters from the following gentlemen were then read.

From J. B. Dickson, Esq., 64th Regt. N. I., and from C. Renny, Esq., 5th Light Cavalry, requesting that their names might be withdrawn from the list of members.

From Dr. Griffiths, of Assam, stating that he had forwarded some specimens of Assam poison of mishmee teets and geetheoon. Dr. Griffiths says that the Assam poison, as far as he can learn from the native accounts, resembles closely the Nipal plant, but he hopes ere long to give a correct account of it. He believes it to be a very powerful drug and attributes the failure of the experiments made with Dr. Wallich's specimens

(brought down last year) to the age of the roots which speedily become inert by keeping. The writer states that the apparatus employed for destroying animals with this poison, consists of a short arrow, the head of which is plentifully smeared with the powdered root, made into a paste by help of the ollenga juice as described by Dr. Wallich. This arrow is inserted into the barrel of a musket, the head projecting externally and the gun is discharged in the ordinary way. It is said by the mishmees that an elephant wounded in the shoulder by this empoisoned weapon, dies in a few minutes; but when struck in the hinder parts of the body it lives till the next day. Dr. Griffiths objects to Dr. Wallich's name of *teets* for the other mishmee plant. The word *teets* signifies bitter, hence mishmee *teets* means only "mishmee bitter." The geetheoon is a plant much esteemed by the Assamees on account of its smell, but it does not appear to have any specific or medicinal virtues.

Dr. Corbyn presented the society with a copy of his monthly journal for the year 1836, and received the thanks of the meeting.

Dr. McCosh, Officiating Assistant-Surgeon, General Hospital, and Dr. Bell, Surgeon H. M. 26th Regt., were proposed as members of the society by Dr. D. Stewart, seconded by Dr. Goodeve.

In conformity with a resolution of the January meeting, Mr. Brett, seconded by Dr. Corbyn, submitted to the society a proposition to the effect, that all future elections of officers should be made by the subscribers at large. This proposition was negatived.

A letter having been read from Dr. Ranken declining the honor of serving as a member of the committee of management, the meeting proceeded to elect another in his stead, and a second in the room of the late Mr. Bramley.

The box having been examined, Dr. Martin and Mr. Chapman were found duly elected.

The following communications were then laid before the meeting, read and discussed.

1st.—Two very interesting papers by Dr. D. Stewart, one of them an account of a case of liver abscess bursting spontaneously into the colon and afterwards into the chest and terminating successfully for the patient. The other containing the details of a case of chronic hydrocephalus, produced apparently by a piece of bone which had formed at the base of the brain at its anterior part, adhering to the Dura Mater. The bone itself was laid upon the table. It is about the size of a shilling and $\frac{1}{2}$ of an inch thick in the centre gradually thinning towards the circumference.

2.—A paper by Mr. Brett upon the comparative advantages of lithotomy and cystotomy, in which the author, as far as his own experience goes, gives a decided preference to the latter as being more easily performed and much less painful to the patient.

Mr. Brett also brought for the inspection of the society a tumor which he had that morning removed from a native patient. It was about the size of a closed fist composed of cells containing a quantity of soft pulpy matter of a bloody color. Mr. Brett stated that the patient was an interesting young Hindoo female, 21 years of age, of good general health. The tumor had appeared first about 4 years since and was situated immediately behind the angle of the jaw in the seat of the parotid gland of which organ Mr. B. believed it was composed. The carotid artery was first laid bare and a ligature passed under it but not tied. The tumor was then dissected out from its connections which were exceedingly deep, in doing this several small arteries were wounded, but at the end of the operation in detaching the tumor from the lower part of its adhesions, a tremendous gush of blood took place. The ligature around the carotid was immediately tightened and the hemorrhage ceased. The incisions were then completed, the wound was closed, and the patient appeared to be doing remarkably well.

H. H. GOODFVE, M. D.,

Secretary Medical and Physical Society.

India Gazette, Feb. 13.]

MEDICAL RETIRING FUND.

A meeting of the committee of management of the Bengal Medical Retiring Fund was held this day, when letters, in reply to the offer of the annuities were opened; and it was found that Messrs. Venour and Maxwell

were the only subscribers who had accepted the annuities for 1833. The unaccepted annuities will now be offered to all who have served seventeen years.—*Journal of Medical Science.*

THE BONDING WARE-HOUSES.

A Meeting of Subscribers to the Bonding Warehouse Association was held this morning in the Exchange Rooms, Mr. Arbuthnot in the chair.

Mr. Cockerell read the report of the Provisional Committee of which he was Chairman, and a letter from Government of the 25th ultimo, accepting their offer of 1,80,000 Rs. for the said Import Warehouse premises, payable in portions as the ground should be occupied, but not conceding the right of Wharfage to the extent asked for. We conclude this letter will be published with the report, as it describes the extent of the privileges to be given to the association, and states the reasons for declining to go further, than to give a general assurance that Government will not render itself a competitor or excite competition injurious to the association, while the arrangements of the latter shall be conducted on a footing satisfactory to the public. The Bonding licences now granted to private warehouses (we are told that only one instance has occurred) are limited to six months, but the Government will not pledge itself that the term will not be extended and that no other licences will, under any circumstances, be granted; nor is it disposed to take away the privilege which the merchants now have of leaving imported goods in the Custom-house for three months without paying duty. The association is offered a charter for twenty years, with an understanding that it may be renewed; and Government adopts

the suggestion of the Committee that a maximum shall be fixed for the profits, on the principle that when important and exclusive privileges are granted to incorporated bodies in England, it is now usual to limit their profits to ten per cent. The limit in this instance is not yet named, but with reference to the instability of every thing here, and the difference between the two countries in the relative rates of profit, if ten per cent. be a proper limit in England, the maximum here should not be fixed at less than twenty-five per cent. In the event of the concern being broken up, it is stipulated that Government shall have the right of pre-emption.

Thanks were voted to the provisional Committee for their services and especially for the manner in which they had conducted the negotiation with Government, and it was resolved to confirm the bargain for the land on the conditions offered for a charter. The several propositions embodied in the Report, as heads for preparing the Deed, were then successively put to the Meeting as distinctive propositions, and most of them were adopted unanimously, the only question on which there was any considerable difference of opinion, being on the qualification for voting, as we shall presently shew.

We are unable at present to give more than the substance of the resolutions. They fix the capital at 10 Lakhs of Company's rupees, divided into 2,000 shares

of 500 rupees each, payable by instalments to be determined at General Meetings. No person to hold more than 50 shares. Proprietors entitled to vote personally, or by proxy according to the following scale—a shareholder of capital stock to the extent of

	votes.
1,000 and under 1,500 rupees.....	1
1,500 and under 3,000 ".....	2
3,000 and under 5,000 ".....	3
5,000 and under 7,000 ".....	4
7,000 and under 10,000 ".....	5
10,000 and under 15,000 ".....	6
15,000 and under 20,000 ".....	7
20,000 and upwards, ".....	8

The Committee's proposition gave 1 vote from 1,000 to 4,000 Rs., 2 from 4,000 to 8,000 Rs., 4 from 8,000 to 16,000 Rs., 6 from 16,000 to 20,000 Rs., and 10 from 20,000 upwards; but after some discussion, it was withdrawn in favor of the above amendment. No person is to vote after the 1st of May next, who shall not have been registered as a proprietor for three months. No transfer to be recognized unless duly registered General Meetings to be held half-yearly—and accounts published half-yearly. Special meetings may be called by not fewer than ten members holding shares to the extent of 50,000 rupees, after fifteen days notice,—or by the Directors when they think fit. The management to be vested in a Chairman and five Directors to be elected by a majority of votes at General Meetings; three to be a quorum, with a casting vote to the Chairman. Two Directors to go out every year by lot until it can be settled by seniority, and not re-eligible till after one year—15 shares the qualification of a Director. The Directors to appoint a Secretary, subject to confirmation of the proprietary, with the requisite establishment. The Union Bank to be Treasurers of the Association. All questions submitted to General Meetings to be determined by a majority of the votes given upon the occasion.

Mr. Collier, seconded by Mr. Dobbs, proposed that Messrs. F. Macnaghten, Cockerell, Willis, Colvin, Stewart and Captain Ouseley should be the first Directors. A ballot being taken, Mr. Limond as scrutineer declared the gentlemen above-named to be duly elected, and it was resolved that they should continue their services as Directors till the 1st of May 1838. The directors then nominated Mr. Limond as their Secretary, which nomination was confirmed by the Meeting, upon an understanding that it should rest with the discretion of the Directors to fix the pecuniary compensation for his services.

A plan of the ground was laid upon the table, and it was explained that it would afford convenient space for three distinct longitudinal stocks of warehouses, each range being capable of receiving 30,000 tons of goods distributed upon the ground floor and three stories. The centre building alone is to be erected at present, leaving Government the use of the ranges of old godowns now existing on either side.

The following summary will shew how the shares are at present distributed—

28 persons have	1 share each.
31 "	2 shares "
5 "	3 shares "
5 "	4 shares "
26 "	5 shares "
5 "	6 shares "
2 "	9 shares "
11 "	10 shares "
1 "	12 shares "
25 "	15 shares "
6 "	20 shares "
2 "	25 shares "
9 "	30 shares "

3 "	40 shares "
2 "	45 shares "
11 "	50 shares "

172 persons, entitled to 536 votes in the aggregate, according to the scale adopted.—*Calcutta Courier*, February 3.

Proceedings of a General Meeting of the Bonded Warehouse Joint Stock Association, 3d February, 1837.

G. C. ARBUTHNOT CALLED TO THE CHAIR.

The Chairman having read the Proceeding of a General Meeting of 7th November last, as also the advertisement of 30th ultimo, calling this Meeting of the Shareholders, Mr. Cockerell, Chairman of the Provisional Committee, read to the assembly a Report by the Committee as follows.

"As there is much important business demanding your consideration, the Provisional Committee will not occupy your time with any unnecessary detail; but proceed as succinctly as possible, to state what has been transacted by it, and to describe the present position of your affairs.

The Export Warehouse Compound having for obvious reasons been considered as far preferable to any other for the intended Warehouses, it became the duty of the Committee to endeavour to obtain it. A protracted negotiation ensued, and a confident expectation of succeeding was entertained by the Committee up to its termination almost; but in the sequel, the opposition on public grounds, to the assignment of that site grew so strong, that it became expedient to look elsewhere for a provision. Government promptly and frankly facilitated the arrangements, by offering to the Society the choice of one of the three next most eligible places, viz. the old Mint, the Naval Store Yard with the contiguous premises, and the old Import Warehouse Ground. The last had formerly been the spot on which it was designed to erect these Warehouses. Its situation was not inferior to that of the two others; and being clearer of valuable buildings, it was likely to be had on cheaper terms. Urged by these considerations, the Committee made a proposition for it which Government has been pleased to accept, and which you are now convened to ratify.

The Committee has also been in communication with Government as to the privileges to be imparted to the Association. Although, on this head, all which was sought has not exactly been conferred, still the Committee feels impelled to say, that probably as much has been conceded as could, the peculiar position of the Government being considered, have reasonably been expected; and, on the whole, it cannot in justice withhold its approbation of the terms and privileges which have been accorded.

The official communication from the Government, which will be read, will explain the terms for the purchase of the ground, and the privileges to be bestowed; and with these the Committee anticipates that you will not hesitate to express your unreserved satisfaction.

The materials for the Act of Incorporation will be immediately put into a state of preparation. The aforesaid letter from Government sufficiently indicates its chief provisions.

Ere quitting this division of the subject, the Committee would but imperfectly discharge its duty, if it did not embrace the occasion to state to you the high sense it entertains of the enlightened policy which the Governor General has uniformly evinced, throughout his consideration of the measure, and of the exceeding urbanity and attention with which his Lordship listened to the reiterated

representations which it became necessary for the Committee to submit.

You have on the table a sketch of the plan of the Import Warehouse Ground—and a rough estimate of the cost of completing Warehouse, capable of accommodating about 90,000 tons of merchandize, with outline of such erections. In conformity with the original appeal to the public and, as a matter of undiminished expediency, it is proposed to build only a portion, say one of the ranges of Godowns, in the first instance; and you will have to authorize the realization of the funds necessary for the completion of that portion of the undertaking, from time to time, as the Directors may find to be demanded. These ranges, it is computed, will hold about 30,000 tons. If found to thrive, as is anticipated, the remaining parts can be finished progressively, until the completion of the whole shall announce the full success of the projected scheme.

The Committee submits a few leading Rules, which will serve as a guide in framing the Act of Incorporation. By-laws can be framed as experience shall demonstrate their necessity.

1. The Capital of the Association shall amount to 10 Lakhs of Company's rupees, divided into 2,000 Shares of 500 rupees each, with power to be enlarged hereafter to such amount as may be needed for completing the whole scheme,

2. The subscription shall be paid by instalment, the number and amount and period of which to be determined by General Meetings.

3. No individual shall hold more than 50 Shares.

4. At General Meetings of the Proprietors every Proprietor holding 1,000 Rs of the Capital Stock and less than 4,000 Rs. shall be entitled..... to 1 vote, holding 4,000 Rs. and less than 8,000 Rs. to 2 votes, ditto 8,000 Rs. and less than 16,000 Rs. to 4 votes, ditto 16,000 Rs. and less than 20,000 Rs. to 6 votes, ditto 20,000 Rs. and upwards..... to 8 votes, and no Proprietor holding less than 1,000 Rs. shall be entitled to any vote at any Meeting of the Proprietors.

5. Proprietors shall be entitled to vote by general proxy.

6. No one to be permitted to vote at any General Meeting after the 1st of May next unless he shall have been a registered Proprietor for 3 months.

7. No transfer to be recognised by the Society unless daily registered in its books by the Secretary.

8. A General Meeting shall be held half yearly for examining the accounts, ordering dividends, and transacting any other general business.

9. A statement of Accounts shall be published half yearly.

10. Special General Meetings may be called, after fifteen days' notice, on the written requisition of not fewer than ten members, holding Capital Stock to the amount of 50,000 Rs., and the Directors may summon Special Meetings as they may see occasion.

11. The affairs of the Society shall be conducted by a Chairman and five Directors, to be elected by the majority of votes at General Meetings specially convoked; three Directors with the Chairman being a quorum; and the Chairman having a casting vote in cases of equality of votes.

12. Two Directors to go out every year by lot till it can be settled by seniority; such Directors being eligible for re-election after the lapse of one year.

13. The possession of not fewer than 15 Shares shall be necessary to qualify a Proprietor to be elected Director.

14. There shall be a Secretary appointed by the Directors, subject to the confirmation of the Proprietors, with an establishment authorized by the Directors sufficient for the management of details—all under the Directing Committee.

15. One of the Banks shall be Treasurers for the Company.

16. All questions submitted to General Meetings shall be determined by a majority of the votes on the occasion.

R. H. COCKERELL, *Chairman.*"

Mr. Cockerell also read to the Meeting a letter from Mr. Secretary Prisep, dated 25th ultimo, addressed to the Provisional Committee—thus:

To R. H. COCKERELL, Esq.

And other Gentlemen forming the Committee of the Bonded Warehouse proposed Joint Stock Association.

Gent. } GENTLEMEN.—I am directed by the Right
Dept. } Hon'ble the Governor of Bengal to state that the propositions contained in the Extract from your Proceedings under date 20th ultimo, and which were personally submitted by you to His Lordship with a full explanation of your views and wishes and your further proceedings under date the 23d instant, have received from His Lordship an attentive consideration, together with the reports and estimates of the Officers of Government upon the Premises selected by you in both instances for the site of the proposed Warehouses.

2. It was in the first instance your desire to obtain the entire Export Warehouse Premises, together with a slip of the ground occupied by the Custom House. For these, with the buildings upon them, you offered the sum of two lakhs and a half of Company's rupees. The buildings now on the ground were to remain in the occupation of Government for two years, and you offered payment of the value above stated at the end of that period or whenever the buildings you promise to erect might be in a condition to receive Merchandize. The valuation fixed upon the ground and buildings of the Export Warehouse by the Government Officers was Rs. 2,67,000, but the ground alone was separately stated to be worth about 1,000 rupees per cotta.

3. To this proposition the following objections were made:

First. That the Export Warehouse Godowns were the best and most substantial buildings of the kind in the possession of Government—the only ones possessing the advantage of an upper tier over arches, and therefore particularly well suited for the reception of Silk and similar articles of value when shipped by Government or tendered in security for advances.

Secondly. That the existing Premises of the Custom House were insufficient both in space and in Warehouse accommodation for the business transacted in them, and although the Warehouse Scheme would afford some relief in regard to Imports the main pressure was on account of Export Goods. The ground of the Export Warehouse Premises was the only spot within the same square as the Custom House that could be annexed for extension of its Premises without crossing a public road therefore with the prospect of further increase to the trade of the Port it would not be judicious to part with that ground.

Thirdly. It was at present in contemplation to move the Government Opium Store into the Export Warehouse buildings, and as the supply of this article was increasing annually and it could only be stored in some place convenient for shipment like the Export Warehouse, the transfer of those Premises was on this account also inexpedient.

4. The wants of the Public Service, therefore, precluding apparently the transfer of the entire ground and buildings of the Export Warehouse Premises, His Lordship was induced in a verbal conference to offer a square space of that ground to the extent of about two Baggahs without entering into pledge as to the remainder, but your Committee having taken this offer into consideration give the preference to the larger space forming the Premises of the Import Warehouse as more fit for your entire Scheme. For this ground with its buildings it is the purpose of your proceedings of the 23d instant, also laid personally before the Governor of Bengal, to offer the sum of Company's rupees 1,80,000, payable at the end of two years, or when the Warehouse proposed to be built is fit for the reception of goods, or if a lease be preferred by Government you tender an annual rent of 1,000 rupees on a lease for 99 years.

5. The Right Hon'ble the Governor of Bengal being very desirous to encourage a project which he deems calculated to be of essential benefit to the trade of the Port, and having ascertained that other accommodation can be provided for the Stores and other purposes to which the buildings of the old Import Warehouse are at present applied, has resolved to close with the offer made by the Committee to purchase these Premises, and is prepared to make over immediately so much of them as may be required for the foundations of the buildings to be first raised, retaining the other godowns and ground in possession until required for the purposes of the Association. With respect to payment of the purchase money, His Lordship thinks it will be preferable, instead of requiring from the Association payment of the entire value after a period of two years, that the price agreed upon shall be rateably distributed over the ground, and that payment shall be made of the proportion of value for such parts of the ground as may from time to time be required,—immediately or within a reasonable period after their being taken by the Association. His Lordship does not apprehend that your Committee will have any objection to settling for the ground in this manner, and on the part of Government it is agreed that ground for the site of your first buildings shall immediately be delivered over and upon three months' notice and payment of its value as above provided for, any further ground or buildings that many be demanded.

6. The only further point in respect to which His Lordship deems it necessary to come to specific explanation with your Committee, is as to the right of warfage claimed. The Governor of Bengal has no power to convey property in any of the land on the river face of the road, nor can he pledge himself to permit erections of any specific description to be made thereon. This matter must be under the regulation of the magistracy of Calcutta in their capacity of Conservators of the river and roads of the City, but His Lordship can engage that they shall receive your plan with every disposition to encourage the measure and to give facilities to the landing of goods with every due convenience and security, keeping in view, however, the ornamental appearance of what may be designed, and the great objections that exist to closed buildings of any kind on the river side of the road, and to the projection of piers into the water way.

7. If your Committee and the Subscribers to the Association will receive the ground of the Import Warehouse Premises on these terms, they may proceed at once to carry their plan into execution. In regard to their other points touched upon in your Proceedings of the 20th December, His Lordship doubts not that he shall be able to give you complete satisfaction. It may, however, be proper to notice the most essential.

8. Your Committee have requested that if in order to carry the provisions of the late Warehousing Act fully into effect, it be found indispensable to license private

Warehouses, pending the erection of those of the Association, the period of such licenses shall be limited to six months, but the hope is expressed that the Government will not find it necessary to license any such having the accommodation of the Export Warehouse godowns in addition to those of the Custom House at disposal.

9. Upon this point I am directed to observe that His Lordship fully subscribes to the expediency of granting licenses to Private Warehouses, only for short periods, and was prepared, independently of the desire to comply with your reasonable wishes in this respect, to indicate to the Board the period of six months as a proper limit for licenses when granted to private individuals or firms, in case it should be found necessary, in order to carry the Bonding system at once into effect, to establish such places of store. His Lordship is fully aware of the benefit that will result from the concentration into one building of all the goods admitted to Bond, and subject the same species of supervision and check, and on this account His Lordship has felt disposed to give every practicable encouragement to the Scheme you have under preparation which has this object specifically in view.

10. I am, indeed, directed to add that His Lordship would consider the establishment of various Private Warehouses in different parts of the Town for the reception of Bonded Goods to be a source of much embarrassment and expense, and therefore a very objectionable result to be produced by the recent Act passed by the Legislative Council. Nevertheless, it is not possible that His Lordship should give to any existing Institution an absolute pledge that it shall exclusively be entitled to the benefit of a measure devised for the general convenience and advantage of the trade of the Port. It is impossible to provide in advance for all possible circumstances under which applications may be made to Government for a participation in the advantages of the system. Your Association, however, will probably not require more than an assurance that the Government itself will not seek to compete with you, or to raise up or encourage competition in others to the injury of your property and to the reduction of the profits of the concern, so long as they are not unreasonable. Subject therefore to this general declaration of a wish and intention to confine as far as possible the grant of private licenses, and of a desire to encourage and favor your scheme as calculated to give every considerate facility to the trade of the Port, combined with the best security attainable for the revenue, the Government must reserve to itself a discretion of acting in all cases as may be deemed most just and expedient.

11. Consistently with this principle, the Governor of Bengal will not withdraw the privilege now given to the Importers and Consignees of Goods of lodging them in the Custom House, with the demand of duty suspended for three months on deposit of Government Securities. This and any other facilities that may be given, he is confident that there is no wish on your part to cite as interfering with your Bonding privilege, or as establishing a kind of competition therewith calculated to withdraw or keep Goods out of your Warehouses.

12. Your Committee appears to have fallen into some error in supposing that any rates of Warehouse hire have been fixed in the Tariff Act as passed by the Legislative Council. Rates were stated in the Draft of Act originally published and communicated to the Chamber of Commerce which may have tended to the misconception, but in the Act itself it was determined to be preferable to leave these to be fixed by the Board of Customs according to circumstances. The rates of the Draft also were always intended as maximum rates and not as those intended to be invariably established for the Public Warehouses of Government.

13. Upon the question raised in the proposition numbered 4 of your Proceedings of the 20th December,

the Right Hon'ble the Governor of Bengal desires me to state, that he can foresee no objection likely to arise in the Legislative Council to limiting the responsibility of Shareholders to their respective interests in the concern; but if you obtain a Charter of Incorporation giving special privileges of this description, it will in his opinion be necessary to insert other usual conditions of such instruments, as—

First. That the period for which it is granted shall be limited, say for twenty years, so as to allow the conditions to be brought under review at each period of renewal.

Secondly. In all Charters granting privileges in England, it is, moreover, usual to set a limit on the rate of profit to be divided, because of the advantages of position conferred which may possibly give a kind of monopoly relatively to others who might otherwise enter into the same field. Ten per cent. is the usual limit in England, but in this country His Lordship would be disposed to name a higher rate as fairly due to the more precarious investment of Capital in India, and the Charter should also, as is usual in such cases, include a provision for the appropriation of any larger profit that may be realized.

Thirdly. The publication of accounts must of course be a condition of any Charter or Act of Incorporation that may be submitted to the sanction of the Supreme Government of India, and these must likewise be, as will doubtless be desired by the Proprietors, efficient but simple rules for controlling the management.

14. With respect to head No. 5, of your Proceedings of 20th December, the Governor of Bengal does not consider that it can be necessary to insert in the Charter a specific provision giving power to borrow money. With complete publicity in respect to the accounts, this matter may fairly be left by the Proprietors to be settled without further restriction, than that if the concern is giving up the right of pre-emption at a price to be fixed by arbitration is to be in the Government.

15. Having thus stated the opinion of the Right Hon'ble the Governor of Bengal on all the points submitted by you, which have seemed to him to require notice, I am directed to ask whether you accept the tender of the Import Warehouse Premises on the terms stated. On learning your final decision on this point, the Right Hon'ble the Governor of Bengal will issue the necessary instructions to put you in possession and to prepare the requisite deeds.

I have the honor to be, Gentlemen,
Your most obedient Servant,
H. T. PRINSEP, Secy to Govt.
Fort William, the 25th January, 1837.

Plans of the Ground and of the Warehouses, with a rough estimate of the probable cost, and a sketch of the

Central Range, which it is proposed to complete in the first instance, were placed before the Meeting.

The following Resolutions were then adopted.

1. On the proposition of Mr. Bruce, seconded by Mr. Willis, it was resolved unanimously, that the offer for the old Import Warehouse Premises made by the Provisional Committee, as agreed to by the Government, be confirmed, and the terms be accepted.

2. It was proposed that the Rules recommended in the Report of the Provisional Committee be adopted, and, having been by the Chairman put serially to the vote, all were carried without opposition, except Nos. 4 and 15, which it was determined shall stand modified as follows, the former on the motion of Mr. G. A. Prinsep, seconded by Mr. A. Colvin, and the latter on the motion of Mr. Cockerell, seconded by Mr. Collier:

No. 4. —At a General Meetings of the Proprietors, every Proprietor holding shares to the extent of Rs. 1,000 of the Captain Stock, and less than 2,000 shall be entitled to.....1 vote,
Holding 2,000 Rs. and less than 3,000 Rs. to 2 ditto,
Ditto 3 000 „ ditto 5,000 „ to 3 ditto,
Ditto 5,000 „ ditto 7,000 „ to 4 ditto,
Ditto 7,000 „ ditto 10,000 „ to 5 ditto,
Ditto 10,000 „ ditto 15,000 „ to 6 ditto,
Ditto 15,000 „ ditto 20,000 „ to 7 ditto,
Ditto 20,000 „ and upwards to 8 ditto,
and no Proprietor holding less than 1,000 Rs. shall be entitled to any vote, at any meeting of the Proprietors.

No. 15.—The Union Bank shall be Treasurers for the Company.

3. Resolved, that the Directors be authorised to decide on a Plan for the Warehouses, advertising for contracts for building—and to call from time to time for the contributions, and to make the disbursements required for completing the portion of the buildings intended to be erected first, and for the purchase of the ground, as also for other necessary purposes.

4. The ballot having been resorted to, and the Scrutineer having reported the greatest number of votes to have fallen on the after mentioned Gentlemen, Resolved that R. H. Cockerell, A. Colvin, F. Macnaghten, J. W. J. Ouseley, J. Stewart and J. Willis, are duly elected the first Directors, to continue to act as such from the present day till 1st May 1838, when two have to retire as provided by Rule No. 12.

5. The Directors having nominated him to the office, Resolved that William Limond be Secretary to the Association.

6. Resolved, that the thanks of the Meeting are due to the Provisional Committee for their able performance of the task committed to them.

7. Resolved, that the thanks of the Meeting be expressed to the Chairman for the efficient manner in which he has presided over this assembly,

GEORGE C. ARBUTHNOT, Chairman.
[Cal. Courier, Feb. 9.]

THE BANK OF INDIA.

TO THE KING'S MOST EXCELLENT MAJESTY IN
COUNCIL.

The humble Petition of James Alexander, of the city of London, merchant, Thomas Baring, of the city of London, merchant, H. H. Birley, of Manchester, in the county of Lancaster, merchant, William Boyd, of the city of London, merchant, John Sindholme

Brownrigge, of the city of London, merchant, John Deans Campbell, of the city of London, merchant, William Foidler, of Blackburn, in the county of Lancaster, merchant, Kirkman Finlay, of Glasgow, in North Britain, merchant, Robert Garnet of Manchester, in the country of Lancaster, merchant, George Grant of Liverpool, in the county of Lancaster, merchant, Samuel Gregson, of the city of London, merchant,

Joseph Hogan, of Liverpool, in the county of Lancaster, merchant, John Irving, of the city of London, merchant, Joseph Hornby, of Liverpool, in the county of Lancaster, merchant, John Jackson, of Lancaster, in the county of Lancaster, merchant, John Kennard, of the city of London, merchant, George Gerard de Hochepeid Larpent, of the city of London, merchant, William Little, of the city of London, merchant, John Melville, of the city of London, merchant, Ceneas Mackintosh, of the city of London, merchant, James Oswald, of Glasgow, in North Britain, merchant, Mark Phillips, of Manchester, in the county of Lancaster, merchant, John Pickersgill, of the city of London, merchant, and John Abel Smith, of the city of London, merchant.

Sheweth.—That your petitioners and other merchants resident in London, Liverpool, Manchester, Glasgow and other parts of Great Britain, connected with the trade to India and China, are of opinion that a bank of issue and deposit in India, founded on sound principles, will be attended with advantage to the British territories, in India, and to parties engaged in commerce between this country and India, as well as to the parties who shall become interested in the bank.

That your petitioners and other merchants engaged in the trade of India, are desirous to establish a bank in London as the first essential, preliminary to the establishment under Charter from the East India Company of a bank in Calcutta, with branches in other parts of India and within the limits of the charter granted to the Company by the act of Parliament.

That your petitioners beg leave to annex to this petition a letter which has been received from the Court of Directors of the East India Company containing the views of the Court of Directors on this subject, and your petitioners, have no reason to doubt that, should your Majesty be pleased to comply with the prayer of this petition, your petitioners will be enabled to effect such arrangements with the Bank of Bengal, as will be satisfactory to all parties.

That this plan cannot be effected on any definite arrangements made with the Company unless your petitioners can obtain from your Majesty a charter of incorporation.

That your petitioners propose to establish a Bank in London, under the name of the Bank of India, and when the proper arrangements can be effected with the Company to conduct the establishment at Calcutta also under the same name.

That a capital of £5,000,000, is proposed to be raised by subscription by parties desirous to take an interest in the bank in the nature of a joint stock company.

The capital will be raised by 50,000 shares of £100 each, and that the Company should have liberty to raise a further sum if the Directors should hereafter find it to be of advantage that further sums should be raised.

That the object of the parties, is that the bank should confine itself to the business of banking, properly so called; that is to say, to the receiving of deposits, keeping cash accounts, granting cash credits for a limited time, discounting bills; the issue of notes payable on demand in gold or coin, the advance of money on public and other securities, the purchase and sale of Bills of Exchange, granting drafts and credits by the establishment in London on the establishments abroad, and by the establishments abroad on the establishment in London, and the conducting such other matters as belong to the business of a banker.

That the sum of £10 upon every share of £100 is proposed to be paid on the appropriation of the shares to the

proprietors and a further sum of £15 per share on a charter being granted by your Majesty, if your Majesty see fit to grant such Charter, and that the remainder of the capital be paid as soon as the directors find it can be beneficially employed, and that 15,000 of the shares be reserved for appropriation to parties in India.

Your petitioners beg leave to annex to this their petition a short statement of the heads of the proposed plan for conducting the concerns of the Bank both in England and in India; which heads will have hereafter to be extended into proper and legal form, but your petitioners have taken the liberty to put them in this form for the more ready reference.

Your petitioners most humbly pray, that your Majesty will be pleased to grant a charter of incorporation under the name of the Bank of India, according to the regulations which are shortly set forth in the statement hereto annexed, or with such variations as to your Majesty shall seem meet.

And your petitioners shall ever pray, &c.

J. A. Smith, M. P.
Thos. Baring, M. P.
John Irving.
J. S. Brownrigge, M. P.
Jas. Alexander.
J. Hogan.
J. Jackson.
J. Deans Campbell.
G. G. de H. Larpent.
S. Gregson.
W. Boyd.
Robt. Garnet.

Geo. Grant.
J. Pickersgill.
Wm. Little.
J. Melville.
C. Mackintosh.
Jas. Oswald, M. P.
Mark. Phillips, M. P.
W. Fielder, M. P.
K. Finlay.
H. H. Birley.
J. Hornby.

[Englishman.

HEADS OF THE PROPOSED PLAN OF THE BANK OF INDIA.

1. That books be opened for taking subscriptions.
2. £2,500,000 be appropriated to subscribers resident in this country, and the remaining £1,500,000 to subscribers resident in India, provided the same are subscribed for within 24 months, from the 1st January 1837, and the directors to settle the mode and amount of appropriation after the expiration of 24 calendar months, any shares not subscribed for by persons resident in India, may be subscribed for by others.
3. The directors to regulate the mode and places at which the instalment upon shares subscribed for in India shall be paid, and the notices requiring payment, and in what manner such notices shall be sent or given.
4. That the bank shall not commence business until the sum of £2,625,000 shall be subscribed, and £656,250 actually paid up.
5. That every subscriber, his executor, &c. (no subscription being for less than £100 sterling) shall be entitled to a share in the capital in proportion to the sum he shall subscribe, and entitled to a proportionable share of the advantages and profits, and be admitted a proprietor in the same.
6. The names and designations, with the amount of their subscription, to be fairly and distinctly entered in a book by the officer appointed, and that the subscribers be required to pay the sum by them subscribed at such times and places, and to such persons, and in such manner as shall be appointed by the directors.
7. When two or more persons shall be jointly possessed of any share, the person whose name stands first in the books of the company, as proprietor, shall be taken to be sole owner of such share for all purposes of voting and attending public meetings.

8. It shall be lawful for the several proprietors to sell and transfer any share of the capital stock of the said Company, of which they shall respectively be possessed, (not being any fractional part of £100,) provided that no sale nor transfer be recognized or permitted to take place, until the two first payments of £10 and £15 per share respectively shall have been made.

9. Transfers to be in such form as shall be appointed by the directors.

10. Transfers to be under the hands of the proprietors, or of persons authorized for that purpose, underneath which transfer the transferee or some person duly authorized to sign his name, signifying the acceptance of such transfer, which transfer shall be entered in a book to be kept by the said company for that purpose, and for which entry a fee shall be fixed by the directors, (not exceeding the sum of 5 shillings for each transfer, and paid for the use of the said company in addition to any stamp duty which shall be payable for such transfer,) and that such transfer be deemed to convey the whole estate and interest therein of the person so transferring the same to the person so taking the same, and that until such transfer shall be made and entered in manner aforesaid, no person claiming an interest in any such stock by purchase or otherwise shall be deemed the proprietor thereof, and a copy of such transfer to be extracted and signed by the proper officer shall be sufficient evidence of such transfer and be received as such.

11. That after any call for money shall have been made and become due, no person shall sell or transfer any share until the monies called for shall be paid.

12. That in cases where the original proprietor shall marry, die, or become insolvent, or bankrupt, or go out of the kingdom, a difficulty may arise to ascertain who is the owner of such share, in order to give notice of calls made on such share, or to maintain any action against him for the recovery of the same, or for the purpose of safely paying the interest or dividends to which he might be entitled by virtue thereof, to meet this difficulty, it will be provided.

13. That before any person shall claim any stock in right of marriage, or shall be entitled thereto, a solemn declaration in writing, (in the form prescribed by Act of Parliament,) containing a copy of the register of such marriage may be required to be made, and such declaration shall be transmitted to the clerk of the said company, who shall file the same, and make an entry in the book for the entry of transfers of shares.

14. Before any person who claims by virtue of will or administration be entitled, the probate of the will or letters of administration shall be produced to the said clerk on such declaration, in writing as aforesaid, containing a copy of so much of the will as shall relate to the share, shall be made and subscribed by an executor of such will, or by the administration of the estate, (as the case may happen to be,) which declaration shall be delivered to the said clerk of the company. No bequest shall bind or affect the said company with notice of any trust or disposition of any share of the said stock, but the registry shall be in the names of the executors who prove, or of the administrations of such intestate, and in all cases (other than those herein before mentioned) where the right and property in any share of the said capital stock shall pass from the original or other proprietor thereof, to any person by a transfer or conveyance thereof, such solemn declaration in writing, as aforesaid, shall be made and subscribed to by two credible persons, being a master extraordinary in Chancery, or a judge of the court, and be entered on record, stating the manner in which such share hath passed to such other person, and such declaration shall be sent to the clerk of the said company

that he may enter or register the name of such new proprietor in the register book of the said company.

15. General meetings to be assembled, and that the first general meeting of proprietors shall be held in London, on the 23d day of July 1838; and that one yearly general meeting of the said proprietors shall be held on the first Wednesday in the month of July in every year after the year 1838, but directors may alter days of meeting, and that notice of every general meeting be given by public advertisement in two daily morning newspapers, printed and circulated in London 21 days previously, or in such manner as the said company at their general meeting shall direct, provided that the failure or omission to hold such general meeting shall not affect the validity of the said charter.

16. The Court of Directors or any 15 of the proprietors of the said company, each holding not less than £2,000 capital stock of the said company, may require the directors to call a special general meeting of the proprietors, and in such notice shall be specified the reason of such special general meeting, and the subject to be submitted thereto, and the directors shall fix the time and place at which the same will be held.

17. That any general or special general meeting may be adjourned, as shall be thought expedient, and if the adjournment is for a longer period than 22 days, notice thereof shall be given by advertisement, not less than 8 or more than 15 days previously to the time of holding the same.

18. That no business be transacted at any special general meeting, or any adjourned thereof, unless 15 proprietors shall assemble within one hour after the time appointed, and that no business be transacted at any special general meeting, besides that for which it shall be called, and no other business to be transacted at any adjourned meeting than that left unfinished.

19. At general meetings of the proprietors, every proprietor holding £500 of the said capital stock, and less than £1,500, shall be entitled to one vote, and holding £1,500, and less than £4,000 to two votes, and less than £8,000 to three votes, and holding £8,000 or upwards to 4 votes, and no person holding less than £500 shall be entitled to any vote at any meeting of the proprietors of the company.

20. All proprietors may vote by proxy, such proxy being for specific objects, and not extending beyond one meeting, unless that meeting be adjourned.

21. That any body politic or corporate, holding any share, shall be entitled to the same vote, or votes (if any) in respect thereof as other proprietors, and to vote by proxy to be appointed by writing under their seal.

22. If the holder of any share shall be an infant, or lunatic, the guardian or committee shall be entitled to vote, and such vote may be given by proxy.

23. The form of appointment of proxy set out.

24. Every such appointment of proxy to be produced to the clerk or secretary of the company, at least 3 days before the meeting for which it is given, and be entered in a book kept for that purpose, before any vote shall be given under it, every proxy to be given to a proprietor of the company.

25. That after the first general meeting no proprietor entitled to vote at yearly or other meetings, unless his name shall have been entered as the proprietor for 6 months next preceding such meeting, and no proprietor entitled to vote in respect of stock held,

except as herein provided, unless he be entitled thereto in his own right; nor unless all money called for and due before such meeting shall have been paid up. That at every meeting all questions shall be decided by a majority of votes present, (unless a ballot be demanded,) and upon every difference of opinion in regard to the votes of the parties attending, any proprietor may require the same to be taken by the assented number of votes of the proprietors present, but all such votes are to be given within two hours after such difference of opinion shall arise.

26. That at any meeting or adjourned meeting of proprietors, the majority of the directors present may require a ballot on any question, which shall go to a vote, and any 15 proprietors having the right to vote, may also require a ballot, but the demand thereof must be made in writing, and delivered to the chairman before the meeting shall break up.

27. The directors to appoint the time and place of ballot not being less than eight nor more than 15 days from the day of meeting, and they are to give notice of it in the usual way, 5 days before the ballot takes place.

28. That at every yearly or other meeting, the chairman or in his absence the deputy chairman of the Court of Directors, shall be the chairman of such meeting; and in the absence of both those officers, one or other of the directors, or in the absence of any directors, then any proprietor may be appointed chairman by the proprietors present, and the proceedings of every such meeting shall be entered in a book kept for that purpose and signed by the chairman.

29. That the said company have power at any special meeting convened for that purpose, to remove any member of the directors for misconduct, or any other reasonable cause, and the vacancy thereby occasioned, shall be filled up according to the provisions herein contained for electing or appointing directors, and the like rule shall be pursued in supplying the place of any other director, who shall go out of office by rotation, or who shall die or cease to be a proprietor in the company, or to have a sufficient qualification of stock therein.

30. At yearly meetings or some adjournment thereof an account shall be prepared of the debts and assets of the company, and of the profits made in the then preceding year, as near as the same can be ascertained, and with such other information as may to the directors seem necessary to be given, or as may be required by any by-laws, and that at such yearly meetings, or some adjournment of the same, dividends shall (if recommended by the directors) be made, and a special general meeting shall at any time have power to call for, and examine, and settle the accounts of the company, and to make dividends at other periods than the yearly meetings hereby provided to be held.

31. That there shall be a chairman and deputy chairman of the said corporation, who shall also be directors, and 22 other directors, which chairman, deputy chairman, and 22 other directors, or any 7 of them, shall constitute a Court of Directors for the ordering and directing the affairs of the said company. And that—
—shall be the first chairman, — the first deputy chairman, and the first 22 other directors of the said company, and that the chairman, deputy chairman, and 22 other directors shall continue in their respective offices until the yearly general meeting to be holden in the month of July 1842, and afterwards until others shall be duly elected, unless they die or become disqualified, and that if before the first yearly general meeting to be holden in the month of July 1842, there shall be any vacancy in the direction, then the directors shall from time to time fill up such vacancies so as to continue the number of directors at 24.

32. No proprietor to be qualified to act as director of the said company until the month of July 1842,

unless he shall be holder of at least £4,000 stock, and any director elected by the proprietors in and subsequent to the month of July 1842, must hold at least £2,000 stock, and have held such stock for at least 6 calendar months previously to his election. And if any director cease to hold a sum of stock so required for a qualification, such person shall thereupon immediately cease to be a director.

33. That the remuneration to be received by the chairman, deputy chairman, and directors for their services, to be fixed at the general meeting to be held in the year 1838, or at some subsequent yearly meeting with power to vary the same.

34. That with the exception of the directors and of any directors to be appointed previously to the general meeting in July 1842, all directors be elected at a general or special general meeting called for that, and other purposes.

35. That at the meeting to be holden in the month of July 1842, and at every subsequent meeting to be held in the month of July, six directors shall go out of office and six directors shall be then elected or re-elected, and any director going out of office shall be considered eligible to supply the place of himself or any other director.

36. Any vacancy in the office of director, after the annual meeting in July 1842 from any cause whatever, shall be filled up either at the first general meeting or at a special general meeting to be called for that or for that and other purposes.

37. Any person who in consequence of a vacancy shall be appointed a director shall be a substitute only for the person whose place he may supply and continue in office only for the same period as the person whose place he may supply would have continued.

38. At every general meeting the directors going out of office on that day, shall be considered as continuing in their respective offices until such meeting break up or adjourn.

39. No person shall, after the yearly meeting to be holden in July 1842, be capable of being elected a director unless his name shall have been included in the list, which is to be posted up as hereinafter mentioned, and no person be capable of being proposed unless the proprietor proposing him, be a proprietor of not less than £2,000 of the stock of the said corporation, and that not more than one candidate shall be proposed by one proprietor.

40. Every proprietor intending to become a candidate in the place of a director going out by rotation at any general meeting, or to propose any other proprietor as a candidate, must, 15 days previous to the time of such meeting signify by writing so be left on or before such 15 days at the office of the corporation in London, either his own intention to become a candidate or the name and place of abode of the candidate intended to be proposed, and the directors ten days previous to the day of election are to cause the name of every candidate, and the name of such proprietor when given, to be fairly written or printed in one list to be posted up in some part of the office in London, and to be there kept until the election.

41. Upon any vacancy after July 1842 in the office of director, from any cause (except that of going out by rotation,) the directors at least 30 days before the meeting at which such vacancy is to be filled up, give notice of that vacancy by advertising the same in some daily morning newspaper printed in London, and state in such advertisement that every proprietor intending to become a candidate, or to propose some other proprietor as a candidate, must within 10 days from the time when such advertisement shall be inserted, signify by writing so be left within the same 10 days at the office of the said corporation in London, either his own intention to become a candidate, or the name and place of abode of

the candidate intended to be proposed. And the directors 15 days before the day of election are to cause the name of every candidate and the name of such proprietors when given to be fairly written or printed in one list to be posted up in some part of the office in London, and to be there kept until the election. The directors may, if they think fit, cause the names of the candidate to be specified in the advertisement calling the meeting.

42. That the chairman and deputy chairman be elected by the Court of Directors.

43. The first Calcutta and other boards in India will be named by the Court of Directors in London, from amongst the proprietors in the respective places where banks shall be established. The Calcutta board will consist of 9 directors, besides the managers to be sent out by the Court of Directors in London.

44. The boards at other place where banks may be established in India, will consist of such a number of directors as shall be fixed by the London board, besides the managers to be sent out by the Court of Directors in London.

45. One-third of the directors of the Calcutta and other boards in India will go out of office on the first day of February next, after the expiration of three years from the time at which notice of the appointment of the first Board of Directors in Calcutta shall be received there. On the said first day of February next, after the expiration of two years from the time such notice shall reach Calcutta, meetings of the proprietors resident in India will be held in Calcutta and other places, where banks shall be established for the appointment of the like number of directors as shall into of office in the place of those who shall so go out of office. Two months previous notice shall be given of this meeting by advertisements in two newspapers published in Calcutta, and in such other newspapers in India as the directors in Calcutta may deem expedient.

46. At these meetings a number of directors equal to one-third of the entire number, shall be chosen from amongst the proprietors resident in or near Calcutta, and the respective places where banks shall be established in the place of those who shall go out by rotation.

47. After the lapse of the time appointed, for the appropriation of the shares reserved for India, the directors in Calcutta are to transmit to the Board of Directors in London a list of the proprietors in India, and a similar list shall be sent annually afterwards, made up to the end of each year, and one year before the one-third of the directors first appointed go out of office, the election of their successors will take place. The names of the new directors so elected, shall be sent forthwith to the London Board and be subject to the approbation and confirmation of the London Board, who may, if they see fit, annual such election and substitute some candidate, or other person from the list of qualified proprietors.

48. The London Board to make their report to the India Boards as early as practicable after the receipt from India of the necessary information.

49. That the London Board shall appoint managers for the banks at Calcutta, and other places in India where banks shall be established.

50. That one other third of the directors in Calcutta and other places in India, where banks shall be established, go out of office by rotation on every first day of February in every year subsequent to the expiration of the said three years, and that on every first day of February in every such subsequent year, a meeting be held in Calcutta and other places in India, where banks

shall be established for the appointment of other directors in the place of those so going out by rotation, and two months previous notice of such meeting be given it like manner as upon the first meeting, for the appointment of directors in Calcutta. The elections in Calcutta and elsewhere in India always to take place one year previous to the directors coming into office, and the names will be forwarded to the London Board in the manner as before stated, and be subject to the like approbation, and to others being substituted as before stated.

51. That all proprietors resident any where in India may vote by proxy at all places where banks shall be established in India; such proxy to be appointed; and his appointment to be acted upon in like manner as herein laid down with regard to proxy's voting in London.

52. That the stock required to be held for a qualification of a director in India shall be £2,000.

53. That the like rules prevail in the election of the directors in Calcutta and other places in India, as are laid down for the London directors in regard to the right to be re-elected, the qualification of the electors, and to the proceedings in such meetings and elections, and in every other respect so far as the same are applicable, and not expressly directed otherwise.

54. That any vacancy which shall occur in the direction at Calcutta or other places in India, after the expiration of the said three years, by any other means than going out of office by rotation, shall be filled up by the proprietors in India, at the yearly meeting to be held as before stated, or at a special general meeting called for that purpose; at which meeting, for the election of a director, to supply such a vacancy, the like rules as laid down for the election of a director in London not going out by rotation shall be pursued.

55. That the managers appointed by the Board of Directors in London, for the conduct of banks in India, will have seats and votes at the Boards of Direction, where they shall be respectively managers.

56. That that general expression of Directors or Court of Directors throughout the charter shall always be understood as applying to the London directors, and the Court of Directors in London, unless otherwise expressed, and that every word importing the singular number only shall extend and be applied to several persons and things, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

57. That any member of the directors may vacate his office by sending his resignation in writing, or if by transfer or otherwise he reduce the amount of stock held by him below the amount required for a qualification.

58. That the directors meet once in every month at the least, and at such other times as they may think proper, and any one of the directors may call a meeting of the Court by notice sent to the office, but no business to be transacted at any meeting unless seven members shall be present, and that all questions be decided by the votes of the majority present, and in case of an equal division of votes, the Chairman to have the casting vote besides his own vote. The proceeding of every court to be entered in a book kept for that purpose, and be signed by the member in the chair.

59. The directors to have full power to superintend, regulate, and controul all the affairs and concerns of the said company, and to appoint all agents, officers, and servants thereof, as well in England and abroad, and to fix their salaries, and from time to time to discharge any

such servants and to appoint others in their stead; and to make such rules and orders for the government of the company and of their agents, &c. and generally for the management of the said company, as they see fit, and to alter the said rules and regulations or any of them in such manner as the said court shall from time to time think proper. All rules and orders in force shall be fairly entered and written in a book to be kept for that purpose in the office of the company in London, and open to the inspection of the directors and proprietors at all seasonable times.

60. All cases where the provisions and regulations contained in the presents shall not be applicable to the local situation of circumstances of such proprietor or subscriber, or other holder of any share in the capital of the said corporation, as are or shall be resident in India or elsewhere than in Great Britain, the directors may, when they shall think fit, make all rules or regulations relative to any such subscriber, proprietor, or holder as last aforesaid, and with regard to their respective shares and interests in the capital of the corporation, as the circumstances of the case to be provided for, shall in the judgment and the sole directors, appear to demand and to alter all or any such rules and regulations and to make others in their stead.

61. That the Court of Directors shall appoint the place and hour of holding every yearly and other meeting, and cause at least 21 days' notice of every yearly and other meeting, and not less than 8 or more than 15 days' notice of every adjourned meeting, which shall adjourn for a longer time than two days, to be given by advertisements in manner aforesaid.

62. That subject to the rules of the general meetings of the said company, the said directors shall have full power to direct and manage all affairs of the said company, and order and dispose of the custody of their common seal, and the use and application thereof, and execute all the powers thereby given to the said company.

63. That the said directors shall have power to call for payment of the amount subscribed by the several subscribers and proprietors, which amount shall be paid at such times and places, and in such sums as shall be appointed after the £10 per share, payable on the allotment of the shares, and the £15 per share on the charter being obtained, so that no call exceed the sum of £10 for every £100 subscribed and that 3 months' interval take place between each call, that 28 days' notice at least, be given of every such call by advertisement in two daily morning newspapers printed in London.

64. In case any person being a subscriber, &c. of a share, shall neglect or refuse to pay their part of the money called for at the time appointed or within 30 days next ensuing, they shall forfeit £5 for every £100 subscribed, or held in the capital of the corporation, and in case such person shall neglect to pay for the space of 2 months, the directors, if they think proper, may declare the respective shares to be forfeited, and thereupon the said share or shares and all the profits thereof shall be forfeited to, and become vested in the company.

65. That when any share shall have become forfeited, it shall be lawful for the directors to sell by public auction or private contract, and by writing under the common seal of the company, to assign and transfer such share unto any person willing to become the purchaser, his executors, administrators, or assigns, and such assignment and transfer shall be good and effectual against the owner and all persons claiming under him. In case the money produced by the sale of any such share be more than sufficient to pay any such arrears and interest, and the penalties by non-payment, and the expenses, the directors may pay the surplus to the person to whom such

share belonged, but not to sell more stock of the defaulter than sufficient to pay the arrears, &c. unsold shares to revert to the person, body, &c. to whom such stock belonged in such manner as if such calls had been duly and regularly paid.

66. In case any person, body, &c. who shall have subscribed for any share, shall neglect to pay their rateable part of any sum of money called for, the company are empowered to sue for the same.

67. In all actions brought by the company against any person, body, &c. who shall subscribe, or against any proprietor of any share, to recover any sums of money payable to the said company for calls, it shall be sufficient for the said company to declare and allege that the defendant being a subscriber or proprietor of so much stock in the said company, is indebted to the said company in such sums of money as the calls in arrear shall amount to whereby an action hath accrued to the said company by virtue of the said charter, and on the trial of such action it shall only be necessary to prove that the defendant at the time of making such call was a subscriber or proprietor of some share of the capital stock of the company and that such call was in fact made &c. and the company, shall thereupon be entitled to recover what shall appear to be due.

68. That if any deceased subscriber or proprietor shall not have left assets sufficient, or in case the executors, administrators, &c. shall refuse to answer such calls for the space of 3 months after notice by advertisement as aforesaid shall have been given of such call, the said company are authorized to admit any other person to be proprietor of the stock of such deceased proprietor, on condition that he shall on or before such admission pay to the executors, &c. of such deceased proprietor or to the trustees, &c. of the infant or other person who may be entitled to his effects, the full sum of money which shall have been paid by such proprietor or such other sums of money as the same may be sold for, and in case no person shall be found, who is willing to be admitted upon such conditions, then such share shall be forfeited to and become vested in the said company.

69. The books in which the minutes of the proceedings of any general meeting, &c. shall be conclusive evidence unless the contrary be shewn, that the person whose name shall be subscribed to any minute entered, &c. was the chairman of such meeting, &c. and that he signed such minute, and that the proceedings of which any minute shall be respectively entered, took place at a general meeting or at Court of Directors, duly held, and that the persons acting as chairman and directors at any such general meeting, or at any such Court of Directors, were chairman and directors de jure of the corporation, &c., and that it shall not be necessary for such person, or for the corporation, to shew that such person had so acted in any other business than in that in question, and that all acts, deeds and things done by the persons to the time being, respectively, acting as chairman of any Court of Directors, or as directors and other officers of the corporation, shall to all intents and purposes be binding and conclusive on the corporation, and on all the proprietors thereof and all persons claiming under them, and also that the corporation shall continue a corporation, notwithstanding the person so acting as aforesaid shall not be the chairman of such Court of Directors and other offices of the corporation.

70. That at any time after the original capital or joint stock of £5,000,000 shall have been subscribed and the full sum of £100 shall have been paid up in respect of each of the said fifty thousand shares constituting the same, or of so many of them as shall not have been extinguished by not being again sold by the directors

... under the provision herein contained, it shall be thought advisable by the directors to increase the amount of capital, then it shall be lawful for a Court of Directors, specially called for the purpose, to enter into a resolution to increase the capital by the sale of new shares of £100 each, either at the sum of £100 for each share, or at any greater price for each share, at the sole discretion of the directors, but so that nevertheless the excess of such sum of £100 for any one share shall not in any case be greater than the amount of the market premium, at which shares are selling, but not at any less sum than £100 for each share, and to determine the manner of the payment of such new shares, either at one time or by instalments, at not less than one month from each other, and the times of paying same, (as the case may be) and the same rules, &c. to attach to all the new shares to be sold and created as aforesaid as are provided in regard to the originated fifty thousand shares, in case default shall be made in payment, and as to all instalments or new shares of the respective times for payment, notice shall not be given at the respective times of the creation and sale of such new shares, the directors shall cause similar notices thereof to be given by advertisement, as required with respect to instalments or shares in the original capital of £5,000,000 sterling, and that all the instalments upon each new share shall be made payable, and be paid within the space of two years from the time fixed for the payment of the first instalment thereon, and that when a Court of Directors shall come to a resolution to increase the capital, the new shares for the first three months after the same shall have been entered into by the directors, to be offered to the then existing proprietors of the corporation, without payment of any premium for the same, and if the number of new shares to be created shall not be sufficient to satisfy the demands of all the existing proprietors of the same, the said shares shall be distributed and divided by the directors amongst the existing proprietors. Candidates for the same in proportion to the number of shares held by them, but if the number of new shares shall be more than sufficient to satisfy the demands of the proprietors, then the Court of Directors may, at their discretion, at the expiration of 3 months, after such resolutions shall have been entered into as aforesaid, sell the excess of such new shares above such demand, to any persons who shall be willing to purchase the same. It shall be lawful for the directors to allot any new shares to any persons who may be resident in places where any branch bank may hereafter be established without requiring the payment of any premium for the same.

71. That it shall and may be lawful for the said company to carry on the business of bankers by receiving deposits, dealing in bullion, money, and bills of exchange, and lending money on deposits, and in such other lawful ways as are usually practised among bankers, but it shall not be lawful for the company to lend money on the security of lands, houses, or tenements, or upon ships, nor to deal in goods, wares, and merchandises; but the said company may take and accept lands,

houses, and tenements, ships, or other property of whatever nature and condition, as collateral security for any sums of money which shall have been advanced by them, or shall be due or owing to them, and shall and may hold such lands, &c. until the same can be sold, and the company may sell any goods which shall be deposited with them, and all or any lands, &c. which they shall have acquired as security as aforesaid.

72. That it shall be lawful for the said company to establish one or more bank or banks in Calcutta and other places in India, within the limits of the East India Company's charter, with such branches as may be found convenient, and at and from such principal bank, &c. to make issue and circulate notes payable to bearer on demand, or otherwise, provided that no such note shall be issued for less than 10 rupees where the rupee is current, nor for any sum in the current coin of the country were issued, than at the then current rate of exchange, lesser would be of the value of one pound sterling, and provided that all such notes be made payable in specie to bearer on demand at the bank where issued, if more than one of such banks shall be established, and that it shall be lawful for the corporation, notwithstanding the statutes of Mortmain or other laws to the contrary thereof, to purchase, take, &c. as well in England as in India, such houses, offices, &c., as may from time to time be thought necessary for the purpose of managing, &c. the affairs of the said corporation, but not for any other purpose, and to sell and dispose of the same when not wanted for the purpose of their said business.

73. That there be a condition in the charter, that if the corporation should become insolvent, all the proprietors for the time being of any interest or share in the capital thereof, shall be liable to be called on to contribute to the payment of the debts of the said corporation to such part of the full amount of all stock held by them in the said Company as shall not have been therefore called for and paid up.

And further, that the said corporation shall be bound to make up and present to Parliament in every year, and not later than the first day of July in each year, provided Parliament be then sitting) an account shewing the amount of its debts and assets at the close of the past year, and shewing the average amount of notes payable on demand, which had been in circulation during the past year, together with the average amount of specie and assets available for the discharge of such notes, and that corporation shall at all times be liable to furnish, as far as may be practicable, to the Governor in Council, at each settlement in which a principal bank share be established, similar accounts wherein required. And further, that the said corporation shall not become purchasers of any of the capital stock of the company, and that on the determination of the charter, the business so to be carried on by the corporation shall cease, and the debts thereof shall be liquidated, and the assets thereof disposed of, and converted into money, and the surplus divided amongst the proprietors according to their interest in the capital.—*Englishman, Feb. 1.*

THE AGRA BANK.

The following is the half yearly report, ending Dec. 1836, of the Agra Bank. It speaks strongly for the prosperity and steady advance of the Institution.

Gentlemen.—In laying the accounts of the Bank before you for the past year, commencing with 1st July, and ending on the 31st of December, 1836,—the

Directors have great gratification in reporting to you that the balance of Nett Profit on the operations of this period is a company's Rupee, 53,657-3-2,—that not a single loss has occurred during the past half year either in discount, loan, or miscellaneous business; and that the investment of the whole of the capital of the Bank, amounting to ten lakhs of rupees, has been completed during the last six months.

The Nett Profit on the past half year's business will provide a dividend on the 2,599 shares taken up previous to the commencement of the past half year and on the remaining shares as actually invested, during the currency of the same period at the rate of 12 per cent. per annum, with a surplus of 2,536-4-9. The balance, however, of unappropriated profits from the bank's operations commencing on 1st July 1833 up to the 30th June, 1836, having swelled to the large amount of Rs. 22,535-2-9½ there seems no reason why the rate of dividend should not rather be increased for the past half year, than that a further amount of profit should be carried to a fund, created during the infancy of the establishment to meet contingencies, which contingencies have never taken place. Since the commencement of the Bank the only transaction which can be regarded as a loss is the advance of Rs. 400 to an officer, who went to England, before the arrangements with his securities were finally completed, the amount, however, was long since written off to profit and loss. As observed before we have no overdue loan or discount standing in our accounts, and have indeed no reason to suppose that if it were desirable to wind up every existing transaction in order to test the stability of the institution, the loss of a single pie would occur to the Bank from bad debts: the existing surplus is therefore fairly divisible, but as a matter of caution the Directors would propose to reserve therefrom the sum of rupees 10,000, to meet future contingencies.

The following are the details of funds, profit and the rates of dividend in past and present half years as exhibited in former printed statements.

	DIVIDEND
2nd Half year of 1833.—	Rs. 8 per cent
1st ditto ditto of 1834.....	10 ditto.
2nd ditto ditto.....	10 ditto.
1st ditto ditto Assets. Nett profit,	
of 1835, Rs. 5,47,695 2 5—11,905 8 7 10	ditto.
2nd ditto ditto	
of 1835, .. 8,52,933 5 0—30,034 8 0 12	ditto.
1st ditto ditto	
of 1836, 12,72,075 7 3—30,019 0 9 12	ditto.
2nd ditto ditto	
of 1836, 19,00,320 1 4—53,657 3 2 14	ditto.

Now, it will be seen at one glance, that the progress of the establishment has been steady and satisfactory, during the past two years especially, and that the total funds of the Bank, at the close of 1836, are much more than double the amount at the end of 1835; while those of the half-year just closed, exceed those of the preceding one by one-third. No exact comparison of the rates of profit can be drawn out, because 7½ lakhs of capital have been invested during the course of 1836 by parties at different periods, and with different funds, involving the Bank frequently in the necessity of providing for the immediate employment of large sums of cash, Company's paper, &c., as paid in, in purchase of shares. Moreover, during the past half year the very large sum of 2 lakhs has been held by the Bank in Company's Paper, being equal to an average of one-third of the fixed and floating deposits. The Directors, however, are well assured that the security and confidence obtained by the holding of a large portion of Company's Paper or other Securities negotiable in the bazar, is well purchased by the sacrifice of the difference between the market rate of interest and that of the public funds. Moreover, it is a great misconception for parties to compare the rate

of profit between two particular half years' operation in a Bank, rising so rapidly from infancy to maturity. For instance the nett profit on honddaan for the second half year of 1835 being rupees 6,227-5-7, it gave on the capital of 2½ lakhs then invested an increase to the dividend at the rate of 5 per cent. per annum, while the nett profit on honddaan on the past half year though nearly double or rupees 12,134-1-4 auroos gives more than an increase of dividend at the rate of 2½ per cent. per annum, because the whole capital has since been filled up to the extent of 10 lakhs of Rs. The increase, however, of this branch of business is great and though the profit is not considerable, with reference to the trouble the risk is almost nothing, it is obvious that all future increase of this branch of business will now go to swell the dividend on a capital now wholly paid up.

Mr. Beckett having towards the close of last year retired from your Secretaryship on account of ill-health, the Directors cannot but recommend for your consideration the propriety of your making some pecuniary acknowledgement of his services.

To undertake the important office of Secretary to your Bank, on the filling up of which must depend the successful progress of your Bank, the Directors have nominated for your confirmation an individual, Mr. G. J. Gordon, whom they regard as in every respect equal to the Secretariat management of an Institution like the Agra Bank at the largest mercantile town in Upper India, and the seat of the Government of the N. W. Provinces.

The great increase of business has called for the appointment of an Assistant Secretary, Mr. H. W. Abbott on a salary of Rs. 300 a month; the appointment, having been made under Rule 15, the confirmation is solicited from this meeting.

The following resolutions were then carried.

1st.—Proposed by P. Innes, Esq., and seconded by P. Saunders, Esq., that the report now read be approved and that it be printed.

2nd.—Proposed by E. Tandy, Esq., and seconded by M. Woollaston, Esq., that the accounts now submitted be approved and passed by this meeting.

3rd.—Proposed by H. H. Bell, Esq., and seconded by W. Spencer, Esq., that of the available sum of present and past profits a half yearly dividend at the rate of 14 per cent. per annum, being Rs. 17-8 per share, be now declared, leaving a balance of Rs. 6,551-5-1½ to added to the reserved fund to meet contingencies, making a total of surplus assets in hand of Rs. 16,551-5-1½.

4th.—Proposed by P. Saunders, Esq., and seconded by P. Innes, Esq., that the following resolution of the Directors be confirmed as one of the fundamental rules of the Bank, viz. that from this date (3rd December, 1836,) as the Bank shares are filled up, no person becoming a Shareholder by purchase or transfers shall be entitled to vote until the expiration of six months from the date of such purchase or transfer; this Rule, however, not to preclude persons becoming Proprietor, by inheritance or marriage, from exercising the right of voting possessed by the original holder of the shares.

5th.—Proposed by C. G. Mansel, Esq., and seconded by the Hon'ble H. B. Dalzell, that the appointment of Mr. G. J. Gordon to the Secretaryship on a salary of Rs. 25,000 per annum be confirmed.

In closing this Report the Directors desire me, with reference to prospective measures for the increase of the establishment, to say that the past and present increase of Funds is such as daily to place the Bank in a condition equal to the gradual assumption of a large portion of ordinary banking business, as well as to continue its present service loan operations to the extent that they

may not be entirely correct. From a glance at the past half year's accounts, it will be seen, that the increase of fixed deposits in that period was two lakhs, or at the rate of four lakhs per annum : while, I have to observe, that in the current month of January, the new fixed deposits amounted to 70,000 Rs. or to an increase at the rate of full 8 lakhs per annum. Even allowing that in the employment of this additional capital, in advance on goods and other banking business in the large city of Agra, a higher rate of interest could not on an average be realized than 8 per cent, the increase of profit (being the difference between 5 and 8 per cent. allowed and charged) would be at the rate of 24,000 Rs. per annum : and this calculation is made without reference to any commission on goods sent. Again, though on the six months of the last half year, the average amount of remittance to Calcutta was 1½ lakhs per annum from the Bank, the amount drawn upon the Presidency, up to the 30th of the present month alone, is 2,08,136-9-9 shewing how steadily improvable is this class of business and what a permanently increasing source of profit it may be when the ramifications of our remittance agency are extended beyond the office of the Bank at Agra. The next half yearly report, however, will obviously be the proper occasion for a detailed view of this and other measures contemplated for the advancement of the interests of the Bank, as an important national Institution in Upper India.

STATEMENT OF THE AGRA BANK ACCOUNTS TO 31st DEC. 1836.

Dr.		
To Deposits, at 6 per cent.	23,300	0 0
„ Do. at 5 do.	6,95,512	7 4
„ Do. at 4 do.	34,368	1 3
„ Do. at 3 do.	0	0 0
„ Do. at 2 do.	0	0 0
„ Do. without interest.	66,133	0 4½
„ Account with the Union Bank at 7 per cent.	0	0 0
„ Bank Note account	0	0 0
„ Account with corresponding Agents	4,791	2 5
Total	8,24,107	11 4½
„ Shares paid up	10,00,000	0 0
Total	18,24,107	11 4½
„ Balance	76,192	5 11½
Total	1900,300	1 4½
Cr.		
By Loans to Members of H. M.'s and Company's services, covered by Registered Salary Bills guaranteed by 2 Sureties	12,39,085	10 8
By Cash accounts covered by the Bond Security of two Sureties.	99,562	6 0
By Cash accounts covered by the Mortgage of Houses in Cantonnements	1,14,490	10 10
By ditto ditto out of Cantonnements, Europeans	0	0 0

By Cash accounts out of Cantonnements, Natives	3,000	0 0
By ditto ditto by the Mortgages of Villages, Europeans	16,667	1 6
By ditto ditto ditto Natives	14,992	0 2
By advances on the Deposits and Consignment of Goods	0	0 0
By advances on the Security of Shares realizable monthly by Registered Salary Bills	55,407	0 0
By advances on ditto to private parties realizable by instalments in 12 months	0	0 0
By Discounted Salary and private Bills	24,007	11 2
„ Company's Paper	2,00,000	0 0
„ Accts. with corresponding Agents	39,426	15 10
„ Cash	47,732	13 3
„ Hoondies	0	0 0
„ Accounts with the Union Bank ..	33,383	9 9
„ Dead Stock, (House furniture) ..	13,544	2 8
Total	19,00,300	1 4

PROFIT AND LOSS.

Dr.

„ To Hoondian	44,799	10 10
„ Interest	4,414	1 8
„ Interest allowed on Deposits	13,842	7 4
Establishment.		
„ Secretary, from 1st July to 15th Dec. ..	2,750	0 0
„ Assistant ditto from 14th Novr. to 31st Dec.	460	0 0
„ Native Moonsees & Lallas	805	6 6
„ English Writers and Baboos	1,259	0 0
„ Chuprassees, &c.	188	4 6
Total	5,462	11 0
„ Stationary and Petty Charges ..	881	15 10
„ House Rent	290	0 0
„ Postage & Account	639	10 4
„ Error to be accounted for	327	12 5
„ Reserved to meet Contingencies	10,000	0 0
„ Balance available for Dividends	66,192	5 11½
Total	1,47,050	11 4½

Cr.

By Hoondian	56,934	9 2
„ Interest	4,455	1 10
„ Commission	562	0 0
„ Interest charged on Loans ..	62,563	13 7
„ Balance of unappropriated profits	22,535	2 9½
Total	1,47,050	11 4½

[Agra Ukhbar, February 4.]

PROJECTED JOINT STOCK BANK OF BOMBAY.

On the conclusion of the business before the shareholders to the Chartered Bank, at the meeting on the 2nd instant, the parties then present, immediately formed themselves into another meeting, according to the notice published in the papers.

Mr. Skinner, being called upon to take the chair, proposed a resolution, passed after the meeting of the shareholders to the Chartered Bank on the 16th ultimo,

to support a Joint Stock Bank, in the event of the Charter granted by this Government not being confirmed by the home authorities and to avail of Mr. Ashburner's residence in England, authorizing him to bring out the necessary establishment Subscriptions to the Joint Stock Bank to be first restricted to subscribers to the Chartered Bank in the proportion of their respective shares, and to parties who had applied for shares in

it, but that no one party or firm be allowed to subscribe for more than 50 shares. Subscribers to the Joint Stock Bank to bind themselves for the expense of the establishment from England rateably, to the amount of the shares subscribed for. The following prospectus and resolutions were then read and adopted.

Foreseeing a probability of the opening Bombay affords for a Bank being availed of by others before the result is known of the application to the home authorities for the confirmation of the Chartered Bank, it is deemed necessary for the protection of the mercantile and general interests of Bombay, to prevent this, and to have a Bank established under the control and direction of parties resident at Bombay.

In pursuance of a resolution passed at the last meeting of the shareholders of the proposed Chartered Bank, the following Prospectus for the Joint Stock Bank then agreed upon, has been since drawn up, to be submitted to this meeting, with the view also of the Scheme being immediately acted upon, should the Bank of Bengal or

any other Bank determine on sending a Branch or Agent here.

In this prospectus, it will be seen in what way it is proposed to restrict the liability of Subscribers, and that all may fully understand how this is to be effected, and public confidence to be secured, the clauses proposed to be inserted in the Deed of Settlement for this purpose, are affixed to the Prospectus.

It may be remarked that the directors, when elected, could be enabled at once to commence business, a sufficient supply of Bank Notes and Plates, engraved in England, being immediately procurable.

In the event of being obliged by the circumstances now stated, to commence business before learning the result of the application to the authorities in England for a Chartered Bank, it has been determined on, should the Charter applied for be obtained, the business of the Joint Stock Bank shall merge into, and be transferred to the Chartered Bank.—*Bombay Courier, Feb. 4.*

FREE SCHOOL MEETING.

Annexed is a Report of the Resolutions passed this morning at the Annual Meeting at the Free School. The Meeting was not very numerously attended, and nothing else occurred worth noticing.

At a General Meeting of the Subscribers to the Free School, on Saturday, the 28th January, 1837.

PRESENT.

A. Dobbs, Esq., in the Chair.

Reverend Dr. Parish, Mr. D. Clark, Chas. McKenzie, Captain Morse, Mr. Wale Byrne, Dr. Corbyn, Mr. R. Molloy, Mr. D. Macfarlan, Captain Birch, Reverend C. Wimberley, Mr. Sutherland, Mr. C. J. Sutherland, Mr. R. Parmer, Mr. Wm. Byrn, Mr. D. W. Madge.

Proposed by Captain Vint and seconded by Mr. D. Clark That the Report now read be printed, published and circulated. *Carried.*

Proposed by Captain Birch and seconded by the Reverend Mr. Wimberley. That the Resolution of the 30th January, 1836, "Proposed by Dr. Corbyn, and seconded Mr. Wale Byrne, that previous to the printing of the Annual Report it be submitted for approval and adoption at a General Meeting of the Subscribers, and that the day of the Annual General Meeting be changed to the first Saturday in June," be rescinded, and that the Annual Meeting be held in January as heretofore, and the Report be laid before it for approval. *Carried unanimously.*

Proposed by Captain Vint and seconded by Mr. C. J. Sutherland. That the Governors be requested to apply to the Supreme Government to relieve the Institution from the expenses connected with the Church attached to the School. *Carried.*

The Governors of last year were re-elected.

Read a letter from four persons, formerly boys of this School, named Sampson Peters, Peter Swaries, Thomas Swaries and Lewis Rodrigues, making a claim to a donation given by the Lottery Committee for drawing the Lotteries in the years 1829 and 1830.

Proposed by Mr. Clark and seconded by Mr. Madge. That it be referred for the consideration of the Governors. *Carried.*

Proposed by Dr. Parish and seconded by the Reverend Mr. Wimberley. That the thanks of the Meeting be accorded to Mr. Dobbs for his conduct in the Chair. *Carried unanimously.*

REPORT.

In submitting a Report of the Free School for the last twenty months to the Subscribers and Friends of the Institution, the Governors have but little as regards its general circumstances, to communicate in addition to what is already before the public; their statement therefore, on this occasion, will necessarily be very brief.

It is perhaps necessary to assign a reason in the first instance, for so long an interval as that of twenty months having elapsed since the publication of the last Report. The delay has been owing to a Resolution of the Subscribers at the last Annual Meeting in January 1836, deciding that thenceforward the Report, prior to publication, should be submitted to the Subscribers at their Annual Meetings; and that as it had hitherto been published in June, the Meeting should by way of accommodation take place in June likewise. A strict adherence to this Resolution, it will be seen, would involve an extension of the delay to June next; for the Annual Meeting of 1836, having already taken place in January last, and an extra one in February, it became necessary either to call a third Meeting, in June of the same year, for the purpose of discussing the Report,—which does not appear to have been at all contemplated,—or else suffer it to lie over till next June, as seems to have been intended. The Governors, however, upon more recent consideration, thinking it desirable that the accounts should always terminate with the year, and that any further delay in the publication of the Report might be prejudicial to the interests of the Institution, determined to call the present Meeting at this the usual season, and submit the Report for approval; and they not only hope that the course they have adapted will be deemed more satisfactory, but also that it may now be finally determined that the Annual Meetings may still be allowed to take place in January, as heretofore, when from the suitableness of the season, there is a greater likelihood of a full attendance, and that the Report of the preceding year be submitted for discussion in that month instead of June.

It will be seen by a reference to the last Report, that the Governors had in contemplation to add to the girl's refectory in consequence of an accession to their number. This intention has since been carried into effect, and a small room and verandah have likewise been added to the Head Mistress's quarters, which are over the refectory, and which (consisting of a single room, divided into two by means of a screen,) were previously insufficient merely for accommodation, far less for comfort.

This is the only change that has to be noticed under the head of buildings, with the exception of partial repairs, which are entered as a separate item in the table of charges; but while on the subject, it may be well to remark, that the buildings, especially of the male department, require an immediate thorough repair, which, at a rough calculation, will involve an expense, probably of not less than 400 rupees.

The strictest economy that can consist with the welfare and comfort of the children, is observed, in regard to the monthly expenditure, to effect which a Sub-Committee of three of the Governors has been formed to audit the accounts, while another composed of the same number and styled the Sub-committee of Repairs, examines into and reports upon all matters connected with the buildings, before any decision is made by the Management at large, authorizing an outlay for repairs.

Among the contemplated improvements by which the Governors hope to facilitate and simplify all details of business, both as regards their own functions and those of the several officers of the Institution, is a connected Code of Regulations, which is in the course of being framed, chiefly out of the mass of resolutions that are found scattered through the books of proceedings since the foundation of the Establishment, and which constitute at present the Standing Regulations of the School. These there have been the utmost pains taken to revise, embody, and classify, such additions being likewise made as were deemed necessary; and they are at present in circulation among the Governors, for whatever further alteration, enlargement, or modifications may be found requisite prior to their final adoption.

There has been a slight increase of the regular current expenditure, in consequence of the Head Master's salary having been raised in February 1836, from 250 to 300 rupees a month, and that of the Organist, in August of the preceding year, from 30 to 40 rupees a month; but, besides taking these into the account, in comparing the Disbursements now submitted with those of former years, it must be remembered that the present are entered in Company's rupees, a circumstance which swells the numerical amount considerably. Converting the sum total into Siccas, at which rate and currency the outlay has been chiefly made, (though a change in this respect has lately been effected), it will be found that notwithstanding the above increase, the average standing expenditure of twelve months out of the twenty, will be found even less than that of 1834-35.

It may here be intimated, that the change of currency will henceforward operate considerably in favor of the Institution, and indeed has been doing so for some time. It has of course entailed no reduction of interest from the vested funds, or of the amount which the Government have stipulated to pay permanently, as Old Court House rent; the full equivalent being obtained from these two sources in Co.'s rupees for what was formerly received in Siccas, as will be found in the table of Receipts. In the Government Donation only, which was formerly 843-5-4 Siccas, a small loss has been sustained, as the amount is now paid in the new currency at the Government rate of 104-8 per 100 Siccas. All private Subscriptions and Donations, however, with the exception of a few instances, in which the Subscribers give the full

equivalent for their former contributions, together with all remaining sources of income are paid in the new coin without any regard to its depreciated value; but then, again, this portion of the receipts scarcely amounts altogether to a third of the School's resources, and there is far more than will counterbalance any diminution in a reduction of all salaries to the Company's rate, and in the further reduction of a few of these, as vacancies occurred, to the same number of Co.'s rupees as they before received of Siccas. But what is more, nearly all the other expenses, such as those of diet, clothing, and contingencies, constituting the main outlay, have already been reduced to the new rupee rate, so that two-thirds of the receipts being at the old rate, and about the same proportion of disbursements at the new, the change of currency, as has been observed, has operated considerably in favour of the Institution.

The Governors were in hopes some little time ago of an immediate addition to the funds in the shape of a bequest to the amount of 6,000 rupees or upwards, made to the Institution by the late Mr. Route of Agra; but legal difficulties opposing the immediate transfer of the money, the matter is still in abeyance. It is hoped, however, that the money will be obtained, and that the benevolent intention of the testator will thus ultimately be fulfilled.

The actual state of the School in all other respects is much the same as was detailed in the report of 1834-35. The same course of plain education has been pursued, as was therein stated, comprehending Geography, English Grammar, Writing and Arithmetic, the History of England, together with such books of a more simple kind, as are used for instruction in reading. Moreover, the nature and principles of the Christian religion are taught every day out of the Catechism and other books, but chiefly from the Bible direct, which is made to constitute a very considerable portion of their daily reading during the hours of instruction as well as at morning and evening prayers. Two out of the three examinations that have taken place since the Report for 1834-35 was published, viz. that in June 1835, and the last in December 1836, appeared to give satisfaction to those who witnessed and took part in them, when the children evinced quickness in all matters pertaining to what they had learnt. The intermediate examination in June 1836, was rather productive of disappointment; but this was chiefly attributable to the more advanced boys having left the School in quick succession, thereby leaving the boys of the junior classes to supply their places.

The circumstances of the girls' department preclude their being as far advanced as the boys. Their opportunities of instruction are not equal to what the latter enjoy, more than half of the day being necessarily devoted to needle work, lace and bonnet making, and such other occupations as may enable them to get a living by their industry, when they leave school. The rest of the day is employed in much the same course of study as is pursued by the boys; and as in their case, primary attention is paid to their religious education.

Of the health of the children, the Governors are enabled to report favourably. It has happened, indeed, at particular seasons, when for instance epidemics have prevailed in and about Calcutta, that considerable numbers have been in hospital at one time, but the ailments have generally been both mild in character and short in duration. At one period, owing to some cause which could not be assigned at the time, and the influence of which was not confined to this establishment, the children became affected with sore eyes, which spread rapidly through the school and upwards of thirty at a time were on the sick list in consequence; but every case was not only of the most simple nature, but admitted of a cure in a few days. Nor was there one among them that in the opinion of the medical officer of the Institution could be strictly designated *ophthalmia*.

Upon the whole, however, the children have enjoyed good health in every respect, and so exhibited the fairest argument that can be brought forward of the nature of the treatment which they have been in the habit of receiving. Only two deaths have occurred within the whole period of 20 months; one that of a boy, aged 7 years, of spleen, and the other of a girl, aged 8, of fever and dysentery.

The Governors cannot conclude this Report, without once more adverting to the state of the funds, and in

doing so they beg to reiterate their intreaties for increased support. They rest the grounds of their appeal on the important benefits which result from the establishment; and they trust that the single fact,—that 400 children are rescued from destitution, ignorance and vice brought up in the fear and love of God, instructed in the Christian religion, and enabled by what they are taught in the School to earn a livelihood when they have left it,—is more than enough to recommend the Institution to a benevolent and discerning public.—*Calcutta Courier*, January 28.

LORD AUCKLAND'S SOIREES.

The Scientific Meeting at Government House last evening was the last of the series for which invitations had been circulated. We should hope, however, that the pleasing variety and instructive nature of the entertainment these parties have afforded, will induce the noble Patron of the Asiatic Society to resume them either in the same form, or with the modification that has been suggested in different quarters, of confining the invitations to such as take real interest in scientific researches, so as to remove the impediments which a promiscuous assembly of talkers must needs offer to the delivery of any regular explanation or lecture. The rooms were, however, not so full on this as on former occasions, nor was there on the whole so showy an exhibition, but some of the experiments were exceedingly interesting. Of natural history specimens, we remarked a very fine collection of insects from Simla. Some birds and fish, the latter remarkably well preserved, by M. Delessert, a French Naturalist, recently arrived in India. There was likewise a portfolio of most beautiful drawings of fish (with dissections) by Dr. Cantur who, it will be remembered, was attached to the Marine Survey Vessels, under Captain Lloyd, now employed in examining the mouths of the Soonderbun Creeks. A large collection of the birds of Van Dieman's Land presented by Mr. Cracroft to the Asiatic Society, was distributed on the side tables, some of the principal specimens being already mounted through the exertions of the Curators of that institution. Among the latter was a bird, the white hawk, which excited the particular admiration of the native guests; they said such a bird was spoken of by their poets, but it had never been seen, and many expressed suspicion whether the very beautiful bird before them was not a *bunao*, or fictitious. Another animal production of the southern world was viewed with no less astonishment—the *Ornithorynchus*, a very large specimen brought up by Mr. E. V. Irwin, of the Civil Service; we think it must have measured 18 inches in length. From the same quarter were numerous other contributions—the legs of the gigantic Emu—a series of the fossil shells of Wellington hill. Hobart Town, of Yas plains and Morumbij in New South Wales; and recent shells from Newcastle N. S. Wales, by Mr. Cracroft. From a new source, the hills of Cutch, were forwarded some very interesting Ammonites and other fossil shells by Captain Burnes, the traveller—but the principal acquisition from the west of India was undoubtedly the selection of fossil bones of Perim, in the Gulph of Cambay, lately received from Lieut. Fulljames, and presented to the Asiatic Society at its last meeting. The Mammoth's fore-leg was equally gigantic with that of the Nabudda, and well distinguished

in this respect from all the bones of the same animal dug up in the Himalaya mountains; the teeth of deer, oxen, hippopotamus, horse, mastodon, and a large variety of the rhinoceros deserved attention. We would recommend in future that every specimen should be ticketed to enable the company to appreciate what they are inspecting, as it is impossible to have demonstrators always in attendance. Thus we doubt not many left the room without seeing the rare and unique fossil animal of the Himalaya, called the *Sivatherium* by its discoverers, Messrs. Cautley and Falconer. The occiput and lower jaw of this noble tenant of the antediluvian forests, now on its way to England with Colonel Colvin, have determined the accuracy of Dr. Falconer's conjecture that it would be found to possess four horns. Colonel Colvin has, we hear, kindly allowed a cast of his fossil to be made previous to its embarkation.

Of the fine arts, we had the carved models of the Corinthian capitals, &c. executed by Colonel Macleod for the nowab's palace at Moorshedabad. Specimens of a quantity of sandal woods were nearly lost sight of on a side table. A wax model of the human head divided longitudinally, was explained by Professor Goodeve, occupying the place hitherto filled by Principal Bramley, whose memory we doubt not was warily cherished by many of his auditors, and by none more than the illustrious host himself.

For the brunt of the evening's campaign Professor O'Shaughnessy had arrayed on a long central table a whole host of batteries and galvanic apparatus, which at the appointed time he proceeded to explain in the form of an extempore lecture. It would be impossible to follow him, or to mention half of the pleasing experiments. The magnetism of the galvanic wire was, as the newest, the favorite topic of illustration. A new and much improved model of the Professor's wheel was exhibited, which worked with a power of about 3-lbs. or nearly five times greater than the former model! Watkin's curious discovery that the sustaining power of the soft iron magnet was retained after the removal of the exciting battery, so long as the contact of the guard remained, was put to the test; we should like to know whether the coiled wire remains also electrical during the same status or not.

Mr. James Prinsep, at the close of the evening, exhibited Mr. Richard's ingenious *Psalmoscope*, by which the crystalline structure of transparent bodies can be analysed as to their reflecting on polarizing properties, in the simplest manner. *Cal. Cour.* Feb. 15.

THE PUBLIC LIBRARY MEETING.

Proceedings of the Annual Meeting of the Proprietors and Subscribers of the Calcutta Public Library, held on the 18th January, 1837, at the Library Rooms.

Honorable Sir J. P. Grant in the Chair.

The report of the Curators, being read, was unanimously approved.

Proposed by Mr. Leith, and seconded by Mr. M. Manuk, that the present Curators be retained for the next year, and the Curators assenting to this proposition, the resolution unanimously carried.

Mr. M. M. Manuk, anxious to serve the interests of the Library, proposes to place one thousand rupees at the disposal of the Curators to be laid out in such manner as they think best.

Proposed by Mr. W. P. Grant, and seconded by Mr. Leith, that Mr. Manuk's handsome offer be accepted, and that the thanks of the Meeting be given to him—unanimously carried.

Proposed by Mr. Walker, and seconded by Col. Beatson, that Mr. Manuk's liberal offer of 1000 Rs. be invested in Public Securities, and that it be recommended to the Proprietors, and those interested in the success of the Library to contribute to the augmentation of a Fund to be so secured, the interest only to be applied to the support of the Library; the principal sum not to be sold out or otherwise disposed of, without the approbation of a General Meeting of the Proprietors and Subscribers. Unanimously carried.

Proposed by Mr. Jackson, and seconded by Mr. Earle, that the Establishment be continued on its present scale. Unanimously carried.

Proposed by Col. Beatson, and seconded by Mr. J. H. Stocqueler, that persons wishing to become Proprietors be admitted up to the 15th May next, at the original rate of 300 Rs. under the terms of the Rule 9th. Unanimously carried.

Proposed by Col. Beatson, and seconded by Mr. R. Walker, that the 3d instalment be called for from the Proprietors. Unanimously carried.

Proposed by Mr. W. P. Grant and seconded by Mr. T. Dickens, that the thanks of the Meeting be given to Dr. Strong for his liberality and public spirit in continuing to the Library the gratuitous use of the apartments. Unanimously carried.

Proposed by Mr. T. Dickens, and seconded by Mr. A. Robertson, that there may be a Meeting of the Proprietors and Subscribers held on the first Saturday every Month at 4 p. m. at which the Curators be requested to attend and report the progress of the Institution, and receive such suggestions and propositions as may be made by any Proprietor or Subscriber, provided the same shall not be contrary to the rules of the Library. Unanimously carried.

Proposed by Mr. Manuk and seconded by Mr. Leith, that the report and resolutions be printed in the *Hurkaru*, *Englishman* and *Courier* newspapers. Unanimously carried.

Proposed by Mr. Allan, and seconded by Baboo Comanath Bose, that the thanks of the Meeting be given to the former Curators for the zealous manner in which they have performed their offices during the past year. Unanimously carried.

Proposed by Col. Beatson and seconded by Mr. Dickens, that the thanks of the Meeting be given to Sir J. P. Grant for the kind manner in which he has presided in the Chair and the general interest he has taken in the Library. Unanimously carried.

Since the opening of the Library there have been 54 Subscribers. Sixteen have withdrawn, of whom nine were temporary residents and one is dead. There are twenty-two first class Subscribers and sixteen second class Subscribers.

The amount of Subscription receivable per month is Company's Rupees.....	200 0
Establishment,	192 13

Excess Company's Rupees	7 3
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The Librarian,	107 0
Assistant,	54 0
Sircar,	8 8
Duffary,	6 6
Hurkaru,	6 0
Durwan,	5 8
Ferash,	5 5

Company's Rupees	192 13
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Books presented to the Library during the last year.

By the Revd. W. W. Taylor—2d vol. of Oriental Historical MSS., 1 vol. 4 to.

Dr. McClelland—Geology of Kemaon, 1 vol. 8vo.

W. P. Grant, Esq.—17 Political Pamphlets.

Col. Dunlop—Harkness's Description of the Neelgharries, and 7 Pamphlets.

J. H. Stocqueler, Esq.—Bengal Sporting Magazine, E. 1 United Service Journal.

J. B. Hodgson, Esq.—Five Pamphlets.

M. M. Manuk, Esq.—Leisure Hours.

Lady D'Oyley—London Literary Gazette.

Dr. Wallich—Encyclopedic Methodique, 24 vols.

(incomplete). Military History of Prince Eugene.

Domestic Anecdotes of the French Revolution.

Jas. Prinsep, Esq.—Bengal Hurkaru, 13 vols.

Court of Directors—Johnson's Catalogue of Six Hundred fixed Stars in the Southern Hemisphere.

Dr. Adam—State of Education in Bengal.

Government—Sleeman's Thuggee Papers.

E. D'Cruz, Esq.—Orme's Bibliotheca Biblica,

Froster's Essays.

Dr. Strong—Boswell's Antiquities of England and Wales, folio.

Government—Report of the Education Committee.

Messrs. Trail and Co. Hacklur's Voyages, 5 vols.

W. P. Grant, Esq.—Miss Mitford's Belford Regis.

H. Walters, Esq.—Mundy's Christianity and Hindooism compared, and several other works.

H. Piddington, Esq.—Index of Indian Plants, Tabular view of the generic characters in Roxburgh's Flora Indica.

C. W. Smith—Bell's Anatomy, Barclay's Engravings of the Human Skeleton, Camper's Anatomical Works, Brook Taylor's Perspective by Kirby, Gallerie de Rubens, Cooke's Hogarth.

Dr. McCosh—Wreck of the Lady Munro.

Circulation for 1836-37.

No. of Periodicals	535
Do. Works	2,156
Do. Volumes	4,105

THE STEAM MEETINGS.

MADRAS STEAM MEETING.

A Meeting was held on Monday at the College Hall pursuant to notice for the purpose of taking into consideration the papers received from Messrs. Head and Barber and from the Chairman of the Bombay Steam Committee to Mr. Norton. The attendance was unusually thin owing to the necessary absence of a number of persons who were obliged to attend the Sessions. The Chair was taken by the Honorable the Chief Justice who stated that information had reached Madras of the safe arrival in London of the Petitions to Parliament, but his Lordship stated that he had not received any answer to the letters he had addressed as Chairman of the late meeting to Lord Glenelg and Sir J. Hobhouse. The Chairman then produced a letter which Mr. Sullivan had received from Captain Barber, which was accordingly read to the Meeting, after which Mr. A. D. Campbell proposed and Mr. Macdonnell seconded Resolution first.

1. Resolved, that the inhabitants of Madras regard with unabated anxiety the immense importance of a regular Steam Communication between Great Britain and India by the Red Sea, and are desirous that their sentiments on this subject should be specially made known to the Authorities in England.

Proposed by Mr. A. D. Campbell, Seconded by Mr. Macdonnell, —Carried unanimously.

2. Resolved, therefore, that the Chairman of the meeting be requested to wait on the Right Honorable the Governor with the foregoing Resolution, and to solicit that he will be good enough to deliver copies of the same to the Chairman of the Court of Directors and the President of the India Board respectively at the same time, exercising the influence with those authorities in furtherance of this great national object.

Proposed by Mr. Chamier, Seconded by Mr. Ashton, —Carried unanimously.

3. Resolved, that the thanks of this meeting be conveyed to Major Head and Captain Barber, for their zealous endeavours to promote the Establishment of Steam Communication between India and Europe by the Red Sea, the inhabitants of Madras not being in possession of the result of their applications to Parliament and the Indian Government in England, are not yet prepared to enter into any negotiation with the Provisional Committee of London, in regard to shares in the proposed Indian Steam Company. Should, however, their applications be either refused or neglected, this Meeting has no doubt that shares will readily be taken, provided the proposed Company be incorporated and the shareholders relieved from all responsibility beyond the amounts of their shares. But the number of shares to be taken here, will be probably much increased if the port of Madras is included in the benefit of the Steam Communication as well in regard to Passengers, as Letters.

Proposed by Mr. Cator, Seconded by Mr. Arbuthnot, —Carried unanimously.

4. Resolved, that the inhabitants of Madras have watched with great anxiety and satisfaction the progress and successful accomplishment of Colonel Chesney's arduous enterprise in carrying across the Syrian Desert the materials of two steam vessels, in constructing them on the banks of the Euphrates and re-opening to mankind that ancient River, by proving the practicability of navigating it from El Bir to the Indian Ocean; and that the cordial thanks of this meeting be accordingly conveyed to Colonel Chesney by the Chairman.

Proposed by Captain Dalrymple, Seconded by the Honorable Mr. Sullivan, —Carried unanimously.

In proposing the 4th Resolution, Captain Dalrymple took occasion to eulogize in strong terms the perseverance and zeal of Colonel Chesney. He stated that a misconception prevailed as to the origin of the Euphrates expedition, which had been prejudicial to Colonel Chesney and had cast undeserved blame on the Court of Directors. Captain D. explained that the Committee of the House of Commons of 1834, had resolved that the communication between Bombay and the Red Sea was not practicable during three months in the year. A resolution in which he, Captain D., by no means concurred, and which had not been submitted to the test of experiment. If the Committee had therefore recommended the establishment of a Steam communication without providing for the three months of the S. W. Monsoon, the establishment would necessarily have been incomplete and there can be no doubt that the Euphrates expedition was planned to meet this difficulty, more especially as it was stated to the Committee by Mr. Peacock and Col. Chesney, that the river Euphrates was highest at the very season when the S. W. Monsoon prevailed, the Committee therefore resolved first that the communication was not practicable for three months, and then resolved that an experiment should be made on the Euphrates to decide the practicability of continuing the transit of the mail monthly by adopting the Persian Gulf during the S. W. Monsoon. It is clear that except paying half the expense the Directors had no share in this expedition. The error from the first seems to have had its origin in choosing Bombay as the only Indian Steam Port and the difficulty of contending with the S. W. Monsoon would have been surmounted at once and without experiment by making Galle the General Steam Post Office of India. Captain D. then stated his belief that the plan of conveying the Mails on Dromedaries from Mohamurah to Beyrout, was quite feasible; that in various modern works he had seen it confidently stated that the manufactures and rich stuffs of India found their way across the Syrian desert to Damascus and to the different Sea Ports on the Coast of Syria, of which Beyrout was the most considerable. He also noticed a curious fact that some cotton goods shipped at Liverpool had come round the Cape thence to Bombay, up the Persian Gulf, and were finally sold in the Bazar of Beyrout. He stated that the Arabs favored the transit of merchandise through the desert, because it afforded employment to their camels, which were required in great numbers to form the Caravans between Bagdad, Aleppo and Damascus.

A desultory conversation then ensued, and much regret having been expressed that the Steam Fund had been returned to the Subscribers, Captain D. proposed the fifth Resolution.

5. Resolved, that a Subscription be entered into, for the purpose of enabling the standing Committee to defray incidental expenses in furtherance of Steam Communication with England by the Red Sea.

Proposed by Captain Dalrymple, Seconded by Mr. Cropley, —Carried unanimously.

6. Resolved, that a standing Committee be appointed consisting of A. D. Campbell, Esq., Chairman; P. Cator, Esq., F. W. Elliot, Esq., and Captain Dalrymple, with power to add to their number.

Proposed by Sir R. Comyn, Seconded by Mr. McDonald, —Carried unanimously.

Sir Robert Comyn, having vacated the chair it was taken by Mr. Sullivan, and a vote of thanks to the Chairman voted and carried unanimously. — *Concluding*, Jan. 24.

CALCUTTA STEAM MEETING.

The Hon'ble Sir Edward Ryan, in the Chair.
The attendance was remarkably limited; we do not suppose that there were more than fifty persons in the room. The debate was nevertheless very animated and occupied several hours.

The Chairman read the notice convening the meeting, and suggested, that that part of the Committee's Report should be read which related to the new Bengal Steam Fund, and Mr. Greenlaw at the request of the Hon'ble Chairman, read the part of the report alluded to, and Shaik Tyer Ally returned thanks in a few words.

It was then proposed by Captain Sewell and seconded by Captain Birch,—

"That so much of the Report of the Committee as relates to the Fund be adopted."

Passed unanimously by the subscribers to the Fund, and Mr. Greenlaw read as follows :

REPORT

Of the Committee of the New Bengal Steam Fund, to the Subscribers, at a meeting held at the Town Hall, Calcutta, Saturday, the 18th. February, 1837.

The Committee of the New Bengal Steam Fund, are happy on this occasion, of meeting their constituents and the Subscribers to the petition to the House of Commons, to be able to state that the cause of the Steam Communication between England and India is at length assuming that position at home, which must in a short time lead to its establishment. Prior, however, to reporting on this matter, they beg to notice the state of the Funds.

2. The balance as exhibited at the last half-yearly meeting, was Co.'s Rs. 60,367-9-10, with interest due on Company's paper to the amount of Co.'s Rs. 597--54, making then a total of Co.'s Rs. 60,964-15-2. The interest received in the intermediate time is Co.'s Rs. 1,248-11-5, which added to the balance of last year makes Co.'s Rs. 61,616 5-3.

3. Since the last meeting accounts of the agent who was despatched from Calcutta to Judda, Shaik Tauher Ally, have been closed, and the balance of the account due to him on account of salary and expences incurred is Co.'s Rs. 4,648-3-4, which together with a gratuity which the committee unanimously concurred in granting him of Co.'s Rs. 1,200, makes a total of Co.'s Rs. 5,848-3-4.

4. The expences in the Secretary's office on account of Clerk, stationery, printing, &c amounts to Co.'s Rs. 489-0-3, and the whole disbursements including Co.'s Rs. 109-15-2 discount on the sale of Company's Paper amounts to Co.'s Rs. 6,447-2-9, leaving a balance of Co.'s Rs. 55,169-2-6, subject to payment of Co.'s Rs. 4,000, with interest at 4 per cent. from the 16th December last, to Mr. Waghorn, in conformity with the resolution of the subscribers of that date.

5. The Committee were induced to make the gratuity above mentioned to the absent Shaik Tauher Ally, in consideration of his great, and indeed in his situation unqualified zeal, ability and economy in the conduct of his duties.

6. His engagement was that he should proceed direct to Juddah on the ship on which our coal was laden for that place. It was through his agency that the freight on this ship was obtained at 37 Rs. per ton, though we were obliged to pay 35 to Socotra. With a view to promote the object in view, he very readily agreed to give up the comfortable accommodation of that ship, and a direct passage to Juddah, to accompany Captain Ross on the *Henry Meriton* to Socotra, and without his assistance Captain Ross would scarcely have been able to have come to any satisfactory arrangement with the chiefs at Kissen. Add to this the ship's arrangements at Socotra, for putting the coal on

board, were so complete that on the outward voyage of the *Forbes*, notwithstanding he had himself proceeded on to Juddah, 144 tons of coal, her water and provisions were put on board in the space of two days.

7. At Juddah he gave the most perfect satisfaction; he got the *Forbes* completed, going and coming, in a very short space of time, and his activity and intelligence obtained for him the notice and regard of the officer in charge of the Indian Naval vessels in the Red Sea.

8. With respect to the present posture of affairs at home, the subscribers will remember that in the last half-yearly report, it was stated that the original petition to the House of Commons had been despatched on the *Coromandel*.

9. It was also stated in the last Report, that the committee in their letter to the home Committee, composed of Sir Charles Cockerell, and Messrs. James McKillop and Fletcher, had requested that no time might be lost in endeavoring to create a general interest throughout the mother country in favor of the proposed communication, by publishing an appeal to the public, with copy of the Petition and Memorials, in all the newspapers of influence in Great Britain and Ireland, and distributing a copy thereof to every member of the House of Commons and proprietor of East India Stock.

10. By the *Larkins* the Committee have received two letters from Captain Grindlay, acknowledging the receipt of the Committee's letters up to the 26th April last, and reporting his proceedings.

11. In order that the subscribers may be put in possession in the fullest possible manner of the measures adopted by Captain Grindlay, as well for their more satisfactory information as to the progress of this most important matter as in justice to the zeal, activity and ability of that gentleman, the Committee annex copies of the correspondence, from which it will appear that on the receipt of the circular which has since appeared in the Calcutta papers, he caused its immediate insertion in the city article of the *Times* of the 29th September, and in other papers proposing to effect similar notices both directly and collaterally, whenever he may have an opportunity, and he adds "the question having been thus presented to the notice of the public in a pointed manner by influential publications, I shall proceed in concert with and under the advice of the three gentlemen you have named, as trustees to insert the various documents in the way of advertisements or otherwise in the provincial journals, and I shall prepare for universal circulation, in a clear but condensed form, the various materials with which you have already supplied me, or may from time to time transmit." The Committee are now quite satisfied that no doubt can exist as to the immediate establishment of a Steam communication between the two countries, and they are also satisfied that before any plan is finally determined upon by His Majesty's Government and the Hon'ble the Court of Directors, the "combined plan of the Bengal Steam Committee" will have full and deliberate consideration, in conformity with the recommendation of the committee of the House of Commons.

12. Captain Grindlay also acknowledges the receipt of the first despatch of declarations from 58 places in the Mofussil, of concurrence in the petition and memorials having 2,551 signatures of which 526 were those of natives. The object of sending these was to strengthen the hands of the member who might present the petition; and the whole amounting to 4,369 signatures will have arrived before the presentation, so that the Calcutta petition will be backed by signatures to the amount of 7,911.

13. It will also be seen that Lord William Bentinck was not in town when the petition and letter to his address arrived; the Committee have reason to know that he was proceeding to Glasgow, where they do not doubt he will use his influence to obtain a strong expression in

favour of the communication. In due course a reply will be received from him to the letter addressed by the committee to him, when both will be communicated to the subscribers in the usual way through the press.

14. Since the last half-yearly report, two incidents have occurred having important relation to the future establishment of the desired communication.

First. As communicated to the public through the newspapers, the Committee have received a communication from Major Head, Chairman of a provisional committee in London, engaged in bringing forward a scheme for establishing a steam intercourse with India by way of the Red Sea, and secondly, Colonel Chesney's successful passage down the Euphrates; for notwithstanding the loss of the *Tigris* the passage has been successfully made.

15. With respect to the project of Major Head, the Committee have made known to the subscribers through the medium of the newspapers, their reply in which they felt bound candidly to declare, that they could not concur in the plan; and although the reasons on which they reluctantly came to that conclusion are set forth in that reply, yet the Committee, now that they meet their constituents to give an account of their proceedings, and to submit those proceedings for the consideration and approbation of those who appointed them, feel bound to explain fully the grounds on which they have proceeded.

First. It was impossible that the Committee could concur in Major Head's scheme, without at once abandoning the strong ground on which they took their stand, on the occasion of their moving the Indian public to unite in petitioning Parliament that ground was the Resolutions of the Select Committee of the House of Commons, the purport of which is too generally known to require to be detailed here. It is sufficient to say, that it amounted to a distinct recognition of the importance of immediately establishing a Steam Communication by way of the Red Sea, that it left to the united consideration of His Majesty's Government and the Court of Directors, whether in the first instance it should proceed "to Bombay, to Calcutta or on the combined plan of the Bengal Steam Committee," and it recommended that the net expense should be equally defrayed by the King's Government and the Court, in other words by England and India.

16. On this strong ground it is that all India has petitioned the House of Commons; that house is implored to follow up the resolution of its Committee; and your Committee have, as stated before, directed an appeal to be made throughout the country, based on the resolutions.

17. Nothing can be more obvious than that, with the House of Commons known to be disposed to go to any reasonable length in pecuniary support of this important measure, these resolutions afford the strongest possible ground on which to base proceedings; yet Major Head's scheme throws away this great advantage.

18. But as the proceedings of the Committee, and indeed of all India, are based on these resolutions, it would obviously have been impossible for the Committee to concur in Major Head's scheme without abandoning the strong ground they have taken and possibly placing themselves in opposition to the proceedings in progress at home by their own agents acting under their directions.

19. Again, Major Head's scheme was framed in entire ignorance that any movement was in progress here, and of course in ignorance that that movement was based on the Resolutions; and before its projectors could be aware of this, they had brought their scheme to the notice of the authorities at home.

20. When, however, they become aware of the great importance of this ground, especially if the country generally should respond to the appeal, nothing can be more probable than they will abandon their present scheme; and take their stand also on the Resolutions. If then this Committee consistently could have, and had, concurred in Major Head's plan, the reply to the expression of such concurrence might have been an announcement of the abandonment of the plan!

21. The Committee consider the object, the attainment of which is intruded to their endeavours, to be far too important to allow of their being swayed by every passing event. They consider that this important object can only be fully attained by pursuing one steady and consistent line of conduct. They have carefully and indeed anxiously watched every occurrence from which they might derive advantage. They may take to themselves the credit of having moved all India to petition on the basis of the Resolutions, and it would be absurd for them now to abandon that ground.

22. But the Committee consider Major Head's scheme to be impracticable in itself; that the required sum of £58,000* or 5,80,000 rupees per annum can never be obtained by the letters and passengers from Bombay alone, even if it could from all India; and at all events before the Committee could be expected to commit themselves to this plan, they should have been furnished with the details of calculation, and especially with the grounds for expecting so large a receipt as that mentioned above.

23. Again, the junction with the Malta Mail and the making, throughout the whole project, the Indian communication secondary and subservient to that of the Mediterranean, although the latter is proposed to be maintained at less cost to the King's Government than at present, and the former is to be saddled with a charge on India of £25,000 or 2,50,000 rupees per annum, were also objections in the opinion of the Committee.

24. Surely the intercommunication of two such countries as England and India, is of sufficiently vast importance to render it paramount, and to require rather that the Malta intercourse should be appended to it, than that the correspondence of the whole continent of India should be sacrificed to the comparatively reduced intercourse with the Mediterranean. But, independent of this, the real fact is that the question of a plan or scheme is not one for the determination of any projectors. That is a question solely for the joint consideration of His Majesty's Government and the Court of Directors. It will be their province to lay down the scheme which in their judgment is best, and it will then be for the Projectors to propose the details of the measure and the sum they will require to carry out,—not their own scheme, but that of the parties, who are to pay for it, the policy therefore which should be pursued here, is clearly to press on these authorities the establishment of the most perfect and comprehensive communication. Any other course cannot hasten the establishment of the communication to any one part of India, but it may prove injurious to its immediate extension.

25. The above objections are equally on a project, which confines the communication to Bombay as to one embracing every part of India; but the Committee have no hesitation in declaring their firm opinion to be, that no scheme which does not unite all points from which pecuniary returns will be forthcoming, can pay. They have fully expressed their sentiments on this point on several occasions; and they will not now repeat them, they would rather address themselves to the consideration of

* Since this was written the Committee have been a revised prospectus, in which the sum is raised to £74,500 or 7,45,000 Rs.

what appears to them a great misapprehension calculated to be injurious to the cause.

26. It is said that if once the communication be established to Bombay, it will of necessity be very soon extended to Madras and Calcutta, and occasion is then taken to recommend an abandonment of the application for the simultaneous establishment to all the ports of India, with a view to seek the communication with Bombay alone in the first instance.

27. In this assumption the Committee are by no means inclined to agree; on the contrary, they consider that the difficulties in the way of subsequently extending the communication to the other ports, would be greatly increased, so much so as to render it very doubtful whether it would ever be so extended. If established to Bombay, all arrangements would of course be made with reference to that limited intercourse; and it would be necessary to remodel the whole. New interests would arise consequent on the necessity for all parties intimately concerned in the more speedy communication with England making arrangements in connection with the limited intercourse to Bombay, which would necessarily render them opposed to the extension. Very many who now advocate the immediate extension would find their own individual wants nearly met, and would be lukewarm; but above all, it would be impracticable to re-produce the feeling, universal it is hoped it will now prove, at home, on which alone we must depend for success. But let it be granted for the sake of the argument, that such extension would follow the establishment to Bombay alone in the first instance. Now if the question at home were one of extent, if the authorities there were now considering the question in that point of view, and allowed the wishes and feelings of the different parties in India to have influence on their consideration, there might be some small shew of reason in the recommendation, but even then it ought to be clearly established that the continued advocacy of the comprehensive scheme, prevented the establishment of any communication at all, before its advocates should be required to cease pressing the claims not of any one separate local convenience but of ALL INDIA.

28. But such is not the case. The question at issue at home, has no relation to any detail at all; it is confined singly to the principle, and throughout the interview with the President of the Board of Control and the Chairman of the Court, this was studiously borne in mind; it follows, therefore, that the promulgation of any plan is premature; except in as far as it presses the general question on the consideration of the authorities and the obvious policy of all at the present moment, should be to increase that pressure; to induce these authorities to resolve on the communication, and in the words of the resolution of the Committee of the House of Commons, "to consider whether the communications should be in the first instance from Bombay or from Calcutta, or according to the combined plan suggested by the Bengal Steam Committee." No concurrence here, however unanimous, in the scheme of Major Head or of any one else, can hasten this consideration and determination. It can only be accelerated by the force of public opinion at home, where measures are in progress to induce such general expression of opinion, and the Committee confidently expect that one month of the present session of Parliament will not have passed without a determination of the principle and a declaration of the scheme by the public authorities. Until that is done, surely there can be no better way of conveying to these authorities the high importance attached to the communication by the Indian public, than pressing for its immediate extension to all their ports of India. No relaxation from this can at all hasten the communication to any one place, but such relaxation may be advanced as evidence of indifference to the general extension,

without which extension it is obvious that the communication can convey little benefit to India generally, beyond the earlier receipt of correspondence.

29. These are the grounds on which the Committee have acted. They earnestly solicit that they may have fair consideration with the meeting and with the people of India, and seeing that early in April next intelligence will be received by the *Hugh Lindsay* from England to the 1st of Feb., they would as earnestly entreat the public of India to abstain from committing themselves to any specific plan, but await the result of the petitions to the House of Commons, assured that expressions of public opinion to have force, should not be lightly made but should be based on strong grounds, such as that above referred to, on which the petition to the House of Commons is founded, namely, the resolutions of the committee of that house.

30. Although the Committee do earnestly deprecate, under existing circumstances, any public pledge to support Major Head's scheme or that of any other person, they cannot be insensible to be very great advantage to the cause which has arisen from the proceedings of that gentleman and his colleagues. They have not only pressed, and it may be said forced, the question on the authorities at home, but they have prepared the public mind in England to receive the appeals of the people of India. They will now doubtless co-operate with the exertions of the parties who are acting for the Committee at home, and jointly they cannot fail to succeed.

31. Feeling how much India is indebted to Major Head and his colleagues and especially Capt. Barber, for their zealous exertions on this occasion, there is no expression of thanks—no mode of conveying their sense of the value of their exertions, short of concurring in their plan, in which the Committee will not cordially unite.

32. To Colonel Chesney too, the Committee consider that the thanks of the people of India are due for his able and persevering efforts to open the communication by way of the Euphrates; and although the consideration of that line of intercourse forms no part of the Committee's duties, they cannot refrain from thus recording their feelings of admiration of his zealous efforts.

By order of the Committee,

C. B. GREENLAW, *Secretary.*

Town Hall, Calcutta, Feb, 11, 1837.

The Hon'ble Chairman thought that previous to any resolution being passed, a letter he had received from Captain Barber, should be read for the information of the meeting, which was as follows:—

London, September 2nd, 1836.

Sir,—I do myself the honour to address you upon the question of communication with India, by means of steam, via the "Red Sea," seeing you were Chairman of a Meeting held at Calcutta when this measure came under discussion; when it appeared to the people then assembled, that the great barrier to the undertaking, would be found in the sum requisite to provide for, and to work the same; which I will endeavour to shew is not so great an obstacle as many suppose, and at the same time place before you the position of the question here.

For years past I have been impressed with the importance of this object, and always considered it to be an event that must take place. The present improvements in the application of steam power, though yet in their infancy, are sufficiently advanced to make the operation one of little difficulty, if rightly managed; and I consequently watched with deep interest and much attention the enquiry of 1834. Having waded through the mass of evidence then collected, and the resolutions of the Commons that were founded upon it, it was quite

clear the matter required much explanation to H. M. Government as well as to the East India Company, to induce those bodies to comply with the resolution No. 6, that it might become a joint charge upon their revenues.

Time, from a change of Ministry and other uncontrollable delays, passed by the Euphrates expedition, that darling offspring of Mr. Peacock, and other obstructions emanating from the East India Company, at last rendered it clear, that it would not be undertaken as a public measure.

I did not think the objections urged of sufficient weight to dam up the stream of human intercourse between the two countries, that when led into a right channel will probably be productive, under Providence, of more social and commercial benefits than comes within the contemplation of very comprehensive minds, placing its political bearing aside.

It appeared to Major Head and myself in March last, that a private company might be formed to work out this very desirable and important project; but the result of our enquiry soon proved it would be impracticable without the aid and co-operation of His Majesty's Government and the East India Company. How was that to be obtained?

To a casual observer, the perusal of the evidence to the point of expense given by Mr. Peacock in 1834, would be astounding; and coming from such authority, believed; while its fallacy to a practical man is at once apparent and the several items upon which it is based too absurd to need comment. Fancy the costs of the *Hugh Lindsay* costing *£5,000 per voyage!!

It therefore became necessary, as a first step, to disabuse the public mind, which was thus inaccurately impressed, then to lead the mercantile men of influence to take it up, as a matter affecting their interest and consequently of commercial value to the country at large.

With this view our object was to search for truth. After much labour and pains, assisted in our calculations and estimate by able practicable men, we arrived at this result. It would require an outlay of £200,000 and an annual expenditure of £123,000 to keep it in full work, but my opinion and plan being decidedly for a boat to Madras and Calcutta, as well as to Bombay. From Socotra, it would require an outlay of £250,000 and an annual expense of £140,000, for a monthly communication; whereas Mr. Peacock estimates £100,000 per annum net charge for dispatches every two months on the Indian side of Egypt alone. Of the practicability of effecting the passage I never had a doubt, and from my recent enquiries, that opinion is strengthened and confirmed.

We estimate our proceeds at £80,000 but which would, I am sure, rapidly increase on the plan being perfected, and the charges for passengers and letters reduced; but this shews a deficiency of £60,000.

The Mediterranean packets cost H. M. Government £60,000 annually. To do this work would not in the least obstruct our plan of operation; and we ask for a contract for the performance of this service at £40,000. As it would save the country £20,000, there could be no reasonable objection; particularly as many of the foreign mails are carried by Steam packets under contract.

From the Company we seek £25,000 annually, no mighty boon for the conveyance of a messenger, and official monthly dispatches. Could we obtain this reasonable co-operation, and support, the project would be easily and profitably worked, yielding, when matured.

* I have no doubt they did, but what does that prove?—gross mismanagement. Our estimate for the whole line annually, under contract, will be £50,000.

a productive return; and on this I would stake my reputation. Let it be borne in mind, that in the annual expense is calculated at present charge of interest, and 30 per cent. on the capital for a perpetuity fund.

The foregoing was a point of calculation within our control, to work out the end is a matter not so easily effected. First; Merchants here, have so much and continued occupation, that under any circumstances, it would be difficult to obtain their time and attention to any measure, that had been so long before the public, unheeded and unsupported; but under the disunited opinions that exist as to the best route of communication, we found our object still harder of attainment.

Many very powerful and influential men, say it ought to be a national concern, and will assist no other, while they will not give their attention to the obtaining of that; others, led by Mr. Larpent, are for the Cape route,—a visionary, unprofitable and inefficient scheme. We have, however, by dint of perseverance and industry, gained support; but had these been unanimously of opinion (instead of feeding the company's objections, if not, opposition to this plan, who are decidedly adverse to any facility of transit for letters) or passengers, the measure would have been set work. I feel quite sure, however, these obstructions cannot endure, and that another Session of Parliament will not pass without our succeeding in the accomplishment of Steam Communication with India via the "Red Sea."

We are gaining strength daily, and are not slow to seek it in the manufacturing districts of Scotland, Ireland and England; we look forward also with great hope for support from India. Of this be certain, let the present time pass, or suffer the opposition to be strengthened, by a want of unanimity on our parts, and it will be a long time before the measure will be brought to public notice with the strength it has now obtained.

You will learn from the documents now forwarded to the Committee, most I have here stated. I have been induced thus to obtrude myself upon your notice, feeling the subject would not fail to be interesting to one who took so leading a part; and begging my attention may be attributed to an anxious desire to see this very important channel opened, through which I am sure vast blessings will continue to flow, conducive to the well-being of both countries—in which I hope I may not be proved a false prophet.

I have the honour to be, Sir, your very obdt. servt.

JAMES BARBER.

THE HONORABLE SIR EDWARD RYAN, Calcutta.

The Hon'ble Sir J. P. Grant then addressed the meeting to the following effect:—That it was his duty on this occasion to introduce a resolution, previous to doing which, he would make a few brief observations, and would not take up much time, as the subject was familiar to all present. Navigation by Steam between England and India, was a subject of vast importance and connected with the interest of the inhabitants of both countries,—that therefore the enterprise should be met with warm encouragement, and that the Hon'ble Speaker was not deficient in zeal to any person. That he had the honor long ago, of having presided at a Steam Meeting at Bombay, and that he felt much satisfaction in lending his aid with great willingness to the establishment of Steam Communication now; but he would advise the community to give their support, with out entering into any thing like an opinion as to the best place to start from. That the Hon'ble Speaker was not sufficiently, in fact not at all, qualified to give any opinion upon that point, and that as the Home Government had taken up the subject, it would be best to leave it to them to make their choice with regard to the place suggested by Major Head—the subscribers ought to leave it entirely in the hands of Parliament to adopt it if disposed to do so. That the meeting he was

were much obliged to Major Head and to all other persons for their exertions towards the establishment of the Communication, but that the meeting should not enter into details, but give their best aid and support towards it. That the meeting must feel very grateful to the Committee for their unremitting exertions, and particularly to the Secretary, to whom their gratitude was due for the extraordinary zeal he had all along evinced in the advancement of Steam Navigation. He proposed :

" That the remainder of the report be adopted, and that this meeting is highly sensible of the important service rendered to the cause in which they are engaged by the active and successful efforts of Major Head ; Captain Barber and their colleagues to direct the attention of the authorities at home to the consideration of the important question of a Steam Communication between England and India, and that the thanks of the meeting be forwarded to Major Head with copy of this resolution : and that this meeting confining itself to the object of obtaining the speedy establishment of such communication upon such plan as shall upon good consideration appear to the said authorities, the most certain and beneficial in conformity with the petitions and memorial addressed to the House of Commons, the Board of Control and Court of Directors, feel bound to abstain from giving any opinion upon the comparative merits of any schemes which may be suggested for that purpose, but will be at all times ready to afford all the aid in their power to the scheme that shall receive the approbation and concurrence of H. M. Government and the Court of Directors."

Mr. H. M. Parker seconded the resolution and argued that the establishment of the plan should be left in the hands of the Governments at home.

Mr. W. H. Macnaghten said, before this resolution was put to the vote, he trusted he would be at liberty to address a few words to the meeting. It appeared to him that the resolution of the Hon'ble and Learned Gentleman will have the effect, unintended no doubt, of impressing the public with the belief that the Committee has not confidence of its constituents. It casts a slur, and an unnecessary slur, upon its proceedings, (*hear, hear, from the Honorable Sir J. P. Grant*), and the Committee at the present time require all the support that can fairly be extended to them, (*hear, hear, from the Honorable Sir J. P. Grant*). Every one here must be aware of the attacks which have been made upon the Committee by their brethren of Bombay. When he entered the room, it was not his intention to say a word of any sort ; but he could not help now affirming that they (the Committee) have been misrepresented, and that they have been most harshly and unjustly dealt with. He wished to avoid all re- crimination ; but he would be permitted to say that the Bombay Committee would rob this Committee " of that which not enriches them but makes us poor indeed." They would reserve the communication to themselves, while it has from the first been this Committee's avowed and continued object to give to all India the benefits of the communication, leaving to Bombay the full benefits which she desires. What then could be reprehensible in this proceeding, he could not conceive ! The duty of the Committee is irksome and exceedingly laborious, and they ought not to be subjected (without deserving it) to the imputation of having forfeited the approbation of their constituents. The Committee do not want this meeting to concur in any reasonings, or to pledge themselves to the Committee's schemes, but it appeared to him that this declaration of a want of concurrence is unnecessary, and that it might be sufficient, if the report is deemed unobjectionable in its main view, to adopt it.—(*much applause.*) That if the plan embraced, Calcutta, Madras and Point de Galle, it could not be prejudicial to Bombay, (*hear, hear, from Sir J. P. Grant.*)

The Hon'ble Sir J. P. Grant wished to be allowed to say, that this object in putting the resolution, was that this meeting should abstain from entering into any details, and from all points that would come under the discussion of the Parliament at home. That it was very far from his wish to cast any slur, or the least insinuation on the Committee ; that he for one was fully satisfied that the Committee had exerted themselves greatly towards the cause, and that he did not intend to attribute that to them, of which they were in no way guilty.

The Hon'ble Chairman said, before he read the resolution, he hoped it would not be irregular in his making one or two observations. That he was not in the habit of reading the newspapers daily with that attention which was necessary to be aware of any, or what imputation, attack or slur had been made on the proceedings of the Committee. That the correspondence in the newspapers relative to Steam Communication had gone on to a great and voluminous length, and that he could not but help saying, that he had not sufficient time to devote many moments to its perusal. That he was therefore unable to judge what were the particular merits of the correspondence, but that there were one or two parts of the report which he did not concur in ; (*the speaker here read a line or two which we are sorry we could not catch,*) but though he would not recommend the meeting to enter into the reasons of the report, he thought Sir J. P. Grant's resolution free of all intention to impeach the Committee, and would therefore proceed to read it.

After the reading, Sir John Peter Grant proposed to alter a word, or rather to make a reservation in his resolution ; and, in reply, Mr. Macnaghten explained—

That he deemed the reservation unnecessary, as it implied a want of confidence in the Committee, and, therefore, in some degree, a censure. That the Committee had felt it to be their duty to acquaint their constituents with the reasons which had prevented them from concurring in the scheme of Major Head ; but, that they did not expect each individual of the meeting to adopt their particular arguments. That if the reservation were so worded as to preserve the meeting from adopting all the reasoning used, the object of the resolution might, perhaps, be gained without any slur being cast upon the Committee. That he, Mr. Macnaghten, being Chairman of the Committee, felt bound to express his conviction, (not adopted hastily,) that the comprehensive scheme was the best, and, he trusted, that the meeting would be found to concur in his opinion.

Captain Birch proposed an amendment, which was seconded by Mr. Alexander Colvin, but ultimately set aside.

Mr. Dobbs thought if the resolution, as proposed, were carried and published in the papers here, copied into the journals at home, an unmerited slur would be cast on the Committee, of which he was not a member. That he was at first opposed to several parts of the report, but having since met and conversed upon the general merits of it, with several gentlemen, he was now convinced, that the comprehensive scheme was decidedly the best, (*hear, hear, Sir J. P. Grant*), and would therefore strongly recommend the adoption of the report.

Colonel DeHeseta followed on the same side.

Sir John Peter Grant then withdrew his original resolution, and having re-modelled it, (wording it so that the meeting were to decline expressing an opinion as to the merits of any particular scheme,) and the Honorable Chairman having put the resolution so amended in an eloquent speech in favor of it from the Chair—

Mr. Macnaghten trusted that he might be allowed to say a few words, and that the motion might not be put

so immediately after the eloquent speech, which the Honorable Chairman had delivered. He begged the meeting to pause before they committed themselves by adopting the suggestion which had been offered. If it was meant by the words *merits* of a scheme that this meeting were to acquiesce in the statement that they saw no advantage in the comprehensive scheme, Mr. Macnaghten trusted that they would not stultify themselves, and contradict their former resolutions, by such a declaration. It was clear, that the most comprehensive was the most advantageous, and the people of Calcutta were in a manner bound to declare that this is the case, leaving it to the authorities in England to adopt such scheme, as they may deem most advisable with reference to economy, and all other considerations. With regard to what had fallen from the Honorable Chairman, that he could not concur in all the reasons of the Committee, Mr. Macnaghten observed, that the Committee were never so unreasonable as to expect that a hundred men should all concur in the propriety of each of so many reasons; but, with regard to the particular reason, picked out by the Hon'ble and learned Chairman, Mr. Macnaghten considered it an unfortunate selection, as that appeared to him to be almost the strongest part of the Committee's position. The speaker was persuaded, that if the Communication were established with Bombay alone in the first instance, its extension to other parts of India would be almost hopeless. The meeting were aware, that enterprises of this nature were attended with discouraging results at the commencement. If it failed at Bombay to produce remunerating returns within the period anticipated; the whole scheme would, probably, be abandoned—it certainly would not be extended; whereas, if the experiment on the comprehensive scale should partially fail, there would always be the limited scheme to fall back upon.

After this an uncommon deal of conversation transpired, an unusually long debate on the words *receive* and *adapt*, then as to the particular merits of each respective word—suddenly a war wage!, but of words only; then, a general confusion, (all which, we trust, the indefatigable exertions of other reporters will put the public in possession of,) in the midst of which, Mr. H. M. Parker reminded the meeting, that from the confusion they had allowed Major Head, Captain Barber, and the report all to drop out of their heads; that as the Hon'ble Sir J. P. Grant had withdrawn his resolution, a resolution in two parts should be put to the vote, on which it was proposed by A. Dobbs, Esq., and seconded by T. Bracken, Esq.,

“That the remainder of this report be adopted.”—Carried unanimously.

Mr. H. M. Parker, with a very neat preface, gave the following resolution, seconded by Captain Sewell:—

“That this meeting is firmly persuaded that the most comprehensive scheme of Steam Communication is that, which will be most beneficial to Great Britain and India, but confines itself to the objects of obtaining the speedy establishment of a communication, upon such plan as shall, upon good consideration, appear to the authorities in England, the most certain and beneficial in conformity with the petition and memorials addressed to the House of Commons, the Board of Control, and Court of Directors.”

Colonel Colvin proposed—

“That the thanks of this meeting be tendered to Colonel Chesney for his able, zealous and deserving efforts to open a Steam Communication between England and India by the Euphrates.”

Mr. Greenlaw, in seconding the above resolution, felt the greatest pleasure, particularly as it afforded him an opportunity of proving as far as circumstances would permit, what he had always asserted, namely, that in all

his endeavours he had been influenced alone by a desire to obtain that communication which should confer the most general benefit. He had always felt with Mr. Grant, the present Lord Glenelg, that it was equally the duty and interest of England to watch all modes of access to India, with a view to the political and commercial prosperity, and the mutual advantage of the two countries. Feeling this he would rejoice at the successful establishment of a Steam Communication round the Cape, and feeling this he rejoiced at the successful attempt made by Colonel Chesney, although if fully successful, and finally established as the sole line of communication, it would be of little benefit to India generally beyond the mere conveyance of correspondence; but, he certainly would rejoice more heartily, on the establishment of the communication by the Red Sea to all parts of India. He did not, however, despair, of yet seeing the communication established by all these routes, and he therefore rejoiced heartily when success attended either and would second a vote of thanks to Colonel Chesney most cordially, (*much applause.*)

Proposed by A. Dobbs, Esq., and seconded by Captain Forbes.

“That this meeting is highly sensible of the important service rendered to the cause in which they are engaged by the active efforts of Major Head, Captain Barber, and their colleagues, to direct the attention of the authorities at home, to the consideration of the important question of a Steam Communication between England and India, that the thanks of the meeting be conveyed by the Chairman to Major Head and his colleagues, with a copy of this resolution.”—

Carried unanimously.

Proposed by C. B. Greenlaw, Esq., and seconded by B. Harding, Esq.

“That Mr. Dobbs, Captain Birch, and Mr. Allan be Members of the Committee.”

The Hon'ble Chairman, in a very elegant and complimentary speech, proposed the following resolution, which was seconded by the Hon'ble Sir J. P. Grant.

“That the warm thanks of this meeting be given to the Steam Committee, and their Secretary Mr. Greenlaw, for their zealous and able exertions in the cause of Steam Navigation.”

Mr. Greenlaw, in returning thanks to the meeting for the approbation passed on his proceedings as Secretary to the Committee, hoped to be allowed to take the opportunity of bearing testimony to the zeal, activity and energy which had been displayed by Captain Grindlay on receipt of the Committee's instructions. The correspondence which had passed between the Committee and Captain Grindlay had not been read to the meeting, but it would be published in the appendix, and the Subscribers would be enabled to judge from that of his zealous conduct; but he, Mr. Greenlaw, had the further opportunity which his private communications with Captain Grindlay afforded, of judging of the temper and disposition with which Captain Grindlay engaged in the cause, and he was enabled to say that throughout those communications there was an evident zeal from the heart, wholly abstracted from mercenary considerations as a paid agent.

He would not, at this early period of Captain Grindlay's proceedings, propose any vote of thanks to him; but, he hoped, the time would shortly arrive when they would be called upon to offer him something beyond mere thanks. In the meantime, he, Mr. Greenlaw, could not refrain from bearing testimony to the zeal and ardour with which he had undertaken the important duties assigned to him.

After which, the assembly dispersed, it being later than 6 P. M.

APPENDIX.

To CAPTAIN GRINDLAY, *East India Agent,*
16, Cornhill, London.

Sir,—I am instructed by the Committee of the New Bengal Steam fund, to acquaint you that a case containing the Petition of the inhabitants of Calcutta and its neighbourhood to the House of Commons, praying for the immediate establishment of a Steam Communication by way of the Red Sea between the principal ports of India and England, has been shipped on the *Ceromandel* to your address.

Accompanying this, is a duplicate of a letter to the address of the Right Hon'ble Lord William Cavendish Bentinck, for delivery by you to His Lordship, the original having been dispatched direct. Copy of this letter and of the petition, as also of memorials addressed to the Board of Control and the Court of Directors, also accompany. These latter have been forwarded to the Supreme Government by Sir Edward Ryan the Chief Justice of Calcutta, and chairman of the public meeting at which they were adopted, but they will not be dispatched by the same ship, time not admitting.

By the letter to Lord William Bentinck you will perceive, that His Lordship has been requested to present the petition to the House of Commons in the event of his having a seat in that house, and if not, to nominate such member of the House as he may judge to be most fit to be intrusted with so important a duty.

It is the wish of the Committee, that in this matter you should follow up any suggestions that his Lordship may condescend to offer. The Committee rely confidently on receiving from Lord William Bentinck every possible support which his situation will admit of; but, of course, there may be much active exertion required to give the fullest possible effect to the petition wherein His Lordship may require your aid, and this aid and generally your best exertions in support of the object in view, the Committee seek at your hands.

They cannot, until after the 9th proximo, make any positive communication to you on the subject of the necessary funds, to enable you to give the most effectual aid in this matter.

A meeting of the subscribers to the fund has been called for that day to obtain the general concurrence of the subscribers to a resolution, authorizing the Committee to disburse such portion of the remaining funds amounting to about Sicca Rupees 74,000, in furtherance of the petition and memorials, as they may consider expedient.

There is, no doubt, that such concurrence will take place, and in that case it is the intention of the Committee to place in the House of Sir Charles Cockerell, Bart., the sum of £1,000 in the names of the three following gentlemen, viz., Sir Charles Cockerell, Bart., James Mackillop, Esquire., Edward Fletcher, Esquire, for the purpose of their paying you such expenses as you may be put to in furtherance of the object in question, on your having previously obtained the concurrence of any one or more of them to the measures, out of which such expense arises. It will also be left to them to arrange for the remuneration for your agency.

At this distance the Committee are unable to offer much in the way of suggestion as to the means to be pursued at home with a view to give the fullest possible effect to the petition and memorials; they would, however, wish to have a copy of these documents, placed in the hands of every individual member of the House of Commons and proprietor of East India Stock, preceded by a circular copy of that which the Committee consider would be proper, will be sent hereafter.

They think, also, that this circular with the petition and memorials, ought to be inserted for a given number of times in every new-paper and periodical in great Britain and Ireland, of any influence.

They will, however, leave this to be determined by the Judgment of Lord William Bentinck and the Gentlemen above named, with the expression, however, of their own thorough conviction of the very great advantage of by this means rendering the question one of universal interest and discussion throughout the British dominions.

The Committee have thought it right not to wait the issue of the meeting of the 9th, but to pass on the petition to you, in order, that you may go into immediate communication with Lord William Bentinck and the Gentlemen above named, and by making preliminary enquiries and arrangements, be prepared to further the views of the Committee as above expressed, immediately on receiving notice from me of the actual transmission of the funds.

Of course, the proposed delivery of the copy of the petition to the members of the House of Commons and to Proprietors of each India Stock and publication in the periodicals, will not take place till after presentation to the House of Commons. Touching this presentation, the period must be left for determination at home, and I am directed to inform you, that under the idea that the expression of a general concurrence throughout India in the petition and memorials, cannot fail to give great weight to the prayers, the Committee have invited the expression of such general concurrence; which, however, cannot, of course, be received, for some weeks, as, however, the declarations of concurrence are received from the several stations, they will be forwarded to you, in order, if they should arrive prior to the presentation of the petition to their being placed in the hands of the member of Parliament, who may present it, that he may be enabled to bear testimony to such concurrence; and, in the event of the petition not being presented by Lord William Bentinck, it may be expedient, to place in the hands of whatever member does present it, copy of the Committee's letter to His Lordship's address, in order, that he may be enabled to state to the House of Commons, the manner in which the petition is supported by the highest public functionaries and others, to the number of above 3,108.

It must be left for determination at home, whether it will be most proper to present the petition during the present sessions, with reference to its late period, or to await the next sessions. It is understood, that a petition is about to be sent from Madras, and it may possibly be considered, to be expedient to present both at the same time.

If, for this purpose, or on any other account, the presentation should be delayed till next sessions, it occurs to the Committee, that, in the intermediate time, the most active and energetic measure should be adopted to create a strong public feeling, in favor of the communication being forthwith established in the most perfect form; and, perhaps, the advantage of having the public feeling in our favor, and that, strongly expressed in the periodical works of the day, may possibly be one inducement to postpone the presentation of the petition.

On the other hand, it may be, perhaps, deemed most advantageous, to present the petition immediately on its arrival, with an intimation on the part of the Member presenting it, that, owing to the lateness of the season, he will call the attention of the House to it at an early period after the commencement of the next sessions, and this advantage would appear to arise from this course, namely, that the petition having been presented, it might be published, and the question agitated strongly during the recess, and the Committee are inclined to this latter course.

In conclusion, I am desired to request, that you will shew this letter to the Gentlemen named above, to whom as well as to yourself, a communication will be made immediately after the 9th proximo.

I have, &c.

(Signed) C. B. GREENLAW,

*Secretary to the Committee of the New Bengal Steam Fund,
Town Hall, Calcutta, March 31, 1836.*

TO CAPTAIN GRINDLAY, *East India Agent,
16, Cornhill, London.*

SIR,—In continuation of my letter, dated 31st ultimo, (original per *Coromandel*, duplicate per *Jupiter*, via *Liverpool*.) I am directed by the Committee of the new Bengal Steam Fund, to forward for your information the accompanying copy of a letter under this date, to the joint address of Sir Charles Cockerell, Bart., James McKillop, Esq., and Edward Fletcher, Esq.

I forward also copy of the circular promised in my letter above referred to, and, I am desired to add, that the Committee have ascertained from a competent source, that there is no irregularity in publishing the petition prior to its presentation. They, therefore, request, that measures may be immediately adopted for giving effect to their wishes for the publication of the circular, with the petition and memorials, annexed as per accompanying copies, in all the newspapers of influence in Great Britain and Ireland; and, especially, at London, *Liverpool*, *Bristol*, *Birmingham*, *Manchester*, *Leeds*, *Glasgow*, *Aberdeen*, *Greenock*, *Paisley*, *Dublin*, and *Belfast*.

It will also be important to secure, if possible, the support of the Editors of the papers in which the circular, &c., appear, and to endeavour to create and maintain a discussion in favor of the object until it is obtained. This, as well as the number of times and the periods, when the circular, &c. should appear, must be left to you, with reference to the progress made towards attainment, as also to the petition being or not being presented during the present sessions. In the latter case, it will, of course, be necessary to have the matter prominently brought forward about the time that the presentation takes place, and, in either case, the Committee wish, that no time should be lost in making the first publication.

In like manner, the period, when the circular with petition and memorial shall be distributed to each Member of Parliament, and to each Proprietor of *East India Stock*, must be left to your determination in communication with the Home Committee, and such other persons as may be competent to determine the question. With respect to the members of the House of Commons, the Committee would suggest a reference being made to the most respectable Parliamentary Agent, and his services being secured towards obtaining the greatest possible support in the House.

Repeating the request of the Committee to be kept constantly apprized of your proceeding,

I have, &c.,

(Signed) C. B. GREENLAW,

*Secretary to the Committee of the New Bengal Steam Fund,
Town Hall, Calcutta, April 9, 1836.*

TO SIR CHARLES COCKERELL, BART., JAMES MACKILLOP, ESQ., AND EDWARD FLETCHER, ESQ.

GENTLEMEN,—Not doubting that my letter under date 31st ultimo, to the address of Captain Grindlay, will have been communicated to you by that gentleman, I am now directed by the Committee of the New Bengal Steam Fund to forward for the purposes stated in that letter, the first of a set of Bills for the sum of £1000, on the house of Sir Charles Cockerell Bart. and Co. in your favor, an account of the "New Bengal Steam Fund."

The Committee will continue their correspondence with Captain Grindlay for the purpose of saving you as much trouble as possible, but they will, of course, be at all times happy to hear from you individually or collectively on the interesting subject of the present correspondence.

It does not appear to be necessary that they should offer any remarks in addition to those contained in the letter to Captain Grindlay, further than that, in forwarding £1000, which sum the Committee contemplate as being sufficient to ensure its purposes, they do not mean to limit the expenditure to that sum, should any further sum be required for the purpose of securing the attainment of that great object, for which the money was subscribed by the inhabitants of Bengal.

I have, &c.

(Signed) C. B. GREENLAW,

*Secretary to the Committee of the New Bengal Steam Fund,
Town Hall, Calcutta, 9 April, 1836.*

TO CAPTAIN GRINDLAY, *East India Agent,
16, Cornhill, London.*

SIR,—Referring to that part of my letter of the 9th instant, which intimated the intention of the Committee of the New Bengal Steam Fund, to invite the expression of a general concurrence throughout India, in the petition and memorials of the inhabitants of Calcutta and its neighbourhood, I am now directed to forward to you

the accompanying original signatures, (in number 2,551,) to 60 declarations, as per margin, from 58 places, according to the accompanying statement.

The object of sending these, is, that they may be put into the hands of the Member of Parliament, who presents the petition in order to his being enabled to declare the extent of that concurrence, as received, up to the date of the last advices.

The accompanying form a small portion only of what is expected.

In case the petition should have been presented prior to the arrival of these papers, they still cannot but be of great use in strengthening the hands of those, who may be engaged in advocating the cause of a thorough and comprehensive scheme of inter-communication between England and all parts of India, by Steam Vessels by way of the Red Sea.

I have, &c.

(Signed) C. B. GREENLAW,

*Secretary to the Committee of the New Bengal Steam Fund,
Town Hall, Calcutta, April 26, 1836.*

P. S.—A receipt is enclosed.

No. 1.

Abstract of a number of signatures received from the European and Native inhabitants, from different stations in the Mofussil, to the following declaration:—

"We, whose names are hereunto subscribed, being inhabitants of—, hereby express our concurrence in the petition to the House of Commons, and memorials to the Board of Control and the Court of Directors, praying for the immediate establishment of Steam Communication by way of the Red Sea, between the principle Indian Ports and England, adopted by the inhabitants of Calcutta and its neighbourhood, at a public general meeting held at the Town Hall, on the 5th of March, 1836."

STATIONS, &c.	Number of Signatures at the several stations.		Total of Europe- ans and Natives.
	European.	Natives.	
Azinghur,	14	0	14
Benares,	45	0	45
Berhampore and Moor- shedabad,	59	28	87
Baitool,	11	0	11
Bhawulpore,	22	0	22
Bancoora,	15	0	15
Bogoorah,	5	0	5
Bareilly,	9	0	9
Boolundshuhur,	4	0	4
Behar,	18	2	20
Chittagong,	27	20	47
Chunar,	33	0	33
Cuttack,	29	2	31
Cheera Poonjee,	9	0	9
Dinapore,	6	36	42
Dacca,	34	77	111
Dellie,	44	0	44
Dinapore and Patna, ..	99	0	99
Etawah,	11	0	11
Fattyghur,	43	12	55
Ghazepore,	54	0	54
Gurwarrah,	8	0	8
Hazareebaugh,	38	0	38
Hidgelee,	5	0	5
Humeerpore,	15	0	15
Sumbulpore,	16	0	16
Jumalpoore,	10	0	10
Kuraul,	31	0	31
Lucknow,	76	0	76
Maldah,	18	0	18
Mymensing,	13	1	14
Moozuffernaghur,	3	0	3
Mirzapore (attested co- py),	25	0	25
Midnapore,	31	23	54
Monghyr,	26	120	146
Noncolly,	6	0	6
Nepaul (a letter),	4	0	4
Nemuch,	57	0	57
Rohitund,	27	5	32
Ramree,	3	14	17
Sultanpore Benares, ..	14	0	14
Sultanpore Oude,	12	0	12
Seetapore Oude,	11	0	11
Sooree,	7	0	7
Saugor,	77	0	77
Soobathoo and Simla, ..	29	0	29
Tipparah,	16	65	81
Meerut,	657	0	657
Mhow,	13	0	13
Buxar and Khorintadhee, ..	7	0	7
Cawnpore,	102	0	102
Commercolly,	38	26	64
Gurruckpore,	16	95	111
Kumapoor,	23	0	23
	2025	526	2551

(True Abstract.)

(Signed) C. B. GREENLAW.

Secretary to the Committee of the New Bengal Steam Fund
East India Army Agency, 16, Cornhill, and 8, St. Mar-
tin's Place, Charing Cross, 13th September, 1836.

C. B. GREENLAW, Esq., Secy. to the New Bengal
Steam Fund, Cal.

SIR,—I have the honor to acknowledge the receipt of your letter of the 31st of March, accompanying a petition from the individuals of Calcutta and its neighbourhood, to the House of Commons, praying for the immediate establishment of a steam communication by way of the Red Sea, between the principal ports of India and England. To this is added, duplicate of a letter to Lord William Bentinck, to be delivered by me to His Lordship, and a copy of the memorial on the above subject, to the Indian Board and the Court of Directors.

I beg you will assure the Committee, that I undertake with alacrity the office which they have done me the honor to call on me to perform of communicating with Lord William Bentinck on this subject, and of acting in general as their Agent in promoting the accomplishment of this great national object.

Lord William Bentinck is now absent from London, but I shall not fail to take the earliest opportunity of placing myself in communication with His Lordship as well as with Sir Charles Cockerell and Messrs. Fletcher and McKillop, who are also both absent.

I observe the intention to appropriate a sum of money amounting to £1,000 under the charge of the above named gentlemen, for the purpose of their paying the such expenses as I may be put to, in furtherance of the object in question, on previously obtaining the concurrence of any one or more of those gentlemen, to the measure out of which such expense arises, leaving it to them to arrange for the remuneration of my Agency. In the absence of these gentlemen from London, I have thought it expedient to obtain the insertion of a preliminary notice in the most influential of the public prints, as you will perceive by the accompanying copies of the *Times* of the 9th and 13th instant, in order to awaken the attention of the public to the importance of the subject, and to serve as the commencement of a series of appeals to be continued during the recess.

On the arrival of the funds, and in concert with Sir Charles Cockerell and the other Gentlemen, I propose to insert the petition and memorials accompanied by the circular which you allude to, as being in preparation in all the principal periodical publications, and to print the whole of the documents in a condensed but distinct form for distribution to all the members of both Houses of Parliament, and Proprietors of East India stock, commercial, bodies public and private to the out ports and manufacturing cities, to the clubs and Libraries, and, in short, in every direction, where they are likely to meet the eye of the very numerous body of our countrymen, who take an interest in the question, and may directly, or indirectly, assist, in giving a direction to the public opinion.

These measures, however, will be adopted with better effect, after the documents have successively appeared, as original articles, accompanied by editorial remarks, and illustrated by other incidents, having relation to the general question.

Although, in one part of your letter, you direct these measures to be delayed until the question is before Parliament, I avail myself of the discretionary power, with which you invest me in the latter part of your communication in the event of any delay arising, to go forward at once, and by keeping alive the public attention during the recess, to render the matter familiar in its principles and details, so that by the time it is brought before Parliament, it may not be looked upon with that coolness and indifference too often shewn towards Indian questions, in most cases to be attributable to a general want of information regarding them.

I trust, at an early period, to be enabled to report further progress in this most interesting affair, and I

beg you will assure the Committee, as representing the inhabitants of Calcutta, that I shall labour incessantly to carry into effect their wishes.

I have, &c.

(Sd.) R. M. GRINDLAY, *East India Army Agency.*
16, Cornhill, and 8, St. Martin's Place,
Charing Cross, 1st October, 1836.

C. B. GREENLAW, Esq.

Secretary to the New Bengal Steam Fund, Calcutta.

SIR—In continuation of my letter of the 13th September, I have now the honor to acknowledge the receipt of your letter of the 9th April, accompanied by copy of a letter to Sir Charles Cockerell, Bart., James McKillop, Esq., and Edward Fletcher, Esq., as also a circular, alluded to in your former communication, of the 31st of March.

In the continued absence from town, of the Gentlemen above alluded to, I have addressed a letter to Mr. Larpent, who re-presents Sir Charles Cockerell, and have the honor to transmit copy of my letter with that Gentleman's reply.

I had previously availed myself of the discretionary power with which, I conceive myself invested, to obtain the insertion of the circular in question, in the most prominent part of the *Times* of the 29th ultimo, of which I forward copy, as well as of the *Atlas* of the 11th ultimo, and of this day, and the *Asiatic Journal*, just published, and a new paper, called the *Mining, Railway, and Steam Navigation Gazette*, and I shall continue to effect similar notices, both directly and collaterally, whenever I have an opportunity.

The question having thus been presented to the notice of the public, in a pointed manner, by influential publications, I shall proceed in concert, and under the advice of the three gentlemen you have named, to insert the various documents in the way of Advertisements or otherwise, in the provincial journal, and I shall prepare for universal circulation, in a clear but condensed form, the various materials, with which you have already supplied me, or may from time to time transmit.

I have also to acknowledge the receipt of your letter of the 26th April, and the case containing the additional signatures to sixty declarations in support of the prayer of your petition.

Due use shall be made of this supplementary matter, and such as may hereafter arrive.

I have, &c.

R. M. GRINDLAY.

East India Army Agency.

16th, Cornhill, and 8, St. Martin's Place, Charing Cross,
29th September, 1836.

To Sir CHAS. COCKERELL, Bart., JAMES MCKILLOP,
Esq., EDWARD FLETCHER, Esq.

GENTLEMEN,—I am instructed by the Committee of the New Bengal Steam Fund, to place myself in communication with you on the subject of the petition to Parliament, transmitted to me for the purpose of being presented by Lord William Bentinck, at the opening of the next session.

I request the favor of an opportunity of concerting with you such measures as may be requisite to carry into the fullest effect the wish of the Committee.

In accordance with the instructions contained in the Secretary's letter to me of the 9th April, I have already obtained the insertion of the circular alluded to, in the city article of the *Times* newspaper, of this day's date, and shall continue similar measures to keep alive the public attention to this important subject.

I have, &c.

(Signed) R. M. GRINDLAY,

Austin Friars, 1st October, 1836.

MY DEAR SIR,—In the absence from town of my friend Sir Charles Cockerell, I have to acknowledge your letter of the 29th ultimo, addressed to him, Mr. J. McKillop, and Mr. Fletcher, by you, on the part of the New Bengal Steam Fund, respecting the petition to Parliament, entrusted to you for the purpose of being presented at the opening of the ensuing sessions, and I take this opportunity of assuring you by letter, as I did yesterday, when I had the pleasure of seeing you, that no person can feel a deeper interest in this matter than Sir Charles Cockerell, and that no exertions on his part will be spared in endeavouring to obtain the fullest discussion of the proposed plan. The papers have been transmitted to him in the country, and the remittance of £1,000, by bill on our house, has been accepted, and I shall be prepared to act with you and the other gentlemen, previously to the meeting of Parliament, in assisting to devise the best means of calling public attention to this important subject.

I shall also take an early opportunity of laying the papers before the East India and China Association, and I am sure they will enter into the feelings of the Indian Community; but, I do not disguise from you that much will require to be done first, in obtaining the sanction and support of the Court of Directors, of the East India Company, and of the Board of Control, and 2d, in meeting the objection, now so strongly urged, of the assumed expence of the projected plan. It must be our endeavor to shew, here, a quick communication between this country and India, can be arranged at a comparatively moderate charge by the aid of steam power, and, I trust, we shall succeed, for, on every account, both personally and as a member of a commercial house connected with India.

I am deeply impressed with the benefits all parties will derive from the establishment of any plan, that shall ensure a rapid intercourse between Great Britain and British India.

I remain, always, my dear Sir,

Yours, &c.

(Signed) G. G. de H. LARPERT.

[*Ind. Gaz. Feb. 22.*]

AMERICAN ICE.

To the Editor of the Bengal Hurkaru.

Sir,—The interest which the public have taken in the importation of American ice, must be my excuse for soliciting the favor of your publishing the accompanying letter. I received it yesterday, from Mr. Frederick Tudor of Boston, in reply to a letter which I had addressed to him by the directions of the American Ice Committee. Mr. Tudor states in his letter, "as far as I have dates from your city, say to the 8th of April 1836, every thing goes on well. You will know whether this be really the case before this reaches you;" to this I must add, that Mr. Bacon and Mr. Ludd, Mr. Tudor's superintendents, have expressed their entire satisfaction at the manner in which the house has preserved the ice; it has not only fulfilled all our expectations, but succeeded better than could have been reasonably anticipated from a first experiment.

Several members of the Committee have, for some time past, been desirous of enlarging the present house, and I not only concur with Mr. Tudor, that without this be done, there can be no certainty of a uniform supply of ice throughout the year, but it would likewise secure the advantage of preserving oranges and other fruits of the country, during the hottest season. Mr. Ludd is now making experiments for this object. It may also be in our power to adopt measures, which will encourage the shipowners to import cargoes of ice. There is now a prejudice against this description of freight, and I am fully aware of the obstacles which Mr. Tudor has to encounter.

Under these circumstances, I have requested Mr. Hedger, our Secretary, to convene a meeting at the Town Hall of those who are desirous of encouraging the speculation, and a more convenient time can hardly be selected, than ten o'clock on Saturday morning, that being the first day of the sessions.

I remain, Sir, your obedient servant,

LONGUEVILLE CLARKE.

Calcutta, 12th Feb., 1837.

Boston, U. S. A. 9th September, 1836.

Sir,—I received to-day, by the hands of Mr. M. D. Bacon, your letter, as chairman of the American Ice Committee of Calcutta, which I take the first moment of replying to; although I may not be able to despatch my letter for a month to come.

I wish then, in the first place, to ask you to convey to the Committee, and the subscribers to the erection of the building, and to Sir Charles Metcalfe, late Governor-General, the high sense I entertain of the open-hearted and open-handed liberality with which they have met my attempt, cherished, and sustained it, at a period of the greatest disaster.

The very flattering terms in which the Committee speak of the enterprise, cannot be otherwise than grateful to my feelings; I think, however, I may justly say, I do not deserve so much praise for the undertaking, as they are willing to give me. The plan is the result of calculation, and to the original plan I have added the experience of a long course of years. An observation of the facts, rendered it a matter of certainty, that the safe transportation of Ice to India, could be effected. In the onset it was known there were great difficulties to be encountered, and many losses to be met, and that no success could be arrived at, unless the most unflinching resolution, should be first determined upon. Those who engage upon new undertakings will soon learn that their

success depends upon making even misfortune serve as encouragement, and defeat in one direction, a source of strength and new vigor in another. If they take leisure to stop for lamentation or for mishap, they waste powers wanted for a better purpose.

Having many years since satisfied myself that a ship could be so prepared, as to transport about two-thirds of a cargo, I commenced the undertaking knowing from experience in other directions, a great variety of obstacles were to occur which, nothing but experiment could ascertain and overcome; what I most feared was, the interference of the inexperienced. I feared, ships would be loaded with this article without being sufficiently well prepared, and that losses by such means would be charged against the enterprise generally; that the shipping of Ice in our India ships, would be so out of favor, the enterprise would be defeated by a refusal on the part of ship owners to receive the article on Freight. This has proved one of the greatest troubles, and one of the most difficult things to overcome. It is now a stumbling block, and is only to be met by money, and doubling the freight of Ice, over the rate which would be paid for any other article, although it is probably the best article a ship can take passing through so long a distance of heated water, and under a burning sun.

The cause of the loss of the second cargo, arose mainly from the impatience of Mr. Bacon to be off, on the recommencement of the undertaking; by which means, and an over proportion of the fruit, in a small, dull-sailing vessel, the undertaking sustained a loss of about ten thousand rupees, in a single shipment. I have since sent forward six cargoes, and did not a moment hesitate, when I heard of the failure of the vessel in which Mr. Bacon went out, to push forward the enterprise: the mishap by that vessel was mainly caused by an over proportion of fruit, the fermentation of which, caused the destruction of itself and cargo.

The Committee have spoken of the fruit as a disadvantage. It is not so, when shipped in so small quantity as to be kept under the power of the ice. It goes on board at a temperature as low as 40°, and even 32°, which it retains the whole passage. So far, therefore, from being an injury, it constitutes a part of the great body of cold, necessary to be preserved, in the hold of the ship. No fermentation can take place at the temperature at which it must be kept, in order to be preserved. Some further suggestions are made respecting fresh provisions, fish, &c. I am not prepared to say that these cannot be transported, *if frozen*; but I think a state of being frozen cannot be preserved, in a perfect state; the slightest want of perfection in such articles, would be fatal. At a future time I proposed to have some experiments instituted, by which doubt may be solved. At present there is not any evidence, that ice has sufficient power in itself to preserve fresh animal substances, for a great length of time; but I have known fresh beef and fish to be successfully preserved in ice for forty days, in voyages to the West Indies. I have the intention to attempt the preservation of the fine Spanish grape, which arrives here in November and December; it is frequently kept with us until June, in a temperature of about 55° in an ice cargo! The temperature would be 10° lower, and might keep back the progress of decay. Some kinds of pears might possibly be preserved and attempts to this effect will be made.

On the subject of the Ice House, Mr. Bacon has not produced sufficient evidence of its excellence, for me to make up an opinion, whether it will preserve the ice, which has gone in succession, so that there may be

no interruption in the supplies, after the ship *Concord*, which was the first put in to the new house, then sailed.

Ship *Warsaw*, 27th December,
Ship *Ruthelia*, 6th April,
Ship *Brighton*, 2nd August.

The coming month another large cargo with apples, will be despatched, to be followed by another in December, and about March or April another, being the tenth cargo shipped by me. But even with all these, regular supplies cannot be expected to be established, until the consumption encreases and the Ice House is extended to a very considerably greater size. This extension of size, cannot be attempted for a twelve month to come, and ought to be effected from my own resources; after the result of the ten cargoes is known.

In conclusion, I may (without filling the measure of good feeling which I have towards the gentlemen of Calcutta) say, I thank the Committee for the peculiar kindness extended towards my agent Mr. Bacon. I again give you the assurance that no effort shall be wanting on my part to secure success to this undertaking. I believe the success will date from the arrival of the *Concord*, but no certainty of uninterrupted supplies, can be arrived at, until there is an Ice House of very considerably encreased capacity.

As far as I have dates from your city, say to 8th April 1836, every thing goes on well; you will know whether this be really the case before this reaches you. If there should have been a hiatus in the supplies, I shall trust in the continued patience of the good friends of the undertaking, and that they will believe every thing is doing, and will be done here, to ensure the entire accomplishment of their wishes, which are my own.

I beg to assure the Committee, I remain, very respectfully,

FREDERIC TUDOR.

To LONGUEVILLE CLARKE, Esq., &c., &c., &c.

Chairman of the American Ice Committee, Calcutta.
[Ind. Gaz. Feb. 15.]

ICE MEETING.

TOWN HALL, TUESDAY, FEBRUARY 12, 1837.

The Hon'ble Sir John Peter Grant, in the Chair. The attendance was not so numerous as was anticipated by some gentlemen, but the subject, though a cold one, was warmly discussed; and instead of the large hall usually used for such assemblies, the meeting was held in the south-west room, where about ½ after eleven, we felt the want of non-conductors of heat exceedingly.

The Chairman having called order, Mr. C. Ladd laid an estimate on the table, having the following exhibit of sales and losses.

September 1836,	average sale per day	728	seers.
Ditto do.	do. loss do.	1060	ditto.
October do.	do. sale do.	704	ditto.
Ditto do.	do. loss do.	1036	ditto.
November do.	do. sale do.	558	ditto.
Ditto do.	do. loss do.	768½	ditto.
December do.	do. sale do.	275	ditto.
Ditto do.	do. loss do.	685½	ditto.
January 1837,	do. sale do.	104½	ditto.
Ditto do.	do. loss do.	809	ditto.

The average of the above statement shews a loss of 50 per cent. per diem, and consequently the defectiveness of the present mode of preserving ice.

Several suggestions were made by Messrs. W. P. Grant, Longueville Clarke, W. R. Young, H. M. Parker, Captains Forbes and Sewell, and Mr. G. A. Prinsep. It was at one time proposed to remedy the loss by improving the construction of the cisterns, and instead of having it as at present of wood, it should be constructed of iron, as one of wood, however strong, would constantly leak, and thereby wet the tan which was the present great cause of the extraordinary loss.

Mr. Prinsep suggested that a wood cistern should be constructed on a larger scale, and with a wooden wall all round, leaving a space for unremoved air of 2½ feet width, and that the cistern should be corked with Patent Felt and sheathed with tin. Mr. W. P. Grant thought a brick cistern would be very economical, and that air being the best of all non-conductors, that there should be a brick instead of a wooden wall round it.

The Hon'ble Chairman agreed with Mr. G. A. Prinsep and Captain Forbes, and added that the Russians protect themselves from cold by having double sashes of glass, leaving a space between, which contains unremoved air. After a little further conversation on heat, cold, conductors and cisterns, the following Resolutions were put from the chair.

Proposed by Longueville Clarke, Esq., and seconded by Henry Meredith Parker, Esq.,

"That the practicability of successfully importing American ice into Calcutta being now fully established, as well as the great advantages it confers on the community, it is expedient to adopt Mr. Tudor's suggestion of increasing the Ice House.

"That in consideration of the losses which Mr. Tudor has sustained in the commencement of the speculation, and the persevering enterprise which he has displayed, it is expedient to encourage the undertaking by opening a subscription to enlarge the present building; the expense of which building ought in the opinion of this meeting to be wholly defrayed by the public of Calcutta."—Carried unanimously.

Proposed by W. P. Grant, Esq., and seconded by W. R. Young, Esq.,

"That Mr. Tudor is entitled to the warmest thanks of the Calcutta Community for his strenuous and persevering efforts to keep Calcutta supplied with ice. Carried unanimously."

Proposed by Nathaniel Alexander, Esq., and seconded by Captain Sewell,

"That it be referred to the Committee to raise the subscriptions, and to employ the funds in enlarging and improving the present building, and that Mr. H. M. Parker be added to the Committee."

Mr. Clarke then proposed thanks to the Hon'ble Chairman.

After which Sir J. P. Grant requested to see the Book of Subscription, to which be added his name and 100 rupees: the example was followed by those present, and the subscription amounted to 776 rupees—Ind. Gaz. Feb. 22.

EAST INDIANS' ADDRESS.

Pursuant to a resolution passed at a General Meeting of East Indians held on the 23d Instant, the Deputation waited on the Right Honorable the Governor on Saturday last at Government House with their Address; to which, with His Excellency's reply, they have much satisfaction in giving publicity.

THE ADDRESS.

His Excellency Lieutenant General The Right Honorable
SIR FREDERICK ADAM, K. C. B.
Governor of Madras, &c. &c. &c.

RIGHT HONORABLE SIR,

The period having arrived for your Excellency to resigning the Government of this Presidency, and to return to your Native Country, we, the East Indians of Madras

conceive it incumbent on us to embrace the opportunity afforded by this event, of publicly testifying our tribute of gratitude, for the enlightened and liberal policy which has uniformly characterized your administration towards us.

The peculiarity of our situation, and the generally admitted hardship of our condition, occasioned by the prescriptive enactments formerly exercised towards us, might perhaps have excited the sympathy of our former Rulers, but with only one recent and distinguished exception, your Excellency has been the first to deprive prejudice of its malignancy, and exclusiveness of its baneful effects.

Conceiving it dissonant with the nature of this address, to particularize individual manifestations of your Excellency's condescension and liberality, we therefore refrain recording them; but we beg earnestly and respectfully to state, that we have regarded with peculiar gratification and thankfulness, the adoption of those measures, by which your Excellency has endeavoured, consistent with the responsibility of the higher trusts reposed in you and existing circumstances, to meliorate our condition.

Although your Excellency's departure is to us a source of deep regret, nevertheless, this general sorrow is productive of this consolation, that although we are deprived of a Governor, who carries with him the sincere benedictions of a grateful community, yet we secure in him, another strenuous and powerful friend, to advocate the cause of a much injured people, in that land, where alone our interests can be promoted and our rights secured.

With your Excellency's name will be associated our most grateful recollections.—A deep sense of our obligations towards you will ever be cherished by us; and we ardently hope, you will remember this our last, but earnest solicitation, that you will always condescend to be the unflinching and unwearied Friend of our cause, and advocate the entire demolition of that proscription, to which alone is attributable, the concealment of our energies, and our consequent depression and dependence.

With these sentiments of profound respect and gratitude, we beg to take a farewell of your Excellency, fervently praying, that he who commands the winds and the waves, may protect you from every danger, and restore you to the bosom of your family, not only to enjoy the luxury which emanates from a reflection of having done good, but also the full realization of all your anticipations.

We have the honor to be, Right Honorable Sir,
Your most obedient humble Servants.

THE GOVERNOR'S REPLY.

GENTLEMEN OF THE DEPUTATION.

The address which you have just read to me has, I can assure you, given me sensations of the highest gratification.—To know that the administration of this Government since I have been at the head of it, has in any degree been considered as beneficial to the large community which you represent, gives me unfeigned satisfaction.

Fortunately the feelings and principles which I entertain have been analogous to the spirit and temper of

public opinion in the Mother Country, and the Legislature in its most recent enactments, has given full efficacy to those principles; so that it only remained for the Local Government to set up to these as far as circumstances permitted. Such has been the rule of the Government over which I preside.

As you kindly express your opinion that I am friendly to the cause of your Community, I flatter myself you will receive what I am about to say in the true spirit which dictates it, sincere and friendly anxiety for your welfare. When I return Home I shall cease from having any influence beyond that of a very humble individual no way connected with public affairs, and therefore I can offer nothing beyond good wishes as to the object at which your Address points. But I would venture to observe, that as the Legislature has removed every restriction, so it has left the future prospects and advancement of your Community in a great degree in your own hands.

All Legal causes of "Depression and Dependence" are at an end, but the removal of prejudice is of slow operation and its growth can only be accelerated by your own efforts. I am quite aware that some of the most valuable agents of the Government belong to your Community. There are not a few amongst you who are by the Government highly esteemed and appreciated amongst its most efficient Servants, but it has always appeared to me that it was far too general an object of the members of your Community to look to employments under the Government as the means of advancing your prospects in life. To a certain extent this is no doubt a legitimate ambition, and from your peculiar position almost a necessity; but it ought no longer to be as exclusively an object of ambition as it was. It is true every obstacle has been removed by Law and a new field is now open to you, but the way to raise yourselves from the position in which you have hitherto been placed is to depend more upon your own exertions.—To raise your Community by the efforts of its individual Members, Commerce, Navigation, and Professional pursuits are all open to you, and it is to them you should look as the means in time, of giving your Community that position in the General association which it will be fully entitled to hold.

The East Indians' like every other Society, is composed of many classes differing in wealth, in knowledge, in talents, in habit, and in social consideration, and it is a mistake to suppose that each class can be brought forward to the same level.—It is by careful adoption, and adaptation to the several classes, of the best means of education that the powers of individuals will be developed, and the Community to which they belong elevated to its proper station in the general scale, and call forth those energies which the force of circumstances hitherto depressed and concealed.

I thank you, Gentlemen, for your kind wishes, and accept them with gratitude, and you may be assured, that though the Power of usefulness may not belong to me after my departure, the sincerity of my good wishes will remain fervent and unabated.

HOOGHLY COLLEGE.

A deputation from the Committee of Public Instruction visited the College of Hooghly on Saturday, to distribute prizes to the students reported most favourably of on the first Annual Report. The deputation consisted of Sir Edward Ryan, Sir Benjamin Malkin, Mr. Shakespeare, Mr. Trevelyan, and Mr. J. C. C. Sutherland, and they were accompanied by Mr. Hare, Baboo Prussona Comar Tagore and Rassomoy Dutt, and Captain Johnston, superintendent of Steamers. They left Calcutta about 8 in the morning in one of the iron steamers and reached Chinsurah about half an hour afterwards. After inspecting some of the classes, and all

the various rooms of General Perron's house, now occupied as a College, the deputation distributed some of the prizes and then proceeded to Hooghly where they minutely inspected the Imambarah and the lands belonging to the estate to the southward, extending nearly to the jail. On part of this land, near the Imambarah, it is proposed to erect a splendid structure as a College; but we believe that point is not yet fully determined. It had been in contemplation to purchase General Perron's house, now rented at 140 rupees a month, but the owner, from a mistaken idea that the Committee cannot get any other, and will not build, has more than

doubled the price which he would formerly have taken. The gentlemen of the deputation, after being occupied nearly two hours walking in the sun examining the premises of the Imambarrah, left Hooghly about 3 o'clock in the afternoon and reached Calcutta about half past 7 in the evening.

The Judge of Hooghly, Mr. Martin, and the officiating

Magistrate, Mr. Grote, attended the distribution of prizes at the College. Mr. Belli, the Collector, who has always taking a lively interest in the institution, was absent in the district, on duty. The examination took place in December and was private. The institution is not sufficiently advanced for a public examination.—*Hurkaru.*

SUPREME COURT.

[ADMIRALTY SIDE.]

In the matter of Bounty to the Officers, Seamen and Soldiers of H. M. S. Andromache.

Mr. Cochrane, in the absence of the Advocate-General, from indisposition, moved upon petition supported by affidavit, that a day be assigned for receiving proof of the claim of the crew of H. M. S. *Andromache* to Head-money, for three several attacks on pirates, in the Straits of Malacca, under the Act of the 6th Geo. IV. c. 49, for the encouragement of His Majesty's Forces, in the suppression of piracy and destruction of piratical vessels.

The Chief Justice.—The question is, whether the application ought to be made to the Supreme Court, sitting as a Court of Admiralty, or to the Vice Admiralty Court, which is distinct from the Admiralty Court, and which is constituted by Commission from the Lords of the Admiralty, and of which I am the Commissioner. The first Court derives its powers under the Charter: this latter Court, under special Commission.

Mr. Cochrane. I have a motion prepared for each Court, and will hand in whichever your Lordship pleases, (laughter.)

The Chief Justice.—This Court (Supreme Court,) will assign a day to hear the evidence; but we do not decide, whether we have the jurisdiction under the 28th section of the Charter. The criminal jurisdiction of the Admiralty Court has been extended by two subsequent Acts of Parliament, but they do not extend the civil jurisdiction. It is a question whether this is a civil or criminal proceeding, and it is a question for you to consider, whether the Vice Admiralty Court in which I sit alone by Commission, is not the Court to which you ought to make your application; but as the ship is about to sail, and your witnesses are, probably, on board of her, I have no objection to open the Vice Admiralty Court, and will receive your petition there. We adopt this course as a matter of convenience under the special circumstances of the case, otherwise, we would have heard the question of jurisdiction argued, and have decided that first.

The Chief Justice in the course of the day opened the Vice Admiralty Court, and Mr. Dickens was sworn in as Registrar; the witnesses will be examined the first thing to-morrow, when the Chief Justice, as sole Commissioner of the Vice Admiralty Court, will preside, and Mr. Bird was appointed Marshall.

The Chief Justice.—I don't think, Mr. Cochrane, you are an Advocate of this Court; you had better, therefore, be sworn in; and those Gentlemen, (Advocates,) who are present, had better be sworn in.

The Chief Justice intimated, that it was not at present a Court of much business, but in times of war its business is very great.

There have been no advocates sworn in to this Court, we understand, since 1823, when the then Bar was sworn in.

Mr. Marnell was the only advocate present in Court at this time, and Mr. Cochrane, at the suggestion of the Chief Justice, handed over his motion to Mr. Marnell. The roll not being ready, the Gentlemen of the Bar will, it is understood, be sworn in as advocates of this Vice Admiralty Court to-morrow. In answer to a question from Mr. Marnell, the Chief Justice stated, that the Vice Admiralty Court was not a Prize Court; that a Prize Court sits only in time of war, but that the Prize Court sits under the same special commission under which the Vice Admiralty Court derives its powers.

VICE ADMIRALTY COURT.

The roll being completed, Mr. Cochrane, Mr. Osborne, Mr. Leith, Mr. Barwell, Mr. Sandes and Mr. Nott were then sworn in as Advocates of the Vice Admiralty Court, these gentlemen being the only Advocates present, not sworn in as Advocates of that Court.

The Vice Admiralty Court was then adjourned till to-morrow.

[Ecclesiastical Side.]

NEWTON VERSUS NEWTON.

Mr. Prinsep was about to move in this case, which is a suit for divorce brought by the wife, that the impugnant should propound all proceedings in the case, which means, we believe, she should expedite the cause, and proceed to a hearing. It appeared, however, that the defendant was in contempt, or in the language of Ecclesiastical Court, *contumacious*, and therefore he could not be allowed to move. Motion postponed.

There were several other motions of no public interest, which occupied the rest of the day.

JANUARY 31, 1837.

[ADMIRALTY SIDE.]

Lieutenant Reed examined by Mr. Cochrane. Is 1st Lieutenant on board H. M. Ship *Andromache*, and was off the Arrows on the 31st of May 1836, in the Straights of Malacca in the pinnace. Was on board the pinnace about 8 p. m. of the 30th. The boat was manned and armed and with about 21 men, and left the *Andromache* in search of pirates. The 1st and 2d cutters, jolly-boat and gig, accompanied us. We went to one of the islands. When we rounded a small bay, we observed three boats about midnight. I had detached the other boats from me before this time. When I saw these three boats, I immediately pulled towards them. They were laying near the shore, and they immediately manned two of them and pulled towards us. I had Mr. Mitchell on board as an interpreter. The boats came near us. We hailed them and told them we were white men and not to be afraid. They began to sing, beat their gongs and flourish their spears. I ordered them to be hailed. I directed the interpreter to tell them not to

be afraid, that we would not hurt them. An answer was made in a language which I did not understand, which was interpreted to me:—Some of Malays, &c. From the appearance of these boats they came towards us in a hostile manner. I saw them flourishing their spears. They were hailed by us at least 3 or 4 times through the interpreter, perhaps more times. The boats continued to pull towards us after we hailed them. These boats were larger and longer, and carrying more men than mine. They are full of men. I should not have thought it prudent to let those boats get along side of us.

After being hailed repeatedly and the nearest boat coming within 12 or 15 yards of us, I ordered the gun to be fired, which was returned by both boats firing their great guns, swivels and some small arms. I continued firing until the men in the large boat jumped overboard.

At this time the cutter came up. The smaller prahu was making off, and I sent the cutter in chase. There were still some men left in the large boat, and after firing 2 rounds more of the great gun, the first cutter came up, I ordered her to take possession of the prahu, and immediately went in chase of the other prahu. On coming up with the 2d prahu, I found it was engaged in a running fight with the 2d cutter. I fired a round of grape into her within 8 or 10 yards of her. The men jumped overboard. They were told by the interpreter to come on board, and that they would not be touched. They refused and struck at our men whilst in the water and were nearly all destroyed, some having escaped from the 1st large boat which was taken. We landed the seamen and Marines to scour the jungle of the island, and succeeded in making 9 prisoners. I returned on board about 4 in the afternoon.

I landed at day break, after destroying the other two prahus, and launched and burnt the 3d prahu. The island appeared uninhabited, it is about half a mile round. It is between 2, 3 and 4, N. and 100 East. I went on board the 2d and 3d prahu. The 1st was burnt before I got to her. The 2d had place for one large gun; the 3d was not quite finished, and had one large gun, a 5-pounder, besides 5 swivels, large enough to carry a pound or half a pound ball. The 1st boat had a long 9 pounder mounted, and 5 or 6 swivels of the same size, capable of carrying a pound or half a pound ball. Examined the 2d prahu. She had not the appearance of a Merchant vessel. There was one man lying dead on board. There is a difference between these vessels and fishing boats. The fore-mast rakes more forward, and fishing boats are not so well armed or manned. I looked at the bows of the vessel. There was a stockade about the bows. I never saw such stockades in any merchant vessel. The prisoners were taken on board the *Andromache*. I think at least 100 men were in these two boats. I cannot swear to the prisoners having been on board the boats. There were no huts on the island, it was uninhabited. They probably were on board the boats. Most of these 100 men were killed; about 8 or 9 might be left on the island. There were many places on the island in which they might have concealed themselves. When the men jumped overboard from the 1st boat it was about 30 yards off shore. In the 2d prahu nearly all must have been killed. There must have been about 40 in her, in the 1st about 50 to 60. Most of them must have been killed. We fired upwards of 30 rounds of grape into her. We were very near. We fired small arms also into her. There was a party of Marines with us, and they fired as fast as they could load. We had four Marines and a Marine Officer. The men in the prahu, were armed with spears and I think all of them fishermen's boats are armed with spears and spears. They have no great guns nor swivels. Some of the merchant vessels may carry swivels, but never great guns. The stockade is to protect the men against firing from a great gun. It is 9 or 10 inches in thickness. I don't think grape would penetrate

It is about 3 or 4 feet high. It is straight a thwart the boat, and projects about 1 foot or 1½ feet on each side.

These boats had the appearance of being boats of war. They are swift boats. The second was a little disabled by our fire. We easily came up with her. The prisoners were natives of the Malay Coast. I heard this from themselves through the interpreter. Of what place, I don't know.

Captain Chads.—The Rajah of Lingin publicly disavows all connection with the pirates, but I believe that he in secret derives emolument from piracy. The petty states are all anxious to acknowledge themselves tributary to Lingin. Piracy has of late become very lucrative. By proclamation the Sultan of Lingin prohibits piracy, under penalty of death. The proclamation bears date the 24th Jan. 1836. There are treaties between the Dutch and the Malays. We have commercial relations with the Sultan of Lingin, but no treaty. By the treaty with the Dutch on the cession of Malacca, we are prohibited from entering into any treaty with the tribes to the southward of the Straits.

Thomas Garstin Mitchell, examined by Mr. Grant.—Is superintendent of gun-boats in the Straits. On the 25th of May, was appointed to attend the *Andromache*. I thoroughly understand the Malay language, and was present at the attack of the piratical boats on the 31st of May. Witness detailed the facts deposed to by Lieut. Reed, and added, that he addressed the pirates in Malay; told them they were white men, and not to be afraid. The Malays said, "sons of Malays! there is but one boat, let us fight her." They were all mixed together, but I think the sound and voice came from the shore. There were some men on the boats and some on shore. The boats (Malay) were nearly on the beach. They after this got into their prahus, and approached us, shivering their spears, singing and beating their gongs. The witness then detailed the attack as spoken to by the first Lieutenant Mr. Reed.

In answer to a question from the Chief Justice, witness stated, they were singing their war songs before we fired, and they returned our fire immediately.

This witness also stated, that the Malay prisoners when on board the *Andromache* said they came from the Island of Lingin, and that they came to seek for plunder. The prisoners also stated, that there were about an hundred men in the two boats; but they did not know how many were killed; but not above 8 or 9 remained on the island. The prisoners stated that the rest of the Malays, must have been killed. The *Andromache* was not near us when this attack was made, she was at the back of the island.

Examined by the Chief Justice. The Sultan of Lingin has boats of this description. The boats destroyed were of the same class of prows employed by the Sultan when he makes war. The Malay prisoners stated that they were acting under the orders of the Sultan of Lingin at that time. They said the Sultan had sent them for plunder, and for the purpose of piracy. Has been at Lingin, and seen that class of prows there. Has not been at Lingin since May. They stated that there were other vessels out for plunder and piracy by the orders of the Sultan. They stated that two prows had gone to Siah for the purpose of plunder. They stated they principally attacked prahu. Is not aware whether the Sultan was at war at that time; but knows he was not at war with the English. Besides sometimes at Penang, sometimes at Singapore. I know from what I hear from the Malays, and other chiefs, the subjects of the Rajah of Lingin, that he is in the habit of employing ships for piratical purposes. I saw the Rajah of Lingin at Singapore once. I do not know for what purpose he went to Singapore. Cannot say whether the Sultan avows or disavows the employment of prahus

for piratical purposes. Nearly all the states of the Eastern Coast of the Peninsula employ boats for piratical purposes, but I do not know under what authority. Andao, is a place under the rule of the Sultan of Lingin, where this system of piratical plunder is carried on. Teingang, is another place, but it is under its own Rajah. Rungalley, is another place, that is under the Sultan of Lingin. All the places on the Eastern Coast have a few pirate prahus, and the Governments are under Petty Rajahs. We have a treaty with the Dutch at Lingie, but I cannot say, whether there is or not with Sallangore. These armed crews attack the trading prahus, but not each other. They attack the trading vessels of the other small states. They attack any one whom they think may have anything worth taking. Does not know of any war subsisting between these states. They plunder their own nation as well as others. They will attack any trading vessel, provided it does not belong to the owners of the attacking boats. They attack every body. I have seen armed boats of Lingin, attack trading boats of Andao, which is subject to the Rajah of Lingin.

Mr. Cochrane intimated, he had closed his case on this point. There were no ship papers taken.

The clause in the act under which the bounty is sought, is the 1st and is in the following terms:—

"Whereas it is expedient to give encouragement to the commanders, officers and crews of His Majesty's ships of war and hired armed ships to attack and destroy any ships, vessels or boats, manned by pirates or persons engaged in acts of piracy," be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that from and after the passing of this Act there shall be paid by the Treasurer of His Majesty's Navy, upon bills to be made forth by the Commissioners of the Navy, to be paid according to the Course thereof, without fee or reward, unto the officers, seamen, marines, soldiers and others who shall have been actually on board any of His Majesty's ships or vessels of war, or hired armed ships at the actual taking, sinking, burning, or otherwise destroying of any ship, vessel or boat, manned by pirates or persons engaged in acts of piracy, since the first day of January, one thousand eight hundred and twenty, the sum of twenty pounds for each and every such piratical person, either taken and secured or killed during the attack on such piratical vessel, and the sum of five pounds for each and every other man of the crew not taken or killed, who shall have been alive on board such pirate vessels at the beginning of the attack thereof; the numbers of such piratical men respectively to be proved by the ships papers taken on board such piratical ship, vessel or boat, verified by the oaths of two or more of the persons who shall have found and taken possession of such papers, or by such other evidence as under the circumstances of the case shall by the Judge of the High Court of Admiralty, or by the Judge of any other Court authorized to take cognizance of such matter, be deemed sufficient proof thereof.

Lieut. Reed, was called to prove another attack on other boats, off Ramania on the 13th June.

Lieut. Reed. There were no papers on board the prahu at Arroa.

I remember the 13th of June last. I left the *Andromache* in charge of 5 boats, the pinnace, 1st and 2d cutters, jolly boat and the gig. We saw 5 prahus off point Komania. They were then about 3 miles from us. They made for the shore, pulling and sailing, and our boats chasing. The large prahu took the crews of the 2 smaller prahus out. It was between 2 and 3 when the largest prahu opened her fire upon the pinnace, within their great shot distance. When within pistol shot distance I fired grape into the nearest and largest prahu, which was returned, and we kept

uplifting with the great guns, swivel and small arms, until the men jumped out of the large boat, retreating quarter until they were nearly all killed. We saw the 3 other boats on shore. They then landed and run into the jungle. In one of the 2 boats were 5 Cochinchinese who had been taken by these pirates. The boats were burnt, and we brought the Chinese on board the *Andromache*. The prahu fired first on us. We were in chase, and they kept brandishing their spears and beating their gongs about 150 yards off. I examined these boats, they were similar to those which I have spoken to in my former examination. There were between 50 and 60 men killed. We heard afterwards 52. There were about 120 on board the prahus altogether. The 5 Cochinchinese were brought to Singapore. They were the persons found in the prahus as prisoners. None of the crews were taken alive; but many reached the shore. We landed but did not take any.

Captain Chads examined by Mr. Cochrane. Is Captain of the *Andromache*. Remembers the sending away of the ships boats on the 2 occasions spoken of. On both occasions we heard the firing, and were within signal distance. Remembers 5 Cochinchinese brought on board on the 2d occasion. They were landed at Singapore, and he was present at their examination before Mr. Montgomery, acting as a Justice of the Peace. (Paper exhibited.) This paper was signed by one of the Cochinchinese in my presence. There was an interpretation of it made to him in my presence.

Mr. Mitchell, examined by Mr. Grant with respect to the second attack, stated, that he was in the same boat with Mr. Reed, and deposed to the same facts. The Chief of Andao, told witness that he had heard from some of his own subjects, that we had on this occasion destroyed 54 men. The chief stated also, that he was very much afraid of the pirates himself.

Mr. Cochrane, then proceeded to prove the next case.

Lieut. Reed, examined by Mr. Grant:—Remembers the 26th of June in last year, and deposes to an attack on a village and boats. In the village he found a large store of Cochinchinese rice and provisions, and munitions of war. About 30 boats were destroyed, and between 40 and 50 of the small thieving prahus. This took place on the island of Gallang. We found two Cochinchinese prisoners who swore to their junk, a large junk about 300 tons. We chased on shore about 10 piratical boats. The witness proved the destruction by his Majesty's boats of a great number of boats having about 600 men on board. Altogether there were 80 or 90 boats. They were not all armed in the same manner: some had stockades, some large guns, some swivels, some spears and creeses; but they were all in company when we chased them. We destroyed 80 or 90 boats, and they were nearly all of piratical built. We destroyed many of the guns, and took some on board the ship. I did not ascertain their number.

The Chief Justice intimated, that this attack was clearly within the act. The witness deposed that almost all the 600 men escaped, and very few were killed. We scuttled the Chinese vessel, as we could not get her off. We took the Cochinchinese from Singapore; they had made their escape from Gallang.

We heard of an English brig which had been taken and destroyed at Gallang. We saw no vestige of her. There was no appearance of cultivation on the islands, nor was there apparently any fishery. Gallang is a nest of small islands, and they are all without cultivation. There were three villages; the largest would contain above a thousand; the whole of the villages would contain between three and four thousand men. We destroyed about 90 boats, and we saw upwards of 30 boats, while we were in chase. Two of the guns were long

twelve, the others nine. The swivels would carry about pound balls. There was an immense quantity of ammunition in the houses: there were many hundred barrels of coarse powder. We destroyed the powder, and many of the houses blew up. The barrels might contain 100lbs. each. There was some English powder and some canister powder.

Mr. Mitchell was then called, and deposed to the same facts. There was another case proved, in which several boats were destroyed, and about 80 pirates killed,—and 89 escaped, and added, that two of the boats found at Gallang, carried an hundred men each, and were the boats, which had attacked the boats of his Majesty's ship *Wolf*; he knew them having been in the boats at the time of the attack.

Mr. Cochrane stated, at the close of the evidence, that the amount of head-money claimed under the act was £8,745 sterling.

The Chief Justice stated, that the case had been heard in the Admiralty Court, and in the Vice-Admiralty Court; the evidence is taken in each Court, and the learned judge intimated that the Court would consider in which Court the matter ought to be heard, and also the sort of certificate to which he was entitled upon the evidence.

FEBRUARY 1, 1837.

Bounty to the Officers and others of Andromache.

The Chief Justice intimated, that in the case of the head-money to the officers and seamen, and soldiers of the *Andromache*, he himself entertained some doubts as to the jurisdiction of the Admiralty Court, and that he thought the proper Court to entertain the matter, and grant the certificate, was the Vice Admiralty Court. However, under the circumstances it would be perhaps better for the Advocate-General to take out his certificate of the facts proved from both Courts, and the learned Judge intimated also that the certificates were ready.

Motichund v. Janoky Dass and others.

Vrignon, v. Colvin and others.

The Chief Justice intimated that in these two suits, the court would give their judgment to-morrow morning (Thursday).

Ousely, v. Harris was then called on.

This was an action to recover a large sum of money from the defendant. The plaintiff being one of the assignees of the late firm of Fergusson and Co. Mr. Clarke and Mr. Grant for plaintiffs the Advocate-General and Mr. Cochrane for the defendant.

The question, as we understood the case, was whether or not a certain custom prevalent in an indigo concern, of which Mr. Harris was a partner, was within the knowledge of Mr. Harris, recognized and admitted by him, and whether or not such custom was binding upon him.

The case made by the plaintiff, was that Fergusson and Co. were entitled to write back a sum of about Rs. 40,000 on the sale of certain indigos, the property of the indigo partnership. The case of the defendant was substantially that Fergusson and Co., in final settlement with Harris and Co. in 1833, just before the failure, had abandoned all claim upon the defendants for any matters arising out of, or connected with, this sale of indigos.

The case appeared likely, when our reporter left, to occupy the whole day, the proof depending upon a quantity of documentary evidence.

FEBRUARY 2, 1837.

In *W. J. Ousely versus Harris*, the Court gave a verdict for Defendant.

This day the Court took contested motions of no general interest at the Ecclesiastical side.

Towards the close of the day, a motion in *Newton versus Newton*, was brought on.

Mr. Clarke, with whom was Mr. Grant, shewed cause against the rule of

Mr. Prinsep, obtained in this suit on a former day.

Mr. Clarke (as we understood him) contended, that the defendant Col. Newton, having been found contumacious, that is, having contemned the process of the Court, and having been in consequence arrested, and put in jail, it was not open to him to get rid of the contempt, by shewing irregularity, in the process of contumacy, and by such means setting it aside; but that he must shew that he in fact was ignorant of the issuing of the process of the Ecclesiastical Court, citations, &c., &c., and that he had not willingly or knowingly been contumacious. The learned Counsel cited several authorities. This was a preliminary objection, in which Mr. Grant, followed and supported Mr. Clarke.

Mr. Prinsep, contra, contended, that upon the face of the documents, citations *vis et modis*, et cetera portected in the matter, it appeared that they were informal, and therefore a nullity, and that he, Mr. Prinsep, was therefore not called upon to shew Colonel Newton, ignorant of the issuing of the process against him. According to the terms of Mr. Clarke's preliminary objection, the Court decided that the ex-communication against the defendant, Col. Newton, must be confirmed; that he might have had a right to shew that the certificate of the service of the monitions on him, the defendant, was false; but this he has not done—he only says the process served was informal, which he is not in a situation to do. The service of the process *vis et modis* was under the circumstances of the case, good service. Defendant still in contumacy.

The Court did not give their decree in *Mutyehund versus Baboo Janokoy Dass*, and others; nor in *Vrignon versus Colvin* and others; these decrees will, it is probable, be pronounced to-morrow.—*Ind. Gaz. Feb. 3.*

FEBRUARY 3, 1837.

Bissumber Seal versus Romdhone Bonnerjis.

The Advocate-General, with whom was Mr. Prinsep, shewed cause against a rule nisi obtained by Mr. Clarke on a former day; for the appointment of a receiver on the application of Bissumber Seal, a mortgagee of the estate of the defendant Mortgager in possession, on the grounds that his security was endangered by reason of the Government revenue being in arrear. The grounds on which the application was resisted were that no Government revenue was in arrear; and 2ndly, that the complainant was only second mortgagee, and that no interest was due on his debt.

Mr. Clarke, with whom was Mr. Leith, contended, that at the time of motion made, the Government revenue was in arrear, and that the rubecarry of the Collector of Hooghly, where the lands lay, by which it appeared that no arrears were at present due, was on the face of it unsatisfactory, and that the complainant, as second encumbrancer, had a right to come in, and have a receiver appointed to protect his interest in the mortgaged property, against the acts of the 1st mortgagee and the mortgager.

The Chief Justice decided, that on the last point as to the estate being in danger on account of arrears of Government revenue, that that point was clearly answered by the defendant, and that the estate was not in danger on that account.

As to the second point, that as second encumbrancer, the complainant had a right to a receiver, the Court would decide that point on Monday morning. If the Court was against the defendant on this point, Mr. Clarke's rule would be discharged with costs.

THURSDAY, FEB. 9.

Mootiechund v. Janoky Doss.

This was a petition for re-hearing, and came on for argument during last term. The court, after hearing counsel, delivered judgment this day, affirming the former decree of Mr. Justice Francis, and dismissing the petition with costs. — *Englishman.*

FEB. 16, 1837.

PLEA SIDE.

George Roots v. Cockerell and Co.

Mr. Clarke opened pleadings.

Mr. Prinsep stated, that the plaintiff appeared *in forma pauperis*, and that he was reduced to that state by the acts of the defendants.

A Mr. Rose died in —, leaving a widow, and in consequence of an arrangement with Cockerell and Co., Mr. Cockerell took out administration to his estate. Mr. Rose was an Indigo Planter, and after his death Messrs. Cockerell and Co. carried on the factories, making the advances, &c. In July and August 1834, a correspondence goes on between Cockerell and Co. and Mrs. Roots, late Mrs. Rose, expressive of Cockerell and Co.'s discontent at the account given by the lady of the application of the indigo advances and in August the 21st, they, Cockerell and Co., intimate their intention, unless Mr. Roots can come to an arrangement of the debt due on the factory, to put up the factory for sale.

Mr. Roots to this replies, and begs that he may work the factory for the ensuing season. Cockerell and Co. agree, on the following terms, that he should give them a bond and warrant for 20,000 rupees and a policy of insurance on his own life for 20,000 rupees. Mr. Roots sends down to Cockerell and Co. the bond and warrant for 20,000 rupees and a certificate of health in order to effect the insurance for 10,000 rupees. The arrangement takes place and Mr. Roots works the factory up to the month of February 1835, when the complacency of Cockerell and Co. became disturbed, and it became necessary, in their opinion, for some reason or other, that they should get possession of the factory. They accordingly send up a Mr. Lethingue, an agent of Cockerell and Co., to take possession: he arrives in March at the factory and demands to have possession of the factory. Roots refuses to give up possession until the end of the season, for which he had agreed with them to remain and work the factory. They then take out execution on the bond and warrant, send it up to a Mr. Clark as their special bailiff, and on the 30th of March they arrest Roots, at Berhampore, whither he had gone on business; keep him in custody till the 8th of May, never send him down to Calcutta. They then release him, and he is again put in possession of the factory by order of Mr. Evelyn Meadows Gordon, the Commissioner. Mr. Clarke remained in possession of the factory during the period of Mr. Roots's imprisonment.

Mr. Roots remains in possession again until August, when a Mr. Ripley appears on the stage, as another emissary of Messrs. Cockerell and Co., and comes armed

with execution on another bond and warrant, entered against Clarke, who had acted as their special bailiff, with whom they never had any previous transaction, and against whom they had no claim, and he Clarke, points out the factory, and goods and seed as his property, and Mr. Ripley, under the last execution, turns Roots out of possession, and seizes the whole property, and it is for these two trespasses that the action is brought. Mr. Prinsep, designated this latter bond and warrant, and the transforming Clarke from a special bailiff, to the character of proprietor, as an expedient devised, which had never entered into the head of any mercantile firm; but that they must have been advised, and it was for the Court to say, whether such advice so given was right or wrong. The learned Counsel, after commenting on these facts, with great feelings and ability, stated that his client came there for damages not nominal, but for such damages as would compensate the plaintiff for the total ruin, which the conduct and acts of the defendant had entailed upon him. Mr. Clarke called Mr. Dove.

Mr. John Mathew Dove. — The jurisdiction, Partnership and administration taken out by Cockerell to the estate of Rose, was admitted. He, Dove, entered the house of Cockerell and Co. in Sept. 1833, and has continued there ever since. Is in the commercial department, and knows Mr. Lethingue, but does not know his Christian name. Is not aware that Mr. Lethingue, was employed by the house in 1834; believes he was employed by Messrs. J. and R. Watts, who are connected with the house. Knows Mr. Roots, but is not acquainted with him. Knows the factory Misathul. Knew Mr. George Rose in his life time, but is not aware that he had a share in the factory. Knows from correspondence with the house in the way of business, that Rose had a share in the factory, but not of his own knowledge. Don't know that Rose left a widow, but has seen a woman at the office, whose name was Mrs. Roots, and who he understood had been a Mrs. Rose formerly. Roots in 1834, had conjointly with Mrs. Roots, charge of the factory. Don't know from the partners, or of his own knowledge, that Lethingue went up to the factory in 1834. Believes he went up, but does not know it of his own knowledge. (In answer to a question from the Chief Justice.) Has seen Mr. Lethingue in Court to-day. (Letter shewn him.) Proves the signature to be that of Mr. Cockerell, date 29th July, 1834. Proves several other letters of Mr. Cockerell, 21st August, 1834. Proves another letter (C) 30th August, 1834, (D) another letter of 8th September, 1834, (E) another of the 10th September 1834, also proves following letters of Mr. Martin, of the 20th January, 1835, another 30th of January, 1835, also the following of Mr. Spiers, date 6th Feb., 12th Feb., another of 12th Feb., another 27th Feb. Believes there are three Messrs. Clarke at Misathul factory; they have all three been at the factory. I do not know their christian names; but I should know the father and one son if I saw them; they are all indigo planters, and I believe just now in co-partnership at Gogongola. The Misathul factory, I believe, is in the neighbourhood. I can't say if a Mr. Clarke has been employed by the house as a special bailiff—never heard of it from any of the partners. I have heard that Roots was arrested. I never had any conversation on the subject with Mr. Cockerell in the presence of Mr. Judge. I don't recollect that I had. The three Clarks are employed or supported by Cockerell and Co. I believe they have been supported by Cockerell and Co. for years. The father is Thomas Clarke. I know one of the sons, but don't know his name. I believe they were East Indians, born in Calcutta. The indigo account sales pass through our hands; the accounts current generally do not. The accounts of this factory have not passed through my hands. I can't give evidence on this point, as it is not my department. In 1834 the account of the factory was kept in the name of Rose. Mr. Ripley keeps the

account current, and Mr. Smith is the book-keeper of the house.

(The Advocate-General refused to produce the account current of the factory.) In 1834-35, an account current was kept in the same manner; kept under the head of the Misathul cultivation.

Cross-examined by the Advocate-General.—Mr. Prinsep objected to a question of the Advocate-General put to this witness respecting the contents of Cockerell and Co.'s books; they had their own books to refer to, which they would not produce. Question abandoned.

In answer to a question of Mr. Prinsep to admit no ties to produce papers, the Advocate-General intimated he would admit nothing after the opening address of Mr. Prinsep; he would have met the case differently, had they opened it differently.

George Clarke, examined by Mr. Prinsep.—Was an assistant at Misathul factory before Roots got possession; during the time Mrs. Rose was in possession. Roots got possession on the 20th of Sept. 1834. Roots kept a letter book—that it is one of them. (M.) letter of the 14th July is the writing of a Mr. Gore, a relative of mine; he is at Agra.

(Here a long examination was gone into, to prove the letters of Roots to Cockerell and Co. on the subject of his being given possession of the factory, by Cockerell and Co.'s bond and warrant insurance, &c. opened by Mr. Prinsep. This course was thrown on the plaintiff in consequence of the refusal of the Advocate-General to produce the originals).

After an objection taken by the Advocate-General, to the production of the letter books of Roots, containing copies of the letters to Cockerell and Co., on the subject of Roots's being put into the factory as lessee of Cockerell and Co., the Court held, that the witness might give evidence of the contents of the letters, he having shewn himself in a position according to the rules of evidence so to do. Witness stated, that Mrs. Rose married Roots on the 17th of June, 1834; she had previously received advances from Cockerell and Co. The indigo season ends on the 30th of September.

The contents of the letter were forwarding an estimate to Cockerell and Co. of the advances necessary for the season 1834-35. The letter was drafted by me, signed by Roots, and sent to Cockerell and Co.

The letter of Cockerell and Co. was then read, consenting that Roots should carry on the factory for a year, on condition that he gave a bond and warrant to confess judgment for 20,000 Rs., and to effect a policy for 16,000 Rs. Witness then gave secondary evidence of the letter of Roots to Cockerell and Co., complaining of the conduct of Mr. Roots; in offering the bond warrant and life insurance, on condition that Cockerell and Co. should carry him on in the factory on the footing of Agents and Constituents. (The previous letter of Cockerell and Co. on the answer to this offer of Roots.)

Receipt by Cockerell and Co. of the bond and warrant and certificate of health and affidavit, was then proved.

Letter from Cockerell and Co. requesting Roots to send 150 maunds of indigo seed to a Mr. Dwedney, a constituent of the house. Other orders for seed were proved from Cockerell and Co. to Roots. (The object of this was, we believe, to shew that Cockerell and Co. treated the seed, as the seed of Roots; by these letters and subsequently seized and sold it as the seed of Clarke.) Witness then stated that he left the factory in 1834, and went down to Calcutta direct. Mr. Roots had commenced dealing in indigo seed before I left. Morgondola

is a mart for indigo seed; cannot say what is the Commission on the sale of seed.

Cross-examined by the Advocate-General.—Cockerell and Co. ordered my discharge. They wrote up that Mrs. Roots wished my discharge; and in order to make peace between man and wife they ordered my discharge.

The words agent and constituent, were not in the letter. It was Mr. Roots's intention, but the exact words were not used. Mrs. Rose was in charge of the factories; I was her assistant. Cockerell and Co. intended to carry on the factory to pay the debts of Mr. Rose. Cockerell and Co. carried on the factory, and left her in charge. They carried on the factory as administrators and agents at the same time.

Roots's original letter on this matter was then put into witness's hand by Mr. Pearson; he was directed to look for the words Agents and Constituents in it. Witness stated that he could not find it. After marrying Mrs. Rose he continued to carry on the factory jointly with her—Cockerell and Co. carrying on the factory for the benefit of the estate of Rose. I can't say if Mr. and Mrs. Roots carried it on as servants or as constituents of Cockerell and Co. There was no particular difference that I could find in the management, after the execution of the bond, warrant and policy.

Re-examined by Mr. Prinsep. After the execution of these instruments Roots assumed the sole management.

Record of an action brought by Cockerell and Co. against Roots, was then put in.

Judgment signed 24th March 1835. Execution signed 25th March 1835. This was the judgment entered up on the warrant to confess judgment given by Roots to Cockerell and Co.

Mr. Bird was deputy sheriff in 1835. Mr. Clarke was the special bailiff of Cockerell and Co. to execute this process. The warrant is not returned; no indemnity bond was given. Mr. Hickey was high sheriff. It is sometimes the practice when a special bailiff is appointed to give an indemnity bond. When Ripley was appointed special bailiff to execute process against Clarke, an indemnity bond was given. The special bailiff is in general appointed at the instance of the client; it was so when Ripley was appointed. I have been under sheriff more than once. The sheriff takes security from the ordinary bailiffs. In the case of a special bailiff it is sometimes taken sometimes not. In the present instance the attorneys of Cockerell and Co. undertook to give the sheriff a bond of indemnity. The signature Mr. Hickey is in my hand writing. Roots was arrested by Clarke the special bailiff; the writ is returned satisfied; but Roots only paid 3,000 rupees. Cockerell and Co. forgave him the difference. (That (S) a paper) is the hand writing of the special bailiff Clarke. (T) and (V) is also Clarke's hand writing. Several letters were put in from Clarke the special bailiff to Roots, while in custody. It was in consequence of our request, to the firm of Collier and Co. as attorneys of Cockerell and Co., that Roots was released. I was at the same time under sheriff.

Cross-examined by Mr. Grant.—I know the reason from Cockerell and Co. why Roots was arrested. I know it professionally.

Mr. Mascarenhas.—This witness stated he had been brought down from Moorsshedabad and asked for his expenses.

Chief Justice.—As you are here, you must give your evidence. The plaintiff is in forma pauperis, and it is no use therefore giving you your expenses, you must give your evidence.

Witness.—Knows Mr. Lethingé. Proves the arrest of Roots by Clarke, and that he once or twice requested Clarke to bring him down to Calcutta, when Clarke said he could not without the order of Cockerell and Co. Mr. Roots was very ill-treated during this time. Mr. Clarke's servants were very insolent to him. While Roots was absent from the factory before the arrest, Clarke took possession of the factory. Roots had large quantities of seed at this time. He was a seed Agent, and had considerable dealings in seed. I got two hundred maunds from him and took back from him Mr. Sinclair's seed, who had entrusted it to him as Agent, when he was arrested. Mr. Roots had his personal household goods on the premises when he was arrested; it might have been worth less than a thousand rupees. Ripley on his way up came to my factory; he had a writ with him. Mr. Clarke gave him a letter to us. Mr. Roots was in possession of the factory when Ripley came up; he had been put in possession from July by the Commissioner.

There were about an hundred and fifty maunds of indigo made. The manufacture was commenced by Clarke, and finished by Roots, after he was put in possession by the Commissioner. When Ripley came to my house he made me send for the darogah. That functionary did not come, but sent his mohurrer, whom he told to seize Mr. Clarke's property. The mohurrer said where is it? Ripley said here is Mr. Clarke's servant, he will tell you. The servant named the Misathul factory. The mohurrer said that was Mr. Roots's property. Ripley said he knew nothing about that; but they must go and seize all the property which Clarke's servant should point out. They went away, seized the factory, and about a hundred and fifty maunds of indigo, which was shipped to Calcutta. Clarke and Ripley accompanied the indigo to Calcutta. They remained at the factory about two months. The indigo was sent down I think in October. Seed was removed by Clarke. I removed about two hundred and odd maunds. When he was first arrested, I sold my indigo at 130 Rs. Roots's indigo sold higher than mine.

The indigo was sold by order of the sheriff; the highest was 145, the average was, I think, 139-8 annas.

Cross-examined by the Advocate-General.—I believe no seed was seized on either of these occasions, nor any of the furniture of Roots. I did not know that the indigo was Cockerell's or that Roots was the servant of Cockerell and Co. It was generally considered that the indigo was Roots's and that the factory was his: he had elephants and horses—one black horse of some value.

Letter shewn witness. Admits them to be his hand writing. The Advocate-General reads them. One recommended Clarke for Cockerell and Co. to look after the indigo, about one hundred and fifty maunds, as it would not go down to Cockerell and Co. In a postscript the letter stated that Roots would make the most of the property, and would sell an elephant and horse. The witness admitted the letters, and said they were written in answer to a letter from Clarke. Putting questions about the property. Witness stated that he thought the property was the property of Roots, because he married Mrs. Rose. I am not on terms with Clarke at present. He would not salute me this morning; I therefore would not now visit him.

Re-examined by Mr. Prinsep.—The elephants and horses were not sold, but were afterwards sold by Mr. Clarke. Since December 1835 Clarke has been proprietor. Clarke came down with the indigo, sent down by Ripley, and then went back, and has since been proprietor of the factory.

George Sinclair knows Roots, in the way of business. Mr. Stewart consigned a thousand maunds of seed to

Roots in 1834. The seed was then two rupees a maund; but Mr. Roots sold it at six rupees in consequence of the sowing season being past.

Bawor Sircar, is a mohurrer at the Misathul factory; has been employed in it since Rose's time, and is so now. Proves the management of Roots; says he was the bookkeeper of the factory. Ramsunker Roy had one-fourth, Rose the other three-fourths. He is a zamindar in the neighbourhood. Proves the arrest of Roots by Clarke, and the possession of the factory by Clarke during the detention of Roots.

Chief Justice.—Mr. Prinsep, you have proved an aggravated trespass as the case now stands, and it is of no use for you to go on with this; you have identified Cockerell and Co. with the sheriff. They may shew that you have no right to the possession, but unless they do that you have proved your case.

Mr. Prinsep finished his examination of this witness at the suggestion of the Court. The facts proved by him, were the same as already shewn by former witnesses.

Cross-examined by Mr. Grant.

Mr. Frazer, is a partner of Moore, Hickey and Co. Proves the sale of the indigo seized by Ripley under the orders of Cockerell and Co. The indigo was sold by private contract to Clarke. It was sold on the 19th of December 1835, to Thomas Clarke.

William Bristow, is an uncovenanted assistant to the Commissioner of Moorsshedabad. Mr. Evelyn Meadows Gordon was Commissioner in 1831. Produces a book given him by the Commissioner from the records of the Commissioner's Court.

Caumochurn Goopte, is in the Commissioner's office at Moorsshedabad; has been there for three years. Proves the delivery of (a. m. 14.) from the Commissioner's office. This (we believe) was the Commissioner's decree to re-instate Roots into the possession of the factory.

(A. 14) was a translation of the Rubicarry of the Commissioner of Moorsshedabad, having the seal of the Court, and the signature of the Commissioner's affixed to it.—The Advocate-General objects. The Chief Justice observed, if you object Mr. Advocate, we shall send down the original decree in Persian to our interpreter, and make him translate it; for we will have the proceeding before us. Two letters were then put in from Collier and Co. as attorneys of Cockerell and Co., which went to shew, that on Roots taking proceedings against Lethingé and Clarke, in order to be re-instated in the factory, they, Cockerell and Co., come forward in person and did not pretend that Clarke had property or right to the factory. The object, we believe, of this evidence, was to shew, that although Cockerell and Co. took out execution against Clarke, and under that execution turned Roots the second time out of possession, although they apparently recognized no claim in Clarke. The various letters then put in were read, to shew that Cockerell and Co. adopted the acts of Clarke and Lethingé.

This closed the plaintiff's case.

The following letters were read at the close of the case for the plaintiff:—

Calcutta, 29th July, 1834.

To Geo. Roots, Esq., Misathul Factory, Bhugwangleah.

Dear Sir,—We have to acknowledge the receipt of your letter, dated 22d instant, and are pleased with the promptitude evinced by you in replying so fully to our letter. The abstract of account, however, between Mrs. Roots and the factory, is far from being satisfactory, and we desire you will call on Mrs. Roots to shew how she has applied the funds advanced by us.

Under the circumstances stated, we beg to say, you may draw for sica rupees one thousand, (Sa. Rs. 1,000) and, we request, you will be good enough to say, what quantity of indigo you expect to send down to us this season.

We have received a letter from Mr. Clarke, of the 22d July, confirming your statement, for which we are obliged, and we beg you will say so to him. We have also received a letter dated 18th instant, from Mrs. Roots, of which please inform her, as also, that we shall hold no further correspondence with her till she explains her conduct satisfactorily to us.

We remain, dear Sir, your faithful servants,
(Sd.) Cockerell & Co.

Calcutta, 21st August, 1833.

To Geo. Roots, Esq., Misathul Factory, Bhugwangolah.

Dear Sir,—We are in receipt of your letter, dated 13th and 15th August, and beg to say, that the draft for Sa. Rs. 655-2-3, has been accepted with respect to the advance you require for next season. We request you will furnish us with an estimate for the outlay of season 1834-35. Mrs. Roots has written three or four times to us, but we have paid no attention to her letters. Should she come down to Calcutta, we shall settle all her matters.

We remain, dear Sir, your faithful servants,
(Sd.) Cockerell & Co.

No. 1372. Calcutta, 8th September, 1834.

To G. Roots, Esq., Misathul Factory, Bhugwangolah.

Dear Sir,—We are in receipt of your letter, dated 1st September, and on due consideration of what you have therein stated, we agree to the factory being worked the ensuing season by you; but lest the concern should be more deeply involved, we can only do so on the following terms, viz.

That you give us a bond for 20,000 rupees, and as a further security, the policy of insurance you have offered for 10,000 rupees, and we accordingly beg to enclose form of certificate of health, &c. together with a bond and warrant of attorney, which we would be obliged by your returning signed and filled up in due course, and if you will work the factory on the above terms.

We remain, dear Sir, your faithful servants,
(Sd.) Cockerell & Co.

Calcutta, 10th September, 1834.

To Geo. Roots, Esq., Misathul Factory, Bhugwangolah.

Dear Sir,—Your letters of 10th and 13th instant have duly come to hand, the latter giving cover to the affidavits, which are all in order, and we beg to say the needful shall be done with them.

We remain, dear Sir, yours faithfully,
(Sd.) Cockerell & Co.

To Wigram Money, Esq., Commissioner of Moorthadabad.

Sir,—We are instructed by Messrs. Cockerell and Co. of this place, Merchants and Agents, to address you on the subject of an application which is expected will be made to you on the subject of a Mr. George Roots, an Indigo Planter, with a view, it is believed, of possessing himself of an Indigo Factory called Misathul within your district, and the factory property belonging to the same.

This factory belonged to a Mr. George Rose of Bogwangollah, who mortgaged the same to Messrs. Cockerell and Co. as a security for the necessary advances to carry him on in the concern. Mr. Rose died in July 1832 intestate, leaving a widow (now Mrs. Roots) and in January 1833, Mr. R. H. Cockerell, as a judgment creditor of Mr. Rose, and by and by, and with the consent of his widow, took out letters of administration to the estate, and he had administered to the same ever since. (We have enclosed a certificate of the Ecclesiastical Registrar of the Supreme Court, certifying that Mr. Cockerell is such administrator.) The widow of Mr. Rose having no other means of subsistence, and it being considered to be for the benefit of the estate that the factory should be carried on, Messrs. Cockerell and Co. consented to carry on the widow and to make her the necessary advances, which they did. About two years ago Mrs. Rose intermarried with the before named Mr. George Roots, and Cockerell and Co., at his request, consented to carry him on in the management of the concern, but so long only as he conducted himself to their satisfaction and for the benefit of the estate. Mr. Roots, however, neglected the factory and grossly mismanaged the estate, and Messrs. Cockerell and Co. were under the necessity of sending another person to supersede him, and to take charge of the factory. Roots for a considerable time refused to relinquish the management of the concern, and insisted that the factory belonged to him, inasmuch as it had belonged to the first husband, of his then wife, forgetting altogether that the property had passed by the grant of the letters of administration to the administrator Mr. Cockerell. Mr. Roots at length left the factory, but not before he had caused considerable loss to the estate, by his neglect and mismanagement, and not until he had succeeded in taking away with him, a considerable quantity of the factory property. An application was made to Mr. Lawrell the Magistrate, who, we believe, from not having the facts of the case before him, was inclined to favor Mr. Roots's claim. It is stated, however, that Mr. Roots intends to institute proceedings in your Court, and it is on this account that we have taken the liberty of addressing you on the subject. We submit that it is quite clear that Mr. Roots, merely because he happens to have intermarried with Mr. Rose's widow, can not have any claim to his factory, and he has no other; the legal estate is in the administrator, and Mrs. Rose herself could have no claim, until all the debts of the estate are paid, and we are credibly informed that the assets in the administrator's hands, including this factory, are far short of paying the deceased Rose's debts. Under these circumstances we do hope, that you will dismiss Mr. Roots's complaint, as he clearly has no claim on the estate either in Law or Equity. We have to apologize for troubling you at this length and beg to subscribe ourselves,

Sir, your obedient servants,

COLLIER AND BIRD.

Solicitors for Messrs. Cockerell and Co.

To WIGRAM MONEY, Esq., Commissioner, &c., &c. Moorthadabad.

Sir,—We had the honor of addressing you on the 9th instant, on the subject of an application, which it was expected would be made to your Court, by a Mr. George Roots, to obtain possession of the Misathul Indigo Factory, detailing shortly the facts of the case. We have this day seen a letter to Messrs. Cockerell and Co. from the person in the management of that factory, stating to our very great surprise, that not only had the supposed application been made by Mr. Roots, but that your Court had issued an order to put him in possession of the factory. We can only account for such an order having passed, by the supposition that Mr. Roots

must have garbled, and misstated his case to your Court, for we are quite convinced that no Court of Law and Equity could have come to a decision in favor of Mr. Roots, with all the facts and circumstances of the case before it. Mr. Roots was the manager, the mere servant of Mr. Cockerell, the administrator, and has no legal right whatever to possession of any part of the factory or the factory property, adverse to the administrator, in whom alone the legal estate now is. We do hope, therefore, that on a re-perusal of our letter before referred to, and a careful re-consideration of the facts of this case, that you will be pleased to reverse the order issued for putting Mr. Roots in possession of the factory, or of any part of the factory property, or at all events that you will stay its execution until you have made further investigation and inquiry into this case, as very great injury will result to the estate from a disturbance in possession at this the manufacturing season of the year. We are constrained to inform you, that should you persist in carrying the execution of your order into effect, our clients, Messrs. Cockerell and Co., will be under the disagreeable necessity of bringing the whole of the case before the Supreme Court, and we are bound to tell you, that you will be held responsible for any loss or injury which they or the estate of the late Mr. John Rose may sustain consequent thereon. We have (for fear of our former letter not reaching you) taken the liberty of annexing a copy of it hereto; we have also annexed a copy of an extract from a letter written by Mr. Roots to Messrs. Cockerell and Co., on the 1st of Sept. 1834, which clearly shews that he considered himself as the mere servant of, or manager for, Messrs. Cockerell and Co., and liable to be displaced from charge of the Factory, on his failing to manage it to their satisfaction. We are, Sir, Your obedient Servants,

COLLIER AND BIRD,

Solicitors to Messrs. Cockerell and Co.

Extract of a letter from G. Roots to Messrs. Cockerell and Co., dated Bogwangollah, Misathul Factory, 1st September, 1834, enclosed in the foregoing letter:—

I have therefore to entreat the favor of your allowing me to keep the factory for one season, and conduct the works upon a system I have been used to; and if I cannot afford you the satisfaction that I am confident I shall, I cannot expect your assistance hereafter. I shall be glad to receive the Policy of Insurance to sign and make over to you, otherwise you may kindly await my arrival in Calcutta. True Extract,

COLLIER AND BIRD.

FEBRUARY 17, 1837.

The Advocate-General always felt reluctance and pain in addressing the Court, in a case in which he was opposed to a person suing in formâ pauperis. There was always an opinion or bias of some sort even in the strongest minds used to the administration of justice—there was meekness and poverty on one side, oppression and tyranny on the other. He complained of the manner in which the case had been opened by Mr. Prinsep, and anticipated a repetition of the same language in the reply. He was prepared to meet the case openly and fairly, had the other side opened their case properly. The only question was whether the act of Cockerell and Co. amounted to a lease to Roots, or whether he acted as their servant, in the conduct of the factory. Mr. Roots, after all that had been said, all the vituperation gratuitously heaped on defendants, was in no worse condition

than when he entered Cockerell and Co.'s service. The learned counsel then reviewed the evidence of the plaintiff, and the drift of his argument was, as we understood it, 1st, to shew that upon that evidence alone, it appeared that Roots was in possession only as the servant of Cockerell and Co.; that the factory belonged to the estate of Rose, and that Roots was employed to manage it for the defendants. The learned counsel then took the point, that the transaction between Roots and Cockerell and Co., did not amount to a lease; there was no rent reserved, and that the bond and insurance were taken for the following reason: that as Mrs. Roots had made away with five thousand rupees of advances, the defendants took the securities from Roots, in order to prevent their being again exposed to a similar mal-appropriation by Roots, and that the bond was subsequently put in force, in consequence of a mis-appropriation of the property of the Estate by Roots. (We believe the sale of some indigo seeds, is what was here alluded to.) The whole point turned upon this, whether Roots was tenant or servant of Cockerell and Co., and he, the Advocate-General, proposed to shew by the correspondence of Roots with Cockerell, that he throughout considered, and treats himself as the servant of Cockerell. Reads several letters between Roots and Cockerell, previous to his marriage, in which he complains of the mal-administration of the advances by Mrs. Rose, and in which Cockerell and Co. desire that Roots may take charge of the factory, and all accounts be rendered to him, Roots, and several other letters, for the purpose of shewing that Roots always treated himself, and was considered by the house of Cockerell and Co., as the servant of the house in the management of the factory. The learned Counsel commented upon these various letters as he read them, shewing as how they made out his case, and how they went to shew, and to raise the inference that Roots considered himself and was treated by Cockerell and Co. as a servant of the house. It was further contended by the Advocate-General, and letters were read in support of the position, that after the execution of the bond and warrant, and the policy, Cockerell and Co. interfered as much in the management of the factory as before, and that Roots continued to conduct himself in the factory and to demean himself towards Cockerell and Co. in precisely the same manner, as he had done previously to the execution of these instruments, which were called by his friends opposite a *Lease Clarke*—was turned away by the order of Cockerell, &c., &c. Would Roots have submitted to this interference, unless he knew and admitted that the house had still the management of the concern?

The Advocate-General then stated, that Cockerell and Co. had heard that Roots had been selling seed. They sent up Lethingui to enquire; discovered the fact, and arrested Roots on the bond, of which arrest Roots did not complain, and which arrest was justifiable, from the fact of a mal-appropriation of the property of the factory, by the sale of seed having taken place by Roots.

The Chief Justice here asked for what purpose the bond was given? The Advocate-General said, he had lost his time if the court did not at that time understand for what the bond was given. The learned counsel then stated in substance that the bond was required as a security against contingent mal-appropriations by Roots. Because Mrs. Rose had misappropriated 5,000 rupees, therefore the bond was taken for 20,000 Rs. from Roots, as a security against any future malversation which might take place by Roots.

The Chief Justice.—Considering Roots to be the servant, how was he to be remunerated?

The Advocate-General.—By what he could save out of his estimate at the end of the year?

Mr. Justice Grant, we understood to ask, if Roots was to have the profit on the cultivation as his remuneration, where was Cockerell's remuneration to be; and if Cockerell was to have the profit on the cultivation, from whence was Roots to be remunerated—what salary was he to get?

The answer appeared to us to be, that Roots and his wife were to get what they could and how they could; but the *what* and the *how* did not exactly appear. We understood the Advocate-General subsequently to state, that Roots and his wife, were to have their maintenance alone, out of the factory, until they had paid their debt to Cockerell and Co., after which event they might get something more. The address of the Advocate-General lasted upwards of two hours. Mr. Bird, of the firm of Collier and Bird, proved a mortgage. Mr. Prinsep offered to admit any letters of Mr. Roots, of which the Advocate-General felt inclined to avail himself.

A great many letters were then put in on the part of the defendants to the purport and effect, as opened by the Advocate-General.

Mr. Lethingue, is an Assistant to Messrs. Watson, and known the Misathul factory, and Mr. Roots. Inquired into the charge made against Roots of selling 300 maunds of new seed laid in for the factory, and substituting old seed for it. Roots admitted the fact. He said the seed had come by the orders of Cockerell & Co. I found the crops poor looking. Don't remember if he stated with what seed he had sowed. The seed they were sowing at the time. The plant had appeared in some parts; they were sowing mixed seed and apparently bad seed. This was about the 3rd or 4th of March. Don't know in what situation Roots was in the factory. I can speak as to what Roots drew for five months in 1835, from October to February; I can speak, because I examined the accounts; this can be removed but at the prejudice of the factory. I took a copy of the accounts. The manner in which the money was laid out in the factory, would only appear in Cockerell & Co.'s accounts at the end of the year; the accounts were kept, by the Mohurrer of the factory.

The Advocate-General submitted he was entitled to put in this copy objected to. He said he thought it extraordinary that Mr. Prinsep should object.

The Chief Justice, I see nothing at all extraordinary in that, Mr. Advocate, after your conduct in refusing to produce Cockerell and Co.'s books yesterday.

Cross-Examined by Mr. Prinsep.—He had sold the 300 maunds of seed to Ramsunker Baboo, who had a 4th share in the factory. Roots was seed agent for Arthur & Moore at the time. I seized the seed for Arthur and Moore which was coming into his possession. Roots was a seed agent. I don't know that he was an extensive seed agent. It appeared that Roots was a seed agent; that he sold the three hundred maunds of the factory seed, but plenty of his own was shortly expected, out of which he could replace the seed sold. Witness denied having constantly visited Mr. Roots during the imprisonment and absence of Roots. Admitted that he had written to Cockerell and Co. asking for a salary for Mrs. Roots; did not make any such application for Mr. Roots. I don't know that he was arrested because he would not give up the factory to Cockerell and Co. I wrote on the 14th, 15th, and 16th of March to Roots, demanding him to give up the factory. Roots was then arrested. I know nothing of the property of Clarke being taken; we arrested Roots at Berhampore. I left the factory in charge of Mr. Clarke, and 4 or 5 burkandauzes. When I went to Berhampore to arrest Roots, I left the factory in charge of the Gomastha, and the

Burkandauzes. When Clarke arrested Roots, I went with him because he asked me.

Mr. Prinsep was about to reply.

Chief Justice. Mr. Prinsep, we shall certainly give you a verdict, and shall certainly give you more than nominal damages, you may therefore confine yourself to the question of damages.

Mr. Prinsep commented very feelingly and very seriously upon the second transaction in August, when Cockerell and Co. seized the goods of Roots, under the presence of their execution against Clarke. He stated that the writ in the words of Mr. Evelyn Meadows Gordon, the Commissioner, was a *false writ*, and unheard of before by him, Mr. Prinsep, in the whole course of his experience, as ever having been advised either by a counsel, or even by any respectable practitioner. The Advocate-General had entirely shirked this second transaction, and left it as it is designated in the judgment of Mr. Evelyn Meadows Gordon. Mr. Prinsep then shewed that the conduct of Roots had been upright and straightforward to Cockerell and Co., and that he was now absolutely ruined by the conduct of this house of agency towards him. He it was, who pointed out the improper conduct of his wife, in the application of the funds, but on a reconciliation made, he rejoices, but objects to permit her to join in drawing on Cockerell and Co.

As to dependency, the learned counsel stated, that Mr. Roots was entirely dependant on Cockerell and Co. for all present and future advances, and that he did all he could, to give to the house a correct statement of the affairs of the factory, and to bring his wife to give an account of her past management. The seed was but as an accommodation to Ramsunker Roy, his own partner. He, Roots, had received the seed necessary for the cultivation of the factory, he at the same time was a large seed factor. Where was the objection to his accommodating his neighbour and partner at the time that he knew he could replace it. But what was the result? Did he neglect to sow? Why the out turn of the year was one hundred and fifty maunds; whereas the preceding year the out turn was only 50 maunds. The learned counsel went on to shew that their had been no concealment on the part of Roots; that he expressed his pleasure in seeing Lethingue, showed all accounts and was open and straight forward in the extreme. As to mismanagement of Roots, the cultivation had been trebled, and the indigo sold for a higher price than that of the adjacent factories. The learned counsel then commented very severely on the cruelty of the conduct of Cockerell and Co. to plaintiff, and on the ruin it had entailed on him, both as a seed agent as well as an indigo factor; and again remarked on the extraordinary expedient adopted by Cockerell and Co. in selling the property of Roots, under a writ taken out against Clarke, their own special bailiff, and who owed them nothing. The learned counsel designated this proceeding as disgraceful to the court, if the court could be disgraced by the highly improper acts of its practitioners, and that no respectable practitioner had ever before thought of taking out such a writ.

Mr. Prinsep stated, that 15,000 Rs. were lost on the indigo by Roots, and all his commission as seed agent: that Roots had suffered personal restraint for about 6 weeks: had been interrupted in his trade and business, and had undergone great hardship and injury, in character, purse, and person, by the various outrages, for such he would designate them, inflicted on him by the defendants. The learned Counsel then concluded his able and feeling address; which ended at exactly twenty-one minutes and a half past 4 o'clock p. m.

We should have been happy to have published the letters read for the defence, but had no opportunity of procuring copies of them.

Chief Justice.—This case lays in a very narrow compass : the only question is whether the plaintiff had such a possession as entitled him to maintain this action. Mr. Pearson contends that the possession of Roots is the possession of Cockerell and Co. That firm are mortgagees of $\frac{1}{4}$ ths of the factory. Upon the liquidation of Rose's debt to Cockerell and Co. Mrs. Rose would have the $\frac{1}{4}$ ths of the factory. Roots then marries her. She having previously managed the factory, and then the bond and warrant and policy are given, the question then arises whether he having an interest in right of his wife, and having entered into these securities, he has a possession sufficient to entitle him to maintain his action. It is not a lease, not a contract. If the *Advocate-General*, is not satisfied with our view of the point of law, we reserve to him liberty to move on the point of law to set aside the verdict, and enter a nonsuit. We hold Roots to have an exclusive possession and the action well brought.

It now remains for us to consider the damages. The learned judge recapitulated the facts proved against defendants : we consider them trespasses, and we agree with the Commissioner's conclusion as to his right to the premises.

The learned Judge then commented on the extraordinary transaction, by which, under an execution against Clarke, they, the defendants, oust Roots of the possession which he held under the decree in the Mofussil Court. This was a trial which I cannot think a proper transaction ; the Court was entitled only under the state of the pleadings, to give damages for the trespasses in March and August, but their being no count for special damages, we cannot give damages for the loss on the indigo sale, and seed transactions, &c.

The conduct of the defendants has been throughout very harsh and the latter part tricky. Damages 2,000 rupees.—*Ind. Gas, Feb. 22.*

FIRST SESSIONS OF 1837.

CALENDAR.

Of cases to be tried at the Session of Oyer and Terminer which commences this-day.

1. *Domingo Monte*, for having stabbed his mother in the face.
2. *Robert Harding*, manslaughter of Margaret Harding, his wife.
3. *Hunooman Sing*, stealing from the house of Khitronauth Mullick, various gold and other articles, papers of value and money of the value of one thousand rupees.
4. *Dabee Sing*, for the wilful murder of Jebbon Sing.
5. *Puttah Obheeram*, feloniously stealing of 5,000 rupees, the property of Yarapa Koomar Swamy, of Benares, while in his employment and service.
6. *Harroo*, (1st charge), for feloniously stealing from the dwelling house of Muugloo, situated Short's Bazar, various copper articles and wearing apparel ; and *Harroo* (2d charge), burglariously and feloniously stealing from the dwelling house of Poorun sixty-seven pieces of wearing apparel value 40 Rs.

7. *Nicomul Mitter*, feloniously stealing seven Co.'s Rs. from a box in the dwelling house of James Treeby, the property of him, the said James Treeby.

8. *Isuerchunder Day*, with feloniously forging, with intent to defraud the firm of Gillanders and Co., a certain paper purporting to be a receipt for two hundred rupees by A. R. Jackson, Secretary to the New Fever Hospital Committee.

9. *Juggutchunder Deb*, on a certain indictment for assault, found against him at the fourth Sessions of Oyer and Terminer in the year 1836.

10. *Sayahnauth Khidmutgar*, with feloniously stealing from the dwelling house of Archibald Fleming, in Wellesly Street, various silver articles of value. —*Bengal Hurkaru, Feb. 18.*

BEFORE A FULL BENCH.

Grand Jury List.

G. J. SIDDONS, Esq., Foreman.

Mr. E. S. Ellis,	Mr. W. Earle,
" J. Lamb,	" L. A. Avertick,
" J. Cullen,	" H. Chapman,
" D. Dow,	" J. Jenkins,
" R. C. Patton,	" J. S. Smith,
" J. Prinsep,	" C. Dearie,
" W. Hickey,	" J. W. Grant,
" G. Alexander,	" J. Dougal,
" R. Davidson,	Raja Kali Krishna Bahdr,
" F. Millet,	Baboo Gopal Tagore,
" F. Halliday,	Baboo Kally Kinker Patel,
" H. M. Parker,	Baboo Beernursing Mullick.

The address of the Chief Justice Sir E. Ryan, was in substance, that he was happy to inform the Jury that their labours during this Sessions will not be of a very heavy nature ; but he was sorry to add that there were some cases of a very serious nature— one of murder, and another of cutting and maiming, that deserve to be noticed by him. The first case that he had to bring to their notice, was that of Robert Harding. He is indicted for the murder of his wife. It appears by the evidence that he has before him, that a quarrel took place between the prisoner and his wife, on the 12th of December last : it took place about some money, owing to a man named Tibbets ; and in this quarrel the prisoner struck the deceased with the handle of *chourie* on the head, holding the shred end in his hands, and after this he went and lay down on a bed, and the wife sat on a chest. About five minutes afterwards the prisoner got up again and gave the deceased a kick on the head, on which she fell with her head on the chest, remained speechless, and died shortly after. Of course the gentlemen of the Jury were fully aware that drunkenness was no excuse for the perpetration of any crime, and they would have access to the evidence of the medical gentleman who examined the corpse of the deceased, and determine whether the death of the deceased was caused by this injury in the head ; and although a person in an intoxicated state may have their death accelerated from external injury, yet if it appeared to the Grand Jury that the injury the deceased sustained from the prisoner was of that nature, there can be no extenuation for the prisoner's conduct on the plea of drunkenness, more so as there appears that there was no provocation given by the deceased to the prisoner to cause this violent assault.

Here the Chief Justice described the nature of the *post mortem* examination of the deceased's head, as exhibited by the report of the medical gentleman who examined it on oath. It was for the Jury to determine whether

this injury was occasioned by the fall on the chest or by the kick. They may, if they consider it necessary, have the aid of another medical gentleman, who can have access to the evidence already given in this case. On this indictment, he added, the Grand Jury could only give a true bill for murder, or throw it out; for if they were convinced from all the circumstances which may be brought before them, that the deceased met her death by the injuries she sustained from the prisoner, they could not legally find a bill for manslaughter.

The next case is that of Dabee Sing, a servant of Baboo Madub Sing. He went one morning to Kalighat, returned in the evening, and the next day he was charged by a man, whom it is stated that he had wounded, with murdering a fellow servant. The murdered man was pointed out by the person wounded. What is most strange in these proceedings, is, that there has not appeared any fact to make the Judge conjecture what could have been the possible motive to induce the prisoner to commit the crime laid to his charge.

The third case is that of Domingo De Monte. He is charged with cutting his mother with a knife in the face. This offence is made capital by the late criminal act, and it is requisite to ascertain by the evidence which will be produced before the Grand Jury, that if death had ensued from the wound, whether it would be murder in that case. If it appears that during the quarrel the prisoner having the knife near at hand, hastily snatched it up and struck the prosecutrix, it is not murder; but if he had it before him and inflicted the wound deliberately, it is murder.

The last case which the Chief Justice said that he would bring to the notice of the Grand Jury, was that of Edward Arnold Swaine. He never, since he had the honor of sitting on this bench, had a cause of this nature brought before him. The accusation against the prisoner is, that he was sentenced during the 3d Sessions of 1830 to 14 years' transportation to Prince of Wales' Island, and that he has returned to Calcutta before the term of his transportation has expired. This crime, by the 9th Act of George 4th, Clause 74, Section XXII., is made a capital felony. It will be for the gentlemen of the Grand Jury to determine before they find a true bill against him, whether the prisoner at the bar is the same Edward Arnold Swaine, who was sentenced for the crime of larceny during the 3d Sessions of 1830, to 14 years' transportation, to Prince of Wales' Island, and next whether his return was voluntary. The question as to whether he returned before the period of his transportation had expired, the records of this Court will show on reference to them.

This was all, the Chief Justice said, that he had to bring to the notice of the Grand Jury, and they were at liberty to retire and examine the several bills of indictments which would be brought before them for consideration.

Shortly after the Grand Jury had retired, the Chief Justice told the gentlemen of the Petit Jury, that he dispensed with their attendance at the Court to-day, as it was not his intention to proceed with the trial of any of the prisoners to-day; but that he required their presence in the Court again at 11 o'clock on Monday next, when he would commence on the trial of those persons against whom the Grand Jury may find true bills to-day.

The following are the persons who did not answer to their names when called on their summonses as jurymen on the Grand Jury.

Messrs. G. J. Gordon, Commissioner of the Court of Requests; Michael DeSouza, Merchant and Agent;

R. W. G. Frith, ditto; and R. W. Hughes, of the Civil Service.

The Grand Jury, about an hour after they had retired, found a true bill against Hunooman Sing, for stealing in the house of Khittronnath Mullick, various articles and money to the value of 1,000 Rs.; and against Harroo, the 2 bills, that are against him, viz., the first for stealing in the House of Mungloo, in Short's Bazar, several articles and clothes, and for stealing clothes from the house of Poorun, valued at 40 Rs.

After this, Fyze Ally and Nijam Ally, who were tried during the last Sessions on a charge of breaking into a shop; were brought up to receive the judgment of this Court. The Chief Justice informed them that their case had been submitted to His Majesty in England, and that they were, until his pleasure is known, allowed to quit jail on their giving bail in their own recognizances to the amount of 5,000 Rs. each, that they would appear to hear and abide by the judgment of this Court, when His Majesty's pleasure regarding them is conveyed to the Court.—*Ind. Gaz.* 22.

FEBRUARY 20, 1837.

BEFORE SIR E. RYAN, KNT., CHIEF JUDGE.

Petit Jury List.

J. ROBTAN, Foreman,

L. Young,
Anunchunder Bose,
J. Anderson,
P. Lamb,
W. Sinclair,
C. Porteous,

J. Mercado,
J. Taylor,
R. Morden,
B. Harvey,
G. Cattell.

Honoman Sing, for burglariously stealing from the house of Baboo Kethernath Mullick, on the 19th December 1834, four strings valued at 100 rupees, and other pearls, valued at 40 rupees; 2 madulies, 64 rupees, and other jewels to a great value.

Prisoner pleaded Not Guilty.

Kethernath Mullick, sworn.—I live at Colootolla in Calcutta. I remember the night I lost my property. It was towards the morning of the 19th Dec. On the 18th I went to sleep at 10 o'clock, and hearing a noise at about 2 or 3 o'clock in the morning, I got up. My house is a 2 storied brick built house. It was dusk at the time I got up. I then observed Hunuman Sing, the prisoner, who was my durwan at the box, taking away my box from the top of a iron chest, where I had placed it the night previously. I had bolted the door of the room where I slept at night. My mother and 2 nephews and neices slept at night in the room. The box contained jewels, pearls, &c. as described in the indictment. I saw by the light burning in the room, the prisoner taking away the box. He had broken open the door by unfixing the hinges attached to it. He had no business whatever to go to that room. He seeing me, ran out, and I pursued him, but being unable to overtake him, I gave information at the thanna. I again saw the box at the thanna before gun-fire on that morning. Nothing was gone from the box when I examined it at the thanna. This is the box I lost, (seeing the box at this Court) and this is my seal to it. These are my articles. This is my list of the stolen articles. I made this list at the thanna. I value the jewels at the sum mentioned in the indictment. After valuing the jewels, witness said, that the prisoner had been in his service about 8 months. I named the

prisoner at the thana. After this information I saw the articles at the thana but not the prisoner.

Prisoner declined questioning the prosecutor.

Warria, sworn.—I am naib of Loll Bazar thana. I saw prisoner on the occasion of arresting him on my going the rounds at night. I arrested him at Chinaparah. On being halted, he said he was a subject. He had a box on his breast: he had it tied with a piece of broad cloth. On being asked whose property it was, he said it was Kethoo Baboo's, who had quarrelled with his brother, and had desired him to proceed with the box and he would follow. On this I took him instantly to the thana. On the way he said take the box, divide the goods and let me go. On searching him at the thana, a key was found in his waist which fitted the box, and I had the box opened and took an inventory of the goods in it. After this I took the box and prisoner to Capt. Birch, Superintendent of the Police, who desired me to keep the box and find the proprietor of it. After this I went to the person who was security to Khitto Baboo for the prisoner, who pointed to me Khitto Baboo's house. He came with me to the thannah, took a list of the goods; after this I gave the box to Mr. McCann of the Police office. This is the box that is now produced at this Court.

Prisoner declined questioning the witness.

Prisoner's defence.—I received a letter from my family stating that my father was sick; I asked for my pay due for 6 months and my discharge. On this the Baboo said, on examining my accounts, that I would, although hired at 5 Rs. per month, get only 3-8 per month. This I declined taking, and the Baboo went out. After this the Baboo's sister told me, that if I would take this box to her father-in-law she would see the Baboo pay me. On the way I was stopped by the thanadar, to whom I related the above facts, and told them that if they doubted me, to keep the box and send 4 chokydars to verify my statements. They declined doing so, and took me to the thana. I have no witnesses.

Sir E. Ryan, here stated to the jury, that the prisoner was indicted for a capital offence, viz., for stealing jewels &c., to the value of 200 Rs. Here the judge recapitulated minutely the evidence taken before him in this case, and left it to them to give their verdict according to the degree of credibility they gave to the prosecutor and his evidence, or to the statement of the prisoner in his defence: if they believed the former, he is guilty; if the latter, he is not guilty.

The jury without retiring from the box, pronounced a verdict of guilty.

Sentence.—Hunoman Sing, you are found guilty of a capital offence, but it is not the intention of this court to carry the capital sentence into effect. Your offence is aggravated by your robbing your own master. The affairs of persons cannot be carried on if servants abuse the confidence of their masters. I cannot therefore pass a sentence less than transportation. You are sentenced to 7 years' transportation to the S. E. coast of Madagascari.

Karroo, for burglariously stealing from the house of Pooran, on the 13th January 1867, various goods to the value of 64 rupees.

Prisoner pleaded not guilty.

Pooran sworn.—I am a washer. I live at Mullick's bazar in Calcutta. Mine is a tiled house with mat walls. There is one door and a small hole in the tatties, so that

a person may thrust his hand into it. It is occasioned by the bolt. There are no windows. It is of 3 roofs, one leading to the other. I remember the night I lost my goods. I put out the lights, fastened the door, and retired about 9 o'clock. It was the 13th January last. I have a wife, young daughters and a servant; they were all in the house that night, and they had all retired to bed before me. I awoke and observed a light in my room. On getting up, I observed that the door of the hut had been opened. I saw a man standing, and taking him to be my servant, called out to him, Fakeera, are you going to the tatties? He instead of replying, only said *hee*, and dropped a bundle. I then laid hold of him but he slipped off, and I observed that Fakeera was sleeping, and ran after the prisoner calling out "thief, thief!" On this another washer, a neighbour of mine, got up and we together caught prisoner, called out for a chokeydar, and on one coming up made him over to him who took him to the thana. The bundle was thrown at my door. It contained 67 pieces of clothes belonging to persons who employed me. The bundle was on a boiler used for steaming clothes. It was about 8 cubits from the door. It was about 11 o'clock at night when this occurred. It appears that the prisoner thrust his hand through the hole aforesaid, and removed the tatties. The prisoner is a stranger to me. The clothes I value at about 40 Rs. I never lost sight of him from the time I pursued him to his being caught near my door.

The prisoner declined questioning the prosecutor. To question from the jury. It was moonlight when I saw him, but it got dark by the time he was taken. On reference to the Almanack this proved true.

Gainda washerman, sworn.—I am a neighbour of the prosecutor. I was washing my hands and face after my meals at my door when I saw a person running after a person and calling out "thief," and I then joined him in the pursuit and caught the prisoner. (Identifies the person at the bar). It was a moonlight night. I can from my door see the prosecutor's door. The prisoner was running from the prosecutor's door. On arresting the prisoner we made him over to the thana.

The prisoner declined questioning this witness, saying that he was the prosecutor's uncle, but the witness denied all relationship.

Keamoody, chokeydar.—I was at my stand, and hearing the two last witnesses calling out "thief" and "chokeydar," I went to the direction of the noise; and on coming up to them, these two last witnesses made over the prisoner to me, saying that he had robbed them. On this I asked them, where is the property the prisoner is alleged to have stolen; they said that it was at the prosecutor's door. I went with them there, took the bundle of clothes I found there, and the parties to the thana, and made them all over to the thanadar Mirza Hossainee.

The prisoner declined questioning this witness.

Mirza Hossainee, thanadar of Collingah, sworn.—This bundle was brought by the last witness to my thana together with the prosecutor, and the prisoner.

The prisoner declined questioning this witness.

The prosecutor recalled, recognises the bundle to be the same as the one stolen from his house.

Prisoner.—I had gone to the bazar, to buy some tobacco, and on my way back, I asked Pooran how are you; and he charged me with the theft, and made me over to the chokeydar.

The Chief Justice, intimated to the Jury, that the prisoner at the bar is charged with burglariously entering the prosecutor's house which is a capital offence. You

must first satisfy yourself that it was entered barglariously; and, that the prisoner was the person who did it; 3rdly, that he did at night! and 4thly, that he stole the goods herein produced. After this the Judge recapitulated the evidence taken in this case, after which he said, that even if a thief cannot effect the theft, but has been detected in taking an article or removing it, it is a theft, for the intention is the same. If you believe the prosecutor and his witnesses, said he, the prisoner is guilty; but if you have any doubt thereon, or believe the prisoner's defence, he is then not guilty.

The Jury, after a short consultation, without retiring from the bench, found the prisoner guilty.

This prisoner was then tried on the 2nd indictment on the 13th January, for breaking into the house of Mungloo and stealing goods to the value of 64 rupees.

Prisoner pleads not guilty.

Mungloo Kidputgar, sworn.—I live at Short's Bazar in Calcutta. My house is a straw-hut of one room and has two doors. There are no windows to it. I have a wife and a sister-in-law. I recollect the 13th of January; I was then in the service of Mr. Wilson of Cossitolla. I returned about 1 o'clock to my home, and there saw some goods (which he describes) lying out side my doors in the compound, and saw a part of my door cut, but the lock was on the door. The goods were in a bundle, they are now in the hands of the Police authorities.

Mootyolla Thanadar sworn.—I got his bundle from the hands of a woman named Pootee, who was accompanied by the prosecutor. Here the bundle was produced and the prosecutor recognised the goods as his.

Examination of prosecutor continued. I left these articles at my house when I went out.

Prisoner declined questioning the prosecutor.

Pootee Raur, sworn.—I know the prosecutor; he is my brother-in-law. I live at the same house. It was on that day that the 20th day of my mother's death occurred, and there was a funeral sacrifice. I was cooking. I was out of wood and I went to his house to get some wood from the hut where I was cooking, and I observed that the tattees of the prosecutor's house had been cut, and a person was with a light in his hand, searching the hut, who when he observed me seemed to avoid me. My sister and I after locking up both the doors, left the hut where the theft occurred, in the evening, to go to another hut to cook. It was about gunfire that I went to get the wood. On seeing the person hiding in the house, I said who are you. He returned no reply. On this, I called out "thieves;" he then ran out and throttled me, and I groaned. After this he twisted my fingers, and got loose from my hold, and began to run away. I laid hold of the bundle in his shoulder; he slipped his neck from under it, and ran away. I recognise the person to be the prisoner at the bar. I knew him before, he is not a stranger to me. I and my sister after then waited till about 1 o'clock when Mungloo returned, and we informed him of the theft. This is all I know.

The prisoner declined to question this witness, and denied all knowledge of the offence.

The judge after stating that this was an offence similar to the last, detailed the evidence adduced, and that the verdict of the Jury depended on the degree of credibility they gave to the prosecutor and his evidence. If they believed them, then the prisoner is guilty; but if not he is innocent of this charge.

The jury, after a short consultation, and without retiring from the bench, pronounced the prisoner Guilty.

Mr. A. St. L. McMahon, sworn. I know the prisoner at the bar. He has been, I think, three or four times before found guilty and sentenced to the House of Correction.

Mr. Macan swore the same.

The Judge thus addressed the prisoner: You have been found guilty of two capital felonies, both committed on the same night, and it is further evident from the evidence before me, that you are a notorious offender. It is not my intention to sentence you capitally, but I cannot pass a less sentence against you than that of transportation. In consequence of your bad character, I must however, make that banishment, longer than I would to another offender; you are, therefore, sentenced to the S. E. coast of Martaban for the term of 14 years.

After this prisoner had been sentenced, the Judge told the jury that as it would probably be some time before he would bring another case before them, they were at liberty to retire for a short time, and they did so.—*India Gazette, February 22.*

FEBRUARY 20, 1837.

Before Sir E. Ryan, Knt., Chief Judge.

Nilcomel Mittur, charged with larceny and theft, for stealing from a box of J. Treeby, No. 5, Loudon Buildings, the sum of Co.'s rupees 7.

James Treeby, sworn. I know the prisoner at the bar. I arrived in Calcutta last November I was never here before. The best knowledge I had of prisoner, was that he came on board of the ship *Diana*, on which I came down the river, to get the Captain's business. Capt. Hawkins refused. He had frequently applied to me to do my business; but I refused. On the 29th of January, I told him to get me a tailor next Monday, which he brought about 10 o'clock, on the 30th, while I was with Mr. Jameson. I told him to go to another room, and I would be with him immediately. I went to the room, and got out some cloth. There were 118 rs. in the box.

The Judge declined hearing the transactions of that day, not being connected with the charge.

On Thursday the 12th February, the man came by appointment again, accompanied by another native, whom I do not know. I told him to go to the bed-room again. I had Mr. Jameson, by appointment with me. After the prisoner went into the room, I went round to another door, and peeped through it. Both doors were shut. I looked through the hole, and I saw the prisoner go to the box, stoop and unlock it with the key, which was there. He opened it with his right hand, took out some money with the left, and was about to put his hand in again, when I rushed on him and caught him. When I caught him, there was money in one hand and the other thrust into the box to take out more. I then halloo'd to Mr. Jameson, "Jameson, Jameson, come here, I have caught the thief. There was, on Mr. Jameson counting the money twice, by my desire, found on him 7 rs., and he then counted the money in the box, and found 13 rs. I had previously informed Mr. Jameson, that I had put 20 rs. that morning into the box and 6 pice. I did put

20 rs. and 6 pice in the box. That the man might not suspect a lure, the surplus money I took out. I left the key in the box, but locked the box. There was nothing further said; the prisoner got terrified. I then desired Mr. Jameson to get a police constable. This he refused to do, and I then went, leaving the prisoner and Mr. Jameson at my house, got a constable, and made the prisoner over to him. The police constable took the money from his hands.

Cross-questioned by Mr. Leith, prisoner's counsel.—I gave my deposition at the police. I did not know prisoner long before. All the knowledge I had of him, was that he wished to be employed as a sircar. I never would employ him because the Captain of the ship in which I came out, cautioned me against him. I once wanted to buy some canvass, and the prisoner wanted to get it for me. I never borrowed money from him. I declined the offer to purchase the canvass, and said, that I would get 3 rs. from my home to pay for it; he then gave me unsolicited 3 rs. to purchase the cloth, and I returned it next morning. I call not this borrowing, as I did not ask the loan of him. I had frequently seen him in the streets. I do not recollect of any transactions from the time he lent the 3 rs. to the time he brought the tailor. I never borrowed any other money from him. Mr. Jameson did not look through the door. I had previously thrust a segar through the hole, to see if it was clear and I could see through it. No one saw me put the money into the box. I put the money there because after the prisoner had been in that room on Monday, and on Wednesday, on opening the box I missed 40 rupees. This roused my suspicion, and therefore I placed the 20 rupees in the box. No one saw me put the money there. Mr. Jameson was in the house during all the time the prisoner was there: on my return I likewise found the prisoner there on the landing place, and made him over to the constable. I never consented to hush up this affair if they gave me 40 rupees. The father and other relatives of the prisoner came to me and solicited me to withdraw the case, and I, after consulting Mr. Anley, refused their request.

Peter Jameson, sworn.—I am the chief officer of the *Diana*, on which vessel the prosecutor came out. I used to visit him at his house in Loudon Buildings, and I saw Nilcomul Witter there. I went to the prosecutor's on the 2d of February by invitation at about 9 o'clock; and about a quarter of an hour after, Mr. Treeby hearing a noise of some one coming, said hush, hush, go and look in another room. I saw him put the prisoner into another room, and I saw Mr. Treeby peep through a hole at a door looking into the room where the prisoner was. A short time after Mr. Treeby called out from that room, Jameson, Jameson, I have caught a thief. Hearing this I went in and saw him holding the prisoner's hands. There was some money in the prisoner's hand. Mr. Treeby, on my first coming into his house on the 2d, told me that there were 20 rupees in the box in that room, and on confining the money again, I found 7 rupees in the prisoner's hand and 13 in the box. Mr. Treeby desired me to call a constable. I refused, as I did not see the prisoner take the money out of the box. After this Mr. Treeby locked up the prisoner in a room and went to get a constable, and I went home. I shifted, and about 5 minutes after I returned and saw the prisoner at large in the streets. I asked him where he was when he was caught by Mr. Treeby. He said at the opposite end of the room: and he further said that the money was his, and he refused to give it up. After this Mr. Treeby came with a constable and gave the prisoner into his charge. I saw no more of the prisoner till I saw him at the police.

Cross-questioned by Mr. Leith.—The prisoner was conversing with me in the room where he took the money,

when Mr. Treeby gave him over to the constable. Mr. Treeby, when the prisoner first came on the morning of the 2d, shoved him in there. I have subsequently seen the hole. It is the size of a large gimblet hole. I was examined at the police. Mr. Treeby said that the hole was an inch in diameter, but it was not. It is a bed step box. It is not a box in which I would keep money. The box was shut, but not locked. Immediately after the prisoner went to this room, the prosecutor peeped through this hole, and about a minute after he called out to me. When I went in, I saw the prosecutor and prisoner about 3 or 4 feet from the box. It is an open room, and people may pass through it. I did not see the 20 rupees in the box. Previous to this Mr. Treeby wanted him to give up the 7 rupees, and the prisoner refused, saying no, it was his own. The rupees were not marked, and I could not tell them from any other rupees. I know not Mr. Treeby's means: he came out as a steerage passenger, and after a few days the Captain allowed him to take his meals in the cuddy. I cannot say if the hole was or was not large enough for the prosecutor to see through it. The prisoner is a sircar. I saw him once or twice before at Mr. Treeby's. He appeared very infirmate with him, and was introduced to me by Mr. Treeby, as a sircar. I cannot tell whether his or Mr. Treeby's means are the best.

John Stevens, Constable of the Police.—I went with Mr. Treeby, by the order of Mr. McCann, to bring the prisoner at the bar. I saw him at the threshold of the room, in which the theft was committed. Mr. Treeby said, this is the man that has robbed me, take him into custody. The prisoner said, on being questioned, that he had 7 rupees by him, and said it was his money, and made it over to me. I had no conversation with him at Mr. Treeby's; but at the police, he said that the 7 rupees were a balance of 8 rupees he had brought out with him, previous to going to Mr. Treeby's in the morning. He spoke very good English. He said that the money was his own, and denied the stealing of it.

The prisoner on being asked, said, I, on the 26th of November, lent the prosecutor 3 rupees. This he returned on the 29th, and required of me to lend him on a bond 200 rupees, to furnish a house. I said, I would do so next day, and he called at my office, opposite Rustonjee's house, and whilst I was there counting out the money, my father called and told me not to lend it without the security of Messrs. Bates and Elliott. On this I locked up the money, and told the prosecutor, that I would go and enquire of Messrs. Bates and Elliott on the subject. Hearing this, the prosecutor got enraged, tore up the note, and said he would be revenged on me, as I had disgraced him. After this he called on me 3 or 4 times, and not finding me, he left word with my brother, to send me to him, as he had business for me. I therefore waited on him on the 29th, and he desired me to get him a tailor and a running sircar, and said that he would recommend me to many ship Captains, friends of his. On the 31st I took the tailor who is now in this Court. The prosecutor gave the tailor, some clothes to sew on the 1st of February. I again, by his desire, waited on the prosecutor, who was all day employed in correcting circulars; and on the 2d, I again in company of Joy Kisson sircar, and my uncle, went to the prosecutor. On my quitting my house, my servant, in the presence of Ram Kisto Jagut Paddea, who came to get some medicines from my house, gave my watch and 8 rupees to me. I, on arriving at Mr. Treeby's, gave my uncle Govind 1 rupee to buy a pair of shoes for my sister. My uncle wanted more money from me, but I said that I would require cash to pay a Baboo 10 rupees that day. After I went to Mr. Treeby, he pushed me into the room, and in shoving me my waistband got loose, and I took the money from waist, fastened the cloth to my waist, and was counting the

money to see if it was all right, when Mr. Treeby rushed into the room and called me a thief, and taxed me with stealing the 7 rupees, but I supposed that he was joking with me. After this Mr. Treeby went out and Mr. Jameson after him, and I locked up the door of Mr. Treeby's shop and was pacing the streets. Had I been a thief, I might have run away. Shortly after Mr. Jameson returned and desired me to open the door, and whilst I was conversing with Mr. Jameson, Mr. Treeby came with a constable, and said that I was the thief, and had me taken into custody.

Ramdhon Mittur, the prisoner's father, was his first witness.—He said:—I have seen the prosecutor before: I have seen him before at my son's office. The first time I saw him there, was on the 26th of November last, when he borrowed 3 rupees from my son, which he returned in 2 or 3 days. I saw him again another day—the day I do not remember. On that occasion, my son had counted 200 rupees to lend to the prosecutor, on Mr. Treeby giving a promissory note for it. I told my son not to lend cash without the security of Bates, Elliott and Co. I selected Elliott and Bates, because, Mr. Treeby came in a ship of Bates, Elliott and Co's. I knew they were formerly acquainted. Hearing this my son, who had counted the money out in heaps of 20 rupees each, put the money up and refused the loan, and the prosecutor consequently got enraged and tore up the promissory note he had written. There were 2 other *sircars* present who came there in hopes of getting situations: their names were Sreecally Ghose and Bidabuff Pal. There were some others, but I know not their names. Mr. Treeby then grumbled and said, I shall see you by and by. I know English a little. The meaning conveys a threat, though I suppose he meant that he would see him in a few days.

Jaykisson Mullick.—I am a writer. I have seen Mr. Treeby before. On the 1st of February, the prisoner at the bar took me to Mr. Treeby's. I saw Mr. Treeby there, and Mr. Treeby gave me some circulars to fill up the omission. Mr. Treeby gave them to me to alter. The prisoner introduced me to Mr. Treeby. I know not on what terms the prisoner and Mr. Treeby were. Prisoner never did any business for Mr. Treeby before. I live near the prisoner's house and I know him. Prisoner and Govindoss his uncle, came together; the prisoner had that day money by him. I know it, because when the prisoner gave Govindoss one rupee to buy a pair of shoes, Govindoss asked him to give him some money, and the prisoner opened his waist, took out 7 rupees, and said this is all I have, I cannot spare any out of it. This was before he went into Mr. Treeby's, when we landed from the boat at Colvin's Ghaut. I saw the prisoner give 7 pice. The rupees I first saw when he refused Govindoss. No Brahmins accompanied us, but one asked charity at Colvin's Ghaut. I am a Kaste by caste. I did not go to the prisoner's house on the 2nd, but met him in the streets on the day the prisoner was arrested. On that day Mr. Treeby put the prisoner in a room. I sat below on the stairs when the prosecutor came down and told me to go away.

J. Elliott, sworn.—I am a partner in the firm of Bates and Elliott. I know the prisoner at the bar: he has been employed as a ship's *sircar* in our house, and in managing small investments. He was about one year in our employ, and I always found him an honest, straight-forward man. He never required advances from us, but always made them himself. The *Diana* was this voyage consigned to our house and so was the *Albatross* and the *Hygie*. I recommended the prisoner to the Captains of all these vessels, and they were all well satisfied with his mode of conducting business. The prisoner's office is opposite Mr. Rustomjee's. I know

Mr. Treeby and have seen him since his arrival here, and we have dealings with him. The prisoner never spoke to me nor our firm regarding any loan to the prosecutor. The dealings we had with Mr. Treeby were in miniature paintings. Captain Hawkins, of the *Diana*, introduced Mr. Treeby to me.

Jaykisson Mullick re-called.—Govindoss was with the prisoner and I, and no one else, on the 2nd. I do not know Juggernathdoss.

Govindoss sworn.—I am uncle to the prisoner. I live with him and collect his rents. On the 2d of February, 1837, the prisoner, I, and the last witness, came from our house, took a boat at Kidderpoor Ghaut, and landed at Colvin's Ghaut. The prisoner, previous to his leaving the house, received in my presence from his servant 8 rupees and 10 pice. 7 pice the prisoner paid the boatman at Colvin's Ghaut, and gave me one rupee to buy a pair of shoes, and gave me the key of his office and told me to go and open it. I did not see the prisoner again, but heard that he was taken up to the Police. Juggernathdoss is the mangy of the boat in which we came. The first time we saw him was at the Ghaut. I never saw any transactions betwixt Mr. Treeby and the prisoner.

Mr. Treeby re-called.—I have been once at the outside of the prisoner's office. I went to order a mosquito net for Mr. Jameson. The prisoner lent me the 3 rupees in a street near a druggist's shop. I never asked him to lend me 200 rupees: it is false. I never drew up a promissory note for any such loan. I never had any dispute with him about the loan of any money. The prisoner at the Court said, that the money was his own. The statement of the loan of the 200 rupees is, I swear, false, and invented by the prisoner and his relatives.

Chief Justice.—The charge against the prisoner is of a larceny. If you believe prosecutor's evidence, even if the prisoner removed the money, it is larceny. There are many cases thus established. In one, a man took a bag and removed it to another place, and it established the crime. (Two other cases were here quoted.) If the prisoner's story is true, there is not a more malicious conspiracy invented to ruin an innocent man. No two stories can be more contradictory than those of the prosecutor and the prisoner. Here the Judge detailed to the Jury, the evidence taken in this case. In so doing he pointed out several minor discrepancies in the depositions taken, commenting on the nature of them. The Judge remarked, that it was strange that the two *sircars* were not brought forward to prove the circumstance of the required loan of the 200 rupees, which was positively denied by the prosecutor; or the words used by the prosecutor on this loan being refused by the prisoner, as stated by witnesses—viz., I will see you. This, the Judge said, is a common phrase for natives to use, and one not likely to be used by a person so lately arrived here. He likewise remarked, that Mr. Elliott's evidence, besides giving the prisoner a good character, shewed that he was a man worth some money, and therefore he could not have been driven by distress to commit the act. These are all the comments that the Judge deemed necessary to make on this case, with this exception, that the whole case rests on the sole evidence of the prisoner, except what the prisoner's own counsel extracted; viz., that Mr. Treeby had mentioned to Mr. Jameson that 20 rupees were in the box, and after the prisoner was taxed with the theft, the money found in his hand and in the box, amounted to exactly 20 Rs. Thus he left the case in the hands of the jury, saying, that if they believed Mr. Treeby's statement was false, he had committed an act for which he ought to stand where the prisoner was. He concluded by saying, that if they had any doubts on their minds, to give the prisoner at the bar the benefit of it.

The Jury retired for upwards of an hour deliberation, and on their return, gave their verdict of guilty against the prisoner.

The Judge then told the prisoner, that he had been found guilty of the crime of larceny. After a full very deliberate investigation of his case, the jury had found him guilty of stealing Co.'s rupees 7, the property of Mr. Treeby; and now that the jury was satisfied that he had endeavoured to shelter himself under perjured witnesses, it aggravated his offence: had they believed his statement, they must have disbelieved Mr. Treeby. The judge said that he did not intend to pass the heaviest sentence the law allowed. The prisoner hitherto moved in good society, and it was degradation enough to him to stand in court in the manner he did, before so many natives of respectability who were present to learn the result of this trial. The judge said that he would not sentence him to labour in the House of Correction; but yet his offence was serious, and he must not punish him too leniently neither. He then sentenced the prisoner to 2 years imprisonment in the Common Jail of Calcutta.

The Court was much crowded by many respectable natives during the trial of this case.—*Ind. Gaz. Feb. 24.*

FEBRUARY 21, 1837.

Before Sir E. Ryan, Knight, Chief Judge.

PETIT JURY LIST.

Foreman, J. W. COLLINS.

A. Laurie,	L. W. Judah,
W. K. Ord,	J. G. Phillips,
D. Parsick, jun.,	J. H. Madge,
J. Brandt,	O. Jacobs,
K. M. McKenzie,	and
H. Burrough,	A. Gardener.

Edward Arnold Swaine, was placed at the bar. The indictment stated, that in the Sessions the 3rd of Oyer and Terminer of 13th of July 1836, Swaine was with two others tried and found guilty of breaking into the shop of Phillip de Rozario, on the 18th April, 1830, and transported and having been found on the 18th of February instant, contrary to the laws, within the limits of this charter.

The prisoner said I plead guilty; but I beg to observe that I was taken up by the whaler to the Sea Shells, and there I told Mr. Harrison the Governor, that I was a person under sentence of transportation to Prince of Wales's Island; that I had been way laid and taken up by the crew of the whaler *Harpooner* before my time, and begged to be sent back to Penang. Mr. Harrison the Governor sent me to the Mauritius, and from thence I worked my way here, in order to get back to the place of my transportation. It would be in vain for me to deny that I am Edward Arnold Swaine, as many here can identify me. I plead guilty (though warned by the Judge that it is a capital offence,) and I leave my case to the mercy of the Judge and Jury.

The Judge.—You have pleaded guilty to the charge against you. Have you any thing to say that why sentence of death should not be passed against you?

The prisoner again pleaded guilty, and said that he left his case to the mercy of the Judge and Jury.

The Judge then said, that it is provided by the 9th Act of George the 4th, Clause 74th, Section 31st, that if any person be found within the limits of the charter having escaped from transportation and having returned

before his time has expired, he is liable to be sentenced capitally: nevertheless it being provided that the King has his full prerogative reserved in him to pardon our commute this sentence, as he may deem fit. After reading this, the judge again said now what have you to plead? If you have any thing to plead, plead now and say why should not the sentence of death be passed against you. The prisoner again pleaded guilty, and said that he treated his case to the mercy of the judge and jury.

The Judge.—It is not my intention to pass the capital sentence against you, but I cannot pass less than transportation. You with two persons named Briton and Pote, were transported for fourteen years, because you were notorious for having gone in a gang for some nights committing gang-robberies. The former punishment was light considering the offence, and even if you had pleaded not guilty, there were proofs sufficient to have established your guilt. The proofs are very simple, and there are evidences enough on the records of this Court, and witnesses produced, to have substantiated your identity and his pleading guilty has shown, he has done right; for, if you had pleaded falsely, you would only have aggravated his guilt. The story, that you was kidnapped, waylaid, and forcibly taken by the crew of the *Harpooner*, is a made-up story, for, if you had not been willing to go, and had given any intimation to the Police authorities at Penang they would have stopped the vessel. It is, therefore, my opinion, that your escape was a voluntary act of your own, and this escape you effected even before half the term of your transportation was over, as it appears by the evidence recorded here from the Government of Penang. Thus I cannot sentence you to a lesser punishment than the remaining unexpired term of your sentence. Therefore, the sentence of this Court is, that you be transported for the term of seven years to the South-East Coast of Martaban.

After this sentence had been passed, the prisoner thanked the Judge and retired.

Issurehunder Day, charged with having on the 1st November, 1836, forged and counterfeited a receipt for 200 Rs., with intent to defraud G. C. Arbuthnot and others, by the same paper, to wit, A. R. Jackson, T. Dickens, and R. H. Cockerell, &c.

Prisoner pleads not guilty.

Boobun Mohon Dutt.—I am a sircar in the employ of Gillanders, Arbuthnot and Co., Merchants and Agents, of Calcutta. Mr. Arbuthnot is gone to Europe. Looks at a paper and says, I saw this before at the police; it is my employer's paper, and purports to be a draft of Dr. R. Jackson. The first time I saw it, it was at my employer's office at Permit Ghaut. This was brought to me by one Nilmony Doss on the 1st November. As it is usual for drafts, the payment of which has been ordered by my master, to come to me for payment, I paid the amount in notes and in cash, to the amount of Co.'s Rs. 200, to Nilmony Doss. The note was a Union Bank note, No. 2,532, for 100 Sa. Rs., 8 notes of 10 rs., each, of other banks, which being less than 50 Rs., in value are not entered, and the balance 8 Co.'s Rs. were paid in silver. These together make 200, viz. 180 Sa. Rs. make 192 Co.'s Rs. and 8 in silver complete the 200 Co.'s Rs. When I made this payment Madub Chander Seal was by me. I know not English; but Madub knows and reads it. Mr. Arbuthnot's order is right. I know it because when it was produced before me by Mr. Robinson at the Police, I marked it by the signature of Nilmony Doss on it, who signed his name to the receipt before me. I know not English and Madub Chander Seal made an English entry in the books, of the payment of cash before me. I knew Nilmony Doss before. Looks round and says I cannot recognize Nilmony Doss again. Does not recol-

lect ever seeing the prisoner at the bar. Never saw Nilmony Doss before or after this transaction. The prisoner at the bar is a stranger to me. I enquired of Madub Seal the purport of this paper and of Mr. Arbuthnot's order of payment, previous to paying it.

Questioned by the Prisoner's Counsel, Mr. C. R. Prinsap.—I know the order again by the receipt on the paper signed Nilmony; and I only recollect the particulars of the notes and cash by the book which is kept by Madub Chunder Seal. I paid the money and Madub Chunder Seal made the entry before me.

Madub Chunder Seal, sworn.—I am a sircar of Messrs. Arbuthnot and Co. I used to sit in the office near the last named witness. Looks at a paper on which Mr. Arbuthnot wrote pay. I then saw this paper. I can read and write English. The order to pay is in the hand writing of G. C. Arbuthnot: this is his name. As far as I know, Mr. Arbuthnot wrote pay on it, and I desired Bhoobun Mohon, the last witness, to pay it, and he did so. It was put into my hand by the man who granted the receipt and called himself Nilmony Doss. I never saw the man before since. Looks about the court. I do not recollect the man and therefore I cannot identify him here, even if I were to see him. He took a sit by Bhoobun Mohon Dutt, in my presence, and wrote the receipt for the cash, and I made the entry at the time. Bhoobun Mohon Dutt paid the money, still I can by referring to the book specify in what manner the cash was paid. Looks at the book and says there was one Union Bank Note, No. 2532, for Sa. Rs. 100, 8 more of different Banks of 10 Rs. each, and 8 Co's Rs. in cash. I never knew anything of the prisoner. The first time I saw him, was at the Police Office. Mr. Arbuthnot is gone to Europe.

Cross-examined by prisoner's Counsel.—Mr. Arbuthnot went to Europe only last Saturday. Many payments are made in the day through me. I keep the notes in a box and make the entries of the payments.

Dr. A. R. Jackson, sworn.—I am a Surgeon in the H. E. I. Company's Medical Service. I acted for some time as Secretary to the new Fever Hospital. From the 1st of May 1835 to 1st of Dec. 1836, I did not collect the subscriptions with one or two exceptions; but I signed the receipts of the subscriptions during the time I was Secretary to the institution. All the receipts for the subscriptions were signed by me. I know the prisoner at the bar; he was temporarily employed as a copyist by my assistant Mr. Morris in the new Fever Hospital Institution, in the room of another, during the sickness of the permanent man. He was under Mr. Morris, and recommended to me by him. Subscription books for aid to this Institution were circulated in Calcutta and its neighbourhood. I have not the books by me, but I believe one is in court. Looks at a book and says this is one which is marked as being sent to Messrs. Gillanders and Co. The writing of Gillanders, Arbuthnot and Co. is in the hand writing of Mr. Arbuthnot, according to my knowledge of his hand writing. I cannot swear to the figures 200 as I did not see him write them. This identical book was not, to the best of my recollection, brought to me; from time to time the book was in the custody of Mr. Morris. I left the details of this duty completely to him. I had no conversation with the prisoner whilst employed under Mr. Morris. I should suppose that he had access to the subscription books. Looks at a receipt and says, no part of it is my hand-writing. Neither Mr. Morris nor any other person was authorised to sign these receipts for me. I cannot swear whose hand-writing it is, though I can recognize the hand-writing to assimilate to several writings in the office. I do not know when prisoner entered Mr. Morris's service and when he quitted it. There were similar books of subscription sent to the other agency houses. The other books are at the Union Bank.

Cross examined by prisoner's Counsel.—I might have seen the prisoner before 10 or 12 times in passing the office. It was an institution originated by private individuals; but I would now deem it a public institution. It is not supported by the government.

J. Morris, sworn.—I am an assistant to Dr. Jackson in the Fever Hospital institution, and have been so since the 4th of June 1836. I circulated subscription books to the different agency houses. Looks at a book and says I have seen this book before; it is one of the books I signed before; there is my hand-writing in it. This book was sent to Messrs. Gillanders, Arbuthnot and Co. I do not know their hand-writing. It was there from the 24th of June to the 1st of November, for the purpose of obtaining their aid in obtaining subscribers to this fund. When I received the book I saw this mark on it (points to a mark in the book). Similar subscription books were sent to the other agency houses. The receipts are made out by me, signed by Dr. Jackson, and the money collected by the Union Bank. Arbuthnot and Co.'s subscription, to the best of my knowledge, is not paid. On the true receipt being sent to them they presented a forged receipt and said they had paid it. I was not then present. The sircars of the Union Bank say they have not received it. The prisoner was on the 20th of Aug. 1836, engaged as a substitute for another man up to the 11th of this month. In September he, on the man for whom he was employed returning unemployed, was for 3 or 4 days, employed in filling up the receipts of the subscriptions and the circulars. I know his hand-writing, and have seen him write. The papers were under his charge and he had access to them as a sircar of the New Fever Hospital Institution. The prisoner at the bar had likewise charge of the book I hold in my hand. The receipts were, with the exception of the one or two, one to the Governor-General and few others, which would not admit of printed forms, all printed receipts. On a person subscribing, a list was formed; this man from this list filled up the printed bank receipts. I examined them, put my initials to them, and then Dr. Jackson signed them, and they were sent to the Union Bank, which collected the money for those receipts from the subscribers. I did give instructions for a receipt for Arbuthnot and Co. to the prisoner at the bar in English. He understands English very well. [The prisoner himself admitted this.] I gave him directions to make out the receipts, both for the donations and the subscriptions, from the lists. I have not those lists here. I sent the receipt for Arbuthnot and Co.'s subscription to the Union Bank, as I do others, with a letter. I have a receipt for it. The receipt for Gillanders and Co.'s subscription is not here. I believe it is at the Union Bank. Looks at a receipt and says this is not the receipt I sent to the Union Bank. I am most certain of it. It is not Dr. Jackson's signature. I have seen about 1,000 signatures of his; he has repeatedly signed his name before me on the back of the receipt. The receipt, I believe to be in the hand writing of the prisoner at the bar, but I cannot say in whose hand writing the signature is. I cannot read Bengally. I never authorised the prisoner to write the receipt. There are my initials in pencil on it. I made them on the day the sircar of Gillanders, Arbuthnot and Co. showed it to me at the office of Messrs. Gillanders, Arbuthnot and Co. The judge said this is all he had to ask him at present, but he would, perhaps call him again.

J. Jackson sworn.—I am a partner in the firm of Gillanders, Arbuthnot and Co. I know Mr. Arbuthnot's signature. Looks at a paper and says, that is his writing. The word pay, and the signature below of G. C. Arbuthnot and Co., is his. Looks at a book and says, that the donation of Gillanders Arbuthnot and Co. is Messrs. Arbuthnot and Co. I have never seen this book before, nor know when the subscription

was made; but I know that it was made. I do not know when the book came or when it was returned, or when the donation was paid; but I know it was paid. I know this receipt being entered as passed. There was another receipt for this donation came to me from a collecting sircar to the institution for payment, but recollecting that we had already paid once, I mentioned the circumstance and the money was not paid.

The prisoner's counsel declined questioning this witness.

Hurrischunder Mittur, sworn.—I am employed in the 2 Sub-Committee department in the Fever Hospital Committee.—Mr. Morris is the Sub-Secretary. I was never under Mr. Morris directly, but under 2 or three members of the Committee. I have known the prisoner ever since the 29th of Sept. last, but was not in the same department with him. I knew him by seeing him employed in the office of the institution. I was employed in August, but my duty lay chiefly at the Bank of Bengal; but from the 29th September I saw him almost daily. I used to see him write. Our desks in the office were opposite. I know his hand writing (Looks at a paper.) I can read and write English. This looks like the writing of Isserchunder, the prisoner at the bar. I believe it to be his hand writing, but I cannot swear positively it is his; because I did not see him write. The writing on this receipt I believe to be Isserchunder Day's signature. I cannot say whose hand writing it is. I have seen but very few receipts signed by Dr. Jackson, and I am not sufficiently acquainted with his signature to identify it in court. I am still employed in the New Fever Hospital Institution's Office. I have seen the prisoner's Bengally writing and I know it. The writing on this receipt in Bengally does not appear to me to be like his. I do not believe it to be his.

The prisoner's counsel declined questioning this witness.

Govind Chunder Bonnerjee, sworn.—I am a Mohorir for Bengally receipts at the Union Bank, and was so in Dec. last. I recollect the 24th Dec. last. I have my memorandum book here (Produces a book and says, this book is kept by me, and the entries are made by me at the time the cash is paid.) On the 24th of Dec., I gave change for a Union Bank Note, No. 2,532 of 100 Ca's Rs. I gave, on a receipt being given to me, a memorandum to the person who gave me the receipt, this person took the memorandum to the cashier and he paid the money. The memorandum was a check. The receipt is in this book. It is drawn up by me and signed by the party who changed the note. The signature is Isserchunder Day, inhabitant of Jaun Bazar. The writing is that of Isserchunder Sircar, on behalf of Captain Clift, a Union Bank Note, No. 2,532 for 100 Sa. Rs. Defendant changed it for Sa. Rs. 100 cash, 24th Dec. 1836. Signed Isserchunder Day.

Mr. Prinsep objected to this book being produced as evidence: he said that there ought to be an authenticated translation of it filed in as evidence.

The Chief Judge overruled this objection: he said that the court could not prevent some time Bengally books being brought forward as evidence in criminal cases; but if Mr. Prinsep required an English translation of it, Mr. S. Smith, the Interpreter to the court, would translate it now in Court.

Mr. Prinsep wishing for a translation of it, Mr. S. Smith thereon translated the paper for his satisfaction in the court, and the translation was filed on the records of this case, as a documentary evidence on behalf of the prosecutor. Witness looks round and says, I do not recognize the person here now. I never saw that person ever before or after. I recollect seeing the prisoner

at the bar at the police. I never recollect seeing him before or after that time.

Cross-Examined by prisoner's counsel.—The circulation of the Union Bank is great—about 3 or 4 lakhs of Rs. This note has often been to and from the Bank since it was made.

Hurrischunder recalled. Looks at the signature in the Union Bank book and says, with the exception of the word Sree, I believe the signature of the name Isserchunder Day, to be in the prisoner's hand writing, but I cannot swear to it, as I have not seen him write it. Prisoner's counsel declined questioning this witness.

Ram Lochun Nundy, sworn.—I am a mohorir at the Union Bank and make entries of the notes that come to be discounted there. I have the book here. It is kept by me. There is amongst the entries, an entry of the 24th Dec. 1834 for 100 Rs., for the exchange of a Union Bank note No. 2,532 for 100 Sa. Rs. I do not see the person who buys the note to be changed annually. The notes are brought to Govind Chunder Bonnerjee before they are brought to me. He gives a memorandum and endorses the note and brings it to me, and I from those make my entries. I do not sit near Govind Chunder. So many persons come every day, that I have not time to look up and observe the person who brings it to me. I have too much to write. The prisoner I know; he was employed by Messrs. S. Smith and Co. printers, in crediting cash to the name of Messrs. S. Smith and Co. I have known him for 3 or 4 years.

Cross-examined by Mr. Prinsep.—I made the entry from the note, but I have not brought the note.

Jonadun Pal, sworn.—I am a cash payer at the Union Bank. I recollect the 24th of Dec. I have brought my books here. Looks at the book and says the writing is in the hand writing of Permanand Shaw: I paid the money and he wrote it in my presence. It is an entry of cash paid to the amount on a check from the cashier for the payment of Rs. 42-10-8. After the cash is paid, the memorandums are entered in a book and compared and then thrown away. I first recollect seeing the prisoner at the Police. I never saw him before or after. I do not recollect ever seeing him at the Union Bank. I said the same at the Police Office.

Cross-examined by Mr. Prinsep.—The Bank collects for the New Fever Hospital. Whether they have collected ever since Jan. last I cannot say; but this I know, that they have collected for that institution several sums of money. Isserchunder Day is a very common name: there are many Hindoos of that name in Calcutta.

Seetaram Samoodah, sworn.—I am employed at the Union Bank, I cannot say any thing of this transaction until I look at my memorandum book. Looks at a book and says, this book is kept by me—it is my hand writing. It is a memorandum of a payment of 6 notes of Sa. Rs. 40 each to one Isserchunder Day for Capt. Clift. It was paid on the writing of Ramlochun Nundy, for the payment in exchange of a note of Sa. Rs. 100, viz. 6 notes of 10 Sa. Rs. each and 40 Sa. Rs. in cash. The memorandum was made by Govindchunder Bonnerjee. I gave the 6 notes that were paid,—the note that was received is not entered in my book.

Prisoner's counsel declined examining this witness.

Sheshchunder Dutt, sworn.—I collect bills for the Union Bank. I collect bills of the New Fever Hospital Institution. I have receipts for some that I collect. I have one bill in the name of Gillanders, Arthurhat and Co. I received it from the Union Bank. (Produces it.) I went to the house of Gillanders, Arthurhat and Co. to collect the cash, but one Buddenath Sen, a witness there, told me that it had already been paid, and refused to pay it. I have never received the amount of Messrs.

Gillanders, Arbuthnot and Co.'s donation. It is about 3 months ago that I took this receipt to them for payment. When I took this paper I took a book with me. The book is at the Union Bank; it is a subscription cash book.

Cross-examined by prisoner's Counsel.—I received this bill about 2 months ago, and it has ever since been at the Bank. I have been at the Bank 5 months. There are many sircars employed in collecting bills, but I only collect for them the bills of the Fever Hospital Committee and none other. The Bank collect all the Fever Hospital's bills.

Mr. Morris recalled. Looks at a bill and says I have seen it before. These are my initials and Mr. G. J. Gordon the presidency Surgeon to the Fever Hospital Institution. He was appointed to that situation on the 20th of Nov. 1836. I have seen Mr. Gordon's signature, and I know it. The body of the note, with the exception of the word *their* and the date, is in the writing of Iserechunder Day. I do not receive the amount collected.

Cross-examined by the prisoner's Counsel.—All the printed forms are of this kind. They were first received in June. The printed forms were adopted at my suggestion. I have known the Fever Hospital since the 4th of June last; it was established in May 1835. I am sure the body of the note and the filling of the note, are both in the same hand writing and are both written by the prisoner Iserechunder Day. I see no difference in the writing, except that the one writing is written stiff and cramped up, and the other is round and fuller. I do not know whose hand writing is on the back. I have seen it before attached to the bill. I should suppose it is that of Col. Young, the Secretary to the Union Bank.

The prisoner's counsel wished that the 2 writings be shewn to the Jury for their opinion on this subject.

John Jackson recalled. Does not answer.

Sheshchunder Dutt.—I believe the writing on the back is a Bengally sircar's writing. Pronoccomar l'agore says the writing on the back of the printed form is in the hand writing of Col. Young.

The Judge told the prisoner, he had an opportunity to plead his defence; if he had any thing to say, as his counsel could not plead for him or call his witnesses. The two English receipts were here read and then handed over by the desire of the Jurymen to them for their examination.

Prisoner said I was employed on the 25th of August. I do not know when the subscription book was given. On the 24th of Sept. a draft letter was given to me by Mr. Morris to copy. After this the subscription books began to come, and they were kept in an Almirah, and the key was not with me. When Mr. Morris directed me to take out a book or make out a bill, I did so, but always before Mr. Morris. I used to go the office always after Mr. Morris and leave before. Mr. Morris used often to send me out on messages. I know nothing further of this matter. I am perfectly innocent of this charge. One day Mr. G. J. Gordon, the Secretary to the institution, charged me with a forgery, and had me taken up to the police. There at first Mr. Robison desired me to give bail; but when, after a lapse of a day or two I produced two persons to be my bail, Mr. Robison refused to take bail. After this my brother petitioned Mr. Robison not to give me more uneasiness, but hand my case to the Supreme Court, and Mr. Robison, in receiving this petition, complied with it. This is all I know and I am innocent of this charge.

The prisoner said he had no witnesses.

The Chief Justice.—Gentlemen of the Jury, the prisoner at the bar is indicted on a charge of forgery

a receipt in the name of Dr. Jackson, the Secretary to the Fever Hospital, with intent to defraud Gillanders, Arbuthnot and Co. There is no proof of the prisoner's having passed the note. It is not requisite that the whole body of a forged document be written by the person charged with the forgery. If it is proved that he wrote a receipt of it, it is sufficient to establish the charge. It will be requisite first for you to know, whether this is a forged document, and then whether the prisoner has forged it. Then the Judge recapitulated minutely the evidence taken in this case, commenting on it and giving his opinion and advice on the whole, and requesting their serious attention to the same. He said, it is evident, if the receipt marked H is the genuine one, than the one marked A, which purports to bear the signature of Dr. Jackson, is a forged document, and it will be for you to consider whether the prisoner at the bar is the person who forged it; and although there is no proof that the prisoner did receive the money, and that he is not identified as being the person who received the money at either Messrs. Gillanders, Arbuthnot and Co.'s or at the Union Bank, yet if you believe that although he might not have written the name of Dr. Jackson, yet he did write the body of the forged receipt, you will find him guilty of the charge laid against him; but if you have the least doubt you will give him the benefit of it.

The Jury after a short consultation, and having deliberately compared the writings of the two receipts and all the other documents filed in this Court, brought in a verdict of not guilty.

The Judge then ordered that the prisoner be discharged, and he was released immediately.

After the discharge of the prisoner, the Judge told the Jury that they were at liberty to retire for a short time to refresh themselves previous to his calling on another case for trial before them, and they retired accordingly.

Sydnath Kidmugar, was charged with stealing various articles to the value of 56 Rs. from the house of Mr. A. Fleming, junior, in Wellesley Street, Colingah, on the 12th of Feb., 1837.

The prisoner pleaded guilty.

The Judge said that stealing in a dwelling house to the value, or above, 56 Rs. is a capital offence; therefore the least sentence, if I can pass of against you is that of transportation. You can consider and say whether you will take your chance of trial for the offence or still plead guilty and have this plea recorded against you.

The prisoner still pleaded guilty, and said that he left his case to the mercy of the Judge and Jury. This plea was then recorded.

The Judge said, Saranath, you have pleaded that you are guilty of this offence charged against you, have you any thing to say why the sentence of death should not be passed on you? You have been detected, with the goods on you, of stealing in the house of Mr. A. Fleming, and you were caught in the house. I cannot pass a less sentence than that of transportation against you; you are therefore sentenced to be transported to the S. E. Coast of Martaban for the term of seven years.

After this sentence had been recorded, the Judge dismissed the Jury for to-day and the court adjourned till 1 o'clock to-morrow morning.

FEBRUARY 22, 1837.

Before Sir E. Ryan, Knt. Chief Justice.

NAMES OF THE PETIT JURYMEN.

H. Kyte, Foreman,
J. Dinnit,
H. Cooke,
L. Young,
J. Kerr,
W. Carbery,

R. J. Lattey,
J. Taylor,
W. Sinclair,
C. Rose,
P. Lamb and
S. J. Fraser.

Putta Oberam, was charged with having received, on the 13th of September, 1836, or a draft from the house of Nundaram Mitter, six Bank of Bengal notes, to the amount of Sa. Rs. 5,500, an account of his employer, Eurapha Komar Swamy, the prosecutor in this case, a merchant at Benares; and instead of paying this sum, according to his instructions, to the Gomasta of Sree Kiseen Mull, he had fraudulently embezzled the same, and under a fictitious name of Poorneah Bewah, a Hindoo female, had deposited it at six per cent. per annum for the term of ten years, in the hands of Duckinunder Mookerjee.

The prisoner pleaded not guilty.

Mr. Osborne, opened the pleading for the prosecution. He said, that, the charge against the prisoner at the bar is, that he being employed by a rich merchant and agent at Benares, named Eurapha Komar Swamy, to establish a banking house for him at Calcutta, did, on his employer's account, as his Gomasta, receive, on a draft transmitted to him by his employer, from the house of Nundaram Muntree, in six Bank of Bengal notes, the sum of sicca rupees 5,500; and instead of paying this sum, as directed in his letters of instruction from his employers, to the Gomasta of Sree Kiseen Mull, Banker, who had drafts remitted to him signed by Eurapha Swamy, for 7,500 Sa. Rs. to be accepted and paid by his Gomasta, the prisoner at the bar, the prisoner evaded the payment of them on false pretences, and having under the fictitious name of a Hindoo woman named Poorneah, accompanied by a man named Shurseah, as the agent of Poorneah, deposited these notes for her benefit, and to her credit, for the period of 10 years, at 6 per cent. per annum, into the hands of Duckinunder Mookerjee, banker of Calcutta.

He then related, that the prisoner on his arrival at Calcutta, in August last, had brought several letters of credit from his employers, as recommendations to bankers at Calcutta. He, during the two months after his arrival at Calcutta, put up at the house of one Bissonath But; after this he removed elsewhere.

In September last, the prisoner received from his employers a letter of credit in his favor for Sa. Rs. 5,500 on the house of Nundaram Muntree, with instructions as to its disposal. On the 13th of September he received the money, and after signing the debit in the books of Nundaram Muntree for that amount, placed the money in his own name as a deposit into the hands of the Gomasta of Nundaram Muntree. On the 13th of September, he drew this sum out and decamped from Calcutta. On the 15th of September 1836, Bissonath But, on hearing of the prisoner's abscondment, went to the Bank of Bengal, and had the payments of these notes stopped. A day or two after this, he received information from Mr. Udny, the Secretary to the Bank, that two of these notes were then presented at the Bank to be cashed. On receipt of this intelligence Bissonath But hurried to the Bank, and having got the names of the person who cashed them, he commenced retracing the possession of the notes back from the person who had them cashed at the bank to the person who received them from the prisoner at the bar. The result of this investigation was, that Baboo Duckinunder Mitter had received them as a loan on granting a Bengally bond for them in the name of a Hindoo woman named Poorneah, from the hands of a person calling himself Shurseah, who represented himself to be the agent of this woman, through the agency of the prisoner at the bar, on the 14th of September last, for the period of 10 years at 6 per cent. per annum. Baboo Duckinunder has, it appears, since this loan was effected, hearing the particulars of this case, placed the sum of Sa. Rs. 5,500 in the hands of Messrs. Carr, Tagore and Co., to be restituted to the prosecutor, if, on the

result of this case, it should appear that he is the person legally entitled to receive this money.

Bissonath But sworn, examined by Mr. Leith. I am a Brahmin, and have dealings in small cash transactions. I have had several correspondence with Eurapha Komar Swamy, the prosecutor in this case: he is a rich banker, residing at Benares. I have never seen him: I know the prisoner at the bar. He came to my house in Chait last, with letters of recommendation from the prosecutor. He put up at my house for two months. He came because Swamy sent him here to establish a banking house for him at Calcutta, and acted as his agent here. He received at hiset out from Benares from Swamy 50 rupees, clothes and a servant, and his future pay was to be adjusted hereafter. I heard this from the persons who accompanied the prisoner from Benares, and in the letter the prisoner delivered to me these facts were stated. This statement was made at my house in the presence of the prisoner.

The prisoner said, I do not understand the prosecutor's witness perfectly, because I speak the Rawnée dialect; there are persons in the Burra Bazar, who understand that language; but there are none, that can speak it in this Court now.

Mr. J. King, the Jailor, sworn.—I often had occasion to converse with the prisoner. I did so in Hindoostany, and he perfectly understood me.

Bissonath But's examination continued:—The prisoner always spoke to me in Hindoostany, and understands that dialect perfectly well.

An interpreter was here sworn; but the prisoner objected to him. Bissonath But looks at a paper, and says, I have seen this before; it is a letter of credit, and I received it by dawk. (Looks at another paper.) This I likewise received by dawk; it is written by Eurapha Swamy. This paper was enclosed in the former paper. I went with this letter of credit and asked Baboo Rada Kristo, the gomasta of Nundaram Muntree, if he would give the money stated in it. Nundaram Muntree is a banker up the country. These papers were shown by me to the prisoner at the bar; I afterwards went with him on the 12th of September 1836, and got him the money. Rada Kristo Baboo said to me in the prisoner's presence, I do not know this person; but if you will subscribe yourself security for him, and write to Swamy that you have got the money paid to him on Swamy's draft, I will give it to him,—otherwise I will not. I did so, and the prisoner received the money, and left it there to his credit, taking a receipt for the deposit. The money was paid in notes, and there was an entry of the notes made by Rada Kristo at the time. Looks at a paper, and says this is Putta Oberam's receipt for the 5,500 Sa. Rs. granted to Nundaram Muntree in my presence. The rest of the writing below the prisoner's signature is mine. This paper was afterwards transmitted to Swamy. This cash was received by the prisoner to answer the bondies Swamy had drawn here, to the amount of 7,500 Sa. Rs. This transaction was communicated to me both in letters by Swamy, and the prisoner himself said that Swamy had drawn 7,500 rs. from the house of Hursoha. These bondies are almost due, and Hursoha has given an order to Sree Kiseen Mull, to receive this sum from Swamy: how is this amount to be paid? After receiving the 5,500 Rs. the prisoner said, as soon as Sree Kiseen Mull sends a man to receive this money, I will pay it to him. After the prisoner had received the money he came to me daily as usual, till the 15th of September, 1836; on the eve of that day the prisoner ran away. That same day a man of Sree Kiseen Mull's came to me, with an intention to demand the payment of the 5,500 Rs. from the prisoner, and asked me where he resided: to oblige him I sent a

man to call the prisoner, to come and pay these drafts on him. I had seen the prisoner that day a little previously; but when I sent for him, he did not come. I then sent a person named Ramjee, with the man who came to demand the 5,500 Rs. from the prisoner, to his house. After this I did not see the prisoner again for 23 days, and then I saw him at the house of Duckenunder Mookerjee. There Hurchunder Sahon said to me, "here is the person you have accused of theft, now settle this affair amongst yourselves." Hearing this accusation, the prisoner said to me, "You call me a thief, I am not a thief, you are the thief," and abused me grossly. I replied, "You have received money on account of Swamy, to pay Sree Kissun Mull, and when the Mull sent for you, instead of paying it to him you ran away; is this not like a thief?" Hearing this, the prisoner talked at random, and abused me, and Duckenunder said, Putta Oberam has deposited this money at interest, at 6 per cent. per annum for 10 years; after the expiration of that period, I will pay it to either the prisoner, or to whosoever it may then belong. Putta Oberam has placed it with me, in the name of Poornesh, a Hindoo female, and I will before that term not pay it unless I choose." The drafts traced to the possession of Duckenunder Mookerjee, were those whose payments I had stopped at the Bengal Bank, having previously obtained their pumbers at the house of Nundaram Muntree, where they were paid to Putta Oberam. I learnt from a letter I received from Mr. Udny, that two of the notes had been presented there for payment, and went to the persons who had presented them, and traced one of them to Conny Lal Tagore, the rest were in Conny Lal Tagore's possession when I called on him. The prisoner was not with me at the time, because he had previously absconded. I conjectured this, because he had removed from his residence, and could not be found. During the conversation I had with the prisoner at Duckenunder Mookerjee's, I desired him to refund the money and save his employer's credit; and on his refusing to comply with this request, I followed him to Meer Buhir's Ghat, and had him arrested there. After the arrest, he was taken before Mr. O'Hanlon, the magistrate who said, that as the draft was to the credit of the prisoner he had a right to dispose of the money as he pleased and released him. After this I had him watched, and he was detected at Haut Khola Ghat, endeavouring to escape to Serampoor. He was on this occasion again taken into custody, and I laid a complaint against him before Mr. Macfarlan the magistrate. The drafts of Swamy have not been paid here; they were returned and paid at Benares. I have had transactions with Swamy for one year and a half. I declined acting as his gomasta here. There are persons here in Calcutta, who have seen Europha Kumar Swamy. (Names 2 persons.) I have not the letter the prisoner brought me from Swamy here; it is at my house. When the prisoner came to me, he said, Swamy has sent me to you, and for what purpose this letter will inform you. He then told me, Swamy intends to establish an agency house here, do you hire me a house; we will live together in it; and look you out for 2 gomastas, and 2 domestics. Hereafter we must buy a house, and I will be the superintendent here of this concern for Swamy, and act by your advice. He was to be a ghomasta and not a partner. What funds has he to become a partner with Swamy? What settlement the prisoner made with Swamy regarding his remuneration as his ghomasta, I do not know; but he must have made some. Prisoner declined questioning this witness.

Ram Bhow, sworn, and examined by Mr. Osborn.—I am servant of Swamy Jaffuda. I came here in Falgoun last. I used to go to Europha Swamy on the Ranny's business at Benares; he is a rich Banker there and a great man in every respect. The prisoner used to attend his office there, in expectation of being employed. I have seen the prisoner in Calcutta. Swamy told me

in the prisoner's presence, of his intention to send him to Calcutta, in order to establish an agency house at Calcutta for him, and he added that Putta Oberam would put up at Bissonath But's house. The prisoner left Benares by water on the 7th of Vangs last year, and left it by land, on the 11th of that month, for Calcutta. The prisoner used to sleep at my house at Calcutta, and took his meals at Bissonath But's for 1 month; afterwards he took them for 4 months at my house. He left my house on the 15th of Sept. 1836. On that day, when I was going to Bissonath But's, the prisoner said that he would accompany me. From Bissonath's we went together to an agent, where the prisoner received 6 notes to the amount of Sa. Rs. 5,500, and as I had never seen any notes in my life, he said look, these are notes; their value is 5,500 Sa. Rs. He then put them into his waistband and told me, now you may go to the Butgie's and I will go home. I went to Bhutgie's and found that he was asleep. When he awoke he sent a person with me, to call Putta Oberam, and I returned home with that person, and informed the prisoner there of this message.

The prisoner replied to the message, I will go by and by with Ram Bhow, and shortly afterwards he said that he was going towards the river side to take an airing. About an hour after his departure a servant of Butgie's came with a Banker's servant to demand the 5,500 rs. from the prisoner. I sent a person to search for him and call him. Shortly after this, the prisoner returned, and looked at the drafts for payment on him, and told the person who brought them, these orders are for 7,500 Sa. rs. and I have received but 5,500 rs. to meet them; but never mind, Swamy is a respectable man, and will soon pay the balance; and added, as it is now late in the evening, you can go home, and to-morrow I will settle these payments with you at the Butgie's. I decline now, as I am a new hand, and ignorant of the forms of business, otherwise I would pay you now. After this I went out to a poojah in the neighbourhood, and the prisoner staid at home. On my return I found the outer-door of the house locked, and the key missing. This induced me to enquire where the prisoner was. The proprietor of the house replied, "perhaps at Butgie's." I then went to Butgie's, but he was not there. I then returned home, slept at my landlord's house, and the next morning, on opening the house I lived in, I found that the prisoner had decamped with his traps; and I did not after this see him for twenty-five days, and then I saw him at the house of Duckenunder Mookerjee.

The prisoner declined questioning this witness.

Radhakissen, gomasta of Nundaram Muntree, merchant, Burra-Bazar, sworn.—I know the prisoner and Bissonath But; I saw them together on the 12th of September at my Banking-house. They brought a letter of credit to me. (Looks at a letter and identifies it.) They asked me for the money, and I replied, Putta Oberam is a stranger to me; but if I can get a guarantee for him I will pay the draft. Bissonath But said, I will be his guarantee; I then debited in my books Swamy 5,500 sicca rupees, and credited the prisoner at his request that sum,—got them to verify these entries and got a letter from the prisoner and Butgie for 5,500 sicca rupees on Swamy. I then granted a receipt for the deposit to prisoner. This paper, (looking at one,) is the receipt of the prisoner and Butgie for the 5,500 sicca rupees. I received it from them, and sent it by dawk to Swamy at Benares. On the 15th of Sept., the prisoner came again with Ram Bhow, and returned me my acknowledgment for the 5,500 rupees, and received in five notes of 1,000 rupees each, 5,000 sicca rupees, and one note of 500 sicca rupees, total six notes of the Bengal Bank. The entries of the numbers of the notes, were made at the same time with the payment of them to the prisoner. (Produces his books and reads the numbers.)

They were, Nos. 19,623, 19,363, 19,333, 21,399, 32,399 and 22,646; of 1,000 rupees each, and number 13,336 of 500 Rs. These are the numbers, and this entry was made on the occasion by my son in my presence. I compared the numbers on the notes with this entry of them, and found them to be correct. After receiving the cash the prisoner went away. I do not know Swamy Nunderam Muntree has corresponding houses all over the country. Nunderam Muntree resides at Bheekaneer.

The prisoner declined question this witness.

Bissonath Butpre-called and questioned by the prisoner.—Query. Is it not usual, when any person deposes a person as his gomasta to another place, for him to get the wages of that person, and file a paper of his appointment, and register it in the neighbouring Court, in the presence of two witnesses? The reply is—No.

Stanroo, sworn.—I was sent from Benares by Swamy with the prisoner to Calcutta. Swamy sent him to establish a house here for him, and gave him, when he took leave, 50 rupees and clothes in my presence, and paid me five rupees. I was sent as a cook to the prisoner. On the 15th of September last the prisoner went to Moorshedabad. We left Calcutta at eight o'clock in the evening. We went from our house to Cosminitter's Ghst, and I had the prisoner's bundle on my head. There we hired a wagon, and proceeded that night to Barrackpore, and next morning we crossed over the river to Serampore, and from thence we went to Hooghly, where we engaged a boat to take us to Moorshedabad. After a residence of seven days in that city, I asked to return to Calcutta for my clothes. The prisoner at first refused to accompany me; but eventually he did so. He transacted no business at Moorshedabad. He on his arrival here, went to Baboo Duckenunder at Howrah, returned accompanied by Duckenunder, and we crossed over all three to Calcutta. The prisoner on his return to Calcutta put up at Duckenunder's cootee four days, where a quarrel occurred between him and Butjie. I being a servant of Swamy and hearing the prisoner charged with fraud to him, left his service. The prisoner kept himself within doors during the day time, all the four days he resided at Duckenunder's house, but used to go out occasionally at night to the river side. I was cooking for the prisoner, when he first intimated to me at night, his intention of quitting Calcutta for Moorshedabad, and set off immediately without eating his meal. (To a question of the prisoner.) I do not know what pay the prisoner used to get from Swamy. Query second. If you, who were a servant under me, were to get 500 rupees for your marriage what was I to get proportionately? Reply—I don't know; Swamy gave you no vakeelnama, but gave only verbal directions to you in my presence.

Hurra Nunda Roy.—I am gomasta of Sree Kishen Doss and Sooruj Mull, bankers. I know Bissonath But. I do not know Kurapha Swamy, nor the prisoner. I received three hoondies. (Looks at some papers and says.) These are them. I received them from the gomasta's at Benares, by dawk. I sent them by a peon named Ramjee, as directed by the note enclosing them to me, to Bissonath But, who would point out the person on whom they were drawn Putta Oberam, to me. I did not receive the cash from the prisoner; but Swamy paid it at Benares. Questioned by the prisoner. I know not why the draft was drawn on you by Swamy.

Ramjee, peon, sworn.—I am a peon in the employ of the last witness, gomasta of Sree Kishendoss and Sooruj Mul. I cannot recognize papers as I cannot read or write. There were once three papers given me by the last witness, to get an acceptance on them or some money by a person, who Bissonath But

was to point out to me. Butjie sent me to the prisoner, who read the papers, and told me to come the next day to the Butjie's, and he would pay me the money there. On enquiry next day at the Butjie's, I learnt, that the prisoner had absconded.

Bissonath But re-called. (Looks at three papers) These are the hoondies that the last witness brought to me to ascertain the particulars; they are drafts on the prisoner. I do not know what their amount is, as they are written in a language I don't understand. They are drawn by Swamy, of the prisoner, in favor of Sree-kissen Mull and made payable to his gomasta here.

Baboo Duckenunder Mookerjee, sworn.—I am son-in-law of Hurrishchunder Tagore. I first became acquainted in March or April with the prisoner. I had some money transactions with him in September, but the date I don't remember. He came to me with another man named Shursha, and deposited with me 5,500 sa. rs. to the credit of a Hindoo woman named Poorneah. The amount was in five notes of 1,000 sa. rs. each, and one note of 500 sa. rs. Their numbers correspond with the note Mr. Preston wrote to me about. I had taken a memorandum of the notes, but I have not brought it with me. They were Bank of Bengal notes. I do not know the woman in whose name they were deposited; all that I ever knew of her was by the account of the prisoner. I acknowledge my fault in not bringing the memorandum of the Nos. of the notes. I gave a bond for the 5,500 sa. rs. The original bond I have given to the prisoner. I heard from the prisoner that the woman was a rich widow up the country, and Shursha is her mookar. As I did not lend the money I made no inquiries about her. I have the amount by me, ready to give it up on being exempted from all future claims on the obligation I gave for it. As this deposit was advantageous to me, I accepted it: if it were not so, I would not have accepted it. At the time I swore that the money was with Messrs. Carr, Tagore and Co., it was there; but now I have withdrawn it. I was present at the quarrel between Bissonath But and the prisoner, who soon after this deposit was made, disappeared for twenty days. On his return, he was four days at my house, because I wished to get him to return the bond I gave him, and to induce him to return the money to the proper owner of it. I lent these notes to Connyall Tagore, on his promissory note to me, at 12 per cent., a few days after they were deposited with me. I lent them before I had intimation of the prisoner's fraudulent conduct. I do not think the interest is too low for Hindoo females to receive; for as they have no commercial dealings, they cannot make advantageous investments of their monies. This witness was very flippant in his replies to Mr. Osborne. The Judge told him that his replies were highly improper, and though he might make light matter of this charge, it was a serious one in the Judge's opinion, and his conduct in not bringing the memorandums was very wrong. This witness said, that the first notice he had to bring them was at ten o'clock this morning, at Mr. Hedger's office, and thinking it might be too late to go back for them, he did not do so. He knew the prisoner to be a man of property. Prisoner asked him what would be the expense of sending a person as an agent for Baiza Baie, the widow of Scindea, to England.

Hurrishchunder Tagore, sworn. I have no employ. I am the father-in-law of the last witness. I have seen the prisoner at the bar occasionally. It was about the 15th of Sept. 1836, when he lent money to my son-in-law. As the party depositing the money refused to take an acknowledgment in Bengally for it, I wrote one out in Hindoostanee. Duckenunder signed it, and then secured the money, viz. Bank of Bengal notes; 3 of 1,000 rs. each and 1 of 500 rs. He next day lent the money to Baboo Connyall Tagore. The notes were deposited in the

name of Poorneah Bewah. She is a complete stranger to me, and I made no enquiries about her. A quarrel did take place with the prisoner and Bissonath But about this, in my presence. Prisoner remained after this 2 or 3 days more in my house. I might have seen him at the police. I do not recollect seeing him since. I do not recollect going to see him at the jail. (Here he was reprimanded by the Judge and desired to give direct replies.) I never saw the prisoner at the jail. I never had cash transactions with the prisoner before. I never saw the person who acted as mooktar for Poorneah before or after the 15th of September last.

Baboo Cannylall Tagore, sworn—Yesterday at 5 p. m. I received the subpoena of this Court to bring my books, &c. connected with my loan from Duckenunder. I have not brought my books. The No.'s of the notes were taken down by my sircar before me. The No.'s of the notes were all that were required, and I have brought them. These No.'s I cannot tell by memory. Duckenunder Mookerjee once lent me 5,900 Co.'s Rs. Hurrishchunder Tagore knowing that I required 5,900 Co.'s Rs., wrote to me that if I would grant a note payable after three months, in favor of Duckenunder Baboo, he would lend me the amount. I did so, and sent it by my servant Ramilhon, who brought me the cash. I received in Bengal Bank notes 5,500 rupees and the balance in silver. The prisoner represented himself to me as an agent of Baiza Baiz.

Seehchunder Sait, sworn.—I keep the No.'s of the notes at the Bank of Bengal. I produce these notes here. I got them from Mr. G. Udny, the Secretary to the Bank. These books are kept by three persons. They are the registry of the No.'s of the Bank of Bengal notes, both as to their issue, and their return. Issued on the 22nd August 1836, returned on 31st October 1836 No. 13,336 for sa. rs. 500.

The prosecutor's attorney failed to prove, by whom those notes were paid in into the Bank, and likewise to identify the notes produced in Court to be the same notes which the gomasta of Nunderam Muntres had paid to the prisoner, and that they are the very notes which Duckenunder Mookerjee received from the prisoner; for none of the persons through whose hands they passed, had put any memorandum on them to identify them again. After this the translations of papers filed in this case, were read to the jury, and they closed the prosecutor's case.

The prisoner declined saying anything in his defence, but put in a written paper, which contained, as he said, his defence. It was a petition and was thus worded.

The petition of Putta Oberam.

Sheweth,—That religious enthusiasm incited this petitioner to visit Benares, where he dwelt. In 1835, he entrusted for Shurseah 400 gold mohurs in Erepha Swamy's hands. In 1836 Shurseah asked me for this money, and I demanded it from Swamy. Swamy replied, the money is spent. On hearing this I said, that I would pay Shurseah, but as I intend going to Calcutta, I must there receive this money, with interest. Swamy said very well. After I had been here some time, I remarked one day to Butjie, it is very strange this money is not remitted to me. Butjie said it will come in a few days no doubt. Shortly after this the boomie came in my name, and I received the money. This ended the petition. The prisoner then said verbally, I have not stolen this money, but received it on my receipt. I had four witnesses as to the deposit at Benares. Why is not the prosecutor here to swear to the charge himself. Butjie wanted me to lend him this money, and on

my refusing the loan to him, saying that I had already paid it away, he trumped up this charge against me, and had me taken into custody and brought to the Police, where the case was dismissed by Mr. O'Hanlon, the Magistrate. After this Butjie again prosecuted me for this, at the Supreme Court, where, as the charge was one of felony and I had, even by the prosecutor's own statement, made myself liable only to civil action, I was again acquitted, before Sir B. Malkin, the presiding Judge, by the jury. But Swamy, not being satisfied with this verdict, has again prosecuted me maliciously, aided by false witnesses. My four witnesses are at Benares. The Judge here said, that if he had stated this circumstance before the trial was called on to the jailor, he should have heard of it, and if any respectable persons would then have verified that such persons are at Benares, and that they are respectable persons, whose evidence would be material to the prisoner in this case, he would have postponed the trial of it for their attendance—now it is too late.

The prisoner replied I was a poor man and put in jail, who was to give me this information and advice. I came as an agent for Baiz Baiz, the widow of Doulut Rao Scindia, never as the servant of the prosecutor. This closed his defence.

The Judge then addressed the jury, and said, the prisoner under section 100 of the criminal act, relating to this country, is charged with embezzlement and larceny; you must first be satisfied the prisoner is Europha Komar Swamy's, the prosecutor's servant, and that the money he received was Europha Komar Swamy's, and that it was entrusted to the prisoner, to be employed for the benefit of the prosecutor, and that instead of so doing the prisoner has converted it fraudulently to his own use and purpose. Here the judge detailed minutely the evidence taken in this case, commenting on each point adduced; after he had concluded these remarks, he told the jury, that if they had any doubts on the case, to give the prisoner the benefit of it.

The jury retired for about half an hour, taking all the documents filed in this case with them, and on their return, passed a verdict of guilty against the prisoner.

The judge after the verdict was recorded, addressed the prisoner. Putta Oberam, the jury has found you guilty of embezzling your master Europha Komar Swamy's money, to a large amount. You who were employed to protect his property here, are the first to rob him of it. I do not intend to pass the severest sentence the law admits of in this case against you; but I cannot permit you to remain any longer in this country. The sentence of the Court, therefore, against you is, that you be transported to the S. E. coast of Martaban, for the period of seven years.

After this the Judge discharged the jury for to-day, remarking that he strongly disapproved of the facility with which the loan for sa. rs. 5,500 was contracted, between the prisoner at the bar and Duckenunder Mookerjee. After the jury had retired, Mr. Osborne moved the court, that it being left to the judge by the 110th section of the criminal act, in case where money had been feloniously or fraudulently obtained, and the charge substantiated, to order the restitution of the money to the prosecutor, he begged that an order may be passed to that effect, in favor of the prosecutor in this case.

The Judge replied, that as Duckenunder Mookerjee, had failed to bring his memorandum book of the numbers of the notes he received from the prisoner, and as neither the gomasta who paid the notes to the prisoner, nor Duckenunder Mookerjee, who received them from

him, had put any mark on any of them, so as to be able to identify them again in court to-day; and as the prosecutor has thereby failed in their identification, he cannot order their restitution. He again commented on the facility with which this loan with Duckenunder was transacted, and disapproved of Duckenunder's whole conduct generally in this case.

After this the court adjourned till 11 o'clock to-morrow morning.—*India Gaz. February 27.*

MADRAS SUPREME COURT.

The trial of nineteen sepoys, for an assault and rescue was entered upon on Thursday last, and occupied the Court not only the whole of that day and the following, but a part of Saturday, when a verdict of Guilty against six, viz. *Maonlan, Choultan, Coopen, Chinnian, Francis and Chinaman*, was recorded and the others acquitted.

His Lordship, Sir E. J. Gambier, desired it should be communicated to the Prisoners acquitted, that the Jury had taken a merciful view of their case: a doubt did exist, and the Jury had given them the benefit of that doubt: they were then ordered to be discharged. His Lordship then proceeded to pass sentence on the six who had been convicted. He observed they had been found guilty on testimony that left no doubt of their guilt—they had been convicted of disturbing the public peace, and as sepoys they ought to be the last persons to be guilty of such proceedings; his Lordship said there was nothing in the evidence that had been adduced to distinguish one from the other—they had been equally guilty and must equally suffer and the sentence awarded was—That they be imprisoned each for two months.—*Madras Courier, Jan. 30.*

Yesterday, as may be supposed, much anxiety was felt on the subject of the trial of Lieutenants H. Green and C. H. Winfield and Ensign J. H. M. Phillips of the 18th N. I. and Mr. Assistant Surgeon Maginnis, for an assault and rescue. From the character of the evidence that had been given on Saturday, and which, if not impeached or confuted, it was supposed would make against them; and the consequences be such as might go far to affect their future prospects.

The Court was opened at 11 o'clock, but was unable to proceed with the trial until towards 12, in consequence of the absence of one of the Jury; he at last made his appearance, but not till a fine of 70 rupees had been recorded against him, when the trial was proceeded with.

Four other witnesses on the part of the Prosecutors were examined and *Ramalingum*, one of the witnesses, examined, on Saturday, re-called and further examined when the Court informed the Counsel for the Prisoners, that the case on the part of the Prosecution was closed.

Mr. Smith, on behalf of the Prisoners, addressed the Jury at considerable length—remarking on the offence charged and evidence adduced in support of it, with much judgment and ability—appealing to the Jury, whether it was likely the parties charged could have committed themselves in the way and to the extent described; but he assured them whatever impression the evidence as given before them might have produced, he was prepared to show that, wherein the witnesses had not confuted each other, their testimony was altogether unworthy of credit. We are unprepared to follow the learned gentleman in all the arguments he brought to bear on the case, but we could have wished he had refrained from appealing to the sympathy and compassion of the Jury: his object, we feel assured, would have been attained had he sought nothing from their compassion, and been less solicitous to draw their attention to the state of his clients' finances than the merits of the case he was prepared to make out for them. We dislike these appeals to the tender mercies of a Jury where no real cause may exist to justify such a course, for in nine cases out of ten they are calculated to do more harm than good.

But two witnesses, it may be said, were called to depose to facts connected with the case, and their testimony went to disprove the graver part of the offence charged against the Prisoners, and to divest it of the great criminality which the evidence for the Prosecution had clothed it with: other witnesses were, it was said, in attendance, but it was by Counsel deemed unnecessary to call them. Both Col. Conway and Hanson, the Adjutant and Quarter Master Generals of the Army, spoke in the highest terms of the peaceable and amiable character of Lieut. Green, who they believed was the very last officer in the army that would be guilty of the offence now imputed to him. The defence having been gone through, it appeared to be the wish of the Bench to adjourn the Court to the following day; but the Jury having made known that they were quite satisfied and prepared to return a verdict, the Judge was relieved from the duty of summing up; observing, if the Jury had agreed upon a verdict, it would be unnecessary for him to detain them with any observations; the verdict of the Jury was then taken in the usual form, and the Prisoners declared severally—*Not Guilty.*—*Madras Courier, Jan. 31.*

INSOLVENT COURT.

SATURDAY, 11TH FEB.

(Before Sir B. Malkin, Commissioner.)

DISCHARGE OF INSOLVENTS.

John Howard D'Souza was called, and being sworn to his affidavit, was discharged, no body opposing.

Emanuel Gonsalves, (opposed by Mr. J. Gray, Printer of the *Bengal Hurkaru*.) examined by Longueville Clarke, Esq., said, he was arrested originally at the suit of one John Elias, under a decree of the Petty Court, and was discharged after having filed his petition; was also arrested at the suit of one Rongoun Ulee, for four rupees four annas, and released, was last arrested at the suit of one Kenderdine upon a decree of the Petty

Court, but whose debt was not inserted in the schedule. Did not incur the debt of four rupees in cash; but in goods. The schedule was filed on the 31st of December 1836, and Kenderdine's debt was contracted on the 30th January 1837. Kenderdine is a man. Does know much of him, but does not know his place of residence. Kenderdine came to the jail on a visit, and the petitioner asked him for the loan of 32 sicca rupees, which Kenderdine lent. Did not know that sicca were scarce, as many of them are in circulation. Nobody saw Kenderdine give examinant the money. Does not know how Kenderdine found out that examinant was discharged, and in answer to the Commissioner said, he was arrested on a Judge Warrant from the Petty Court. The case of Kenderdine has not been decreed, but will be heard on Monday the 13th. Was not summoned to Kenderdine's case but was arrested and taken to the Petty Court, the Commissioner of which Court wished to release the examinant

on security, which examinant could not give. Kenderline did not appear on that day, but sent a Doctor's letter, saying he was sick. The Commissioner of the Petty Court wished the examinant to come to the Court on Monday next, but examinant refused to go. Is in debt to Mr. Gray in the sum of 1,251 rupees, being the amount of damages and costs obtained against examinant in an action of libel. Is in debt to Mr. Martindell, Attorney at Law, for costs. Mr. Martindell never rendered examinant's account, and withheld the accounts though examinant often called on Mr. Martindell for them. Believes Mr. Martindell intends taxing his bill after examinant's discharge by this Court. Has no property. Knows Doorgapersaud Bannerjeea, but not Mugdun Mohun Mullick. Never lent Doorgapersaud 1,000 rupees. Never saw the paper produced by Mr. Clarke. Did not receive that paper before. Did not get that paper from Doorgapersaud for money to the amount of 500 rupees in the month of February 1835, which Doorgapersaud repaid last year. The 500 rupees was not examinant's own, but the property of a widow of the name of Fernandes since dead. He refunded her the money previous to her demise. Took no security from Doorgapersaud, beyond a promissory note, but not the one produced by Mr. Clarke, as it has too many cuts, and examinant never got such cuts in his life. Returned the promissory note to Doorgapersaud, on receiving the amount of it from him. Of the amount of debt to Mr. Gray, 100 Rs. is only the amount of damages, but the rest is costs.

In reply to Mr. Strettell, insolvent's Attorney, he said he was released on Roossun Ullie's suit, the debt having been paid by Mr. Gray the opposing creditor, without a reference or consent of examinant. Mr. Gray took out execution on his judgement, and withdrew it, without arresting examinant.

Mr. Clarke argued as follows: First, that the insolvent having been discharged from prison, subsequent to presenting his petition for release from prison, the whole proceedings fell to the ground. He might have been entitled to relief while in custody—what relief could be now afforded to him? The custody in which he now was, did not exist when he presented his petition, how then can he be released from that, against which he has not petitioned? Where is to be the limitation? Suppose a man who is in confinement presents his petition and is released by his creditors before the hearing, twenty years afterwards, he is again taken up on a new debt, (as is the present case) shall he, after a lapse of twenty years, go back on his old petition? The notion is preposterous: yet, if there be any thing in the insolvent's claim for discharge, this practice must be introduced, for there is nothing to distinguish between one day, or twenty years, or at least there is no authority for drawing any distinction.

The second point was, that the present confinement was no confinement at all. It was purposely caused by the insolvent. What was his statement? A man whom he never saw before, whose residence he did not know, and who without any motive for which he could account, called on him in jail, and lent him 32 rupees; and having done this, he brings an action in the Petty Court. But does not appear at its hearing, and though the Commissioner offered to release the insolvent if he would promise to come back on Monday, the insolvent preferred going to jail. An imprisonment depending, on such a story, must be treated as a mere fraud on the insolvent's part, and he must be considered; and his case adjudged, as if he were not in confinement, and cited a case that occurred in this Court some time since of Willoughby Fraser Hare, an insolvent, who was not considered entitled to relief, as he was not in custody at the hearing of his application; that though the above case was not exactly analogous to the case of Gonsalves, yet if went

to support the arguments already adduced; and concluded by observing, that setting aside other circumstances, the insolvent could not avail himself of the act to be relieved of damages awarded against him by the Supreme Court.

Sir Benjamin Malkin held the arguments adduced as strong against the insolvent; but said that though the Act of Parliament required persons in actual prison to be released, yet the words were not quoted in the insolvent act. He, however, concurred with Mr. Clarke in denying the prisoner relief for the amount of damages awarded against him, and asked Mr. Strettell whether he had any amendments to propose to the schedule?

Mr. Strettell suggested some amendments, when the insolvent was remanded to this day fortnight to amend his schedule.

In answer to an observation of Mr. Strettell's, that he had evidence to adduce, and that the observations of Mr. Clarke did not operate to deprive the insolvent of the benefit of his petition, the insolvent having been in custody at the time of presenting his petition, and having assigned his property to the assignee, and brought himself within the provisions of the act which did not require a party to be in custody at the time of his hearing, however this might be the opposing creditor having himself paid the detaining debt for the purpose of rendering nugatory the proceedings which had taken place, could not avail himself of his own wrong, and that he considered such an attempt after the order of Court, to amount to a contempt.

CONTEMPT OF COURT.

In the Court for the Relief of the Insolvent Debtors in Calcutta. In the matter of James Cullen and Robert Browne.

The Humble Petition of James McCillop, of London, Merchant and Agent. Sheweth.

That your petitioner, on the 6th day of November last past, presented his petition to this Honorable Court praying that Thomas Holroyd, Esq., the assignee of the estate and effects of the said James Cullen and Robert Browne, should pay to your petitioner as a creditor of the said estate, certain dividends then due and payable at the rate declared, and also all dividends which might thenceforth become due and payable on the claim of your petitioner appearing admitted on the schedule of the said James Cullen and Robert Browne.

That this Honorable Court, on the day and year last aforesaid, was pleased to order and direct that the said assignee should make such payments as was prayed for by your petitioner in his said petition, unless cause should be shewn to the contrary.

That certain creditors of the said estate having, by their counsel, opposed such order being made absolute, several proceedings have been had on the petition of your petitioner, and that on the 14th day of January last past, the said James Cullen was examined as a witness in this Honorable Court at great length, touching the said matter, and that on the 21st day of January last past, Rumsomoy Dutt was also examined as a witness in this Honorable Court touching the said matter.

That the proceedings on the matter of the said petition are not yet closed, and that other witnesses are still to be examined both on behalf of the said creditors so opposing your said petitioner's claim, as well as on behalf of your petitioner.

That on the 20th day of January last past, a certain letter signed a creditor was published in a certain daily newspaper called the "*Englishman and Military Chronicle*," published and circulated in Calcutta, and which said letter contains many untrue statements, and unfair comments regarding your petitioner's said claim, now

pending before, and under the consideration of this Honorable Court.

That the said letter also contains an untrue statement regarding the conduct of the said James Cullen, and the matters deposed to by him before this Honorable Court, which said statements are calculated to induce a belief, that he, the said James Cullen, had been guilty of perjury, and had acted fraudulently.

That the evidence of the said James Cullen is most material in support of the claim of your petitioner, and that such charges against the said James Cullen as well as the said other statements made and published in the said letter, tend to prejudice the case of your petitioners, and are, as your petitioner humbly submits, a contempt of this Honorable Court.

That Joaquim Habert Stocqueler is the Proprietor and Editor of the said *Englishman* and *Military Chronicle* newspapers.

Your petitioner humbly prays that the said Joaquim Habert Stocqueler may be directed to attend before this Honorable Court, and that such order may be made touching the said contempt as to this Honorable Court shall seem meet and the justice of the case require.

A copy of the *Englishman* of the 20th January last, was appended to the above petition from which the Clerk read out the letter of a creditor and also read an affidavit of one Rodriguez in the employ of Messrs. Swinhoe, Attornies at Law, together with a copy of the *Englishman* of the 9th of February, from which the leading article was read out.

The Advocate-General then read the following paragraph from the letter of a creditor

"I had almost forgotten to mention, that Mr. Cullen has refused to make over some of the property of the house, which was not properly made over to the Assignee at the time he received his discharge, although I believe at the time of his getting it, it was necessary to swear that such was the case. This I should say vitiated the proceedings that give it him, he certainly should be the last person to attempt to injure the wretched remnant he has left us." It was obvious Mr. Cullen was here accused of refusing to assign his own interest in property, and having falsely sworn he had done so, in order to procure his discharge. So far from this being the case, Mr. Cullen on presenting his petition, had conveyed to the assignees all the interest of any kind or sort, which he possessed in any property whatsoever, but a Power of Attorney had been sent to Mr. Cullen by Mr. James McKillop, to execute deeds for that gentleman. Now there was real property belonging to the house in which Mr. McKillop had the legal, though not the beneficial interest, and when the assignee wanted to sell these estates, it was necessary to get Mr. McKillop to join in the conveyance. Mr. Cullen, under the power of attorney, had in several instances signed Mr. McKillop's name; but when the assignee refused to admit Mr. McKillop's claim as a creditor, then Mr. Cullen considered, that he ought not to assist the assignee in making further sales, by continuing to sign Mr. McKillop's name, without that Gentleman's authority; he offered, however, to do so, if the assignee could obtain the opinion of his own counsel, that he, Mr. Cullen, would not be acting illegally. Accordingly the assignee's two counsel were consulted, and they gave a joint opinion that under the circumstances Mr. Cullen ought not to sign Mr. McKillop's name to any more conveyances, and that if he did, he might be made a party to equity suits. Such were the real facts. Could any thing be more fair than the conduct of Mr. Cullen, and was there the slightest foundation for the charge of fraud and perjury? Was there any thing to justify the gross and unfounded misrepresentation contained in the letter of a creditor? The learned counsel said he could assert without fear, that the

charge contained in the letter was a falsehood, without saying any thing regarding the conduct of those who would wish to trample on persons already buried in deep misfortune. It was quite unnecessary for him to tell the Court their duty, that of punishing by fine, or imprisonment for a contempt. He quoted the 1st Section of the Insolvent Act, and held that comment on evidence pending a discussion in Court, was a clear contempt and cited second Atkinson 469, 471; but that he was prepared to abandon the present proceedings, if Mr. Stocqueler (present in Court) would give up the author of the letter in question. The learned Counsel had subpoenaed witnesses who were present, by whom, if he failed to discover the author of the letter, he would be obliged to make the Proprietor of the *Englishman* newspaper liable for such an unfounded publication as the letter of a creditor.

Mr. Stocqueler did not answer, and the learned Counsel then said he had no alternative, but to leave the matter in the hands of the Court.

Mr. Strettell said that he had been solicited by Mr. Stocqueler to assist him, and suggested that the order sought for by the Advocate-General must be a *Rule Nisi*; that Mr. Stocqueler had attended under an order to be examined, which he could not do where such examination tended to criminate himself.

The Advocate-General then called Mr. Robert Buckland, who, on being duly sworn, deposed, that he, Robert Buckland, is employed in the establishment of the *Englishman*. That Mr. Joaquim Habert Stocqueler was the Editor and Proprietor of the *Englishman* newspaper on the 20th of January last past, and also on the 9th of February instant. That the papers produced were published from the *Englishman* Press on the dates stated, the aforesaid Joaquim Habert Stocqueler being the Editor and Proprietor.

Mr. Strettell again urged that Mr. Stocqueler was not prepared and sought for a postponement.

The Commissioner thought there was no objection to allow time, but that it rested with the Advocate-General to take security or Mr. Stocqueler's word for his appearance on a future day.

The Advocate-General said he would be satisfied with Mr. Stocqueler's word for his appearance, and the case was accordingly postponed to Monday the 20th instant, 11 a. m. of the day

INSOLVENT ESTATES.

An order was made for a dividend of ten per cent. in the estate of Ferguson and Co., and for a final dividend of fifteen per cent in that of Mr. Wm. Fange Clarke.

The Advocate-General applied on account of the Bank of Bengal, for an order to oblige the assignee of Ferguson and Co. to admit the claim of the Bank to dividends upon the sum of about 6,50,000, for which that firm had already been declared liable upon the bill transactions connected with the firm of Alexander and Co. Mr. Longueville Clarke contended, that the Insolvent Court had not power to adjudicate a claim of this kind, and the claimants should bring their action in a regular way. With the consent of both parties, the case was postponed till next Court day, but with an understanding, that the Assignee should reserve for the Bank, out of the dividend now declared, as if its claim were recognized to the full amount. —*Ind. Gaz.* Feb. 13.

MONDAY, 21st FEBRUARY.

In the matter of James Cullen and Robert Brown.

This was the application in which Mr. Stocqueler had been allowed time to prepare his opposition to the Advocate-General's motion for contempt of court.

Mr. Strettel, in the first place, objected to the appearance of the Advocate-General, and put in a certificate from the officer of the court, that on the part of Mr. James Mackillop there was no retainer on the file.

Sir B. Malkin thought that was a matter for the discretion of the court, and enquired if Mr. Strettel had any thing to urge, as to the power of the court to punish for contempt, or as to extent of punishment, supposing this a contempt, in which the powers of the court ought to be exercised.

Mr. Strettel then urged several objections to the power of the court, pointing out that this application was made on behalf of James Mackillop, a party not now within the jurisdiction of the court. As to the letter of a creditor he urged that it was such as might have been expected to proceed from a party whose situation had been changed from affluence to poverty by the failure of Crutenden and Co., and though not legally justifiable, one which the court would treat with lenient consideration. He entered at much length into the circumstances which called forth the various objectionable passages in the letter, and drew the attention of the court to the absence of any affidavit from Mr. Cullen, or the party on whose behalf this application was made, contradicting the assertions in the letter. Mr. Strettel then put in an affidavit, sworn by Mr. Stocqueler, which set forth;—that Mr. J. Mackillop is a resident in London, and, as the deponent believes, not personally subject to the jurisdiction of the court;—that Mr. Justice Malkin, the commissioner before whom the proceedings relating to this matter have been chiefly if not wholly had, is not a subscriber to the *Englishman*, nor is any copy thereof sent for his perusal. That the letter signed a creditor which appeared in the *Englishman* of the 20th of January last, was received at a time when the deponent was busily engaged, and that being acquainted with the hand-writing of the correspondent, whose previous letters he was not aware to have been objectionable, he sent the letter down to the press without reading the same, and that he did not read the letter until the same had been published on the following day. That on Sunday, the 22d January, a letter was received by the deponent in manuscript, from Messrs. Waddington and Wilson, attorneys for the assignees of Crutenden and Co., which letter contained a contradiction of the statement contained in the letter of a creditor, that he was then for the first time made acquainted that certain parts of the letter were considered to be objectionable and to contain an unwarranted imputation respecting Mr. Cullen. That immediately on the receipt of the letter of Messrs. Waddington and Wilson, he put the same into the hands of one of the compositors for the purpose that it should appear in the *Englishman* of the following day, with an editorial observation, directing the attention of the readers to the letter last mentioned. That he was informed Mr. Thomas Holroyd had called at the office during his absence, and requested that the letter might not be published, as it had been sent by Messrs. Waddington and Wilson, without his, Mr. Holroyd's, sanction. That Mr. J. H. Leighton wrote to the *Englishman* office a letter, on behalf of Mr. Holroyd, containing the like request; and that Mr. Leighton, also, on the same evening, called at the office, when the deponent expressed his desire and readiness to insert any refutation of the letter signed a creditor, if he could obtain any authentic account of the transaction therein alluded to. That on the following morning a note was brought to the *Englishman* office from Messrs. Waddington and Wilson, requesting the return of their letter, which was accordingly returned to them. That the deponent would have editorially observed on the letter of a creditor, and regretted that the same had

been published, but that he was left in difficulty as to the real circumstances mentioned in the letter, and was therefore unable to do so with justice to either party;—that the observation contained in the letter of a creditor, being hypothetical, the deponent did not on perusal of the same, believe that they would or could throw any discredit on the evidence of Mr. Cullen, nor does he believe the publication of the letter can or will influence the decision of the court or injure the interests of Mr. James Mackillop.

Mr. Advocate-General and Mr. Clarke were heard in support of the application. But the hour at which the court rose prevents the reporter giving any part of their observations.

Sir B. Malkin, in giving judgment, said, he had no doubt that this was a court of record without any limitation, and perfectly competent to interfere in this matter; and he had as little doubt that the letter of a creditor was a contempt of this court. But the question was, is it such a contempt as the court is called on to visit with a punishment? With reference to that point, the case appears under very peculiar circumstances. When this matter was first brought forward, the court, at the request of Mr. Strettel, allowed Mr. Stocqueler nine days to prepare an answer, and, certainly at that time, he did entertain considerable doubt, whether this was a case in which the court would use that power with which it is vested, — that is, whether had Mr. Stocqueler urged it, there had not been, in his opinion, a palpable excuse for the publication of the letter. He thought it possible that Mr. Stocqueler, referring to the author of the letter, might have said, here is a person of a certain station in society, the author of this statement, and although, strictly speaking, the communication should only be made to the parties by whom he is deputed, I do not think I ought to be subjected to any punishment in giving publicity to it at his request. But on looking at the paper, it did appear to him that the publication was intended for a more extensive circulation than to the parties only by whom the writer purported to have been deputed. He had already said that the matter came forward under peculiar circumstances, for Mr. Strettel had not argued that the publication was excusable on the ground to which he had just alluded, but that the letter was excusable, not on the part of Mr. Stocqueler, but on the part of the person who composed it. But the peculiarities of the case did not stop here. The affidavit went on entirely different grounds to those advanced in support of the case. At the time of making this application, it certainly did appear to him to be rather a hard measure to go against the publisher and not against the author; but after the cases cited, it appeared difficult to take any other course, as the parties there proceeded against were the publishers and not the authors. In the case in 2d Atkins it was urged, by way of alleviation, that the parties did not know the nature of the paper, and that printing papers and pamphlets was a trade by which they got their living; "but," Lord Hardwicke said, "though it is true, this is a trade, yet they must take care to do it with prudence and caution, for if they print any thing that is libellous it is no excuse to say, that the printer had no knowledge of the contents, and was entirely ignorant of its being libellous; and so is the rule of law, and I will always adhere to the rule of law in these cases." Now, though he had sworn he published inadvertently, it was clear that Mr. Stocqueler knew, and might have given up the name of the author of the letter; and, not having done so, he stands precisely in the position of the case in 2d Atkins. In the case in 13th Vesey the satisfactory account given by the printers seems to have weighed with the court. There Lord Mansfield said "the maxim *actus non facit reum, nisi mens sit rea* cannot be made

applicable to this subject in the ordinary administration of justice; as the effect would be that the ends of justice would be defeated by contrivances. But upon the satisfactory account given by the printers, though under a criminal proceeding, they would be in mercy, in a case of contempt, though I have the jurisdiction I will not exercise it." And on the authority of that case he would have been inclined to act, could he have seen a complete and satisfactory account contained in the affidavit of Mr. Stocqueler. After giving that affidavit full consideration, it appeared to him to be merely as to the question of libel or no libel on Mr. Cullen, professing his readiness to insert a counter-statement of the letter complained of which he did not think was likely to be injurious to Mr. Cullen. But, it did not appear that any expression of regret had been published by Mr. Stocqueler regarding his inadvertence. The affidavit was merely as to the question between Mr. Cullen and Mr. Stocqueler, but did not contain a word having reference to the question between Mr. Stocqueler and the court. To that there was no answer; of that

there was no account whatever. The learned judge then alluded to the power he had of inflicting a pecuniary fine which he said, if he inflicted, would enable the party who is behind to come forward and prevent Mr. Stocqueler being the sufferer. It was not for him to say the party ought, or ought not, to come forward. But it was more satisfactory to him that he had a discretionary power to punish by fine rather than to punish by commitment. He did not treat the subject as one in which Mr. Stocqueler intended to interfere with the due administration of justice, by the publication of anything likely to influence his mind, or the mind of any other commissioner, but on the grounds of the decision in *2d Atkins*, "nothing is more incumbent upon courts of justice, than to preserve their proceedings from being misrepresented; nor is there any thing of more pernicious consequence, than to prejudice the minds of the public against persons concerned as parties in causes, before the cause is finally heard." He did not think this was a trivial case, and he was glad he had the power of visiting Mr. Stocqueler with a fine of Rs. 500 for the offence.—*Englishman*, February 21.

COURT OF REQUESTS.

FEBRUARY 15, 1837.

Before Messrs. G. J. Gordon and C. W. Brietzcke, Esqrs., Commrs.

KENDERDINE versus E. GONSAVES—suit for Sa. Rs. 32.

CASE OF PERJURY AND COLLUSION TO DEFRAUD CREDITORS IN THE INSOLVENT COURT.

The defendant in this case having confessed the debt on Monday last, and said that he had nothing to urge against a decree being passed against him for the amount, for which he was arrested on a judge warrant, obtained by the plaintiff on the 3d instant, on an affidavit of debt, the Court decreed the case.

Yesterday, the Commissioners conceiving, from some circumstances brought to their notice, that Kenderdine had connived in this matter with Gonsalves, in order to have him put into jail again, after his release on the 2d of this month, in order to enable Gonsalves to proceed with the proceedings he had adopted through his attorney, Mr. C. G. Strettell, to enable him to take the benefit of the Insolvent Act.

An order was issued for Kenderdine's appearance to-day at this Court, at 10 o'clock, A. M., and the jailor of this Court was likewise instructed to bring up Gonsalves into this Court, to have the matter re-investigated.

Kenderdine was the first person examined, Gonsalves being all the time Kenderdine's evidence was taken, kept aloof in another room.

Kenderdine deposed, that he knew Gonsalves for about 9 years. The last time he saw Gonsalves previous to his visit to him in the jail of Calcutta, was about the time Gonsalves's wife died, this was about 8 years ago; since which period he has been serving in several situations on board of different vessels to and from Calcutta. His last voyage was in the *Resource* about 2 years ago; after this he served as a writer in Mr. Smoult's office, and has from the commencement of this year set up as a provisioner, to supply provisions to ships lying off the port of Calcutta. On the 6th of January last, he went with some provisions on board the *General Palmer* and the *Louisiana*, and sold them to the crew for ready money 200 rupees. He did not recollect their names. The money he received was, in all, sicca rupees 45. On

his way back, he went to Kidderpore bazar, where hearing that his friend Gonsalves, who had at one time assisted him with small loans about eight years ago, and had at that time endeavoured to get him a situation at the *Hurkaru Press*, where he was then employed, and with whom he got acquainted at a party, was in the Calcutta jail, he went on the 6th, at about 12 o'clock, into the Calcutta jail to see him, and they had no conversation except that on Gonsalves inquiring of him what he was doing, he said that he had set up as a provisioner. Gonsalves asked him to lend him 32 rupees. He pulled out sa. rs. 32 out of his pocket and lent them to him. Gonsalves wrote out a receipt for Co.'s rupees 32, writing company's in full. Kenderdine remarked to him, that he had borrowed sa. rs., and why did he give the receipt for Co.'s rs. Kenderdine took the receipt home, and there, 2 or 3 days afterwards, erased the word company, and substituted sa. rs.; this is the reason why the ink of sa. rs. is darker than the rest of the ink. There were pen, ink and paper in a drawer when Kenderdine lent the money. After this, he went to live with Gonsalves's child's mother in Mery Janny's Gully, on the 20th of January. He did not know at that time, that Gonsalves was the father of the child. He learnt this afterwards on the 2d, when the female, whose name he did not know, told him that Gonsalves was the father of the child, and would not support it, and that he would be released to-day. This was on the 2d instant. He then formed a bad opinion of Gonsalves, and came the next day and took out a judge warrant from this court on oath, and went with Mr. Goulman, the bailiff, and had him arrested.

There were several contradictions in this deponent's evidence; first he said that he had received the money on the 6th inst., then he said on the 3d instant; again he said that he had not seen Gonsalves for 8 years previous to his visit in the jail; then he said that all the time he was very intimate with him, and had paid him the money he had borrowed from him, either before or after his return from sea, asserting both positively. Further he said, that he had never settled his accounts with Gonsalves, and could not say if he did or did not owe him some money; yet, on account of the sums he borrowed from him, he never gave nor had from Gonsalves any receipt for the money lent to him; again he said that Gonsalves had taken once a promissory note from him, and another time a receipt; further he said, first that he had borrowed money once, then twice, then

several times from Gonsalves; moreover, he said that it was something less than 4 rupees; that he had in riding out on horseback run over an old man, who wanted to prosecute him, and he paid him this money to hush up the matter; again he asserted, that the loan was sufficient to pay all his debts, but could not say if it was 10 rupees or 100 rupees. Once he said that Gonsalves had no family and then spoke about the child. In fact the Commissioners were obliged to admonish him, repeating that he must be very cautious, and not so very prevaricating in his evidence, and that he must give direct and distinct answers and not evasive replies; and Gonsalves was repeatedly admonished in like manner.

Gonsalves's depositions were much more contradictory than Kenderdine's, and he contradicted Kenderdine in many respects; 1st, that he has been only once married, and his wife is still living? 2nd, that the last time he saw D. Kenderdine previous to his culling on him in jail, was about 2 years ago, and not 8 years. 3rdly, that it was 9 o'clock when Kenderdine called on him at the jail. 4thly, when he lent the money about 8 years ago to Kenderdine, it was only once, and he took a promissory note from him, which he returned on his paying him up the loan. In his own evidence he contradicted himself. He said, that he did not know in whose house his child's mother lived, and whether she took any lodgers or not; and immediately after said, that the mother of his child lived with her mother, her name is Anna Francisca. The house the mother lives in, is her own property. It has 6 rooms, and there are 6 tenants in them. Then he said that the corrections made on the face of the receipt which he had granted to Kenderdine, were made at the time, and the difference of the colour of ink arose from the ink, pen, paper, all being had; next he said, that Kenderdine pointed the mistake out to him, took the paper home, and altered it at his house, then he told him of it; again he said, that he never saw Kenderdine, nor had any communication with him since the 6th of January, when he borrowed from him the 32 Sa. Rs., till the time he confessed judgment in this court; he had not seen him 8 years previously, but only once by chance in the streets; never corresponded with him during the 8 years, and yet was all the time very intimately acquainted with him. Supposes he recollected Kenderdine at once, when he came into the jail to see him; never asked him what profession he now follows. Does not know if he had any more money by him beyond the 32 Sa. Rs. in his pocket; only asked him for the loan of 32 Sa. Rs. abruptly, and made no other inquiries as to what he had been doing these last 8 years, not did Kenderdine enquire of him as to how he had passed the last 8 years. Never inquired of Kenderdine what he was now doing, because he knew positively for about 6 weeks before, that he was a provisioner. Does not know how Kenderdine came to know of his being in jail; has been on various suits in jail ever since May 1836, with the exception of one day, viz. the 2nd of Feb. 1837. On this day Mr. Benson (a relative of Mr. Gray, to whom Gonsalves is indebted 1,200 Rs. for costs and damages on a libel case decreed against him in the Supreme Court,) brought Gonsalves's release in his pocket to the jail. The amount for which Gonsalves was confined was 4 Rs. at the suit of Roshunally, and he supposes Mr. Gray paid this money, in order to annul the proceedings in the Insolvent Court, by letting Gonsalves be free again. After his release Gonsalves went to Ballaghata to hire a boat, and gave the boat mangy 21 Rs., the balance remaining of the 32 Sa. Rs. which Kenderdine lent him: from Ballaghata he went to see several friends, and there at 8 o'clock in the evening he went to see the child; there he had an altercation with his mother about not allowing any maintenance to the child; he then went and slept with another woman at the Boitakhana end of Bow Bazar. He did not go to his wife because she is absent from Calcutta, and has

been so for these 5 or 7 years. He could not say if she was alive or dead. Next morning deponent peeped from the house where he slept at Boitakhana to where Anna Francisca lived at Mery Jany's Gully. He gave only one long peep, and seeing that there was no one ready to pounce on him, he went to see her; there the bailiff arrested him. He never, he positively can say, saw Kenderdine there. Knows the bailiff; this is him (pointing to Goulman the bailiff.) Never asked him at whose suit he arrested him, or to produce the writ on which he arrested him. Is most positive that he never saw Kenderdine at the time of the arrest. It was on the 3d instant at midday; and the bailiff took deponent direct to the jail. The debt is a just one and deponent owes the money to Kenderdine. He cannot tell whether Kenderdine has paid him all the money he lent him—supposes so, and cannot tell whether he lent him 10 Rs. or 100 Rs., or whether he lent the money to him once or ten times. Deponent is no relative of Kenderdine. He, cannot tell how long it is since he lent the money to him or when he repaid the cash—he supposes so, but is not sure; their accounts were settled. When Kenderdine repaid the money, deponent returned him his receipts. Has heard that Kenderdine has been in the seafaring line ever since eight years voyaging to and from Calcutta, but never saw him during these 8 years, because deponent used to stick to his business at the *Harkara* office, and never see low company. How Kenderdine came to know of his being in jail, he knows not. His child by Anna Francisca is a boy, aged 6 years. Does not give any thing for its maintenance. Supposes Anna Francisca out of spite had him arrested, but cannot tell. The money he borrowed from Kenderdine was sicca rupees, not one company's rupee amongst them. They were all lent in cash, nothing in notes. Although Gonsalves knew the money was 32 Sa. Rs. he wrote the receipt for 32 Co.'s Rs., without adding the batta to it, as he should have done.

The Commissioners, after this, consulted, and having, severely reprimanded Gonsalves for the very prevaricating and evasive manner in which he gave his replies—they being thus, "I suppose so," "I think so," "I believe so," or "I don't know," "I cannot tell," "I do not remember"—they said, that it was a very painful investigation they were pursuing, and told him to answer explicitly, had he and Kenderdine ever settled their former accounts of 8 years. To this he replied, he supposed so; and nothing further could be extracted from him. He was trembling at the time with apprehension, and could not tell when he had married even, but it was some time when he served in the *Calcutta Journal*.

D. Kenderdine re-called, said that a Mr. Benson came to search him the day after he had arrested Gonsalves on this affair, at his house, but being a stranger to him, he would not have any thing to do with him. Cannot positively say that he has paid all that he owed Gonsalves as the accounts were never settled. He might then perhaps, be in his debt still, but he supposed not. Whether he paid him or not he could not tell. Query put to him, that if he could not say whether he did or did not owe Gonsalves money yet on the old account, how could he swear that Gonsalves owed him 32 rupees? By so doing he had perjured himself. No reply.

Goulman, the bailiff, who arrested Gonsalves, deposed, that he arrested him at Anna Francisca's, at about midday, on the 3d instant. Kenderdine was with him at the time, and pointed the defendant out. Defendant told Kenderdine, what is the good of your arresting me, I have no money to pay you, and if you once put me in jail I must stick there. To this Kenderdine said, that in that respect he may do as he liked, and had the defendant arrested. After the arrest was made the bailiff took the defendant direct to the big jail of Calcutta. Is quite positive of Kenderdine seeing and talking with Gonsalves on the day of the arrest.

The Court after this desired the parties to take their places respectively at the bar of the bench, as allotted to plaintiffs and defendants: after they had done so the Commissioners said, that they had at first decreed this case under a wrong impression of its being a correct claim by the defendant's confession of the debt, but from what had now transpired to-day, they verily believed that the whole affair is a concocted collusion between D. Kenderdine and E. Gonsalves, to enable the latter to defraud his creditors in the Insolvent Court; both the parties are liable to be prosecuted in their opinion for a fraud, by any of their creditors; and D. Kenderdine in addition thereto, is likewise liable to be prosecuted for a perjury, for he had, when he could not positively state whether he still owed to Gonsalves or not any part of the monies Gonsalves had advanced him 8 years ago, yet with this uncertainty on his mind, he still had the audacity to come to the Court of Justice and swear positively

that Gonsalves owed him 32 Sa. Rs., and without ever demanding the sum on the bare *ipse dixit* of Ann Francisca, a woman who, it appears, is not on the most friendly terms with Gonsalves, because he allows her nothing for the maintenance of his child; he had without further enquiry sworn that Gonsalves was about to quit the jurisdiction. Their several depositions, are full of evasions, prevarications, and contradictions, and they do not bear out as straightforward, true statement as to the manner in which this debt was contracted. The depositions will be kept in Court, and if any person interested in this business, should hereafter prosecute either of these parties for either fraud or perjury, the Commissioners would then produce these depositions, and therewith what their impressions were regarding the affair, before another tribunal. As to the present case, the decree is now reversed, and the case is dismissed, and the prisoner is at liberty to go where he pleases.—*Ind. Gaz.*

COURT OF THE COMMISSIONER OF REVENUE AND CIRCUIT FOR THE 18TH DIVISION.

(HELD AT ALLIPORE, WEDNESDAY, 8TH FEBRUARY, 1837.)

BALLYGOON TANK CASE.

This day had been appointed for the decision of the above case, which has so often been brought to the notice of the public; but at the sitting of the Court, the Commissioner informed Mr. Bignell, who appeared on behalf of Mr. Pattle and Baboo Govindpersaud Bose, that he had just received an order from the Government of Bengal, directing him to transfer to the Session Judge the whole of the duties connected with criminal justice, and that he was therefore incompetent to decide these appeals. Mr. Bignell submitted that the Government order could not have been intended to prevent the Commissioner disposing of cases which had already been investigated by him, and were now ready for decision but must be considered as having only a prospective operation with reference to new cases. The Commissioner observed that, much as he might regret the delay to which the appellants would be subjected, the wording of the Government letter was precise, and left him no option, for it declared the transfer should take place from the date of the receipt of the order. He must therefore make over Mr. Pattle's appeal to the Session Judge; but with reference to Govindpersaud Bose's case, there was a further difficulty, for he appealed not only against the imposition of the fine, but also against that part of the order which regarded the possession of the tank; and under the construction which had been given by the superior authorities to the words "duties connected with criminal justice," in Act 7 of 1835, (in pursuance of which the Government had made the present transfer) it appeared that though the appeal as to the fine must be decided by the Session Judge, yet the Commissioner was the only authority competent to pass a judgment on that part of the case which related to possession. There might no doubt be great inconvenience in this mode of proceeding, and it seemed hard to tell a party that he must appeal to two distinct authorities against one and the same order; but he (the Commissioner) had no power to remedy this defect, and he must therefore call on the case of Govindpersaud Bose, and decide the right to possession of the tank, endeavouring to keep the question, as far as possible, distinct from that of the fine.

The depositions of several witnesses (which had been forwarded by the Magistrate on the 13th December and

10th January) were then read. The general purport of their evidence was to the effect that the Tank was Government property, situate within the Lines of the Body Guard, dug by order of Captain Montgomery about 1800, and that it had not been shut up subsequent to Mr. Barlow's order in January 1833, or at any time previous to the complaint in October last against Mr. Pattle. To contradict this testimony, Mr. Bignell put in a letter dated November 1833, written by Mr. Cowell, the then tenant of Govindpersaud Bose, shewing that that gentleman had, in compliance with the directions of the Baboo, fenced in the Tank, and forwarded a memorandum of expenses connected with the work, in which was included an item for an Europe patent padlock. Mr. Bignell also begged to supply an important omission in the Magistrate's proceedings. Mr. Patton on the 13th Dec. had addressed a rubakaree to the Commissioner stating that he had requested the Collector to search the records of his Office with a view to ascertain whether the Tank were Government property; but, by some oversight, the reply of the collector to this requisition had not been forwarded by the Magistrate. An attested copy of the Collector's rubikaree, dated 20th January, was now produced, which shewed that that officer, after an examination into the papers in his office, and a local investigation, was satisfied that the Government had no claim to the property, that it had never been included in the Lines of the Body Guard, and that it had belonged to the parties from whom Govindpersaud Bose derived his title.

Mr. Bignell now contended that the right of Govindpersaud to the possession of the tank, and to deal with it in such manner as he might please, was fully established. In January 1833, Mr. Barlow, the former Magistrate, had passed orders declaring the Baboo to be the proprietor of the tank, and to be at full liberty to do with it whatever he chose. This order had never been appealed against, and, under Regulation II. of 1829, if not appealed against within a month, it was final, and could not now be altered by the Commissioner.

The Commissioner asked, how this argument could be reconciled with the present appeal—the Magistrate's order as to possession of the 14th Oct. merely repeated the order previously given in the case of Mohun Sing,

decided in July last, and against that order Govindpersaud had not appealed within a month.

Mr. Bignell submitted, that it would be quite a sufficient answer to say, that Govindpersaud Bose had never been made a party to the case of Mohun Sing, that he knew nothing of it, and could not be bound by an order passed behind his back. But he would go farther, and contend that the whole proceedings in Mohun Sing's case, as far as they had any relation to the tank, were *ab initio* a nullity, the criminal authorities having had no jurisdiction whatever in the case, except the reference to the alleged assault. The Magistrate must have taken up that case under Regulation XV. of 1824. Soon after the promulgation of this Regulation, considerable doubts were entertained as to the description of cases to which it was intended to apply, and several references were made to the Nizamat Adawlut on the subject. The result would be found embodied in a circular Letter of that Court addressed to the various subordinate authorities, dated 17th Dec. 1830, which declared that the Regulation did not extend to disputes between parties, each of whom did not claim a permanent or proprietary interest in the land, or other property of which the possession was disputed. Now it was quite clear that Mohun Sing never pretended to any such interest in this tank, and the whole proceedings were therefore illegal. Mr. Barlow, on the contrary, had acted quite regularly, for he declined to proceed with the case before him, litigated between Mr. Ainslie and Mr. Cowell, until Govindpersaud, the proprietor, was made a party. Mr. Barlow's order therefore was final, and Mr. Cowell's letter sufficiently shewed what had been done in pursuance of that order. If any persons had since taken water without permission, it was a trespass on their part. As to the question of the proprietary right, he (Mr. Bignell) must protest against the competency of the Commissioner to decide the point; but as evidence had been taken concerning it, he had thought it right to put in the Collector's rubukaree, which was decisively in

favor of Govindpersaud—it was founded on the original documents in the office of the Collectorate, and the loose, hearsay evidence produced by the Magistrate could not for a moment stand against it.

The Commissioner considered Mr. Bignell's objections to the proceedings in Mohun Sing's case to be valid; but observed that as Govindpersaud was a party to the present case, it was now competent to the Court to entertain the question of right to possession, leaving the Civil Courts to decide the proprietary right, if it should be brought before them. He considered the possession of Govindpersaud to be fully established by Mr. Barlow's order, as well as by subsequent proof, and it must therefore be upheld. At the same time, he thought there was evidence that, for a period of more than 30 years, the neighbours had enjoyed the privilege of drawing water from the tank, and he was of opinion that this constituted such a kind of prescriptive right of access for that purpose, as ought not to be disturbed on an investigation of this nature. In the dispute between Mr. Cowell and Mr. Ainslie, before Mr. Barlow in 1833, this question had not been in litigation; and, indeed, the right seemed to have been recognized by Mr. Cowell, Govindpersaud's tenant, in a letter to the Magistrate, subsequent to the order in favor of Govindpersaud. There was some evidence to shew that since that time, parties had occasionally met with opposition in going to the tank, but most of the witnesses deposed to their having taken water as formerly. He therefore ordered that Govindpersaud should be upheld in his possession of the Tank—that his right to enclose it, and keep a Chowkeedar, or adopt any other means for its preservation, should be recognized—but that he must allow free access to all persons, for the purpose of taking water, from sunrise to sunset. The Commissioner considered this order to be in perfect accordance with Mr. Barlow's decision.

The question as to the fine was, as above stated, made over to the Session Judge.—*Ind. Gaz. Feb. 15.*

SUDDER BOARD OF REVENUE.

THE SYLHET QUESTION—REVENUE.

On the 31st of January 1834, the Sudder Board suggested three points for the consideration of the local authorities of Sylhet, regarding the general revenue administration of the district. viz. 1st, whether it would be advisable to revert to Tehseeldaree management. 2d. Whether a general survey and mapping of the whole district would be advisable for the security, present and prospective, of the Government dues. 3d. Whether the extension of the provisions of Regulation X. 1818, to Sylhet, would not be a desirable step.

On the 27th of June, Mr. Stanforth, the then Collector, answered the propositions as follows. To the first, he was opposed, from motives of economy, and on the grounds, that the revenue had, with the exception of late years (when peculiar circumstances affecting the prosperity of the Agricultural community had caused the contrary) been collected with equal punctuality, in the present method, as during the period when the Tehseeldaree system prevailed.

To the second, likewise, his opinion was opposed, from the immense labour and expence which would be necessary to its accomplishment.

Of the third, however, he expressed himself in very favorable terms, and stated that the sentiments of the landholders were equally well disposed towards it.

The present Collector, Mr. R. H. Mytton, revived the subject in an address to the Commissioner, of the 15th or Dacca Division, in which he pointed out the imperious necessity of introducing some change in the system, there being about two lakhs of rupees in arrear, and the jumma of the whole district not much exceeding three lakhs; that for the first kists (instalments) of the year 1835, (1242 Rs.) viz. Jpyt, Assaur, Sawun, it became necessary to advertise 26,250 estates for sale, or within a few hundred, every mehal in the district. That such a state of things may have been brought about by the scarcity that prevailed in the two previous years, and by the low price of agricultural produce complained of, but Mr. Mytton was strongly of opinion that the system of forcing payment by sale is one of the great causes.

He also pointed out the great labour and difficulty attendant upon the sale of estates, and the impossibility of bringing the arrears to a close, and that the mere holding of sales would be sufficient employment for an officer during a whole year; besides the difficulties thrown in the way by the former proprietors of estates protesting against the sales; investigations of their objections, and of hosts of witnesses being examined, and that there are so many as 80 suits of the kind pending, during which, delivery to purchasers is suspended, which deters bidders from appearing at other sales. He therefore strongly recommended the extension of the provisions

of Regulation X. 1818, to the district of Sylhet, with the omission of clause 4, section 5 of that Regulation.

On the 19th of August 1825, Mr. Mytton, after having concluded the balance of the past Bengallee year, again reverted to the number of estates it became necessary to sell, amounting to so many as 1,004, being twice the number sold in the year 1241, and four times the number sold in 1249, both of which were years of scarcity and distress, and though agricultural produce was exceedingly low in the year 1242, the plenty of it in a measure made up for the smallness of the value; and in comparing this result with other preceding years the increase appeared still more extraordinary. In 1236 there were 63 estates sold, and Mr. Ward in 1821, when he advocated the abolition of the Tehseeldar system, stated that an actual sale hardly ever occurred.

Mr. Mytton, also attributed the cause of evil so important not only to the community, but to the character of the British Government, to the circumstance of there not being perhaps 15 men in the whole Zillah worth 5,000 Rs. and very few worth even that sum, the consequence of which is, that the purchasers and auctioneers are needy adventurers possessed scarce of more than sufficient to pay the deposit money, and who purchase with the intent of re-selling to some of the former partners in the estates at a profit, and trusting to this expedient to collect sufficient to make good the purchase money. He also exposes the trickery practised by the mooktars in the district, and concludes by strongly recommending the introduction of Regulation X. of 1818, as before proposed.

After a little correspondence on the subject, Mr. Lewis, the Commissioner, submitted the whole of the papers for the consideration of the Board, with his opinions, which are as follow :—

His first objection rests upon the fact that the principal difficulty in realizing the Sylhet Revenue arises from the extraordinary number of sub-divisions into which almost all the landed property in the district (not excepting even the smallest estates) has been resolved; and concludes from the results of late years, it has increased to a still more mischievous extent, and has in fact arrived at that point, where a strong and natural re-action has begun to operate. He fears that the extension of Regulation X. to the district would tend to stay a wholesome process, and that its practical effect would be to nail the district down as it were to a state of universal pauperism, which is its present characteristic, and from which nothing but the re-consolidation of the estates, would allow it in any degree to emerge.

That the original defect should be traced to the manner in which the permanent settlement was made, and had it been concluded there on the same footing as other districts. Mr. Lewis was of opinion that Sylhet would with ease have borne double the assessment laid upon it; nor could any other proof of the lightness of the assessment be required than the fact that the 10th or 20th shares of the estates paying a sudder Jumma of 1, or 2 Rs. have had all along a saleable value. After giving one or two striking examples, Mr. Lewis contends that the extension of Regulation X. would give permanence to the declension from a bad state to a worse, instead of rectifying in any degree the evil under which the district has so long labored.

The natural remedy for the evil,—that which will restore the district again at any rate to the condition in which it was 40 years ago,—appeared to him to be the sale for the arrears of revenue, and instead of considering such sales under the circumstances of the case an evil, he does not doubt that the most beneficial course for every one concerned, is to sell as expeditiously as possible all estates in arrear, nor would he stay his hands did the number of sales amount to ten, instead of one thousand.

The second objection which occurred to him, rested on the mischievous effects which would probably accrue from the inroad of so vast a number of peons and peonies as he thought would be requisite for serving monthly the processes described in Section IV., Regulation X. 1818, on a body of malgozars amounting in number to a quarter of a million; and another feature in the proposed innovation which he considered objectionable, would be the deprivation to the owners of the estates, of the option of relinquishing their engagements with Government at any time they may think it proper, or advantageous to themselves so to do, which having a fundamental characteristic of the revenue settlements, should not be lost sight of; and concludes by saying, that the concession he would be inclined to make to the peculiarities of the Sylhet district, would be to allow the recovered co-parcener not in arrear, to bid for the property in an imalee form, of which he possesses a share; and to check more effectually the fraudulent purchase "benami" of a defaulting sharer, he thought it would be a great improvement were such transactions constituted misdemeanors, and made punishable on proof in the Criminal Court with imprisonment and confiscation of property.

The senior Member of the Board concurred generally in the reasons assigned by Mr. Commissioner Lewis against the introduction of the provisions of Regulation X. 1818 into Sylhet. That the existing evil could only be remedied by measures which would gradually diminish the number of the small proprietors, and lend to their holdings being purchased and consolidated. To this end, it appeared to the senior Member urgently advisable, that the sales for arrears of all talooks in the Sylhet district (the Sudder Jumma of which does not exceed 100 Rs.) should only be held once a year; when, if the arrears are realized, most objectionable evils, harshness and official trouble would be saved. On the other hand, as in ordinary course, the lots that do not fetch the amount of their arrears should be purchased by the Government and gradually consolidated, re-assessed in the prescribed manner, and formed into larger estates. With reference to the peculiar circumstance of the Sylhet district, it appeared to him of the first importance for the security of the Government Revenue, for the diminution, if not prevention, of the litigation which now necessarily prevails, as well as for the permanent security of private rights and the improved comfort of the people generally, that all measures should be resorted to which hold out just expectations of opportunity to eradicate gradually the numerous small tenures by contriving that they should be consolidated and formed into respectable estates. The local authorities could very usefully influence opulent individuals of the district to assist, in promoting the measure, and it might also, in some degree, be brought about by the Government purchasing solely for this purpose. It appeared to him not only most highly desirable but of great importance, that the survey which has been partially made should be fully completed. The minute concluded by stating that the Board were favourable to a co-parcener not in arrears, purchasing the portions of defaulting sharers.

The Junior Member, Mr. C. W. Smith, after careful consideration of the arguments, advanced by Mr. Lewis and those of Mr. Mytton, and having duly weighed the reasons assigned by the senior member, was of opinion that Mr. Mytton's proposition was decidedly the best, Sylhet being a district characterized by features totally distinct from the districts with which the Board had usually to deal; and though he would greatly deprecate the introduction of that enactment into the Bengal districts, it appeared to him peculiarly fitted for the district of Sylhet.

In Sylhet the land-holders, (he observed) in point of fact, are in no way to be distinguished from cultivators with a right of occupancy, save by a proprietary, which

their system of endless subdivision, has deprived of even so much value as to be worth the trouble of looking after; and where the extent of the share is still sufficient to make them at all anxious to preserve it, they have learnt to look more to a gambling chance of redeeming it from a pack of adventurers who frequent the sales and bid and purchase, merely to re-sell the shares as purchased to those of the defaulters, who have still the means of redemption, than to preserve their property by the prompt payment of the revenue.

We have not time to enter further into the views entertained by the Junior Member, but merely to state that Mr. Mytton's proposition met with his general approbation. This was followed by a long minute in review by the Senior Member, but bringing the matter to nothing final.

The third Member, Mr. Walters, proposed, that instead of introducing Regulation VIII. of 1810, into Sylhet, which would involve a great delay, and the necessity of a *New Law*, he urged that the Collector be empowered immediately to proceed under the provisions of Section 4, Regulation I, 1801, which would have the same effect exactly, and would at once embrace the modification suggested by Mr. Mytton in the law proposed, viz. the power of still bringing to sale certain estates which circumstances may render it desirable to apply the sale process to. This Law was acted on in Littagong with great effect. Tahseeldars were also introduced there with effect, and might be tried in Sylhet; he therefore urged the Board to authorize the Collector to act under Sec. 4, Regulation I, 1801, at once: if the measure were successful, the other Regulation could be modified and introduced, if necessary, at leisure. As for *Poendas*, if their employ be an evil, sales (he considered) are a much greater one.

The Board this day agreed to address Mr. Tucker, Collector of that district during its prosperity, on the subject of the introduction of Regulation X. of 1818, and observed that the deterioration commenced about the time when Mr. Tucker was withdrawn from it, and that since the period of his collectorship it has not been in the enjoyment of the wealthy state in which it was during the time he was in charge. That from his intimate knowledge of the Zillah, he would perhaps favor the Board with his views as to the cause of its present condition, that the present Collector has been advised to enforce with discretion Sec. 4, Regulation I, 1801, and to apply himself to discover the cause of deterioration, and to propound a digested plan for the location and employment of Tahseeldars, but that no detailed instructions would be given until the receipt of Mr. Tucker's reply.

The Board also ordered a letter to be addressed to the Commissioner, in which they entertain the subject as difficult and of great importance, with a few minor injunctions regarding the Collector of Sylhet.—*Ind. Gaz.* Feb. 3.

(Sittings of the 30th January.)

NO. 1, SEENARAIN GOOFT'S CASE.

On the 29th of August last, the Board of Revenue annulled the sale of the above mentioned Estate on the following grounds:—

1st. The selling and Estate after the tender of the balance had been made by procuring a rubacarri from the Judge, enabling the Collector to credit it with certain deposit.

2d. Making an unnecessary reference in reply to that rubacarri, or selling the estate before the answer to it had been received.

3d. Selling an estate where the owner or any of the owners of it has a deposit in the Treasury.

4th. That it was not specified whether a copy of the advertisement was sent to the Civil Court.

5th. That the estates were advertised for sale on the 29th of October, and not brought to sale before the 10th of November and 5th of January, and that it is not specified whether this delay occurred by postponement, or adjournment.

The Board also severely reprehended Mr. Deputy Collector Bidwell on the subject, and on the 22d of October last, the Commissioner of the 15th, or Dacca Division, submitted for the consideration of the Board from the Deputy Collector, and Mr. Collector Mytton, two letters both dated the 7th October.

To the first objection Mr. Bidwell urged that he was not aware that procuring a Rubacarri was a tender of payment, and that if it were so, it would be easy for a Merasdar of Sylhet, after making a similar tender to avoid paying any revenue and keep back his estate from sale for an indefinite period, and other minor reasons against the Board's objection.

To the second Mr. Bidwell replied, that the Judge's rubacarri directed to be carried to the appellant's credit the amount deposit due to Kallee Ruttun and Rajisurree, in liquidation of an amount of a decree against them. There was nothing in it that shewed to what amount they were severally responsible, and the deposit was proved due to Rajisurree only. Mr. Bidwell did not therefore think that the reference could properly be called unnecessary. And Mr. Bidwell answered the other three grounds of objection in justification of himself.

Mr. Mytton, the Collector, thought Mr. Bidwell's letter fully explanatory of the views under which he had proceeded to the sale of the Talook, and took up some general remarks of the Board on sales, and urged his objections in rather a conclusive way, and Mr. Commissioner Lewis, in forwarding the letters of Messrs. Mytton and Bidwell, entered into an explanation of his own orders on the subject.

That he did not consider the tax precept of the Court to be a full and legal tender of the arrear, although at the same time he was unwilling to deprive the petitioner of the whole benefit of it, and accordingly determined to confirm one of the sales and annul the other, as the sum claimed did not cover the balance due at the time of sale from both properties, giving the petitioner the opportunity of saving which ever he preferred. That the talook of which the Fazilut was thus claimed, was sold in June 1831, and that the parties had ample opportunity to adjust the accounts without bringing their disputes so close upon the period fixed for the sale of this other talook. With reference to the delay the Commissioner urged that the account sale of the lots in question arrived in the office only a short time before he commenced his circuit, and could not be disposed of until after his arrival at Sylhet, as a Sylhet account sale is a very voluminous document.

He also thought that the course pointed out in the Board's letter would be illegal, as the Collector appeared to the Commissioner to have no more authority to appropriate the money of the Mirasdar which chances to be in deposit in his treasury, for the payment (without his consent) of the rent of any other of his talooks, than he has to force him to pay in, on the same account, a sum which he may chance to have in his hand, or at his Bankers. Mr. Lewis concludes by saying, that he thought the explanation given by the Naib Moonshee exculpatory.

The Board, however, in their final orders, saw no reason whatever to alter the decision at which they had formerly arrived, or to modify in any degree the terms in which that decision was expressed, and that they will never exonerate from blame an officer who should sell

an estate while the owner has a deposit in the Treasury ; they, however, made allowances for the difficulties with which Mr. Mytton had to contend, for the existence of which they did not hold that gentleman, but his predecessor, responsible.

The Board also observed, that the registry of intermediate mutations, is at Sylhet in absolute abeyance, and attribute the existing evils to that cause : they strongly urge the Collector to put in force the Registration laws and having by them obtained a proprietary body to deal with, he should recognize none but the recorded proprietors, and on the subject of the influence of the Omiah, the Board have directed the Collector to inform himself whether or not the Telsoel Mohurris in Sylhet, as elsewhere, have not established a system of agency between the Talookdars and themselves in the matter of Revenue payments, as the Board were inclined to think that Sylhet did not differ from any other zillah in that particular. If true, a great deal of the existing confusion would turn out to be the work of the interested Mohurris, who gain chiefly while they keep the Malgozars and the Collector as much as possible in the dark as to their proceedings. That if the practices above alluded to exist, they should be clearly and expressly prohibited. The Board concluded their orders by directing the serious consideration of the Commissioner to the subject.

NO. 2. SALE CASES OF PATNA.

A letter from Mr. C. Tucker, late Commissioner of Patna, was read, of date 2d January last, in which that officer explains the cause of delays that have occurred in twenty-six sale cases, between the dates of sale and the dates of his Reports to the Board. The Commissioner attributes the delay to a determination of the Board requiring with the transmission of the proceedings in the native languages, English Reports embracing translations of the petitions of appeal which mainly contributes to the delay complained of. That in June 1836 last the appeals amounted to 25 in number, and that on the 27th of December last, when he gave over charge to Mr. Davidson, they amounted to twenty-six. Since the 27th of December, Mr. Tucker had reported on seven cases, and intended finishing the rest previous to his departure from Patna. Mr. Tucker made it an invariable rule in regard to Government Revenues pending appeals to the board, that if the purchase money was sufficient to cover the balance and the future kists for a period of one year, he directs the collector not to give possession to the purchasers, but to leave the late proprietors in possession. If the sales should be confirmed by the Board, the Government get their Revenue from the proceeds of the sales up to the dates of the annual dustuks to the purchasers from which dates only the latter payments commence. If the sales should be cancelled, the estates are again advertized for the accumulated balances. If on the other hand the purchase money is but barely sufficient to cover the arrears due at the time of sales, he directs the purchasers to be put in possession conditionally, and on their giving security to make good the rents realized by them during their occupancy, in the event of the sales being cancelled ; and whenever Mr. Tucker could, without apprehension of loss, he has kept the late proprietors in possession till the sales were finally confirmed by the Board.

The Board, however, expressed themselves dissatisfied generally with Mr. Tucker's explanation, and have directed a circular order for obviating at once all delays which may have been caused by the reasons assigned by Mr. Tucker in the sale of lands, and the subsequent reports.

APPOINTED OF DEPUTY COLLECTORS UNDER REGULATION IX. 1835

The Board has suggested to Government the necessity of empowering them in the first instance with authority

to effect removals and changes of Deputy Collectors under Regulation IX. of 1835, in their divisions, upon sufficient cause being shown for that purpose by the local functionaries ; and in the second, they have submitted for the consideration of his Lordship in Council, the defectiveness of the present rule of nomination, which gives to the Commissioners and Collectors, and withholds from the Board, the power of naming such officers. They have submitted that in addition to the nominations handed up to Government (through the Board) by the local functionaries, the Board should be empowered to add to the number of candidates for selection, and that an indispensable condition in the qualifications of candidates, should be a competent acquaintance with the English language, as in settlements it has been found, that the employment of deputies unacquainted with English, tends rather to impede than to facilitate the exertions of the European supervisors.—*India Gazette, Feb. 6.*

KHURRUKDEEA.

The revenue from this pergunnah, previous to the Company's accession to the dewanny, was paid as a tribute into the treasury of the Naib Soolah at Patna, but owing to the turbulent character, of the ghatwals and the difficulty of bringing them under any sort of control, it always required a battalion to realize this fluctuating revenue, the expence attending which process more than counter-balanced the sum obtained by it. Randa Khan, under the instructions of Ally Verdy Khan, the subadar of Bengal, entered the pergunnah with an armed force, conquered it, and drove out the rajah of Khurrukdeea, through whom hitherto the ghatwals had made their payments.

When the British rule succeeded, the pergunnah stood in the name of his son Rajah Ekbul Allee Khan ; and soon after, was annexed to Captain Browne's jurisdiction, by a letter from the Patna council, dated 17th October 1774.

In their letter of the 19th September 1774, the Patna council, in writing to the Supreme Government, mention the revenue as being rather in the light of a compensation with the ghatwals, than as a settlement found on the annual produce of the lands.

The Board have been unable to find any record of the progress made by Captain Browne in the settlement of Khurrukdeea, but it is probable that he confined himself to giving pottahs to such ghatwals as he could attach to the British interests, of a nature similar to those which he granted to the adjoining ghatwals. In fact this pergunnah remained much longer in a disturbed state than Churkye : for in consequence of its being an appendage of Rajah Ekbul Allee Khan, it so happened that, when that nobleman, after having committed overt acts of rebellion in pergunnahs Neehal and Samory, suffered a defeat from the military force sent against him, he retreated to Khurrukdeea, and with the assistance of the ghatwals of that place, whom he forced to make common cause with him, held out for a considerable time, until at length, being driven out of the country, and his chief adherent, Agheet Sing, and some other sirdars, being killed in action in July 1782, matters were brought into better order.

The villagers in this pergunnah were included in the decennial settlement of 1792 upon two descriptions of tenure ;—the Ghatwalee Mocurree and the Ticka Mocurree ; the latter being mere farms, subject to a new arrangement on the expiration of the terms of years for which they had been granted.

For the latter description of tenures, that is, the village held in farm, the collector of Ramghaur submitted a report under date the 29th August 1799, with a list of

the villages, recommending that, in such of these villages in which there were ghatwals claiming a settlement, they should be admitted to engagements, since they were equally entitled to that privilege with those whose villages had been already included in the decennial settlement; and for the remaining villages in which there were not parties claiming the settlement as ghatwals, that the present farmer should be admitted to a new lease.

After some further correspondence, which it is not necessary to detail, the villages, hitherto farmed, were definitively settled, and the pergunnah then stood thus:—

Ghatwallee villages, 38 mouzahs }	13,607 11 14 3
aselee Dakhilee..... }	
Moocuree 12 ditto..... }	814 15 10 1
52 Farmed villages, including }	
Mouzah Mudhurka, farmed to the }	6,334
raja	

20, 756 11 5

The settlement, which, as it included the whole of the villages farmed at the time of the decennial settlement, and was formed under instructions to make it a perpetual settlement, may be considered conclusive and final; it was sanctioned by the Governor-General in Council under date the 15th Feb. 1810, the ghatwals and moocureedars being allowed to pay their revenue direct into the treasury.

CHUCKYE.

At the period when Captain Browne was placed in charge of Jungle Turry Districts, in September 1774, the Chuckye lands were attached to the pergunnah of Giddore, and the whole was in the zamindari of the same party, with this difference, however, that the zamindars, having no hopes of realizing a revenue from the ghatwals of Chuckye, had declined engaging for the Chuckye lands some years previously, and the rents were collected for their own benefit by the ghatwals who merely paid a small sum as nuzzurana.

In fact no land settlement had been made, the ghatwals were in complete possession, and their only acknowledgment of superiority, independent of paying the nuzzurana, was in their furnishing men to protect the passes, or to attend the zemindar when he had occasion for a force.

The sum of nuzzurana paid by the ghatwals in 1773, was Rs. 829-4, paid to the center of Giddore. In that year Captain Browne completed a settlement with the ten principal ghatwals for the several talooks at an aggregate jumma of Rupees 3,268-5-6.

He reported this settlement to Government, and in the same year it was approved by the then Governor-General and Council of revenue.

The moocuree istemree pottahs which were in consequence granted to the ghatwals, have no specification to the extent and boundaries of the talooks, or of the villages comprised in them; but they appear to have been duly authenticated by Captain Browne, to have been granted at different periods up to the year 1780, and to have the words 'by authority of the Supreme Council,' &c. in English above his signature.

From the period above mentioned, the ghatwals of Chuckye have paid their revenue direct to government, the only instance in which it was attempted to add an increase on the jumma paid by them, was in 1789, when the collector, from a doubt whether Capt. Browne had authority to make these grants, proposed a general augmentation of the jumma, which was negatived by the orders of Government directing that no increase should be levied on the pottahs of talookdars, tickadars, or ghatwals; and in this order the mukhma to the zemindars of Chuckye of two annas in the rupee was confirmed.

The variations in the amount of revenue are not recorded in the Board's office; but it does not appear from the correspondence that Captain Browne ever attempted to levy an increase from any ghatwal, after he had granted him a sunnud. However it is not difficult to assign a reason for those variations, for it is to be observed, that both Khurrukdeea and Chuckye were in a very disturbed state for a considerable period of time even after Captain Browne relinquished his charge in June 1780. It is probable that it was not until some years after he obtained the sanction of Government to his settlement in 1774, that he succeeded in making a definite arrangement with each ghatwal, adjusted the talooks and villages to be allotted to each person, and fixed the respective jumma each should pay, and this surmise is strengthened by the fact, that some of the sunnuuds were only granted in 1780.

The Board have endeavoured to ascertain the circumstances under which the zemindars have continued to hold these villages, while the Chuckye lands generally were settled with the ghatwals. Upon this point they find that when Captain Browne separated Chuckye from pergunnah Geddore, the three villages in question still remained attached to that pergunnah, there being then an engagement with a farmer for them which made it impracticable to separate them from Geddore until after the expiration of ten years; and it is then to be concluded, that having been permitted to hold the above villages when the separation above alluded to took place, the zamindars were eventually admitted to engage for them, as being the occupants of them in the manner of Naukar lands under a moocuree pottah granted to them by Captain Browne.

OPINION OF THE BOARD WHETHER ANY NEW ASSESSMENT CAN BE LEVIED ON THE CHUCKYE LANDS.

From the extract of the report to Government of Mr. Secretary Harrington, under date the 3rd Aug. 1792, it is obvious that the ghatwals of Chuckye were admitted to the privilege of that settlement, in preference to the rajah who had declined to engage for the revenue at an early period, and who in fact does not appear to have had any proprietary right, but to have been merely a sort of highland chieftain, through whom the ghatwals compounded for such tribute as the ruler of the country could exact from them by force of arms, and to whom they were under the conditions of a feudal nature to assist with armed followers and to accompany in his hunting parties, similar to the terms of service which prevailed throughout mountainous part of the country in question. In fact the ghatwals were the proprietors of the land time out of mind, the ghatwals had hereditary and transferrable rights, and when occasionally dispossessed they received a malikanah, until the rajah was merely the representative of the family which conquered the pergunnah. It was upon this understanding, apparently, and of his having declined to take any part in the fiscal arrangements of the pergunnah, that the rajah of Chuckye was not admitted to a settlement in 1774, but received a moshahuta and a moocuree grant of three villages, in lieu of his former rights as the feudal lord, and as a maintenance to himself and his family.

As the ghatwals were admitted to the privilege of the decennial settlement of the talookdars comprised in their respective sunnuuds, their rights in regard to the talooks in question, will not be affected by the provisions of section XVI. Regulation VIII. of 1793, and it only remains to enquire whether there are any lands in Chuckye which, from not being included in the limits of talooks or villages comprised in that settlement, are still liable to assessment.

In the opinion of the Board there are no lands liable to assessment. the decennial settlement was introduced

in these purgannahs at a time, when, doubtless, the greater portion of the lands was uncultivated; and the measure was a most reckless sacrifice of resources which might reasonably have been drawn from these purgannahs, had the villages been farmed from time to time, till the state of the cultivation was such as to have warranted a settlement in perpetuity; but the measure was probably recommended by cogent and urgent reasons of expediency, and the same remark would be equally applicable to almost every district included in the decennial settlement. It is to be observed of Chuckye, that the ghatwals were admitted to engage for the talookahs without any specification of the component parts of villages comprized in each talookah, and without the slightest clue to the boundaries of each talookah; there would, therefore, be insuperable legal difficulties to any attempts to make a new assessment, and any such attempt would be opposed to the principles guaranteed by government in forming the decennial settlement.

Independent of legal difficulties to such a measure, arising from the want of any means of identification of land included and excluded from the settlement, it would seem to the Board that it was the bona-fide intention of the revenue authorities, to include the whole of the Chuckye land in that settlement.

Mr. Collector Leslie, in his letter of the 10th October 1790, two years previous to the decennial settlement, in reference to the orders of government, under date the 14th January of that year, deciding that no increase should be laid on the pottahs to the talookdars and ghatwals of Chuckye, by which order his increase of ten per cent. on the amount of those pottahs was disallowed, states that he is at a loss to know from whence the mushahara hitherto received by the dis-seized zemindars, is to be paid, because the whole of the purgannah of Chuckye is let upon mortgagee rents to different parties, to the exclusions of the zemindars.

This letter furnishes ample proof that the revenue authorities of the district of the time being deemed the whole area of Chuckye to be included in the settlement, and as the arrangement, then in force, was the basis of the decennial settlement for Chuckye, the argument applies with equal force to the decennial settlement itself. The Assistant Collector of Ramghur, in a letter dated 16th July 1809, again mentions the whole purgannah with the exception of three villages, as being included in the grants to the ghatwals, upon a fixed jumma, and upon these data he grounds an objection to admit an application from the ousted zemindars to have their names recorded in the settlements; since he says they could derive no advantages under such circumstances from being admitted to the settlement nor levy any increase from the ghatwals. Upon the margin of this letter there is a note in the hand-writing of Mr. Secretary Harrington, to the following effect:—"any settlement of these lands is of course impracticable."

In short Chuckye and Khurrukdeea are parallel cases; they were together included in the decennial settlement, and the settlement appears to have included the whole of the lands in each case, and so far as the ghatwale tenures are concerned the settlement was final. The arrangement in 1809 had merely reference to a perpetual settlement of 52 villages, which were suffered to remain in farm when the decennial settlement was concluded; and it is the deliberate opinion of the Board, under all the circumstances, that any attempt to resume and assess any part of the Chuckye or Khurrukdeea lands, should be carefully avoided as being opposed to the principle of the permanent settlement.—*Englishman 7th Feb.*

CONSULTATION, —FRIDAY, 3d FEB. 1837.

IRREGULAR SEPARATION OF ESTATES—TALOOK HISSA. SYED MAHOMMED NATIR.

An Estate, or Hissa Syed Mahommed Natir, was settled at the Decennial settlement at rupees 2,521-7.

Subsequently 61 portions aggregating a jumma of rupees 2,099-8 were irregularly separated at different times up to 1805, leaving of the original estate only a jumma of rupees 421-15.

In 1805 this 1st portion bearing, as above stated, a jumma of rupees 421-15 as., was sold by auction for its balances, and purchased by Joy Gobind.

Up to 1827 all these shares (62 in number) were held as separate Estates. In 1827 or 1828, Mr. Tucker re-annexed the whole number one to another and re-consolidated the Estate as Hissa Syed Mahommed Natir at a jumma of Rs. 2,521-7.

In 1835 the Collector sold this whole Estate for balances of Revenue; but the sale being appealed to the Board it was annulled upon the ground that the portion of Joy Gobind at a jumma of Rupees 421-15, though irregularly separated had become a distinct Estate in consequence of the sale of 1805, and could not now be re-annexed to the rest of the Talook; on this the Collector raised the following questions.

"It being granted that Joy Gobind's portion has been irrecoverably separated, what is to become of the 61 separations made previous to that sale? Are they to be re-integrated or are they to be recognized? and supposing the former to be ruled, and the Estates thus to become two separate holdings, then, if a fraudulent or erroneous allotment should be discovered between the two jummas, (viz. Rs. 421-15 and 2,099-8) can such allotment be revised under Regulations II. 1811, and XIX. 1814?

The Collector thought that the 61 separations might be reintegrated, and the re-allotment had it necessary.

The Commissioner thought neither possible, as the sale in 1805 of one portion, had in his opinion confirmed all the previous separations.

The Board, after a careful consideration of the case, and of Mr. Collector Mytton's last report on it, were of opinion that it has been formally ruled by the Supreme Government of India, that a Government sale of any portion of an Estate, though illegally, or irregularly separated, is a recognition tantamount to a formal confirmation of the separation, of the portion thus sold, and has all the effect of a confirmation, and as such that it fully and finally bars the revenue authorities from re-annexing that portion to the original Estate.

If, therefore, a discovery and proof to the satisfaction of Government, of fraud, or error in the allotment of jumma upon a share so separated and sold, be made within ten years from the sale (i.e. the confirmation of the separation) the allotment will be open to revision, although the separation cannot be cancelled.

In applying the foregoing construction of the law to the case before them, the Board found that the public sale of that portion of the original Estate which was purchased in 1805 by Joy Gobind, at a specified and fixed jumma of Rs. 421 15, is equivalent to an acknowledgment of the separate statutes of that portion, both as to the separation and the jumma, and as more than ten years have elapsed since that transaction, they perceived that no allotments could be had on any grounds. But the condition of the rest of the original Hissa, or Estate, is obviously in no degree affected by the sale of 1805 save only as regards its connection with the portion,

sold, to which the remainder can never now be re-annexed. Upon any subdivisions and separations which may have obtained within this remaining portion of the original Estate, the sale of 1805 can be allowed to effect whatever—they must stand, or fall precisely by their own merits, and the circumstances attaching to them.

This remainder, it seems, was separated since the decennial settlement illegally and irregularly into sixty-one portions, and no confirmation, and no sale equivalent to a confirmation of a separation has occurred in any of them. The Board, therefore, fully concurred with that part of Mr. Mylton's suggestion, which related to their liability to re-annexation; but differed from Mr. Mylton in considering any re-allotment of jumma upon, or between the purchased share of 1805 and the remainder, legal or possible.

It was therefore ordered, that the Collector should consider the "Hissa Mahommed Natri", which at the decennial was one Estate at a jumma of rupees 2,521-7, as now forming two Estates—one, the portion purchased by Joy Golind in 1805 of which the jumma will stand at rupees 421-15. The other, the rest of the Hissa of which the jumma will be rupees 2,099-8.

Commissioner to be instructed accordingly.—*India Gazette, Feb. 8.*

Some delay having occurred between the date of an appeal against confirmation of sales, in several cases, and the report thereof to the Board, Mr. Tucker, late officiating Commissioner of Patna, has been called upon to explain, and to state whether in the interim the payment of Government revenue has been held in abeyance, or if not, what measures have been adopted to ensure its punctual realization.

First, as to the delay, Mr. Tucker asserts, that the Board's determination to require, with the transmission of the proceedings in the native languages, an English report, embracing a translation of the petition of appeal, to be answered paragraph by paragraph, has contributed mainly to the delay complained of. On his first taking charge of the office Mr. Tucker ventured to predict this would be the case, from the great number of the appeals preferred; but the Board insisted on having a detailed English report in each case.

Mr. Tucker then refers to his letter, under date June last, in which, he states, he fully exhibited the time occupied in this single branch of a commissioner's duty, and solicited permission to forward the appeals then pending without an English report. Mr. Tucker states: no part of his duty has been more incessantly pressing than that of superintending the sale proceedings of the collectors up to the date of annulment or confirmation by himself. There, he is of opinion, a commissioner's task should finish, not only because his time is very unprofitably occupied in translating petitions, and entering into a defence of his own act, but because it is vicious in principle to allow the officer whose order is appealed against to higher authority, the opportunity to exercise his ingenuity, to prop up and defend his views of the case, which should be decided on its own merits alone. Unless some very glaring or gross mistake has been committed by the commissioner, it is morally certain that his endeavour will be to impress the Board with his own view of the case,—it cannot be otherwise,—and thus the Board, if they look at the commissioner's proceedings at all, must come to the consideration with a prejudiced mind. If on the contrary, the Board allow no weight to the commissioner's report, but decide on the merits of the appeal from what they find recorded in the proceedings in the native languages, then, Mr. Tucker asks, for what end is this report called for? It will not be said that the Board are incapable of

coming at the merits without its aid. The civil courts from the lowest grade decide daily suits in which property is transferred from one individual to another, but it was never heard that an appeal, being preferred to a higher tribunal, the judge was required to enter into a lengthened defence of his opinions and in a language foreign and unknown to the appellant. The judge's reasons for the decision he has come to, are recorded in his decree, and he is not permitted to add or to subtract therefrom. Why should the revenue courts alone pursue a different course and occupy the time of their officers in defending decisions already passed, the propriety of, or otherwise, of which, should be tried by the record itself and by nothing else?

With regard to the Government revenue pending an appeal to the Board, Mr. Tucker states, he laid down a rule for himself which he has seen no reason in practice to depart from. If the purchase money is insufficient to cover the balance, and the future kists for a period of one year, he directs the Collector not to give possession. If the sale should be confirmed by the Board, the Government get their arrears of revenue from the amount due to the purchaser, from which date only, the latter's payment will commence. If the sale should be cancelled, it is again advertised for sale for the accumulated balances. By this method the revenue is secured and disputes and adjustments of *wassiat* on either side are avoided. If, on the other hand, the purchase money is but barely sufficient to cover the arrear due at the time of sale, Mr. Tucker directs the purchaser to be put in possession conditionally, and on his giving security to make good the rents realized by him during his occupancy in the event of the sale being cancelled. In short when he can do it without apprehension of loss, Mr. Tucker keeps the late proprietor in possession till the sale has been confirmed by the Board. The only objection to this system, he remarks, is that it may encourage appeals merely to retain possession. But he has not found it so in practice, and he thinks the other advantages would counterbalance this evil even if it existed.

The Board, under date 6th ultimo, have replied to this communication, and after noticing the sales which gave rise to this discussion, but which it is unnecessary to particularize here, proceed to comment on Mr. Tucker's explanation. As to the first point, namely, that the delay is owing to the practice of the Board "in insisting upon a detailed English report, embracing a translation of the petition of appeal to be answered paragraph by paragraph."

Upon this assertion the Board remark, first that if it be valid at all as an argument, it must apply not only to Patna, but to all the other divisions of which there are but few of less important and lighter duties than Patna; yet the Board have no complaint from other Commissioners, and, what is still more important, they find no corresponding delays, in the sale proceedings of other commissioners. But were they to give every advantage to the argument, by supposing, in the face of facts, that it is very applicable to Patna, though it applies nowhere else, it must still be considered as not confined to one but affecting every Commissioner who has presided over that division. Yet the Board have not received any such intimation from Mr. Tucker's predecessors, who seem to have made light of the evil so seriously felt by him, and who, at any rate, never found it to cause such extraordinary delays, as those to which he declares himself to have been compelled. The inference is inevitable; that the practice Mr. Tucker objects to, if it has the effect which he would attribute to it, has it not, in all divisions, or upon all Commissioners, nor even upon one division in particular, but only upon one single Commissioner, who alone, of many within its influence, finds himself driven to unheard of delays, by the injurious

nature of its effects. The Board are unable to make any alteration in their practice to meet this solitary case, even if they could concur with Mr. Tucker that the delay adverted to was owing to the cause adduced.

In the second place, the Board remark upon the explanation above quoted, that it assigns to the Board a practice which they do not observe. The Board do not "insist upon a detailed English report, embracing a translation of the petition of appeal to be answered paragraph by paragraph." See amended orders 27th July 1834, as follows:—

"The body of the letter will contain the objections made by the appellant and the Commissioner's replies inserted oppositely, and it will conclude with a brief intimation of the Commissioner's opinion whether any plea has been advanced, which, in his opinion, affects the validity of the sale.

"When allegations are made which are foreign to the only point (legality) to which by the tenor of paragraph 9 of the orders of Government, date 10th November last, the right of appeal to this Board is restricted: the Commissioners will briefly insert the objection, but opposite to it will merely observe, "not relevant as to legality," under Regulation XI. 1822, Regulation VII. of 1830, or other existing law."

These Commissioners, the Board remark, who strictly observe these orders, do not think it necessary to send a detailed English report, or a translation of the petition, or even to answer it paragraph by paragraph. They merely give the allegations and replies at full length, where those relate to charges of illegal proceeding against themselves, and their subordinates. This is all the Board require and it is easy to shew that this much at least is indispensable, and that Mr. Tucker's arguments against the order do not apply.

The Board then reply to the assumed analogy between the case of a judge trying a cause which is afterwards appealed to a higher power and a commissioner confirming a sale; and urge that in one case the party acts as a judge, but in the other the commissioner is in the position of a defendant in the suit.

Mr. Tucker's mode of proceeding as regards the possession of parties pending the decision of a sale case, is in the Board's judgment, objectionable, and likely to create unnecessary confusion. The procedure which should be adopted in such circumstances, is very simple; but as there is reason to believe a difference of practice prevails, this subject will be separately noticed in a circular about to be issued.

The Board have submitted to Government three propositions, for the improvement of the system under which deputy collectors, under Regulation IX. of 1833, are at present appointed and employed.

First, that the Sudder Board be empowered, at their discretion, to transfer deputy collectors from one district to another within the same division.

Secondly, that a discretionary power of nomination to the office of deputy collector be vested in the Sudder Board, as well as in the Commissioners of Revenue.

Thirdly, that a competent acquirement of the English language be made in future an indispensable condition of appointment to a deputy collectorship.

The Governor of Bengal entirely concurs with the Board, in regard to the first and second of these propositions, and has authorized them to act accordingly; but with regard to the third proposition, his lordship is not prepared to lay down a strict rule which would, in effect, exclude a great number of highly efficient individuals from a much coveted branch of the public service. At the same time his lordship is alive to the superior

advantages that would result—in the great economy of time and labour on the part of the superintending officers more especially—from the employment of deputy collectors able to draw up their reports, and settlement statements, and the like, in English. With a view, therefore, to the encouragement of the study of that language, and to the general benefit of the revenue department, the Board are authorized to announce publicly, that when candidates for deputy collectorships are on a par in regard to other qualifications, a preference will be given to the person who is most competent to transact business in English.

A circular to the above effect is now being lithographed, and will be dispatched to all Commissioners, with instructions as to publicity in (say) two days.

The Board have recently addressed Government for orders on the following case that has occurred in the Patna division. In 1828-9 Churs Durveshpore, Muckdumhpore, and Abdal Chuk, were attached by the collector of Patna, professedly under Sec. 13, Regulation II. of 1819, which subjects parties refusing to attend when summoned by the collector in cases of chur lands claimed by Government as liable to assessment to a daily fine, by order of the commissioner, the sum being fixed, and the order confirmed by the Board, but the attachment being in fact in contravention of the law under which it was ostensibly issued, the collector having made it without reference either to the Commissioner or the Board. The case out of which the attachment arose was decided on the 7th February 1834, in favor of Government, the churs in question being declared subject to payment of revenue, and the collections realized by the collector were appropriated thereto. In consequence of which, together with another claim on the part of the proprietors as malikana, they withheld the revenue due from another portion of their estate called Talook Securiash, until it reached with interest and penalty Rs. 13,775. The Commissioner is desirous of adjusting the account by allowing and demanding interest and penalty on both sides, and then striking a balance. The Board, however, according to their construction of the regulation, and considering the manifest irregularity of the attachment, deem that the full amount of the collections on the chur lands prior to the decree and amounting to Rupees 5,325, should be refunded to the zameendais, together with interest at 12 per cent. per annum, and that the demand for penalty on the Government claim should, in consideration to the hardship of the case, be remitted and interest only at 12 per cent. levied from them. Thus reducing the claim on account of revenue from 13,775 Rs. to Rs. 11,939, and allowing the parties an interest on the Rs. 5,325, Rs. 2,740, or altogether the sum of Rs. 7,627, on which principle of adjustment, the Board have sought the sanction of Government.—*Englishman*, Feb. 11.

PRESIDENCY,—MONDAY, 6TH FEB. 1837.

Present James Pattie and Henry Walters, Esqs., Members, and F. J. Halliday, Esq., Secretary.

The Secretary brought the following case before the Board this day for discussion and orders.

Government. { Regarding Butwarrah Law of Estates in Zillah Rajeshye.

PARTITION OF ESTATES, RAJESHYE.

On the 15th of December, 1835, Mr. R. D. Mangles, Secretary to the Government of Bengal, forwarded to the Sudder Board three Petitions in Original from the co-parceners of an Estate in Zillah Rajeshye, by which, it appeared, that an entire estate was sold for a balance of Revenue due; and Mr. Secretary Mangles conveyed it as the opinion of His Lordship, that under Section

XXXIII. Regulation XIX. of 1814, the several shares should have been allowed the option of paying up their proportions of the balance due, and that the portions of the defaulting shares alone, and not the entire estate, should have been sold.

The Board, in April 1836, submitted a question for the consideration of Government, originating in the above case, where a doubt was expressed by Government as to whether the Revenue authorities had any power of annulling Butwarrahs, as Regulation XIX. of 1814 and other Regulations on the subject, did not confer it. The Board argued the following:—

“That in the first place the foregone practice of the late Board of Revenue and of the Sudder Board in respect to the quashing of Butwarrahs, is established by the actual exercise of the power in several cases divided by them from the year 1814 up to the year 1833; and secondly, the fact that though the law does not recognize by an express enactment the power of the Revenue authorities to quash Butwarrahs, it does not appear to them to go the length of denying that power, since in practice it was known to exist when the law was passed. It also seemed inconsistent with analogy of proceeding, that the authority upon which the power of granting applications for Butwarrahs is bestowed by the law, should not equally exercise the power of withdrawing that sanction, whenever it may be clearly apparent that the parties who made the application have no sincere intention of bringing the partition to an issue, and when, so far from fulfilling the requisitions of the law and forwarding the measure to the best of their ability, they protract the Butwarrah to a period of many years, and sanctioned with the enjoyment of the privileges and immunities which it is manifest that the law never contemplated should be extended beyond a moderate and reasonable limit, they withhold their Revenue to the close of every year, without showing the slightest intention to proceed; thus plainly indicating that a fraudulent and not a legitimate purpose induced the original application.

That Regulation XIX. of 1814, contemplates two classes of Butwarrah cases, viz., those in which the co-sharers are all mutually agreed to divide an Estate (clause section IV.), and those in which, one, two, or more proprietors of a Joint Estate held in common tenancy shall be anxious to have separate possession of his, or their respective shares: (clause II. section IV.) and the provisions of clause II. section XVII. of the Regulation in question was evidently enacted only with reference to those co-sharers who, in the latter case, to the injury of the other co-sharers, obstruct and impede a division in order to compel them to produce their accounts, and desist from obstructing the progress of the Butwarrah. No provision, or even allusion is made in the Regulation to the large class of cases, such as those in which the Revenue authorities have exercised the power of quashing the proceedings and declaring the Estates no longer under partition. In the third place, the Board also represented the very serious opposition to the due realization of the Revenue and the hazard of interminable litigation and difficulty, which will be incurred, by denying the validity of all former exercise of the power by the Revenue authorities, and of declaring each and every instance of the exercise of that power illegal. There could be no doubt, that every advantage would be taken of such a construction of the law, to a lamentable extent, which the Board had no immediate means of ascertaining with accuracy, and after going into examples, and instances bearing upon the reasons above given, the Board gave it as their decided opinion, that they saw no means of checking the evils which have been shewn to exist to so serious an extent, unless the Commissioners of Revenue and the Sudder Board of Revenue are entrusted with the power of quashing Butwarrahs whenever those authorities shall be satisfied that the parties

have no real intention to bring the proceedings to a decisive issue, and have, in reality, no other purpose or object than that of obtaining for their estate exemption from sale for arrears, until after the close of the year, to the hindrance of the punctual realization of the Revenue. The Board concluded by observing, that the returns to a reference recently made under their orders to the several local authorities, shew that the prompt realization of Revenue to the amount of twenty-four lakhs of rupees per annum, is not merely impeded, but is at present always liable to be protracted until after the close of the year for which it has become due.

On the 8th of November last, Mr. Secretary Mangles forwarded to the Board, under orders of Government, the minute of Mr. Ross, then a member of council, and instructions, that if the deliberations of the Board led them to conclude that a modification of Regulation XIX. of 1814 is called for, the Board should submit a draft of such rules as they would recommend in amendment of the provisions of that law. That the Government entertained the subject as of great importance to the interests of the higher classes of the agricultural community, and, through them, of their tenantry.

We give Mr. Ross's minute in full, it being too short and concise for analization.

NOTE.—It is true, as Mr. Colvin says, that Sections 33 and 34 of Regulation XIX. of 1814, are unaffected by the proposed act referred to by Mr. Melville, but those Sections are not sufficient for the protection of a weak sharer of the joint estate against his more powerful co-sharers.

By the enactments quoted, a sharer of an estate advertised to be sold for the recovery of arrears of Revenue, while under Butwarrah, may save his share from sale by tendering to the Collector, before the day of sale, his portion of the arrear due. But a poor man may not be able to make the required tender if his more powerful co-sharers have collected the rents of the entire estate, and withheld from him his proportion of them. In fact it is only by effecting a timely Butwarrah that a poor sharer can preserve his property from sale for default not his own.

The existing Butwarrah Law (Regulation XIX. 1814) should therefore be amended, for as the Law now stands, a Butwarrah cannot be obtained by a sharer of a joint estate if the other sharers are opposed to it.

(Signed) A. Ross.”

15th September, 1836.

The Board thought that the late alteration as to sales, and the power of a co-partner in a Butwarrah Mehal (if he be himself out of balance to purchase other shares) will sufficiently do away with all the delay and inconvenience which has been experienced, and that no further alteration is required. But the Board were decidedly of opinion that no Butwarrah should commence or be carried on until ordered by the Courts of Law, and that every application for Butwarrah shall be made to the Courts, and that they should, in all their stages, be carried on by the Courts.

Nothing final, however, has been done, in consequence of the Board having agreed on the preparation of the rules proposed in Mr. Secretary Mangles's letter above quoted.

CONSULTATION, —FRIDAY, 20 FEBRUARY.

ABOLITION OF INTEREST ON ARREARS OF REVENUE, ASSAM.

The local authorities at Assam suggested to the Board the abolition of the interest on arrears of Revenue for the following reasons.

That the object of issuing pottahs, at a great expense of time and labor, viz. to define for the ryots' confidence

the exact sum which he is to pay in order to prevent oppression, is frustrated by the levy of interest; for as any delay in the payment of a kist makes it necessary to open a running account between the chowdhry and the ryot, the latter, in the state of ignorance common to Assam, can there have no protection against or over the actions of the former.

That the levy of interest almost always falls unjustly, for as the greater number of the ryots contribute small sums under 3 rupees each, and as the chowdhries do not possess sufficient skill and industry to calculate to a nicety what amount each of those who fall in arrears, ought to pay respectively, they usually levy from all so much per rupee, and Captain Bogle, Officiating Collector of Assam, imagined it was generally done on a scale considerably exceeding the demand of Government.

Both Captains Jenkins and Bogle agreed in thinking, that all circumstances considered, the chowdhries and others are partly punctual in their payments; and the former officer, is also of opinion, that the discontinuance of the levy of interest in Assam, will lead to no delay in realizing the revenue of Government. Should it however be found to be productive of procrastination by the ryots, he would propose to meet the evil with a fine of a definite sum per cent. on each term of the kists allowed to elapse without payment.

The Board recommended the propositions of discontinuing the levy made by the local authorities to the favorable consideration of Government, as it would appear, by a reference to the statement from the Revenue accountant, that with the exception of the year 1833-34, the Revenue realized by the levy of interest in Assam has not ever amounted to 3,000 rupees per annum, on an average of five years. That sum the Board submitted, is too small to be worth the labor of collection, considering especially the harassment and annoyance it creates, and the door it opens for fraud and oppression, that the discontinuance of the demand of interest in Assam would, in that respect, assimilate the condition of that country to the state of Arracan where no interest is levied on arrears of Revenue.

The object of Government being to encourage agriculture in Assam, and thereby to increase its population, every facility to population that can possibly be devised, should be given to this waste and desert country. The exaction of interest on arrears of Revenue, is not only inconsistent with the nature of the Revenue system in force in that province, but is totally opposed to its success. Were the obstacle removed, the Board fully anticipate that the inconsiderable sacrifice now recommended, would be more than compensated for, by the increased Revenue which might be expected to be obtained.

FRIDAY, FEB. 10, 1837.

IMPORTANT TO COLLECTORS.

Mr. T. H. Maddock, Officiating Special Commissioner of the Calcutta Division, on the 2d instant, brought to the notice of the Board the delay in the preparation and transmission of Government replies to appeals from Decrees passed in its favor by the Officers employed under the resumption regulations, and that in consequence there are no cases ready to be brought before the Special Commissioners.

The Board have instructed the Commissioners of Dacca, Jessore, and Chittagong, seriously to admonish the Collectors upon the above complaint and to acquaint them, that in the event of an appeal going against Government in consequence of their delays and omissions, they will, beyond doubt, be held personally answerable to Government for the loss sustained.—*India Gazette*, February 13.

On the 22d of Sept. last, the Commissioner of Patna submitted to the Board extracts of a letter addressed to Mr. Loughman by Mr. Hathorn, Collector of Behar, on the occasion of delivering over to him charge of his office. From these extracts it appeared, that Mr. Hathorn had experienced much difficulty in realizing the revenues of 107 estates, valued in 1,227, which he believed was attributable to their being over assessed; that he had considered that it would be unjust to the proprietors to bring them to sale during the successive unfavourable seasons with which the district had been visited, and that failing to induce parties to settle their accounts, he had exposed them for sale without obtaining any offers, which induced him to place them under attachment about the end of 1835, with a view to making personal enquiries as to the real cause of the default. Mr. Hathorn then stated that the period of his intended visits to these estates coinciding with the arrival of the Commissioner at his sudder station, he was under the necessity of giving up his intentions, and of appointing the head Carmoongo to make the requisite enquiries. The balance of the estates up to the end of 1243, is stated by Mr. Hathorn, to be Rs. 1,70,772, the sum realized by the Carmoongo up to 9th July 1836, Rs. 21,654.

The information appearing insufficient, the Commissioner was requested to make a more full report, and at the same time to state why the Collector had not purchased the estates on account of Government when no bidders were found. Neither the full information called for, nor the explanation required regarding the Collector's conduct, have as yet been received by the Board. With the imperfect knowledge they possess, it would be difficult to say what is the cause of the insolvency of the estates in question. Mr. Tucker thinks there is reason for believing that over assessment forms no part of the cause, and that the mischief, it is more probable, is occasioned by a succession of bad seasons, and, in some instances, by bad management. In support of the former opinion, he adverts to the fact that the highest rate of assessment has been paid for a series of years, but he does not take into consideration, that though the proprietors deprecate the sale and desire an investigation of the resources, they are willing to enter into engagements to pay up the arrears on condition only of a revised assessment. Besides, it is not improbable that the proprietors have hitherto answered the Government demands on the credit of their estates, but have since been denuded of every resource by the succession of bad season. If this supposition, which appears to be corroborated by the statement contained in the petition of some of the proprietors, be correct, it may with some reason be inferred, that the assessment fixed on this and other estates in the six pergunnahs, does not enable the proprietors to provide for a succession of unfavourable seasons.

The Board, however, would not have it understood that the insolvency of these estates, is altogether, or in a very considerable degree, attributable either to the influence of seasons or the pressure of assessment. The real cause can be ascertained only by actual local investigation, until which time the statements of interested parties must obviously be received with much caution and distrust. And when the facts of these very estates having fully satisfied the Government demands for a number of years, is adverted to, coupled with their present insolvency, there appears much ground for apprehending either alienation of resources to large extent, or very extraordinary mismanagement on the part of the proprietors.

The documents which accompany the Board's report to Government, contain numerous references to casualties of season experienced in Behar during the last three fiscal years. This subject, it appears from Mr. Hathorn's letter to Mr. Loughman, had impressed itself on the mind of the Collector, but unfortunately, without leading him to take those steps which were required of him, both by the

orders of the superior authorities and by a sense of duty towards the Government. A report required from him on the petition of certain malgozars, of Behar, was left to be furnished by his successor; and the reason assigned for the omission is that although convinced in his own mind that considerable indulgence ought to be shown to the petitioners to enable them to bear up against the "unprecedented calamities" suffered by them, he was afraid that Government would not be disposed to afford relief to the extent required by their necessities. It will appear not a little surprising, say the Board, to his Lordship in Council, that an officer of Mr. Hathorn's standing should fall into such an error of judgement as to deem it preferable that the suffering landholders should rather receive no relief than that the relief should be inadequate, more especially when it is considered that in the total absence of relief their embarrassment would hang on them from year to year, if not terminated by the alienation of entire property.

After noticing other circumstances, the Board recommended that an experienced and intelligent European covenanted officer be immediately deputed to the spot to ascertain not only the defects that have existed, but likewise the measures which are calculated to effect improvement. The Board are likewise of opinion that the success of the investigation depends very materially on bringing these estates to sale, and purchasing them on account of Government, in the absence of offers for them sufficient to cover the outstanding balances. This, they remark, is the only certain means of effecting a thorough enquiry, by divesting the proprietors of all opportunities of thwarting, either by direct or indirect influence, the measures of the local officers. Should it hereafter appear that any of these proprietors are entitled to the particular consideration of Government, the Board are assured that Government will indulgently receive whatever recommendations of that nature may be made, even to the extent of restoring possession of the property.

A reply has been received from Government to this communication, in which his lordship remarks with great regret, the serious errors into which Mr. Collector Hathorn appears to have fallen, and requires the explanation of that officer's conduct, which the Board have called for. His lordship would be entirely disposed to concur with the Board's recommendation that an intelligent and experienced covenanted officer be deputed to the spot were the services of a competent officer of the class available for the duty, without withdrawing them in the middle of the season for Mofussil operations, from business of equal importance. His lordship has, therefore, appointed Molvee Khyrat Ali, whose abilities are very highly spoken of, to commence the necessary enquiry.—*Englishman, February 14.*

CONSULTATION,—THURSDAY, 2D FEBRUARY.

SETTLEMENT OF ESTATE—JESSORE.

Mr. Secretary Mangles, with reference to the orders of Government of the 1st May 1832, and 3d March 1834, transmitted on the 20th December 1836, an extract of a letter from the Court of Directors, dated the 9th March 1831, and requested that the Board in furnishing the Report of the settlement of Pergunnah Syedpore and of other estates in Jessore, should also supply the information required in the extract which we give below.

EXTRACT of a letter from the Honorable the Court of Directors in the Revenue Department, dated the 9th March 1831, No. 8.
(78 and 79). The Judicial powers to be vested in Collectors according to Regulation IX. 1825, have as yet been considered only to the Collector of

Shahabad, and to the Collector of Jessore in respect to a single Pergunnah.

which the ryots are liable at the hands of zemindars and other superior landholders, and the still existing imperfections of the means of protection which your Government affords to them. The powers to be vested in Collectors by provision of the Regulation referred to, were intended to supply what was found deficient in the means of protection afforded by the regular courts. But the circumstances brought to light in the proceedings before us, not excepting the misconception and the mistakes of which you had occasion to complain in the communications of the Board of Revenue in the Lower Provinces, are far from impressing us with a confidence in the remedy. We trust that you have been very attentive to the proceedings of the Collector of Jessore, in applying that remedy to the redress of the injuries sustained by the ryots and others in the Kiamut Pergunnah, Syedpore. We expect that a minute report of all that has been done by that officer, will have been procured by you and transmitted to us, and that we shall find some ground in it on which a judgment may be formed, whether the end we desire to see attained is really provided for, by the means in which you now confide. We abstain from saying more at present, both because we desire fuller information, and because we cannot but hope that this subject has particularly engaged your attention, among the other particulars connected with the late extensive changes in the system of superintendence. We must, however, remark, that since the year for which Mr. Maxwell was vested with the special powers in the Pergunnah of Syedpore must have expired in August 1827, we can see no good reason for the long delay which has left us without any report of the proceedings up to the present date.

(True Extract.)

(Signed) ROSS D. MANGLES,

Secretary to the Government of Bengal.

The facts of this extraordinary case are as follows :—Mr. Acting Secretary Molony's letter of the 4th August 1826, vested the Collector of Jessore with the special powers described in Section XX. Regulation VII. 1822 in Pergunnah Syedpore for a period of one year from the date of the letter, as a preventative against the serious evils entailed upon the ryots of the above establishment in Putnee by one Mahommed Ameer, in consequence of the illegal and oppressive conduct of that individual. The letter also intimated, that it would be extremely satisfactory to Government if Mahommed Ameer could be induced to relinquish his purchase on receiving a fair compensation from the trust estate. Mahommed Ameer expressed his willingness to relinquish the Putnee Talooks, provided he was re-imbursed the amount of purchase which he had paid, and was allowed a compensation of ₹2,000 rupees on account of the expense incurred in the building of a Kutcherry, &c. The Government, at the recommendation of the Board, ordered the acceptance of Mahommed Ameer's terms, and the Collector of Jessore was instructed to resume the Putnee estates and suspend adoption of the special measures directed in Mr. Molony's letter.

Some discussion ensued respecting the formation of a jummaabundy for those Estates, and after a reference by the Board to Government on the subject, Mr. Secretary H. T. Prinsep, on the 30th of August 1827, under orders, directed fresh measurement and *hustaband* of the Mehals to be commenced upon with a view to a fair jummaabundee being made at the current rates of the neighbouring Zemindaries, and that the permission to retain land as Lakhiraj should not be too readily conceded to ryots; but that the jummaabundee should be made on the principle of demanding full revenue for the lands, and when made, that pottahs should be granted to the ryots in the same manner as would be done were the

Para. 18. The proceedings referred to in these paragraphs are important as evidence of the gross oppression to

Estates under khas management from any other cause. The collections were directed to be either made by a Suzawul, or formed under stipulations to maintain the jumabundee.

On the above orders being communicated to Mr. Commissioner Barwell, that officer, on the 21st of June 1830, submitted to the Board the settlement papers of the Putnee Estates above alluded to, from which it appeared that Mr. Maxwell had fixed the jumma at rupees 18,624-2-1 in perpetuity, being rupees 3,495-2-13-2 above the average jumma of the two previous years. The Board expressed themselves satisfied with jumma bundy and presuming that the Suzawul had given adequate security, and would be required to account regularly for his collections, as well as to make his remittances punctually to the Sudder Treasury, authorized the management of the Estates to be continued in his hands. They at the same time directed the Commissioners attention to a large quantity of uncultivated land in each of the Mehals for which the neighbouring ryots might be encouraged to enter into *jungle hoore* engagements, and that the surplus difference between the Putnee jumma, and that now fixed, should be remitted annually to the Government agents to replace the sum refunded to Mahommed Ameer.

It did not appear that Mr. Maxwell had particularly attended to the instructions of Government regarding the mode in which the settlement should have been made.

The Lakhitaj lands were not included among the assets of the Estates for the reason that "none of them came under the original Putnee settlement." Moreover, it seemed Mr. Maxwell's intention to resume them for the advantage of Government. It should be observed that though the object of Government in directing a new measurement and hustabod was to relieve the ryots from the pressure under which they laboured, the circumstances not sufficiently adverted to in the settlement conducted by Mr. Maxwell, and the result was, that the ryots were burdened with an assessment in the proportion of 6 to 5, greater than that of which they complained, and it was subsequently brought to the notice of the Board that the ryots were not less dissatisfied with Mr. Maxwell's assessment, than they had been with the former one. Government, in directing the prevailing rates of the neighbouring Pergunnahs to be taken as the standard, contemplated that the assessment formed on that principle would be more favorable to the cultivators, than that imposed by the late Putneedar.

The inequality of the assessment became manifest in a short time, as on the 18th September of the same year, the Commissioner reported that the management of the past year, respecting pergunnahs Khalispore and Moheswarpassa had lacked prosperity in the lands of the Suzawul, and recommended for the sanction of the Board an arrangement made by the Collector to let in farm those two estates for three years at a jumma of 1,600 rupees less than that fixed by Mr. Maxwell. As no explanation was given in regard to either the heavy balances above alluded to, or to the necessity of farming the two mehals, Khalispore and Moheswarpassa for 1,600 rupees less than the rental fixed by Mr. Maxwell's jumma bundy, the Board called upon the Commissioner for the necessary information, they at the same time observed, that provided the rates of Mr. Maxwell's jumma bundy were not infringed, the arrangement in regard to Tuppeh Sobinah was apparently unobjectionable. But the Board finding their repeated endeavours to procure explanations unavailing, authorized the Commissioner on the 17th June, 1834, to let the Estates in farm on condition that Mr. Maxwell's jumma bundy should not be disturbed.

Advertisements inviting farming tenders were repeatedly promulgated, but unsuccessfully. The Board

consequently, on the 11th June, 1833, at the recommendation of the Commissioner sanctioned the sale of the two mehals under Putnee tenure, at a jumma fixed by Mr. Maxwell. No purchaser came forward although several expressed their readiness to purchase if the jumma were reduced, and Mr. Acting Collector Mills observed, that though he could not uphold Mr. Maxwell's settlement, he did not attribute the difficulty, so much to a deficiency of assets in the mehals themselves, as to the inequality of the assessment, it being in some cases too high, and in others too low, and after a few explanatory remarks, gave it as his opinion, that an abatement of 1,000 rupees in the Mofussil should be made as being likely to afford satisfaction to the parties. The Commissioner, however, recommended, that previous to sanctioning such a step, the actual resources of the mehals should be ascertained by a revised settlement, of the expediency of which, there would be little doubt, it was accordingly sanctioned by the Board on the 24th September, 1833, and Mr. C. Grant was entrusted with the duty of revising the settlement, and by his report appeared, that although he called upon the ryots to make their objections in writing against Mr. Maxwell's jumma bundy, not one durkhast was received, nor could he induce them to agree to that jumma bundy. It was also Mr. Grant's conviction, that is, if objection could be taken to Mr. Maxwell's settlement it should be on the part of the state; for that not only did the rates appear to be moderate but that Mr. Maxwell's, after having fixed his rates on the different sorts of soil, and having added up the sum demandable from each individual, made, in almost every instance, large deductions. Mr. Grant ascribed the unwillingness of the ryots to agree to Mr. Maxwell's settlement to their obstinacy, and to their conviction, that nothing higher than that settlement will be enforced. Mr. Pigou is also of opinion, that they are entitled to no sort of indulgence, his experience of their conduct, both while Judge and Commissioner, having convinced him that they are turbulent, and unreasonably reluctant to pay their rent.

CONSULTATION,—TUESDAY 7TH FEBRUARY.

MR. BAUGMOODEE—JUNGLE MEHALS.

On the 16th January 1842, the Commissioner of Burdwan reported the demise of Bhoopnath Singh, Zemindar of Baugmoodee, in Zillah Jungle Mehals, leaving a minor of the age of seven years, and suggested that the estate should be placed under the Court of Wards. The Board requested the Commissioner, to call upon the Collector for a report to the Sudder Jumma of Baugmoodee, in reply to which, the Commissioner of Burdwan submitted an original letter from the Acting Collector of the Jungle Mehals, which stated the Sudder Jumma of the estate at rupees 2,266. On receipt of the above information, the Board instructed the Commissioner to direct the Collector to report on such arrangements as he would propose, in the event of the estate being taken under the management of the Court of Wards. The Commissioner recommended that the widow of the late zemindar should be entrusted with the management of the Mehal. But the Board authorized the estate to be taken under Ward management, as they observed that they would not sanction the widow being entrusted with it, and ordered the Collector to invite farming tenders.

On tenders being invited, but one person came forward, the Rance Chandmonee, the mother of the minor above alluded to, and the Commissioner recommended her being allowed a farming lease for five years at the annual Jumma of rupees 5,501. The Board sanctioned the farming lease, directing the security bond to be duly registered, and noticed to the Governor General's

Agent, that arrears of the Government Revenue due from the Mehal Bhaugmoondee amounted to 1,004, nearly a moiety of the annual demand, which ought to have been discharged previous to other disbursements prescribed in the Board's circular order of the 24th August 1832.

The Governor-General's Agent requested a copy of the above order, and on the 28th of January 1836, reported that when the Rannee, mother of the minor, took the farm of Bhaugmoondee, she engaged to be answerable for the outstanding balances amounting to rupees 4,836-7-3. The agent also promised to be more particular in sanctioning remissions for the future and further informed the Board that the security of the farmer, the Rajah of Jaulidha, was considered worthless, and it was found necessary twelve months ago to place the estate under a Suzawul; by whom the collections were latterly made. That the Rajah was deeply involved, and his Malgoorazree had fallen so much in arrears, that it was also found necessary to appoint a Suzawul to collect the Government revenue of his lands. The agent was also of opinion that the sale of any portion of estates belonging to the zemindars in his agency, would lead to disturbances, as they are ~~not~~ so much involved, and that their security would, in no case, be received; but that if the Rannee mother could furnish other approved security, she should again be allowed to resume the farm.

The Board, on the 9th May, 1836, requested to be furnished with detailed particulars of the sum of rupees 3,589-15-0-2, which the agent had reported he had called upon the Rannee farmer to pay, and would state what portion of the outstanding farming rental of the Mehal has been realized, and whether she has offered approved security to continue in her farming engagements of the estate in question. The agent submitted two statements, the first of which shewed the Mofussil demands, collections, and balances of Baugmoondee from 1,240 to 1,242, from which it appeared that the balance was rupees 2,449-5-8-2, forming a portion of rupees 3,589-15-0-2, which had been remitted by the agent; and the other exhibited the arrears due from the Rannee farmer, on the 1st June 1836. In consequence of Saugurnarrain Sing, a Shikumnee Zemindar of Nowagurh, having become surety for the farmer, and his surety being considered good by the assistant to the Governor-General's Agent, the Rannee was allowed, on the 23d September 1835, to commence the collections. The circumstance was not however reported to the agent by his assistant, until the former reached Bancoorah in February last. The agent made every exertion to recover the balance from Saugurnarrain Sing; but being unable to realize it, on the 2d of April last, directed a lot bundee to be prepared, and the property pledged by Saugurnarrain to be advertized for sale, in the hope of inducing him to provide for the payment of the arrears of the Mehal Bhaugmoondee. Immediately on learning that his property had been advertized for sale, Saugurnarrain proceeded to the assistant's kutcherry at Bancoorah, to make arrangements for liquidating the arrears, but died there on the 2d May last, leaving a minor son. The Mehal Bhaugmoondee was consequently again placed under sequestration, and enquiries were instituted regarding the security of a competent Suzawul under whose management it would be desirable to retain it until the minor proprietor of Baugmoondee came of age. The agent concluded by recommending, that if the arrears of Baugmoondee could be recovered from the minor son of the late Saugurnarrain Sing, a person should be appointed to the collection of the rents of the property pledged by the surety in preference to selling the same.

The Board, previous to passing orders on the case, directed the agent to submit for their information a copy

of the security bond of the late Saugurnarrain, in order to ascertain if it rendered liable the property of the deceased, now of the minor, who is heir at law. The agent furnished a copy of the bond, and the consequence was, that the Board transmitted to him a revised form of a security bond. The agent, in acknowledging the receipt of it, explained that the estate of the late Saugurnarrain Sing was a jungle estate, the sale of which was likely to give rise to disturbances, and was unadvisable. That his assistant at Maunbhoon had been instructed against taking such estate in security for the future, and with references to existing circumstances, he thought it preferable to recover the balances of Baugmoondee by collecting the rents of the landed property pledged.

The Board, after maturely considering the whole of the correspondence and circumstances connected with this case, directed that the Governor-General's agent should be informed of the very unsatisfactory mode of procedure adopted in many respects, and sanctioned in others, by the agent, and after a review of all the explanations given by him, the Board thought that it was the duty of the agent to have severely censured the mismanagement of his assistant, Mr. Hannington, and have annulled the whole of his proceedings, and the remission to the Rannee of rs. 3,589-15-0-2 by the agent, was quite unauthorized, as the Board did not think themselves empowered to do such a thing. They have informed the agent, that they will hold him liable for the balance now amounting to rupees 9,107-3-6-2, as it was only through very great mismanagement and neglect that so large a balance was allowed to accrue, and that Mr. Hannington should be informed that he will be held responsible pecuniarily and personally, should an eventual loss occur, and that he (Mr. Hannington) should be warned against a repetition of such lax and injudicious proceedings.—*India Gazette, February, 15.*

CHARGES AGAINST MR. COLLECTOR ROBERT WALKER.

Charges having been preferred by Mr. Robert Good against Mr. Robert Walker (now out of employ), late collector of Mymensing, an investigation took place under the orders of Government, dated March 1833, to report on Mr. Walker's public conduct in general. A recent dispatch has again brought this subject to the notice of the Board. But we give the proceeding from the commencement of the report.

FIRST CHARGE.

That on the 1st of April 1832, Nazir Poucet Lol, with the knowledge of Mr. Walker, and for the purpose of liquidating a debt due by that gentleman to his late Sheristader, Raj Kisheon Chowdree, who had stood security for his debt for a considerable sum, summoned the omlah of the Mymensing collectorate, to the house of the treasurer, Joogul Kishore Sein, and there required them to contribute to a subscription for an immediate remittance to Calcutta, and that the said omlah, accordingly, were forced to contribute a sum exceeding 3,000 Rs. in amount in cash and by assignments on their salaries, which was received by Poucet Lol for the purpose aforesaid.

REPORT ON THE FIRST CHARGE.

The first point which should have been established in this case by the prosecutor, is the alleged fact of Mr. Walker having been in debt to Raj Kissen Chowdree in the manner stated. We have, however, as yet, been able to obtain no proof of it, either in the course of the investigation of this charge, or of the contents of letters [dates set forth] in which the subject is reviewed. In the prosecutor's lists of witnesses there are the names of seven individuals, residents in Calcutta, by whose evidence, we imagine, it was intended that the alleged debt, and perhaps the appropriation of the alleged extortion

should be proved. But, it will be perceived, that Mr. Good has altogether failed to furnish the information required by the Board, to enable that authority to examine the Calcutta witnesses, although repeatedly called on by us to do so.

With regard to the extortion charged, one witness only (No. 24) has deposed to the fact, but he does not implicate Mr. Walker in the transaction. All the other witnesses either say they know nothing of the matter, or that they heard of it only, but not of Mr. Walker having been concerned in the extortion. Under these circumstances we feel bound to acquit Mr. Walker of this charge.

SECOND CHARGE.

That Issurchunder, formerly a mohurrir in the collector's office at Mymensing, had been called upon by Poucet Lal, in April 1832, to contribute Rs. 70 towards a subscription for an immediate remittance to Calcutta, in liquidation of a debt due by Mr. Walker to his late sheristadar, Raj Kishen Chowdree was unable to pay more than 25 Rs. of the sum required, and that he was, therefore, suspended from his office by Mr. Walker. That the sum of Rs. 700 was paid by Goluck Roy, and received by Poucet Lal, with a view to place the said Goluck Roy in the situation of the late incumbent, Issurchunder; and that the said Issurchunder having been reinstated in his office by the Commissioner, was forced to resign, every distressing mode of annoyance, having been adopted and practised by and through Poucet Lal, in order to compel him to do so.

REPORT ON THE SECOND CHARGE.

It certainly does appear that Mr. Walker suspended Issurchunder from office, but there is no proof whatever that he did so, because the former failed to pay up the 70 Rs. said to have been demanded from him. The real cause of his suspension is stated to have been the loss of some paper. Twenty-two persons have been examined in this case on the part of the prosecution, not one of whom says he was an eye-witness of the sale of Issurchunder's situation to Goluck Roy, or of the payment of any money on that account. But Gopal Dhur deposes that he heard from Goluck Roy that he paid Rs. 700 to Poucet Lal for the situation. This, however, the said Goluck Roy has denied; and Gopaul Chund, Lokenath Chowdree, and Kalepersaud Surmu, have given evidence in a similar way, with this difference, that they name Gungaparsaud (Goluck Roy's father) as their authority for what they heard, and they do not specify any particular sum as the amount paid. The rest of the witnesses either declare that they know nothing of the transaction, or what they do state amounts on the most to hearsay. And it has not been proved that Issurchunder was ultimately forced to resign his situation in consequence of the ill usage he experienced from Poucet Lal. We, therefore, pronounce Mr. Walker on this charge, Not Guilty.

THIRD CHARGE.

That Soebchunder Chatterjee, late head writer of the collector's office, absconded in August 1830, and that although his duties were performed from the 1st of September to the 22nd October 1830 (when Mr. Bird was appointed to the situation) by the under clerks, Messrs. Ward and Jordan, yet they were not paid the salary of the situation mentioned for the period above stated, amounting to about Rs. 119, notwithstanding their having petitioned to that effect that the said amount was not carried to the credit of Government, though two years had elapsed; and the Government accounts from September 1830 to October 1832 had been transmitted to the superior offices, but was embezzled by Mr. R. Walker. And that after information had been given of the said embezzlement to the local Commissioner, by the prosecutor, the said embezzlement and other similar ones,

were brought to credit in the books of the Collectors' office and not before.

REPORT ON THE THIRD CHARGE.

In our opinion it does not follow that because Messrs. Ward and Jordan performed the duties of the situation of head writer during the short period it was vacant, they were, therefore, entitled to the salary attached to it in addition to their own, which appears to have been their claim. We therefore impute no blame to Mr. Walker for not having complied with such application, particularly under the circumstances stated by him. With regard to the charge of embezzlement against Mr. Walker, it has been completely disproved by the books of the office and the evidence of the witnesses adduced by the prosecutor, from which it is clear that the money said to have been embezzled has been all along in deposit in the treasury, and never was removed therefrom. And as to the delay which occurred in bringing that sum to the credit of Government in the books, there may have been neglect and irregularity in this, but in our judgment nothing criminal.

FOURTH CHARGE.

That the late commissioner of the Dacca division, Mr. C. Tucker, had, on the 28th December 1831, sanctioned the disbursement of Rs. 106 for two almirahs, four chairs, and carpets for the use of the Mymensing Collector's office, and that a warrant was issued in January 1832 to the treasurer to disburse the said sum which was accordingly charged under the head "inefficient balance", for the said month. That though ten months had elapsed since the disbursement of Rs. 60 for the two almirahs, they were not purchased, but the said amounts embezzled by Mr. Robert Walker. And that after the prosecutor had lodged his information, and not until Mr. Dunbar had taken charge of the collector's office, were the said two almirahs purchased for forty rupees.

REPORT ON THE FOURTH CHARGE.

The evidence for the prosecution fully establishes that the two almirahs and all the articles included in the estimate were purchased, partly in Mr. Walker's and partly in Mr. Dunbar's time, and are now in the collector's office, leaving one rupee six annas of the amount of the estimate unexpended, which is still in the treasury; thus demonstrating that this charge of embezzlement against Mr. Walker, is wholly without foundation.

FIFTH CHARGE.

That Chunder Seekar Barat, formerly a mohurrir in the collector's office, was compelled to resign his situation in consequence of the annoyance he experienced from the late Sheristadar, Raj Kishen Chowdree, his brother Gope-Kissen Chowdree, and their nephew Govindchund Chowdree, with no other object than to cause a vacancy for the said Gopee Kissen Chowdree, who was accordingly appointed to the said Barat's situation and also the record-keepership, drawing the full salary of both these offices. That the said situation was afterwards made over to Govindchunder Chowdree (the nephew of Raj Kissen and Gopee Kissen) who was obliged to quit it in consequence of having been disgraced by Poucet Lal, who usually selects and recommends candidates for offices in the Collectorship. And that the said Poucet Lal, with the permission and knowledge of Mr. Walker, sold the said appointment for Rs. 350 to Ramlochan Mojumdar, the present incumbent, who was the highest bidder for it.

REPORT ON THE FIFTH CHARGE.

Of the eight witnesses examined in this case, Harroo Pureshad Roy and Churree Sunker Corrae, they heard from Kashes Mojumdar and Ramlochan, that some money had been paid to Poucet Lal to secure the vacant situation for Ramlochan; but the said Kashes Mojumdar and Ramlochan deny the truth of the statement

Three other witnesses (names them) also give similar hearsay testimony, the last naming Mr. Riley as his authority, and the two former none at all. There is no further evidence against Mr. Walker, we therefore acquit him of the charge.

SIXTH CHARGE.

Notwithstanding and in direct violation of the resolution passed by Government in the General Department on the 7th of February 1828, the Revenue Accountant's circular of 1829, and the Local Commissioner's letter of the same year, Mr. Walker had not brought to the credit of Government several sums [subjoined], the same being unclaimed salaries on account of vacancies of the fixed establishment of the Mymensing collectorship, but through his official influence had caused, by the aid and connivance of the native treasurer, the said sums to be surreptitiously taken out of the public treasury with the deliberate intent to defraud the Government of the said sums. [Here follow the items.] With having restored the above sums, amounting to Rs. Rs. 369, into the public treasury and brought them to the credit of Government in the month of October 1832, after the prosecutor's representation on the subject had been made to Mr. Commissioner Middleton, with no other view than to screen himself from the charge of embezzlement.

REPORT ON THE SIXTH CHARGE.

The embezzlements here charged are numerous, but the circumstances connected with each item and that which formed the subject of the third charge, are precisely the same. Our report, therefore, on that case, with the exception of that point of it, which relates to the claims of the writers, is entirely applicable to this; and we accordingly beg leave to refer to it as expressing our opinion with respect to the next charge also.

On the 9th April 1833, Government communicated to the Commission, [in effect] that the interference of Mr. Good with the proceedings of the Commissioner shall no longer be permitted, but that Mr. Walker's public conduct shall be subject to the strictest enquiry, both as regards the charges preferred by Mr. Good, and any other circumstances which may come to the knowledge of the special Commissioners. This scrutiny was gone into, and a report drawn up thereupon, the substance of which may be gathered from the final paragraph as follows:—

"The Board having required from us the decided expression of our opinion with respect to Mr. Walker, we declare, that in the absence of all proof of guilt, he is, on every principle of justice, entitled to a general verdict of acquittal and restoration to office."

Mr. Pattle, the senior member, was not satisfied with the non-transmission of several papers which he considered of much importance in this investigation. He urged that it was necessary the whole record should be before the Board, and that Mr. Walker should, with reference to the debt alleged due by him to the sheristadar, he required specifically to state, if Raj Kissen Chowdree were his creditor when appointed sheristadar, and if he were, to what amount,—whether still his creditor, or if paid, when and what manner paid. Mr. Pattle entered minutely into the evidence forwarded to him. This minute is voluminous. Further enquiry appeared to him indispensable. And further enquiry was made accordingly. The special commission being dissolved, the Board conducted the investigation, as regards witnesses in Calcutta. The result of this subsequent investigation may be gathered from a letter addressed by the government to the Sudder Board under date 14th July, 1834:

His honor in council observed that the special Commission appointed to conduct the enquiry regarding Mr. Walker, recorded in the first instance, the following opinion on his case generally; (see concluding paragraph of the report above.) The result of their further investigation of Mr. Walker's proceedings in the case of Rajkissen Roy, the former seristadar of the Mymensing collectorship, was, however, thus stated in the concluding paragraph of their subsequent report, of July 25th, 1833. "With respect to Mr. Walker, we have now to declare, that in our judgment, his conduct in the case of Rajkissen Roy was quite unjustifiable; and we must add, that it has left in our minds, an impression with respect to his official character in general by no means favourable.

The Board detailed at length the sentiments formed by them on a review of the circumstances attending the nomination, appointment, and removal, of the individual referred to, and of those connected with the suspicious character of several drafts drawn from the Mymensing collectorship on the General Treasury, and traced to that person, and to Mr. Hughes, attorney at Calcutta, by whom Rajkissen Roy was originally recommended to Mr. Walker's patronage, and who avowed himself to have acted on several occasions as Mr. Walker's attorney. Copies of this detail were communicated to Mr. Walker, and a full opportunity afforded him of urging any facts or considerations by which the unfavourable impression expressed in them could be removed. His honor in council entirely concurred in the opinion intimated by the Board, that the explanations offered by Mr. Walker, on these points, are quite insufficient and unsatisfactory.

The government, therefore, concurred in the general remarks, recorded by the Board on this part of the investigation, and which are as follow:—

"On the whole, the Board are of opinion, that the facts elicited in regard to Raj Kissen Roy's leave of absence in February 1832, to the charge of corruption adduced against him by the collector, and never at all followed up, and to the length of time during which the alleged misconduct of the seristadar, was kept from the knowledge of the Commissioner, are very discreditable to Mr. Walker's official character, which again, the circumstances connected with the drafts, as above detailed, lay open to the still graver suspicion, upon strong presumptive evidence of having been indebted to his seristadar.

Under these circumstances his honor in council considered it proper to resolve that Mr. Walker be finally removed from the Collectorship of Mymensing, and placed, from the date of his suspension from that office, on the allowances of a civil servant out of employ, until the pleasure of the Court of Directors can be ascertained with regard to his future disposal.

The case was submitted to the Court of Directors, and a despatch has been received, under date 21st March last, of which the following is an extract:—

"It is possible, as suggested by the special commissioners, that further explanations may be obtained through Rajkissen Chowdree, regarding the draft transactions, which you will of course immediately report to us, with any additional proceeding you may take. Raj Kissen must not, however, be restored to office, unless he furnishes a complete and satisfactory account of these transactions.

MEMORANDUM, FEBRUARY 11TH, 1836.

Raj Kissen Chowdree attended this day at the Board and being asked if he is able to give any information on the subject alluded to by the Honorable Court, [see extract above] declares that he is unable to give any information on the subject beyond what he has already

furnished in his deposition before the Board of July 12th, 1832. But that he is willing, if called upon, to explain fully the nature of his transactions with Mr. Hughes, with which Mr. Walker had and has no concern.—*Englishman*.

In June last, Mr. M. A. Bignell submitted a petition, on behalf of the Rajah of Tipperah, praying for the reversal of the orders of Mr. Commissioner Dampier, directing the Collector to enforce against the Rajah, sections 14 and 15 of Regulation 9 of 1833.

Mr. Bignell set forth, that some time since the Rajah was called upon by the Collector to give in Zemindaree papers comprised under the denomination of "village accounts." In compliance with this requisition the Rajah furnished the best accounts he was able to make out, but which were necessarily imperfect. The Collector objecting to these, the Rajah desired that, in order to enable him to prepare the accounts in such way as the revenue authorities desired, he might be favoured with a form of the papers required, and that four years might be allowed him to measure his extensive zemindaree, without doing which it was impossible for him to render the accounts with any degree of accuracy. This petition was sent to the Collector, with a recommendation by the Commissioner that its prayer should be granted and the Commissioner forwarded it to the Sudder Board, expressing his opinion, strongly in favour of the reasonableness of the application. The general accuracy of the above statement is strengthened by a Persian rohnakree of Mr. Dampier himself. From this, it appears, that the Collector having last year struck off of his file, certain summary suits for arrears of rent instituted by the Rajah, on the ground that the putwarree papers had not been filed according to Regulation 9, of 1833, the Rajah appealed to the Commissioner, who ordered the Collector to investigate all such suits, inasmuch as a petition for a delay of four years had been forwarded for approval to the Sudder Board by the local authorities, and no answer had been received. In consequence of the above orders of the Commissioner, the Rajah's suits against his defaulting tenants were admitted and adjudicated, in due course, until 9th May last, when the Commissioner wrote to the Collector, directing the enforcement of sections 14 and 15, Regulation 9, 1833.

On the 9th of May last, Mr. Commissioner Dampier announced to the Board an entire change in his opinion, stating his belief of the Rajah's previous insincerity in the matter of the village accounts, and advising them that he had recalled his instructions to the Collector, leaving the matter entirely in the hands of the Board. "This mode of leaving the matter entirely in the hands of the Board," says the latter in reply to Mr. Dampier, "it now appears was the very singular one of directing the Collector with great urgency to enforce all the penalties of Regulation IX. of 1833, against the Rajah—to throw out all his suits pending, or to be filed hereafter, and to advertise his estates with the utmost strictness in case of a failure on his part to meet the instalments as they fell due.

The Board then contrast the Commissioner's letters of June 1835, and May 1836, censuring his proceedings in this matter as not only irregular and inconsistent but harsh and inconsiderate. They state that Mr. Dampier must have seen in the communications of the Board, their strong desire to facilitate in every possible way the rajah's efforts to retrieve his affairs,—a desire founded no less upon justice and humanity than prudence and expediency. They express their reluctance to interfere with the orders of their subordinate officers but in the present case they are constrained to suspend,

the Commissioner's orders of the 9th and 21st May, and to direct him to restore to the file all the suits of the Rajah of Tipperah which have been struck off in consequence of those orders; to allow the Rajah full power to secure his rents by filing suits in future, and three years from the date of instructions for the preparation of village accounts.

Mr. Dampier, in his reply, brings to the notice of the Board, that he did not consider himself by the previous recommendation of indulgence to be shewn to the Rajah, precluded from taking steps to ascertain if that indulgence was abused, and cancel it, if such appeared to be the case. He enters at length into the delay on the part of the Rajah, offering explanations in regard to his order, and suggests the necessity of taking a written engagement from the Rajah that he will produce once in six months to the Collector, proofs of his having been in earnest in the prosecution of measures for the production of the putwarree papers, to be reported to the Board, and also that he should be given to understand that the continuance of the indulgence depends on his showing himself to be sincere in his endeavours to produce the papers.—*Englishman*.

CONSULTATION, — WEDNESDAY, 15th FEBRUARY.

IMPORTANT TO INDIGO PLANTERS — POWER OF RYUTS — ZILLAH PUNNA.

On the 4th instant, Mr. Bignell, constituted attorney for Mr. John Russel, by address to the Secretary, requested him to bring the following circumstances to the notice of the Board.

That in March 1835, Mr. Russel, took a lease from Government for ten years of certain lands in the Deputy-Collectorate of Punnah, at an annual rent of sicca rupees 4,500; that in the succeeding year pottahs had been granted to ryuts by the Collector for the greatest portion of the cultivable lands comprised in Mr. Russel's Ejarah. That shortly after Bignell's client had obtained possession, Mr. Studdert persuaded many of the ryuts that their pottahs gave them an absolute proprietary right in the soil, which they were at liberty to transfer, by sale or otherwise, to any party they might please. That Mr. Studdert purchased a great number of these pottahs and then re-transferred them to their former holders (or rather granted a species of sub-pottah) on the condition they should not cultivate any indigo for Mr. Russel. That Mr. Studdert petitioned the Deputy-Collector to sanction these sales and grants, and to make the necessary transfers in the sherista of the Collectorate. That under these circumstances Mr. Bignell applied for the interference of the Sudder Board to protect his client in the enjoyment of his rights under his lease from Government; and that the Board on the 3d October last, after a very careful consideration of the whole case, passed their orders, declaring that the pottahs conveyed no transferable rights, and directing the Deputy-Collector to make known to the ryuts that the transfers being illegal, they could not be recognized by the Revenue Authorities.

At the time the above order was issued, it was hoped, it would have proved effectual for the protection of Mr. Russel, and would probably have done so, had the then Deputy-Collector, Mr. Ogilvie, continued in his appointment; but circumstances had since occurred which obliged Mr. Bignell again to solicit the attention of the Board to the case.

Many of the ryuts who had transferred their pottahs as above mentioned having failed to discharge their rents, Mr. Russel, in conformity with the regulations, procured the deputation of an ameen to attach the personal property of the defaulters. The attachment took place on the 17th of August last, and on the succeeding day, the 18th, the arrears due were deposited with the moonisiff by certain

parties on behalf of Mr. Studdurt, whom the ryots stated to be proprietor of the jotes, as they termed the lands held under the pottahs granted by the Collector. The sums thus deposited, Mr. Russel declined to receive, as the moonsiff required the receipts to be given in the name of the party depositing, and to have done this, would of course have been a recognition by Mr. Russel of Mr. Studdurt as his tenant, and besides, the costs of the attachment were withheld. Mr. Russel, therefore, petitioned the moonsiff for the sale of the distrained property. The case having been represented to the Deputy-Collector, that officer directed the moonsiff to postpone the sales, and to forward the money to his office, and on the 8th September passed an order, to the effect, that Mr. Russel might take the arrears due to him; (meaning it was presumed, without prejudice to the question in dispute, for Mr. Russel gave the receipts in the names of the original pottah holders); but that as to the costs of the attachment and subsequent expenses, a proper order would be given when the case was settled. Neither the petition of Mr. Russel's mookther, written in Bengallee, nor Mr. Ogilvie's order, clearly exhibit the facts of the case; but from the date of the latter, it was thought sufficiently apparent that the Deputy-Collector meant his decision as to the costs, to be dependant upon the result of the reference Mr. Russel had made to the superior authorities on the subject of the illegality or otherwise of the transfer of the pottahs. It is very natural the Deputy-Collector should have intended this, for if the transfers were legal, Mr. Russel's proceedings might certainly be held to be vexatious, as there is no doubt he would have obtained payment, had he chosen to recognize Mr. Studdurt's alleged rights, while, on the other hand, if the transfers were illegal, it was quite clear Mr. Russel had acted with perfect propriety, and was entitled to all his costs. Mr. Bignell was also informed by his client, that Mr. Ogilvie did in fact verbally express himself in open Court to the above effect.

The question of the costs does not appear to have again come before Mr. Ogilvie, and that gentleman, obliged to leave Pubna on account of ill-health, the case was taken up by the present deputy collector, Mr. Torrens, on the 7th of January last. That gentleman has decided that Mr. Russel is not entitled to his costs, because, as the arrears were deposited the day after the attachment took place, and Mr. Russel refused to receive them, it is evident that his proceedings were vexatious, and that his object was to put the opposite parties to the utmost possible expense.

Mr. Bignell was aware that there was no appeal against a summary decision of the Collector, in a case like the present, except on the ground of irrelevancy, but he submitted the facts for the consideration of the Board, trusting they will adopt such measures as they may deem expedient for the support of their own order. Although the Deputy-Collector has not, in terms, pronounced a decision directly opposed to the Board's instructions, yet that he has done so in effect, was Mr. Bignell's apprehension. The Deputy-Collector thought Mr. Russel's proceedings vexatious; whether they were vexatious or not depended entirely upon the right, or otherwise of the ryots to transfer their pottahs. If Mr. Russel were bound to receive as a tenant any one to whom the ryots chose to sell their pottahs, then Mr. Bignell admitted he was not entitled to his costs; if, on the contrary, Mr. Russel was not bound, then it was clear, that he was entitled to them, for the tender of the money in Mr. Studdurt's name was a nullity. The Sudder Board have now determined that the revenue authorities will not recognize the transfer of these pottahs, because they are illegal and yet the deputy collector has recognized them. Mr. Bignell said, he (the Deputy-Collector) had recognized them, because his decision appears to be utterly unintelligible upon any other principle. As to the order already passed, he

feared his client had no remedy, except by an action in the Civil Court; but he would earnestly solicit the interference of the Board to prevent a recurrence of such a proceeding.

The amount of the costs is comparatively immaterial, — it is the impression produced on the minds of the ryots, who regarded this decision as highly favorable to their pretension that Mr. Russel so much deprecates. The mere circumstance of the moonsiff having taken the money, and giving receipts for the same, when paid in on account of Mr. Studdurt, (although Mr. Russel refused to receive it), they were led to consider as an acknowledgement by the Civil Courts of their rights to transfer their pottahs, and when they find that such refusal on the part of Mr. Russel has been treated by the Collector as a vexatious and unwarrantable proceeding, it is not difficult to foresee what the result will be.

In his former address, Mr. Bignell dwelt at some length upon the consequences that would ensue, if the ryots of these lands, and others similarly circumstanced, were to be allowed to transfer their pottahs to whomsoever they pleased; and as he believed the Board were convinced that the effect of such a system would be at once ruinous to Mr. Russel and most embarrassing to the Government, Mr. Bignell further stated, in confirmation of his argument, that after the moonsiff had received the sums of money tendered in the name of Mr. Studdurt, that person re-sold several of the pottahs he had purchased to men of the most notoriously disreputable characters. Bagshie Buddon Sur, who had been three times turned out of the zillah by former magistrates for mal-practices, having previously been treated in a similar manner by the magistrate of Jessore; Gopaul Sircar, whose brother was apprehended and confined as being connected with a gang robbery, but discharged for want of evidence; Hurrymohan Oddicarry, who has himself been confined and discharged in a similar manner; and Narrain Moozeemdar, the head of a gang of robbers, in whose house were discovered all the implements of dacoity and a considerable amount of property believed to have been stolen. If the lessee of a Government Khas Mehal is to be compelled to accept such parties as these for his under tenants, Mr. Bignell thought there would be but few competitors for the lease.

Mr. Bignell concluded by bringing to the notice of the Board a petition, a copy of which was annexed to his letter, in which a man of the name of Fuckerchund Moozeemdar stated, that Mr. Studdurt, having purchased certain jotes from the ryots, had re-sold them to him petitioner, who prayed that his name should be registered in the Collector's books. The Deputy-Collector, on the 3d of January, instead of complying with the Board's orders, and informing the petitioner that the transfer was illegal, merely directed the durkhaat to remain in the sherikats.

The Board have ordered a copy of Mr. Bignell's address to be sent to the Commissioner of Bauleah, from which it appeared that their orders of the 3d of October last, (which denied the power of the ryots of the char in question to transfer their pottahs, and prohibited the Revenue authorities from recognizing such transfers if made) have not been attended to by the Deputy-Collector of Pubna. The Board have no power to alter or amend the proceedings of Collectors in summary suits for rent and revenue, but they desired to be informed of the real facts of the case, and the grounds on which the Deputy-Collector may have acted as described, since his proceedings in this particular, if correctly stated in Mr. Bignell's address, seemed to contravene the Board's orders of the 3d of October. They further requested the Commissioner to acquaint them of the terms and manner in which their orders above alluded to were conveyed to the Deputy-Collector. — *India Gazette, February 22.*

PROPOSED RULES FOR HOOKAMEE GRANTS.

Rule 1.—*Clause.*—When any Hookamee Grant in which the lakheraj tenure and the right of property in the lands are vested in the same parties shall be resumed or expire, the lands shall be assessed, and the settlement with the parties in possession, under the general rules contained in Regulations VII. 1822, and IX. 1833, excepting in so far as is otherwise mentioned in Clause 2.

Clause 2.—In case of resumed Hookamee grants in the provinces of Bengal, Behar, Orissa (excepting Cuttack and its dependencies) or Benares, if the Munhreedars shall have been in possession of their grants previous to the following, viz:—

The Bengal year 1178, if the land be situated in Bengal.
The Fussily or Willaity year 1179, if in Behar or Orissa.
The 31st August 1781, if in Benares.

The revenue to be paid to government shall be equal to one-half of the annual produce of the land, calculated according to the rules, at which other lands in the pergunnahs of a similar description, may be assessed. If any part of the lands shall be uncultivated, the proprietor is required to bring it into cultivation, and to pay such progressive increase, to be regulated with reference to the reduced rate of the assessment on the cultivated lands, as the Sudder Board of Revenue, with the sanction of Government, may deem reasonable.

Rule 2.—When any Hookamee grant, in which the lakheraj tenure and the right of property in the land are vested in distinct parties, shall be resumed or expired, if the lakherajedar and his ancestors shall have continued in the possession of the land for a period of 60 years, if the lands be situated in Bengal, Behar or Orissa (excepting Cuttack and its dependencies, or Benares) or from the date of the acquisition of the country by the British Government, if the lands be situated in any other part of the territories, the settlement shall be made with the lakherajedar and the tenure, when so settled, shall be held to be hereditary and transferable, and the parties claiming the zemindarree interest or other proprietary right in such mahal, shall not disturb the possession of the lakherajedar or his heirs and representatives; and any suit preferred by such persons in a court of judicature, contrary to the intent and meaning of this rule, shall be dismissed with costs.

Rule 3, Clause 1.—If the lakherajedar and his ancestors shall have been in possession and management of the land, but not for the period specified in Rule 2., the settlement shall nevertheless be made with the Munhreedar; but every dispute or claim, regarding the proprietary right, either between the grantee and the grantor or other party, or their respective heirs or successors, is to be considered as a matter of a private nature to be determined by the civil courts; and the Munhreedar shall continue in possession until dispossessed by a decree of the Dewanny Adawlut.

Clause 2.—If the lakherajedar and his ancestors shall not have been in the possession and management of the lands, but the same shall be in the possession of the proprietor, the settlement shall be made with the said party, under the general rules contained in Regulation VII. 1822, IX. 1825, and IX. 1833, which rule shall likewise be applied re-adjusting the assessment whenever the proprietor shall be admitted to a settlement of the lands by the operation of the preceding clause.

Rule 4.—*Clause 1.*—If the settlement be concluded with the lakherajedar under Rule 2, or Clause first rule 3, the assessment shall be adjusted on the actual assets according to the rules contained in Regulation VII. 1822, IX. 1825, and IX. 1833, after such deduction for malikanah as may be required under rule 5, except in the cases specially provided for in the following clause:

Clause 2.—If the lands inherited or the resumed grants, be situated in the province of Bengal, Behar, Orissa

(excepting Cuttack and its dependencies) or Benares; and the Munhreedars shall have been in possession of the same previous to the following periods: viz.

The Bengal year 1178, if the land be situated in Bengal.

The Fussily or Willaity year 1179, if in Behar or Orissa.

The 31st of August 1781, if in Benares.

The revenue to be paid to Government shall be adjusted in the same manner as prescribed in clause 2, rule 1, and resumed grants similarly circumstanced in which the lakheraj tenure and the right of property in the land are vested in the same party.

Rule 5.—*Clause 1.*—When the lands may be settled and assessed under rule 3 and rule 4, if the zemindar or other proprietors of the land shall have received malikanah or proprietary dues, whether in the shape of a percentage in money, kind or land, or otherwise during the existence of the lakheraj tenure, he shall continue to receive the same in like manner as if the resumption had not taken place, but he shall not be entitled to any land-rent, produce, or profit beyond what he may have enjoyed, up to the period of the resumption of the tenure, or would have been entitled to receive, in the event of Government having confirmed the same in perpetuity, free of assessment.

Clause 2.—The decision of the settlement officer in regard to the malikanah under the preceding clause, shall be liable to revision by the Commissioner and Sudder Board of Revenue, but no claim to the proprietary due, or respecting the nature or amount of it, which may be finally disallowed by the revenue authorities, in such cases, shall be cognizable in any court of judicature. But the prohibition shall not be construed to extend to bar the jurisdiction of the courts in respects of claims between individuals to the proprietary allowance, when that allowance shall have been sanctioned and adjusted by the revenue authorities.

Rule 6.—The nature and amount of the malikanah fixed under the preceding rule, shall be duly recorded in the settlement proceedings; and if the malikanah be enjoyed in the shape of a specific portion of land, the limits of such portion shall be defined with proper land marks, and described in the map accompanying the proceedings of settlement.

Rule 7.—The malikanah in money, or kind, settled under the rule 5, shall be payable to the proprietor by the lakherajedar with whom the settlement may be concluded, and any arrears of such malikanah which may from time to time become due, shall be recoverable in the ordinary civil courts.

Rule 8.—In the event of a lakherajedar, entitled under rule 2 to a settlement of his resumed tenure, declining to engage at the jumma proposed to him, the officer conducting the settlement shall proceed, as in the case of a zemindar refusing to engage for his lands; but on consideration of the loss to which the Government may be exposed by such recusancy, by the deduction of a double malikanah in the event of the lands being let in farm or held khas, the per centage to be allowed to the recusant lakherajedar shall be fixed at a rate of not less than five per cent. and not exceeding ten per cent, on the produce of the lands after deducting the malikanah of the proprietor.

Rule 9.—Should the tenure of lakherajedar, settled as described in rule 2, escheat to Government, the party possessing a zemindarree interest or proprietary right in the lands, shall be admitted to engage for the revenue, subject to a fresh assessment, to be adjusted on the actual assets under the general regulations.

Rule 10.—If the title deeds on which a lakherajedar claimed to hold his lands free of assessment, shall be

declared by a final judgement of a competent court to have been forged or fraudulently altered, no length of possession either in the occupant or his ancestors shall be held to entitle him to a settlement for the lands, but the settlement shall in all such cases be made with the proprietors of the lands, under the general regulations.

Rule 11.—The cases of Hockmee lakhersjedars, who may be excluded from the privilege of obtaining the settlement of their resumed lands by the operation of rule 3, but who, either in their own persons, or as representatives of the former lakhersjedars, or both, shall have in the enjoyment of a specific portion of the produce of the lands under the denomination of the rent for the periods specified in clause 2, rule 3, according to part of the country in which the lands may be situated, and shall be specially reported to Government. If shall be lawful for the Governor of the presidency to grant to such of them as are entirely destitute, such pension for life or otherwise as he may deem proper.—*Englishman, February 23.*

CONSULTATION.—SATURDAY, FEBRUARY 18, 1837.

Permanent Settlement of Estates.—Zillah Cuttack

Mr. Secretary Mangles, on the 23d of November last, notified to the Board the sentiments of the Right Hon'ble the Governor of Bengal, on the report submitted by the Board, on the 30th of September last, on the settlement of Talooka Millepore, in central Cuttack.

Mr. Mangles observed, that the revision of the assessment in this instance, appears to be complete, and great credit is due to the officers by whom, severally, it has been conducted and revised for the pains that have been bestowed upon it. Mr. Ewart is entitled to especial commendation for his intelligence, and industry. The jumma imposed is declared to be very moderate, and there is, therefore, every reason to expect that the settlement will stand the test of seasons of different productiveness. His Lordship was consequently pleased to confirm it for a term of twenty-one years.

As to the rate of moquoddumma allowance, the Governor gave it as his opinion, that Mr. Rickett's apparent notion that zemindar is entitled to 20 per cent. under Section VII. Regulation VII. of 1822, was clearly erroneous on the grounds stated by the Board, which was rendered still stronger by the words in the clause subsequent to those quoted, "twenty per cent. on the amount of the jumma payable by, or through them respectively,"—proving that a class of persons standing between them and the malgozars, as the moquoddummas of Cuttack, were contemplated by the legislature as participators in the enhanced rate of malikana guaranteed, under the specified circumstances, by the law above cited. His Lordship concurred with the Board that 20 per cent. to the moquoddum will constitute the "fair allowance" referred to in the 2d principle laid at the conference of the 2d January 1835; and that under the circumstances of the case, 10 per cent. will be an ample grant for malikana; and the small trouble and risk of collection from responsible moquoddums, to the zemindar.

In treating of these tenures, the Governor was inclined to think that sufficient attention had not been paid to what would seem to be an essential distinction, in regard to the respective rights of khurreddars.

When the Zamindari right has been purchased by the khurreddar, these parties are manifestly entitled to all the immunities of full proprietorship,—including malikana if recusant, and the zemindar of the mahal in which the independent tenure is situated, through whom for public convenience, their revenues should be paid, will be abundantly compensated for their trouble and responsibility by an allowance of five, or at the utmost 10, per cent., on the score of expenses of collection.

Where the lien purchased has been of that party not a proprietor, (a term which should be used with great caution, for the Governor does not admit "a proprietary right" to be vested in a moquoddum, in the same sense as that in which it is passed by a malik), the zemindar is as certainly entitled to malikana, as well to compensation of the nature above referred to, and this should be fixed on the same scale as that granted in regard to those villages the rents of which are paid to the Sudder malgozars through a moquoddum.

The lands of recusant khurreddars, of whatever class, should be made over to the zemindars upon the same terms as other lands of the village, minus any malikana which it may be necessary to assign to the parties referred to, the zemindar being only the farmer of such lands.

The Governor did not desire, that the foregoing instructions, as far as they direct that the parties who originally purchased their khurredda tenures from moquoddums, should not to be regarded as invested with the same rights and immunities as those whose liens are derived from zemindars, should be considered imperative upon the local authorities, if they or the Board shall be of opinion that sales of land by moquoddums, sanctioned by the ruling power, previously to British acquisition of the province, were understood to convey, and did actually convey the same rights as sales of a similar nature made by the superior class of landholders. If Mr. Commissioner Ricketts, or any of the Collectors of the province, (to all of whom these and other orders involving important principles should be communicated) shall be of opinion that his Lordship's views must be carried into effect without practical injustice to what has been regarded as the second class of khur e ddars or without serious inconvenience in drawing the line of distinction, the instructions above given will be reconsidered. Real rights and all equitable immunities, especially those for which value has been given, must be carefully upheld. On the other hand caution must be used not to create such rights, attended with the inconvenience and expense of paying malikana to recusants, who ought to have no encouragement to a refusal to enter into engagements for the payment of moderate revenue.

Upon the question of the management, resumed lakherraj lands, his Lordship also thought it necessary to lay down general principles to determine the present and regulate all future cases.

The Governor did not agree with Mr. Mills, nor altogether with Mr. Commissioner Ricketts, in regard to the claims of zemindars to malikana, and of the moquoddums to compensation, on resumed lakherraj lands. Both these officers build the assumed, rights of the zemindars upon sect. XI: Regulation XIX of 1793, and the Collector is further of opinion that the moquoddum "is fully entitled to compensation."

This latter pretension, as one of right, the Commissioner very properly rejects; but he urges on behalf of the zemindar, that Regulation XIX. of 1793 assigned the property of resumed land "under a hundred beegals to the zemindar within whose estate the land might be situated." The Board gave no opinion upon the question of right, but recommended that the expenses of the intermediate management of the moquoddum should be avoided, by assigning to the zemindars the direct collection of the rents of all resumed lakherraj lands.

In disposing of the question of right, the Governor did not think that the zemindars of Cuttack are entitled under the law of 1793 above cited, to be regarded as proprietors, and, in that capacity, to receive malikana from rental of resumed lakherraj land.

This opinion is formed, firstly upon the term of Section XXII; Regulation XII: of 1806, which declares "the revenue assessable on all lands (without exception on the point of extent) which shall be adjudged or become

liable to the payment of revenue," to belong to Government, the second clause of the same section, collected with the following section, proving that the legislature of that day contemplated the assessment of every resumed tenure with the "proprietor," meaning the dis-seized lakherajdar. Section XXIV, only extends to Cuttack those provisions of Regulation XIX, of 1793, "not superseded by the forgoing rules;" but it was clear to His Lordship, as above stated, that Section VI. of that law is overriden by Section XII. Regulation XII. of 1805; secondly, all doubts as to the intentions of the Legislature of 1805—if such can exist,—are removed by clause 1st Section II. Regulation II. of 1819.

At the same time that it was evident, that with respect to small patches of land, not exceeding a few beegahs in extent, it was most desirable that the revenue of Government should be collected from the dis-seized lakherajdars, and paid into the public treasury by the party responsible for the revenue of the estate, within the general idea of which such petty holdings are situated; and it is equally clear that the malikana be ostensibly denied in the first instance, as that to which the sudder malgozar in the supposed case, as no lawful claim. Such an allowance must be made to that party for the trouble and risk of collection, as may make it worth his while to undertake it, and may enable him to stand up against the contingency of untoward seasons. Further, it seems certain, that ere the period of the settlement now about to be formed throughout the province has expired, all distinction between resumed lakheraj and common ryottee lands will be lost, nor with reference to the consideration, that, whether it be denominated malikana or otherwise, a sufficient per centage must be left to the Sudder malgozar to effect the ends above alluded to, nor does there appear to be any sufficient inducement for the attempt to preserve such distinction in regard to petty tenures. They should, therefore, be merged at once in the general estate, carefully maintaining the rights which appertain to the dis-seized lakherajdars as dependent talookdars.

The Board are requested to report, after consulting the Commissioner, what should be the limit in respect of area of tenure, to this mode of disposal; it being understood that the proprietors of all resumed lands exceeding that limit in extent, will be admitted to engagements, as Sudder malgozar, such parties,—but only where the tenure exceeds 100 beegahs—where, in this lordship's judgment, entitled by law to malikana on recuancy.

As respects the collections from dis-seized lakherajdars, (not permitted to enter into immediate engagements

with Government) whose tenures are situated in moquddum villages, his lordship cannot agree with the Board in thinking it advisable to dispense with the agency of the middlemen in question, an arrangement of which would induce a double system of management into the same village. On the contrary, he would carry through the principle of blending such tenures altogether with the ryottee land of the village, assigning, both to moquddum and zemindary, the pecuniary immunities from the one, as from the other description of land.

On the subject of remuneration of putwarries. In principle, his lordship was inclined to agree with the Board that it is expedient "to include the money payment (to putwarries in the zemindar's jumma,) and to pay the allowance from the Collector's treasury;" but he felt some alarm in contemplating the expense of time and labor which would certainly accrue to the Collector and his establishment from rendering so numerous a class of officers, throughout an extensive district, immediate stipendiary servants of the state. He requests, therefore, that the Board will re-consider the point, with reference to the consideration above stated, and to the hazard which the putwarries would run of receiving no money payment at all from estates the Sudder malgozar of which fell into arrears. The Governor was disposed to think, if there be no objection,—which does not present itself at this moment to him,—that class of officers in question might advantageously be paid solely in land, the attachment of which, in case of contumacy, would be a very effectual measure of coercion. The Board are requested to report on the general subject after consulting the local authorities, in order to its being disposed of definitively.

His lordship entirely approved the measure in regard to village police reported by the Commissioner. It is most desirable that the immunities enjoyed by these parties should be rendered so valuable, as to engender a strong fear of being deprived of them on account of misconduct. The Board were requested to direct the Commissioner to impress this principle of proceeding, upon all the officers conducting settlements throughout the province.

The expenses incurred in the formation of the assessment, (sicca rupees 1,219-14-19-3) were considered very disproportionate to the value of the mahal. They were sanctioned at the recommendation of the Board, but his lordship trusted that the Board would immediately take effectual measures for the reduction of the rate.

The Board have abided by the foregoing instructions, and have instructed the Commissioner and the local authorities accordingly.—*Ind. Gaz. Feb. 24.*

MISCELLANEOUS.

CALCUTTA.

THE DISTRICT CHARITABLE SOCIETY.—The annual meeting of the District Charitable Society, was held on the 30th of July. The office bearers of last year, whose services were available, were re-elected, and in the room of Dr. Cameron and Mr. Robertson who have left, and Mr. C. W. Smith, who is about to leave Calcutta, the Archdeacon, Lieut. Col. Beaton and Mr. Walters were elected Vice-Presidents. Two donations of 500 rupees each were announced, one of them from a gentleman who reserved his name from publication, the other from Baboo Dwarkanauth Tagore, in addition to his annual subscription of 100 rupees. The report also mentioned a monthly donation of 80 rupees for six months from Lord Auckland, to defray the expense of

certain experiments with iodine, conducted by Dr. W. Stewart, in the treatment of lepers, from which great hopes are entertained, 500 rupees were granted for the relief of the native poor in addition to the monthly appropriation of 700 rupees to the Native Committee. The receipts and disbursements during the past year are, receipts Rs. 47,996 and disbursements Rs. 46,470. The Ladies' committee has been engaged in carrying into execution a resolution adopted last year "that the females, whether adult or children supported by the funds of the District Charitable Society, be assembled in a room provided for the purpose to perform needle work, if competent to do so, under the superintendence of a person engaged for that object, and, if unable to work, to receive instruction in the same from the same person." The workhouse experiment has

produced, during the first eight or nine months, from the earnings of the women, more than half the expenditure of their maintenance, namely, Rs. 22-12-1 upon an average per month against a monthly disbursement of 88 rupees.

HUMAN SACRIFICE.—The information which was published recently regarding the commission of a human sacrifice at the shrine of Bankiniasur in Zillah Bardwan, has attracted the attention of Government; and the Commissioner of the Moorshedabad Division has been directed to cause investigation to be made into the case.

REMOVAL OF A SAND BANK.—Mr. Larruletta, Collector of Tolls of Jungypore, states that he has succeeded in removing the sand bank that was forming in the Bhaugretty, below the village of Gyzabad, and increasing the depth of water to five and a half feet in the shallowest place. He reports that two other banks have appeared, one of which, near Lalbaz, has increased wonderfully during the last month, the other however, near Rangamatta, is disappearing of itself, and perhaps no expense will be required for its removal.

ESTABLISHMENT OF A HOSPITAL.—Intelligence has been received of the proposed establishment of a public hospital in the town of Hurdwan. The hospital is to be got up by the aid of subscription among the zemindars there, with some pecuniary assistance from Government.

COLLISION OF THE COURTS.—A question of considerable public interest was decided in the Sudder Dawannee Adawlat on the 1st instant. Mr. Elliot Macnaghten was appointed by the Supreme Court in February 1836, to be the receiver of the whole estate of Mrs. Mariam Hume, deceased, an Armenian lady formerly residing at Dacca, the disposition of whose property has been the subject of much litigation. Mr. Macnaghten, in virtue of this appointment, petitioned the judge of Dacca for the payment over of certain sums of money, deposited in that court, which had been realized by the execution of decrees, given in favor of the late Mrs. Hume. With this application the Zillah Judge refused to comply, on the ground that previous to the appointment of Mr. Macnaghten by the Supreme Court, a guardian and manager had been duly appointed by the Mofussil authorities, on behalf of the infants, who are entitled to one moiety of the whole estate of the deceased, and whose share of the amounts levied under the above mentioned decrees, constitutes the fund which the Supreme Court Receiver claimed to have paid over to him. Against this order of the Dacca Court, Mr. Macnaghten, appealed to the Sudder Dewannee, who, on the 1st instant, after hearing Mr. Bignell, in support of the appeal, dismissed the petition, and confirmed the order to the court below. The presiding judge observed, that Mr. Bird's appointment as guardian of the infants had been confirmed by the Sudder Dewannee two years previous to Mr. Macnaghten's nomination by the Supreme Court; that as to the power of the Sudder to confirm Mr. Bird, under Clause 7, Regulation 1, of 1800, there could be no doubt whatever, its judgment, to such effect being expressly declared to be final; that the subsequent nomination of another party by the Supreme Court, could not do away with the appointment previously made by a court of independent jurisdiction; and that whatever might be the consequences of such a decision, he felt bound to uphold the order of the Dacca Judge, and to declare that Mr. Bird, and not Mr. Macnaghten, was the proper party to have possession of the infant's moiety of Mrs. Hume's estates. It now remains to be seen what the Supreme Court will do under these circumstances: if it attempt to enforce its order, it must come

into direct collision with the Company's courts; if, on the other hand, it quietly pass over the matter, it must stultify itself by the tacit acknowledgment that it has issued mandates and made appointments to which it is utterly unable to give effect.

RAJAH OF BURDWAN.—The *soi disant* Rajah of Burdwan, was released from his captivity at Hoogly on the 3rd instant, the sufficiency of his securities having been established.

MURDERS.—A sepoy at Barrackpore, murdered his wife's mother on the 3rd instant. The murderer has effected his escape.

A Moonshee who resided in the house of C. B. Greenlaw, Esq., was poisoned on the 2d instant. A coroner's inquest was held on the body, on the 3d instant, and a verdict of wilful murder returned against some person unknown.

A Hindoostanee woman named Ram Behi, was murdered on the 10th instant, by her servants, it is supposed, as they have absconded, and property to the amount of about 5,000 rupees, belonging to the deceased, is missing.

A man was drowned in a tank in Entally on the 6th instant. It is supposed that he was intoxicated and drowned in that state by two persons who accompanied him to the tank to bathe, and these individuals have, consequently, been taken up on suspicion.

It appears that some clue has been found by the Police, which bids fair to lead to the apprehension and punishment of all the murderers of Ojagar Sing the Sheik merchant. A Mosulman who lived near the residence of the deceased, and disappeared after the murder took place, has been apprehended as one of the parties concerned in the murder; and a female relative of the deceased, who lived in the same house with him, and who had at first affected to be quite ignorant of the affair, seems to be an actor in the tragedy; with two others at Chinsurah, one of whom is the man who hired the shop in which the Sheik was found murdered.

MURDER AND SUICIDE.—The Darogah of Kidderpore reported to the Magistrate of the 24-Pergunnahs on the 10th instant, that on the afternoon of the 3d, a man named Hurry Churno wounded a young man named Nuffoo, with a dows on the road, after having done which Hurry took to his heels, and on arriving at his own domicile, used the same instrument in annihilating his wife, named Bherma, and in putting an end to his own existence. Hurry Churno, had some time ago discovered certain infidelities in the conduct of his wife, and had detected Nuffoo in illicit intercourse with her. On the date of the murder, Hurry had returned to his house at an unusual hour, and had then witnessed stronger proof of the inconsistency of his wife, had waylaid Nuffoo, and having wounded him, fled under the impression that he had committed murder, and under the excitement completed the tragedy by destroying his wife and putting an end to his own life.

ATTEMPTED MURDER.—Nubbee Bux, a kidmutgar, in the employ of Dr. Peel Bell, Garrison Surgeon, attempted to murder his master on the night of the 19th instant. The Doctor had retired to rest, when something awoke him suddenly, which he could not account for. On looking round he found that the doors were

open: this circumstance immediately made him proceed below for a light, on doing which, he stumbled over a man in a crouching posture. This person he laid hold of, and succeeded in wringing a large carving knife from him, which he had in his hands, and afterwards, through the assistance of the native doctor, Ramchunder Day, the prisoner was made over to Sergeant McKenzie, of the main guard. The doctor on looking about, found his silver plate removed from the almirah to the bathing room, and it was on the following evening that he discovered a slight wound on the inside part of his arm; and the shirt about there, bloody. Suspects, that the time he awoke suddenly, the wound must have been inflicted. The knife is the property of Dr. Bell.

DEATH FROM INTOXICATION.—Mr. Joseph D'Monte, a petition writer attached to the Police Office, was found dead in his bed on the morning of the 8th instant. It is said the deceased, who was a habitual drunkard, was killed by having taken a very large quantity of opium and rum before retiring to bed.

A DEAD CHILD FOUND.—On the morning of the 9th instant, a dead child, aged a few days only, was discovered in a drain within Suckan's alheet division.

ACCIDENTAL DEATH.—An old wall of a granary fell on a hut, within the Coomartoolly division, on the night of the 18th instant, and the latter giving way, two men, who were in it, were buried under the ruins. The Police and neighbours came to their assistance, and on removing the bricks and rubbish, found one of the men dead and the other severely bruised.

RIOT, ASSAULT AND CAPTURE OF POLICE OFFICERS.—On the 14th instant, information was lodged at the thanna of a place called Bebee's Abad, within the salt chowkee of Nebhausum, in the zillah 24-Pargannahs, that the inhabitants of the place had established *khalaris*, and were in the habit of manufacturing salt clandestinely. The daroga of the chowkee brought the matter to the notice of the salt agent; and that gentleman ordered the deputy Nauzer of the Sudder Cutchery, the Mohurrir, the Chuprasy and the Burkundauze of the Darogah and the Police Burkundauzes, and the Chaprasies of Rampoor and Baroocepoor, for the apprehension of the offenders. These about fifty or sixty in number, about seven or eight o'clock on the morning of the 15th instant, proceeded to the place; and on searching the home-steads of three or four of the inhabitants, salt was discovered; when Ketaubdee Mundal, the Mundal of the place, with two or three hundred men, armed with sticks, confronted the officers engaged in the search, and commenced a dreadful battery with their sticks on them, so that seven or eight of their number were seriously injured. Two or three persons are missing, and no trace has yet been found of them. The Mundal has made prisoners of the Darogah of Bhampurpoor, the Mohurrir and the Burkundauze of the above named chowkee, as also of the Manjee of a guard boat, and has detained them in his custody.

AFFRAY ATTENDED WITH WOUNDING.—Five natives, were convicted before the Magistrate of the twenty-four Pergunnahs on the 23d of December last, of having created an affray in a fair held at a village called Koonpura, and having severely wounded an up country brijebassy with a spear and clubs. They were sentenced to imprisonment with labor in irons for 5 years.

THUGGEE.—The assistant to the general superintendent for the suppression of Thuggee, Captain Lewis, as well as the magistrate of Burdwan, Mr. Skipwith,

having cause to believe that a certain person who acted as Mohafiz or record keeper to the magistrate of Beerbhoom named Radhamadob Ghose, keeps connexion with Thugs and assists and advises them in their proceedings, wrote to the magistrate of Beerbhoom, to send him over to them for trial. The Magistrate was also informed that two of the record keeper's brothers have been apprehended as Thugs, and that a *gristaree parwana*, or order for arrest, has been issued against a third.

A reward of 800 Rs. has been sanctioned by Government to be paid to the Nazir of the Magistrate's Court of Burdwan, for apprehending about 50 thugs, who have been made over to the superintendent for the suppression of thuggee.

FIRE.—Mr. Payne's house and property, had a very narrow escape from being destroyed by fire on the 9th instant. His stable was set on fire by the carelessness of one of his syces, who left a light burning in it, whilst he went to his dinner; and it is supposed the light was kicked down by the horse, a fine Arab, which was burnt to death. The loss of the stable and salt houses, was the only further damage Mr. Payne sustained; but had the wind been from the north, instead of the south-west, nothing could have saved his house and the valuable property it contained.

EMBANKMENTS.—An enquiry has been directed to be instituted by the Government into the nature of cuboolits entered into by the Zemindars of Hoogly, Burdwan and Midnapore, for the purpose of ascertaining how far the Government are liable to bear the expense of pool-bundee, or repairing of the embankments, while remissions were made to the landholders at the period of the perpetual settlement or subsequent period to maintain them at their own expense. The enquiry will be attended with considerable saving to the state.

EDUCATION COMMITTEE, THE VERNACULAR LANGUAGE.—The Education Committee, it would appear, have earnestly set themselves about encouraging the study of the vernacular dialects. They recently addressed the Committee of the School Book Society, desiring to ascertain if they could supply them with good Hindui books, the work in that language at the present in use in some of the schools under their controul, being defective in many respects. The Secretary to the School Book Committee has been directed to write in reply that they will shortly be able to comply with the wishes of the Education Committee, as several elementary treatises in the Hindui language, prepared by some distinguished friends to native education, have lately been received for publication.

OPIMUM CULTIVATION.—Government have determined to encourage the cultivation of the poppy in some of the districts comprised in the 1st or Meerut Division, under an arrangement similar to what has recently been adopted in the provinces of Behar and Benares. A Mr. Johnson has been appointed Sub-Deputy Opium Agent to commence operations from the next opium season, viz. July 1837.

ENCOURAGEMENT TO SERVANTS OF THE PREVENTIVE DEPARTMENT.—It is said that Government, with a due consideration of the policy of giving every encouragement to that responsible and deserving class of its servants engaged in the preventive department of the customs, has recently modified some of the rules relating to that body, which will have the effect of placing them on a more favourable footing than before. The full extent of the alterations in question is not mentioned, but it is said that, in case of sickness, the supervisors are to have free medical attendance, medicines gratuitously; and in the event of serious illness, are to be entitled to draw

half of their allowances, and to have a substitute provided.

SALE OF A PORTION OF THE KIDDERPORE PREMISES.—The Committee of Docks lately established, have disposed of part of the Kidderpore premises to Government for Co.'s rupees seventy thousand, for a Depot for the Iron Steamers.

SURVEY OF THE RIVER.—It is not generally known, that Captain Lloyd, of the Indian Navy, has been employed for the last two years, making a survey of the river Hooghly, from the Calcutta new Mint to the Sandheads. Two parts of the chart has been sent in, viz. from the Mint to Culpeo, and from the latter place to about Kedgeres; the remaining one is expected to be finished this year.

NEW OBSERVATORY IN CROWNINGHER.—We yesterday visited the new observatory erected under the superintendence of the engineer department on the ground at the east of the Sudder Board. The building is rectangular standing north and south, the dimensions are 40 by 32 feet, and the extreme height from the ground to the top of the dome is 33 feet. It has a triangular staircase in front with the year 1837 in stone figures.

On entering, two piers are seen rising from the foundation through the second floor, and on the wings two instruments are placed for observations. On the upper floor two piers support the altitude, azimuth circle, and the transit instrument. Over the azimuth circle a moveable circular dome is fixed, which works round, and opens conveniently for the purposes of observation. Mean time will now be regular shewn as a post has been erected to signalize with the telegraph at the Fort.

THE MILITARY ORPHAN INSTITUTION.—Letters from Kurnaul and Benares mention, that the feeling is so strong in respect to the mismanagement of the Orphan Asylum, disclosed on the late trial, that requisitions have been in circulation at those stations for the dismissal of Mrs. Wyatt and Mr. McQueen. That from Kurnaul has reached Calcutta. It bears the signatures of 55 officers.

MEDICAL COLLEGE.—Government has determined, not to nominate another Principal to the Medical College, but to appropriate the salary of that office to two new Professorships. Drs. Egerton and Chapman are to be the additional Professors.

PRIZE FOR MEDICAL MEN.—Baboo Gourmohun has offered to any medical gentleman the prize of 1,000 rupees, who will succeed in extracting the stone from the bladder without pain and cutting.

VACCINATION.—Dr. D. Stewart has intimated, that with the view of extending more generally the benefits of vaccine inoculation throughout Calcutta, he proposes to establish a depot for the purpose at each end of the town, and to superintend personally at each place twice a week, as well as at his own house.

The following days have been fixed for attendance at each depot between 10 and 12 A. M., viz. Monday and Thursday—Park Street; Tuesday and Friday—Gardentillah; Wednesday and Saturday—at Dr. Stuart's residence, No. 1, Chowringhee Road.

IRON BEAMS FOR BONDING WAREHOUSES.—It is said that in order to avoid the loss of so much time as will be required to get out iron beams from England to support

the floors of the Bonding-warehouses, enquiries are making as to the practicability of getting them cast at the Porto Novo Iron Works.

COLLECTION OF IMPORT DUTIES.—The Board of Customs has not sanctioned the principle of conversion suggested by the Chamber of Commerce for the purpose of facilitating and rendering more certain and equitable the collection of import duties.

BENGAL ARCHERY. The silver bowl shot for by the Bengal Archers, was won by J. C. Wilson, Esq.

THE BORING EXPERIMENT.—The accident which happened, to the mud-shell in the boring experiment in the fort, has been got over by the bringing up of that instrument, which speaks well for the industry and ability of the Sappers and Miners, who are employed upon the work. The boring has now reached to a depth of three hundred and twenty-six feet, and has been accomplished in the most perfect manner; and the water in the pipes rises considerably higher than in any of the adjacent wells.

MR. ROBERTSON THE AERONAUT.—Mr. Robertson made a very beautiful and lofty ascent at Lucknow recently. He quite astonished the king and the people, cleared about eight thousand rupees, and has proceeded on to Agra.

MOFUSSIL.

DEATH.—The increase obtained by Ram Mohun Roy, to the King of Delhi's pension some four years ago, has now, for the first time, been paid. The sum, amounting to Rs. 25,000 per annum, will be borne on the expenditure from the present year.

Four Russian spies, it is asserted by the natives, are in the Delhi territory, in disguise, sounding the feelings of neighbouring chiefs and potentates!

Sunghree Beg, Cotwal, of notorious fame, and the Nazir of the Criminal Court, have been each fined and suspended from office, and are, it is said, likely to be dismissed.

PATNA.—An earthquake took place at Patna about ten o'clock on the night of the ninth instant, and another, between seven and eight, the following morning.

AGRA.—General Allard arrived at the station on the 8th instant, and left on the 10th, to proceed via Muttra to Meerut. The gallant officer was received by Sir C. Metcalfe, who invited a large party to meet him on the 9th.

The Masonic Lodge of Agra, has determined on selecting a Deputy Provincial Grand Master, and on petitioning the Grand Lodge at home, to send out the necessary warrants of authority. Colonel Lindsay is the individual selected to be raised to this dignity.

Joota Ram and his son, under an escort from the 52d regiment, arrived at Agra on the 31st of January, and on the 2d instant proceeded on towards their future residence, Chunar, with a detachment from the 47th, under command of Captain Blake.

MONGHYR 10TH FEB.—At 5 minutes past 8 this morning, Monghyr was visited by a smart shock of Earthquake, which lasted but a few seconds. The vibration

seemed to be from east to west. The very unusual state of the weather at this season of the year, for some time past, may in some measure account for the before-mentioned visitation.

MEERUT.—The crew of a Calcutta boat, with goods on board, insured by Messrs. Kemp, Brothers and Company, who recently found by an employ of the Commissariat of Meerut, between Ghurmuckteer, and Anoopshuhur, busily employed in taking in a cargo of grain, after they had discharged the insured goods on the bare shore, to be left to the mercy of the tender conscience of the people of that neighbourhood. The individual in question saw the goods on board again, and compelled the manjee to come on to Ghurmuckteer, having, moreover, ascertained that a bribe of 25 rupees had been given and taken to affect the exchange. No less than 40 rupees per 100 mounds are given at the ghât for the conveyance of grain thence to Cawnpore.

On the 28th of January, the 11th Dragoons marched out, and the 16th Lancers marched into this station.

REDUCTION IN THE PRICES OF STUD HORSES.—It is said that Government contemplate a reduction in the prices of their stud horses, in so far at least that officers should be allowed to select chargers from the ranks at the reduced price of 500 instead of 800 rupees.

NAVIGABLE COMMUNICATION.—It is stated, that there is some chance of a navigable communication being opened between the Hindoun, (a stream running from hills through the western part of the Doab into the Jumna a little below Delhi) and the Ganges, through Meerut. The plan originated with Captain Wroughton, Revenue Surveyor, who is carefully examining the course and aptitude of the Eastern Kalee Nuddee, which takes its rise near Katowlee, and passing a short distance to the East of Meerut, and past Babhooghar, falls into the Ganges in the neighbourhood of Futtighur. Captain Wroughton's plan is to deepen this stream considerably and increase its waters by means of the Kotra Canal passing through Meerut, which is to be sufficiently enlarged, so as to absorb, and carry off into the Kalee Nuddee, the whole, or nearly so, of the waters of the Hindoun, which are now of little or no use to the cultivator or navigator.

NATIVE STATES.

BHURUTPORE.—The Commander-in-Chief reached this city on the 9th of January and was received with every attention by the Rajah. In the evening His Excellency visited the palace, where he was entertained after the usual fashions of native courts; on the next day he accompanied the Rajah on a battu, and on the third proceeded on his march.

CABOOL.—The mercenaries employed by long custom at this court, under the designation of Kussulbashies and Hubalshies, have become so discontented at the present pacific position of affairs, that they have been conspiring to remove Dost Moomud and place a more turbulent chief over them. Some concessions and a few presents on the part of the old Afghan have conciliated them or postponed their hostility to a future period.

To so low an ebb has the power of Dost Moomud fallen, that even his nobles heard him on his throne, and refuse to attend his durbars.

It is said, that Sirdar Mahomed Khan being informed that Mirza Burkut Ally, a very rich merchant of Bokhara, had in conformity with his highness's desire, arrived near Pargunah Bilman, within four stages of

Cabool, hastened to receive him; which he did with becoming hospitality and politeness. His Highness has borrowed two lakhs of gold patkees on the mortgage of a number of pearl necklaces, and his object is to commence hostilities against Peshawar.

PESHAWAR.—Sahadut Khan, the famous bandit chief, who had come to terms of agreement with Koonwur Share Sing to abstain from levying contributions upon travellers and from oppressing the inhabitants in the vicinity of Peshawar, has been detected in a correspondence with his former associates, and when spoken to about it, boldly declared that until his lawful possessions were restored to him by the Sikhs, he would continue to practise his old trade; which declaration induced the Koonwur, upon the persuasion of Sultan Mahomed, to comply with the demand, and restore to the bandit his jagheer of 12,000 Rs.

Futtay Khan, Bucktour Walla, has met with a signal defeat from the Sikh troops at Peshawar, under the command of Sirdar Hurtee Sing. Nulwa Walla, who also captured this refractory Chief's fort, and razed it to the ground. The loss of the Sikhs is stated to be twenty, to be killed and wounded, but that of their antagonists considerably more.

HERAT.—Mirza Jehangeer, the son of Shah Kamran, the Herat Chief, with the view of closing the breaches which have from time immemorial, existed between Herat and Candahar, sent valuable presents to the Candahar Chief, accompanied by strong expressions of good will, which the Candahar Chief gladly excepted, as he had ever lived in constant dread of Herat, and which he acknowledged by suitable returns of the best his land produced. Dost Mahomed of Cabool, hearing of these interchanges of good-fellowship, prepared presents, exceeding in value and extent those of the Candahar Chief, which he intends to send as a propitiatory offering to Runjeet Sing, hoping thereby to secure his powerful aid and influence.

JEYPORE.—The Thakoors of that noted place Khialie, who have long been celebrated for their exploits as brigand chiefs, and who had on one occasion beaten off a large force sent from Jeypore against them, five years ago, were emboldened to try their luck with a detachment of Major Forster's cavalry, lately, who had been sent to seize some of the offenders there. About a hundred and fifty matchlock-men took post in a strong gurree, having some guns and several jinjals, and ample quantum of stores for a good defence. Under such favourable circumstances, they hesitated not to fire on the horsemen the moment they came within range of their shot; the horsemen immediately dismounted, and in a most gallant manner, charged through the village to the gates of the fort, killing and wounding a number of the insurgents; Major Forster and some Infantry and guns were close at hand; but the three Principal Thakoors, submitted ere he could arrive; with these and thirteen jinjals and fourteen iron guns, and other booty, the detachment returned to Joonjoo in triumph the next day; the village has now been entirely destroyed and the Fort blown up.

HYDRABAD IN SCIND.—About four hundred Beluchese residing in the forests, mounted on camels, stormed the western parts of the dominions of the Amers of Scind, which are situated at the sea-shore, and plundered the inhabitants thereof. The sufferers made their grievances known to the rulers, and they lost no time in dispatching one of their resaladers, at the head of two thousand troops, accompanied by several field pieces, for the chastisement of the marauders. The former marched day and night on the expedition, till they succeeded in overtaking the latter, who being thus surprised, leaving their camels, attempted to escape, but were pursued

by the Sepoys, who killed and wounded some of them and took prisoners others, and proceeded back to the dhabar of the Amcets.

INTERVIEW BY PATIATA.—It is said, that the Governor-General's Agent of Amballa, has desired Maha Rajah Kurram Sing, the chief of Patials, to make over to the Company, the zillah of Flee, which has from the days of old formed a parcel of the territories of the Maha Rajah. At this His Highness felt much annoyed, and is said to have addressed his courtiers thus:—"It is a pity that there is no one in Punjab, capable of coping with the Company Bahadoor. Indeed, the arrow of wisdom and contrivance can have no effect against the shield of prosperity, yet, if it be the Company's pleasure, to force all the possessions from the hands of the whole host of the chiefs of Hindoostan, I will not submit to parting with mine without resistance; the result, however, will depend on the pleasure of God."

REPORT.—The native newspapers from this quarter state, that Runjeet has illegitimated slavery throughout his territories, and is about to pass a severe penal enactment for its suppression.

A Mr. Foster, who had been presented to the Maha Rajah, was asked why he had visited Lahore; he replied to seek for employment. The Huzoor told him, that the command of one guldun would be bestowed upon him, for which gracious favour the gentleman made a suitable and handsome speech, whereupon the Maharaja was much pleased and made him a present of one hundred rupees and a pair of shawls.

An urzie was received from Koonwar Sher Singh and Sardar Tej Singh, intimating that they had crossed the Attock with their troops, in pursuance of the Huzoor's orders, and that they would shortly arrive at Balahore. A purwanah was written in answer, enjoining them to be particular and vigilant in passing through the country, so that the crops might not be injured, or the Krimdars oppressed by the soldiers.

Mr. Vigne reached Lahore on the 21st of January and brought many interesting drawings of Cabool, and the countries he has visited along the route. The principle one is a panoramic view of the city of Cabool, and its environs, which is said to be in a more finished style than the one of Cashmerre.

A short time since a box was opened in this city, in which a fakier had been enclosed for two months, without food or drink. Runjeet had taken every precaution to prevent access to him, having first locked the box, locked the door of the room inclosing it, the latter was surrounded by a wall, the door of which was locked and built up with bricks and clay. The man was sworn up in a bag, in a sitting posture, and appeared on first opening the box inanimate, his eyes, mouth, and nostrils had been shut. The first part of the resuscitation consisted in pouring hot water on his head, and placing a hot cake on the crown of it, the nostrils were then opened, through which he breathed like a porpoise; next the mouth was forced open by main strength, and the tongue brought forward, it having been laid back on the roof of his mouth, the pulse was not felt at the wrist for some time, and not plainly, until the legs and arms had been stretched and rubbed; he soon began to talk, after getting some warm milk and sugar, and in a short time appeared none the worse for his abstinence; the heat of the body was greatly above the standard of health from the first, and as it subsided, the circulation became established.

Jondh Sing and Gobind Jua submitted that they had made the necessary preparations for Captain Wade's reception; the courtiers were immediately desired to

attire themselves in their best suits to do honor to the distinguished guest, who having reached Lahore, was honored with a salute of 5 guns, after which the Maharaja visited the Sahib Bahadoor, when interchange of presents took place, the Huzoor retiring highly gratified with his visit.

Shah Oodeen, the Vakeel of Dost Mahomed Khan, represented that Peer Mahomed Khan, his Master's brother, had arrived at Jelalabad with 700 horse; the Huzoor told him to give information when Peer Mahomed should reach Peshawur, and a Jagheer would be bestowed.

MADRAS.

THE GOVERNOR OF PONDICHERRY.—His Excellency the Marquess De St. Simon, Governor of Pondicherry, arrived at Madras on the evening of the 21st of February. The usual salute of 19 guns was fired on the following morning in honor of his arrival. The following is an instance of the liberality of the Marquess De St. Simon. A mercantile establishment at Madras advanced a sum of money, some years ago, to a gentleman filling a high appointment in the Civil Administration of Pondicherry, for the purpose of enabling him to establish a silk manufactory there. The speculation, which was a private one, although undertaken for a public object, proved unsuccessful, and the individual to whom the money was lent, was compelled to quit this country, unable to discharge the debt he had contracted to the firm at Madras. Since the Marquess De St. Simon's accession to the Government, it has been resolved to make the transaction a public one, thereby relieving the parties who had advanced the money from loss, on the ground, as that distinguished individual has so justly observed, that "private enterprise having the public good in view, should receive all the support and encouragement that can possibly be extended to it by the Government."

NOTICE TO NAVIGATORS.—Navigators frequenting the coast of Coromandel, are aware that there exists at Porto Novo, 10 leagues South of Pondicherry, a smelting furnace, the chimney of which is very lofty and throws out from its summit a light so brilliant as to be taken at times for a light-house. They should be cautious of confounding this light with the one at Pondicherry, or by such a mistake they might touch the bank of Coleeroon for want of water. At the Northern point of the bank, in four fathoms, the chimney bears W. 50° N. The best way of ascertaining whether they have reached Pondicherry or Porto Novo, is after they have shaped their course to stand in boldly to the shore and keep the lead going. To the East and N. E. of the bank, the soundings diminish rapidly, in some places a fathom at a cast. In the neighborhood of Pondicherry, on the other hand, the soundings diminish gradually and uniformly. The bottom off the Coleeroon bank is of sand and good for anchorage, if the sea breeze is not too strong.

TRIAL FOR ASSAULT.—Nineteen sepoys were tried on the 26th ultimo for assault, and six of the party pronounced guilty and sentenced each to be imprisoned for two months.

Lieutenant H. Green and C. H. Winfield and Ensign J. H. M. Phillips, of the 18th N. I., and Mr. Assistant Surgeon Maginnis, were, on the 30th of January, tried for an assault and rescue from the Police authorities. The prisoners were acquitted.

COLONEL CONWAY.—Col. Conway was on the 31st of January, appointed definitely to the command of Hyderabad with the rank of Brigadier.

THE SARRAWADY MERCHANT.—The schooner Sarrawady Merchant, parted from her anchor on the 29th of

January, about 8-30 A. M. At the time the weather was perfectly fine with a light breeze from the eastward. In attempting to let go a second anchor the cable jammed in the haws and sail was made on the vessel, but having about 50 fathoms of cable hanging to her bows, the sails had no effect, and she dove on shore between the tunnel and Messrs. Parry and Dare's. During the day the stores, rigging and sails were landed by the Master Attendant's department, and the vessel went to pieces in the night.

DINNER TO SIR F. ADAM.—The friends of Sir F. Adam, gave him a dinner at the Club House on the 30th of January.

MR. LUSHINGTON.—C. M. Lushington, Esq. was sworn in as an acting member of Council on the 30th of January, in the room of Mr. Russell, whom some recent discovery has found to be out of it, as well in the eye of the law as in that of a plain view.

MR. RUSSELL.—Mr. Russell, the Commissioner, has, however, left the force in Goomsoor and proceeded to Madras, in hopes of assuming the reins of Government on the approaching departure of Sir Frederick Adam, should his honor's successor, Lord Elphinstone, not arrive in time.

On the 8th instant, at a meeting held at the College Hall, it was determined to erect a monument in the Cathedral of Madras, to the memory of the late Bishop Corrie. The sum of 9,003 rupees was subscribed on the spot.

WHITE ELEPHANT.—A white elephant is now in Madras, which has been sent from Coimbatore by Government, en route to Ava, as a present from the Honorable Company to the King of that country.

ACCIDENT AT SEA.—On the 11th ultimo the Ship *Golconda*, of 800 tons. Capt. Bell, from Bombay bound to Madras, saw off Point de Galle, the land in sight with a light breeze from the S. W., a barque laying too a head. Captain Bell very properly supposing assistance was required, ran up to the barque, which proved to be the *Caledonia* from Bombay, bound to Bengal. After exchanging a few words of no importance within hail, it fell calm and the two ships came in contact. The *Caledonia*, being the smaller ship, received considerable damage in her hull about the poop and star-board quarter. By means of a breeze which sprung up, the ships got clear, when Captain Bell sent on board to know if any assistance was required, and having been answered in the negative by the chief mate the boat returned with Lieutenant and Miss Dunbar passengers, who had taken alarm and begged to be received on board the *Golconda*.

SWEARING IN OF MAGISTRATES.—On the 31st ultimo Captains M'Neil and Whistler, the new Police Magistrates, were sworn in at the Supreme Court, vice H. Morris and C. Feed, Esquires, resigned.

BISHOP CORRIE.—The Revd. Doctor Corrie, Bishop of Madras, expired on the 5th instant, universally regretted.

BOMBAY.

COURT-MARTIAL ON MAJOR GEORGE STORY.—A court-martial held at Secunderabad on the 4th of January, for the trial of Major George Story, of the 37th N. I., for conduct unbecoming of a gentleman, in having made false statements, found him guilty, and sentenced him to be discharged the service. The sentence has been confirmed.

THE BYCULLA CLUB.—It is intended to remove the Byculla Club into the fort. In reply to a letter from the Club to the exporters of ice from the United States, the former have been informed, that the exporters cannot undertake to supply them with ice, as it is found that the speculation does not remunerate the parties engaging in it.

DEATH OF GOVIND ROW NANA SHAHEB.—Govind Row Nana Shaheb of Chichnee, departed this life on the 1st instant, leaving no issue behind him.

MR. WEDDERBURN.—It is with much regret that we have to announce the departure to England of Mr. Wedderburn, who for so many years has so materially contributed by his social qualities and eminent abilities not only to the delight of the society, but also to the prosperity of this presidency.

ROBBERIES.—It is reported that many robberies are taking place about Hangul on the side of the Dharwar, and to quell and apprehend the robbers, it is said, that a detachment under a non-commissioned European officer has marched from Dharwar.

The following is an extract of a letter dated November last, from a passenger of the *Hugh Lindsay*—

"I wrote you two lines via Bagdad, just to tell you of our adventures. We were plundered and made captives by the Arabs at a place called Lemlool, 40 miles below this, and I don't know yet how we escaped being all murdered, as was intended. We drank a little sherry in our boat, when armed men were posted all around us, and behind every bush or little broken wall to be seen, besides having a fifth of us a man to stab us in the back. The sherry was thought brandy, and that we were therefore desperate. A man called out that we had drunk brandy, and the villains left the boat, the Shaick then sent orders that we might go. In the evening we were promised our lives, and taken by one of the chief plunderers to his house, in the hopes that he might secure of himself the remainder of our property. Here we were kept for 7 days in terrible suspense, and were at last chiefly indebted to a set of monkey-dancers from Bagdad for our deliverance, after attempting to rob us twice during the night. We kept our guns and one or two pistols, as they have percussion locks, all with flints were stolen, a great thing in favour of the former. This is the only place we have found people peaceably disposed. Two days ago, after leaving Lemlool, they intended to murder us merely to deter the starab from coming up the river. We are sending of a horseman to Col. Taylor to see and assist as far as Hillah, where our troubles will finish I hope. I don't anticipate much difficulty, therefore, and when once at Bagdad I shall write you again. As the mails go on from Hillah to Aleppo by one of the officers of the expedition, who is accompanied by one of Ali Pasha's Officers (a Seyd) had we not kept him close to us, there is no doubt we should have been all dispatched."

REVOLUTION IN DEMAUN.—The following letter, to the Editor of the *Bombay Gazette*, intimates a revolution in Demaun—

"I have just seen a gentleman who has arrived here from Demaun in the suite of Senhor Gama, the Governor of that place, from whom I have gleaned the following particulars, which will be more circumstantially narrated in your next. On the night of Friday last, a body of troops, under the command of Major ****, rose up in arms and proclaimed the Constitution of 1820, as has been lately forced upon the Queen at Lisbon. This revolution has only been used as a pretext to overturn the authority of Senhor Gama, by persons who are under the greatest obligations to him; but I have only time to add just now, that many of the most respectable families in Demaun have fled to Bombay, and that you may expect a more detailed account from me of these proceedings before the next issue of your publication.

THE LOSS OF THE SHIP TIGER.—Intelligence has been received, that the ship *Tiger*, from Liverpool, bound for Bombay, which touched at, and left the Cape of Good Hope on the 6th of July last, and which has not since been heard of, was either wrecked or totally lost, and that the whole of the passengers and crew,—the unfortunate Captain excepted,—were saved.

CEYLON.

LADY HORTON.—At a public meeting held in the Colombo Library on the 14th of January, it was determined to present LADY HORTON, previous to her approaching departure from the island, with pearl ornaments *en suite*, as a token of the respect and esteem entertained by the society of Ceylon for her Ladyship. Several complimentary addresses were made on the occasion, that of Mr. Justice Jermie in particular, was very generally applauded. On the 16th LADY HORTON was pleased to express her readiness to comply with their wishes, to a deputation of gentlemen who waited upon her Ladyship to request her acceptance of the present.

MALDIVE ISLANDS.

A letter from the Collector of Customs at the Maldiva Islands mentions, that Her Majesty the Queen was safely delivered of twins at 35 minutes past 7 on the morning of Christmas day. Her Majesty is doing as well as can be expected. His Majesty entertained a select party on the occasion with pipes and opium.

From the same source it is intimated, that a new tariff is in preparation, the principal feature of which is that a duty of 2½ per cent. will be levied on the exportation of coir rope, and a bounty of 20 per cent. on that of arrack.

Commerce is represented as being in the most deplorable state, speculators being unwilling to touch coir at present from their having no guarantee that the duty may not be doubled by this time next year; and most of the importers would, it is said, be happy to dispose of their imports at prime cost. The Government have fixed the current value of the copper pice at ¼ of a penny sterling; and that of four of the old copper challes (which possess exactly the same intrinsic value) at ½. This proceeding has caused the most extraordinary sensation on change, and will materially damage the operations of the betel and arrack merchants.

SINGAPORE.

Singapore news to the 31st of December, has been received during the week. The pirates seem now to have been scarred away, at least for a time, from the vicinity of the Straits, through the active measures adopted for their extinction. The *Wolf* and *Zephyr* had been cruising about in search of the buccanniers in the Straits of Durian, a famous piratical haunt but had not met with a single suspicious prahu, while the *Bugis* and other trading boats, were seen quietly pursuing their voyages undeterred by apprehension of molestation.

CHINA.

China news to the 23d of December, has been received. The affairs of the foreign barbarians in the celestial empire, it would appear, have now arrived at a crisis. The Chinese authorities still persisted in their determination to uphold the laws of the empire, and prevent all foreigners from permanently residing in Canton, which they have hitherto been suffered to do. The commission of Sir George Robinson, as Chief Superintendent of the China Commission, had been abolished, and he had retired. The Commission is now composed of two Superintendents, Capt. Charles Elliot and Alex. Johnson, Esq. In consequence of this change,

the present Superintendents have been obliged to relieve themselves of the duty of despatching vessels, which office has been delegated to Capt. Crockett and Jannity. The black tea question had been settled. Owing to the vigilance of the Mandarins, smuggling had almost entirely been suppressed. The stock of unsold opium, at the date of the last advices, was 5,000 chests. The hong merchants were nearly all ruined; and one had failed. Trade was at a complete stand, money extremely scarce, and exchange rising very rapidly. — The arrivals of the ship *Lord Auckland*, and also of the *Lord William Bentinck*, the latter of which was supposed to have been lost in the Straits, from the circumstances of a number of cotton bales bearing marks corresponding with those of her cargo having been picked, are announced. Both ships had made very long passages from Singapore.

PERSIA.

The following is an extract of a letter from Therau, dated 12th Nov. 1836:—The Shah seems to be in a considerable scrape at present; he has been among the Turcomans on the Loogann; the troops were hungry, and plundered the friendly tribes of that people; the others seeing this, went off with their property into the desert and have recently been plundering H. M.'s camp, and have carried off many small bodies of stragglers of the army and others. The baggage cattle of the Russian Ambassador were about the first carried off, and since then very many cattle, a good many soldiers and servants, and it is said two guns, have been taken by the Turcomans! People in camp, by most recent accounts, suffer immense privations. 400 men of one single battalion were recently seen on the road, having sold their arms, &c. and deserted. And this desire to get out of their troubles is very strong among the rabble, whom the Shah considers a disciplined army! How he is to get back I know not, but it still seems doubtful, notwithstanding the disgraces of the present campaign, and the difficulties that surround him now, whether H. M. will not still try to go to *Meshed* this year! The revenues of this year (5 months of which still remain) are all expended; the people are oppressed and disgusted, but still the Shah writes by every letter for more infantry and more ammunition.

"H. M. is coming (or trying to come) to *Jahgerin*, from which place we will see whether he will march towards *Tehran* or *Meshed*. The Russian Minister and his tool, (the Persian Minister for Foreign Affairs,) press the Shah to go on to Herat this year! but if H. M. does take this advice (which it does not seem improbable,) I think he may probably forfeit his crown.

"All the present difficulties of the Shah's situation may do good ultimately, for I imagine that he must receive lessons in the school of adversity before he will open his eyes to his own position, or that of his miserable country.

"The total failure of Sir Henry Bethune, in his attempt to acquire authority in the Camp of our protégé; his removal, and that of the rest of the detachment and party from the camp, was accomplished entirely by Russians and Perso-Russians. And if the same party manages to get the Shah to persevere in going to *Meshed* this year, they will have displayed great talent in carrying the scheme to a successful issue.

"The British Mission remains at *Tehran* till the Shah's plans are known, and its doing so will in all probability put our Minister in a most favorable position for showing the Shah how unwise has been his recent conduct, and how dangerous is the advice of Russia."

Thus it appears that the influence which the British power had in placing the Persian monarch on the throne made but a slight impression, so slight that Russian intrigue has effectually neutralized it in a very short space of time.

We cannot well understand the game that is being played; it appears most singular that, however circumstances may favor us, we are always on the losing side with Persia. It might be thought that the service received by the monarch of those domains from the British, would have convinced him of their desire to aid him and give him sound counsel; but whether there be mismanagement on the part of our representatives at that Court,

or that the Shah is driven by his fate to his present excesses, so it is that we are reduced to the part of mere spectators, and our society tolerated not from love but fear.

The country appears to be in that state of anarchy, that little is now required but to direct the movement in either way, as it might suit the interests of England or Russia to guide it. Russia evidently has the power and is not wanting in the will; England has now, we fear, neither, and what the result may be, it were idle of prophecy to predict.

The present Persian Monarch is following the footsteps of his predecessor, but from all accounts he will not die a crowned head as Futti Ali did.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, Feb. 25.)

INDIGO.—The market has been at a stand since our last, and we have heard of no sale.

Account from the Factories are favorable; in Kishnaghur and Jessore rains have been general, and sowings on the low lands are in progress, while the high-lands are cultivating, which owing to the long drought had become as hard as flint; Tinhoot has had partial showers, but sufficient to go on with the sowings; on the "Bhagrutty" the planters are busy sowing away, and the rains already fallen, will probably enable them to complete one half of their cultivation. On the whole, prospects are fair for the ensuing season.

RAW SILK.—The demand for this produce continue for the English market and prices are well supported.

SILK FINE GOODS.—The demand continues favorable particularly for Corahs for shipments to England; but operations are restrained by the absence of supplies in the market. We quote the prices of the assortments as in our last.

COTTON.—Without report of transaction, and the prices remain stationary at our last quotations.

SALTPETRE.—The want of tonnage to England, consequent on the increased number of vessels now loading for the Mauritius, has tended to repress shipment of this produce. A purchase of 3,000 maunds Ghazepore for the English market is the only transaction reported since our last, and we have no change to notice in prices.

SUGAR.—We have heard of no transaction for the English market. A purchase of 400 maunds Burdwan produce is the only transaction reported by a naive for shipment to Bombay. The prices may be quoted as in our last.

LAC.—Some purchase of Shell are reported with the transactions of the week for the American market, at unaltered prices. Dye has been without enquiry since our last.

GRAIN.—Shipments of Moonghy Rice to the Mauritius and Bourbon continue in active progress, and purchases to the extent of about 70,000 maunds have been made since our last. We have no change in prices to notice.

OPIMUM.—The second sale of the Season was held at the Exchange on Monday last, the 20th instant. The purchases are reported to have been principally made for re-sale on the Spot, by speculators who are anxiously waiting the return of the *Isabella Robertson*, from China in order to enter the market.

The following is the result of the sale—

	Chests.	Highest.	Lowest	Average.	Proceeds.
Behar	1,500	1,645	1,580	1,591-14-3	23,87,840
Benares	980	1,465	1,430	1,442-3-6	14,13,375
Do (Chests 20 at				750	15,000

The following have changed hands since our last, viz.—

10 Chests.	Patna.	Co.'s Rs.	1,595
15 "	ditto.	" "	1,590

The Stock of the first sale, remaining uncleared to the 24th instant is Patna 1,698 chests and Benares 730 chests.

TIN.—Without report of sale. We quote the prices at a further reduction since our last.

PEPPER.—A few sales of Eastern Bhoory have been effected, shewing a slight reduction in price.

MAIZE AND NUTMEGS.—Are in limited enquiry. A sale of the latter is reported at our former quotation.

CLOVES.—Have slightly improved, and a sale is reported at our quotation.

MULE TWIST.—The market continues favorable, and the prices of some of the assortments have slightly advanced on last week's quotations.

TURKEY RED YARN.—A sale is reported at our previous quotation.

OTHER DYED YARNS.—Without enquiry.

CHINTZES.—The market continues very inactive. A few sales of Bengal and Neutral Stripes have been effected, at full former prices.

WHITE COTTONS.—The demand in our market continues to exist for Cottons of light fabrics, viz. Hook Muslins (of middling quality) Jaconets, Mulls and Lappets; but we hardly notice any change in prices.

WOOLLENS.—The demand continues for Woollens of coarser descriptions at full former prices.

CORPER.—Sales are limited, and we have no change to notice in our last quotations.

IRON.—Sales during the week have been effected to a fair extent; but the bearing of the market in respect to prices, has declined on several of the assortments since our last.

STEEL.—Without sale since our last report, and the assortments remain as last quoted.

IRON.—Also without sale. Pig is quoted at a shade of decline.

SPELTER.—A sale of 200 maunds is reported with the operations of the week, shewing a slight reduction in price.

TIN PLATES.—Have advanced in price, as will be seen from the sale reported.

QUICK SILVER.—Remains as in our last.

JUVENILE BALL.

The Juvenile Ball of Mons. Dupuis, was an exceedingly well conducted, and highly pleasing entertainment. The children danced, with much grace, and the innocent gaiety, and beauteous buoyancy of childhood, exhibited by these pretty little creatures, did one's heart good to look upon. Monsieur Dupuis's pupils do the greatest credit to his choregraphic accomplishments.

At about eleven the juveniles, and their chaperons, made their exit, and the adults commenced dancing. There must have been at the very least 700 persons collected in the room. A regular olla potrida, composed of sections of every grade and class of society resident in this good city. Law, physic, and, for aught we know, divinity, might each have recognised numbers

of votaries, and disciples; then there were civilians, and colonels and constables. Every trade had at the very least its half-dozen representatives, and the very press itself was pressed into the service. It was to us a pleasing spectacle and a good and fair criterion whereby to estimate the ease and comfort enjoyed by the industrious and orderly portions of this community. The ladies were all well dressed, many of them superbly. The dancing was very good, and the gaiety and brilliancy of the scene, equalled any thing we have witnessed in this locality, the batchelors' fancy ball always expected.

We trust, that Monsieur Dupuis will take an early opportunity of exhibiting another phasis, in the acquirements of his pupils.—*Hurkaru, March 31.*

THEATRICALS.

MASANIELLO.

When it is considered that the original production of Auber's superb opera of *Masaniello*, took the managers of the French, German, and principal English theatres three months to prepare,—that it was submitted to sixty rehearsals,—that it concentrated all the musical and saltatorial talent in Europe.—and cost each theatre about five thousand pounds, the attempt of a very small company of foreign artistes, [assisted by a small band of English amateurs and a detachment from an infantry regiment,] to present the opera in Calcutta after a ten day's preparation, and only three imperfect rehearsals, will appear bold—very bold indeed. We tremble, on such occasions, for the victims of comparison. Half of Calcutta society have been spectators of the best efforts of the best performances in Europe, and when they behold the endeavors here made to amuse them, they are not so much struck with the respectability of the essay, *all things considered*, as with its palpable inferiority to that which they have left behind.—We do not, therefore, expect to find *every body* in ecstasies with what was seen on Saturday night, nor shall we shape our observations with reference to the admirable performances of which we have ourselves been no unfrquent spectators. We regard the attempt to pre-ent *Masaniello* the other night *per se*, and, we must say, that it was, in this view, altogether a highly successful affair, and would have been still more successful, had the orchestra been much better drilled. The Barcarolle,—the chorus of the Revolt—the Market Chorus—the duet between *Pietro* and *Masaniello*—and *Pietro's* song in the fifth act "*voyez du haut de ces riages, &c.*" were sung with infinite spirit and effect, drawing down peals of applause. *Mademoiselle Lémery* (or *L'Hem-mery*, as the cockney critic in another paper writes her) was in very good voice, her execution particularly neat and felicitous, though the music of her songs was rather imperfect and badly arranged. *Bonniol* and *Fluery* were in very fine voice, and played with great energy. We never saw *Bonniol* to so much advantage.—*Fradin*, as usual, was correct and impressive.

With regard to Mrs. Leach's *Fenella*, we shall merely observe that seeing that she is not a pantomimist or a dancer,—that she must have had but very few rehearsals,—that she is entirely ignorant of the language in which the piece was performed, and very imperfectly acquainted with the music, the performance did her much credit.

Frequent repetition would doubtless render the portrayal of the various passions by which *Fenella* is agitated infinitely more impressive and effective; but it is only long practice, and a regular apprenticeship to ballet and "dumb shew," that can enable a woman of even Mrs. Leach's genius and talent, to take high ground as a pantomimist.

The costumes, the grouping, the arrangement of the scenery, (which in itself is detestably old) the performance of the ballet, &c. were all in very good style. The Nouveaux and their little girl were loudly applauded, as was the active and improving amateur, (one of M. Nouveau's pupils) who danced the Bolero with Madame, and took a conspicuous part in the *Turandotta*. This last formed a pleasant feature of the market scene, which, by the way, was very well managed. There was no lack of fish, fruit, flower, or *fagottocini*. The market chorus owed something of the effect with which it was given to the splendid voice of Mrs. Goodall Atkinson, who, with Count Almaviva, obligingly took a share in the performance. Finally, the volcano, with its flowing lava, its explosion, its violent eruption, &c. produced a magnificent effect, showing that the Chowringhee Theatre has now a machinist who is thoroughly "up to his work," and capable of doing full justice to all the magical illusions with which *The Wound Demon* (the piece he has chosen for his benefit) abounds.

Such has been the success of *Masaniello* that we observe the French Company, yielding to the solicitations of many persons who were present, and to their own polite desire to gratify many who were not—propose to repeat the performance on Wednesday evening. We have no doubt they will have a second bumper.

(Since writing the foregoing we have been favored with the following critique from the pen of a highly talented correspondent, who has often adorned our paper with his observations.)

One who sets himself to the task of criticism, should by rights compel himself to sink the expression of his own opinion in deference to the opinions, as apparently expressed, of the public. It is his duty not to pronounce on the excellence or the inferiority of a performance by solely his own impression of it, and he should in so far distrust his own judgment, as to correct his idea of what he saw, by nothing the visible effect, of the thing seen upon the audience. A neglect of this most wholesome rule causes our critics to launch out but too frequently

into "panyerical superlative,"—the reflection of their individual impression, upon matters which merited no more than a very ordinary modicum of applause, or to predicate "total failure" of a case wherein they themselves, perhaps alone, entertained the opinion boldly pronounced by them as the general one. There is no doubt that the due observance of this rule, is, as is the case with so many maxims, admirable in spirit but difficult in execution, a matter next to impossible. People will insist that others should see with their eyes, weakened perhaps though they be with the effects of a false glare,

"———mistaking eyes
That have been so bedazzled with the sun
That every thing they look on seemeth green."

This failing is, we hear, declared to be one singularly observable in us, and in our critiques. We are, of course, unconscious of the error, and (if we be so guilty as is said) are about even on this very occasion to incur again the imputation of the crime of overpraise—that *lese majeste* in the eyes of the more bilious members of "a judicious and discriminating public."

Masaniello, played by the French Company on Saturday night, gave for the first time to a Calcutta audience the spectacle of a five act tragic opera. The specimen of this branch of the drama so offered them is a most favourable one. The story of the Fisherman Viceroy, his strange and rapid elevation, his miserable end, is in itself highly dramatic and of easy adaptation to the stage in any form of serious action, though in none more so than the tragic opera. The subject is heroic, the incidents stirring and energetic; ample room is afforded for heightening the general effect by the aid of *spectacle*, and these advantages have been seized and turned to the best account by the veteran dramatist Scribe. The language of the opera is singularly good, and the situations natural and impressive. The interest is judiciously thrown entirely upon the hero, *Masaniello*, and his sister, the dumb girl, *Fenella*. The first act which does no more than prepare by development of the simple plot of the piece for the entrance of *Masaniello*, can be considered only in the light of an introduction to the business of the drama, conducted, during the remaining four acts, by the people either subservient, or in opposition, to their leader. In this consists the peculiarity of the opera. Auber has thrown his whole strength into the chorusses, and, by masterly management of his art, keeps up the varied expressions of feeling among the mixed multitude of a fiery and impassioned people with continued fidelity and unabated power. There is always something grand in the united out break of strong feeling, even among the least picturesque of all possible mobs. Crabbe used to say "there was poetry in a Westminster election," and although not quite enthusiast enough to sympathise in the supposed poetic essence of the gin-drinking patriots in question, the effect of their united energies is, we must confess, imposing. Hence the impression invariably produced on the stage by a well-wrought chorus, well acted, as well as well sung. It is truly spirit stirring, and, from the rudest ages of the drama to the present day, the chorus has been alike employed to *work up an effect*. Auber's chorusses in *Masaniello* are brought forward in the most prominent portion, and, in fact, sustain the body of the piece. He covers the front of the stage with a infuriated populace maddened against their oppressors. *Masaniello* is among them, but we forget him in the crash and tumult with which he is surrounded. The people are, in fact, for the time the principal character. Few modern composers have attempted so to dignify the chorus. We do not think that any have so well succeeded in it as Auber; it is a difficult task in which even Meyerbeer (as in the *Margherita*) was confessed to have failed.

The contrast offered to all this noise by the silent eloquence of the mute *Fenella*, is striking, and constitutes, what dramatists call "a valuable incident." The union of dumb show with expressive music, is, under these circumstances, peculiarly effective, relieving the attention, and the ear, from what might otherwise prove a monotony of sound and action.

Fenella was in the hands of that very clever little person Mrs. Leach, who has, in a new walk of the drama, given fresh evidence of her versatility, and of that power of conception of character which marks the presence of true histrionic talent. The difficulty of the undertaking to her was doubtless enhanced by having to play in conjunction with foreigners, and by being obliged to study and make herself mistress of the music of a piece with which she was wholly unacquainted. The character could not have found in Calcutta a better representative. The expression of countenance, so indispensable in *naturalising* pantomime, was never wanting in aid of action, and she was throughout perfectly at home in the intricate situation, in which she appeared as the principal character. Her play in the fourth act was to us as good a piece of mute expression as we have seen, and the audience seemed to testify a similar opinion. Klvire, the character taken by Mamlle. Léméry, is prominent only in the first act, wherein that accomplished singer gave the cavatine, "*Plains du sang supreme*," with a degree of precision more like that of a well touched violin, than the ordinary execution of the voice. Her variations on the last movement were performed with exquisite neatness and grace. A little opportunity occurred in the fourth act for the display of her powers as an actress, of which she took due advantage. Bonniol appeared as the principal character, *Masaniello*. He has ordinarily performed parts, of so comparatively quiescent a nature, that we were not prepared for the degree of energy with which he supported the role herein assigned him. Excellently dressed, and evidently determined to do his utmost, he threw himself into the spirit of the character, and acted as well as sung the music. The best piece in the whole opera is the duet in the second act, sung by him and *Pietro* (Fleury.) The music is of a most spirited character, worthy of being married to the ardent aspirations for freedom, and determination to achieve it.

Amour sacré de la patrie,
Rendous nous l'audace et la fierté ;
A mon pays je dois la vie.
Il une devra sa liberté,

It is really a most noble composition, and is said among more excitable temperaments, in lands where the political allusions are applicable, to have excited the jealousy of constituted authorities, lest it "should swell the soul to rage," and rise enthusiasm to the boiling point of an *emue*. Fleury appeared to singular advantage in this duet, and was warmly applauded; we never heard him sing better; his barcarole in the fifth act was also very good. Welter was in a less prominent character, but it is not fair in this opera to attempt individual criticism of separate performers, the effect being produced chiefly, as above explained, by chorusses, in which the whole take part. These *morceaux d'ensemble* were better managed than any thing of the kind that we as yet have seen at Chowringhee. It was not one of the regular stand-in-a-row chorusses, when you see a set of people express all manner of passions by alternate protrusion of the right hand and the left, with an occasional half turn to their next neighbour, a glance at the canvas hangings over head for resolution, and a poke at the foot lights for contempt. The *Masaniello*'s followers, strongly re-inforced by supernumerary fishermen, really played every one as if he were indeed a conspirator, and the rushes up and down the stage, the popular *fury en masse*, was extremely picturesque and expressive.

The strength of the female chorus, was a great addition, and, told, course much in the general effect. Add to this, dances by the Nouveaux in the first act, including a pas-séul by their little daughter, an admirably grouped market scene, and well executed tarantalla; a procession well conceived and performed on the occasion of Masaniello's being invested with the robe of authority, and led off on horseback; and lastly a Valcano scene in the fifth act, the mountain throwing out stones and lava, &c. &c. &c., and we may fairly say that the French have worked hard to deserve applause, and give their opera every attraction which they can command.

The house was very crowded, and the audience apparently highly satisfied. The piece will, we understand, be repeated this week.—*Englishman*, March 6.

SIGNORA SCHIERONI'S BENEFIT.

Signora Schieroni's benefit at the Theatre on Monday night, went off with great *eclat*. The estimation in which this most deserving favorite of the public is held, secured for her the ready assistance of both professional and amateur talent, and she was enabled to present an entertainment equally varied and attractive. Music, of course, was the staple; but in order that the patrons of what is pleasantly termed the "legitimate drama" might be gratified, and that the foreign yoke might press with reasonable lightness on the public withers, the Signora, prudently consulting the taste of the community, as displayed in recent selections, such as "The Duel," "High life Below Stairs", &c., produced, as a refreshment between the two parts of the concert, a piece by Poole called "Intrigue or the Bath rool." We have little to say regarding this piece and perhaps the less said the better; for although it was performed cleverly enough, it has very little to recommend it. Even Sir Fretful himself would admit, that it "wants incident." It is, in short, what the Italians call a *porcheria*.

The only parts in it which afford the least scope to acting, are those which were performed by Mrs. Chester and *count Almaviva*, and their admirable acting and singing, gave full effect to the honour of the characters. The comic duet the drollery of which, we confess, is rather too much adapted to the taste of the galleries, to please us, was *encored*. Mrs. Chester's "Should he upbraid," was very sweetly sung: it is a simple melody, and she had the good taste to avoid those *finiture* by which such trifles are frequently married by English singers. Captain *Absolute* and Mr. O'Mauley succeeded in performing the difficult task of making something out of nothing,—at least they made the most of characters which had very little in them.

The concert consisted of a good selection, and the pieces were skilfully contrived to combine and give the best effect to a very strong array of fine voices. *Schieroni* was in excellent voice, and in the first part sang two pieces in character in her best style. The *Rondo* with Chorus, from "La *Pietra* del *Paragone*," was in particular full of that fine expression and graceful finish which give such a zest to *Schieroni's* singing. Her duet with *Fleury* from *Coccia*, was spirited and beautiful. *Fleury* never appeared to greater advantage than in this duet: his ready apprehension of the Italian manner, and his style of execution, were equally excellent. The piece which seemed to excite most expectation, was the *Semiramide* duet between *Schieroni's* and *Léméry*, this being the first occasion of their singing together. No one who heard the duet could have been disappointed; it was, indeed, a most delightful performance. The other duet "*Bella imago*," between *Schieroni* and *Welter*, did not go off so well. *Welter* did not seem to feel at home in the piece, and his magnificent voice produced comparatively little effect in his own air from "*Le cheval de Bronze*," in which he was at home, he delighted the audience. *Léméry*, *Bonoli* and *Almaviva*

each had an air all well sung. It was found necessary to omit the beautiful tozetto from *L'Inganno felice*, in which we were to have heard *Linton* with *Schieroni* and *count Almaviva*. A part of the band of H. M.'s 26th Regiment were in the Orchestra, we believe for the first time. They do not appear to be quite familiar with the description of music given on this occasion, which may account for some want of firmness and precision in the *ensemble*, which will, no doubt, disappear with practice; there are some amongst them who evidently understand the use of their instruments well.

The Theatre was filled slowly, but before the first Act was over, the house was crowded. We sincerely trust that the results have proved satisfactory to the meritorious *beneficaire*.—*Hurkaru*, March, 8.

THE GREEN EYED MONSTER AND THE BRIGAND.

The Green Eyed Monster and the Brigand were performed before a very good house on Monday evening. Of the Green Eyed Monster we shall only say, that it brought out the Secretary in grand force; his *Baron de Peyhenhausen*, was a masterly performance.

Mrs. Chester was a very sprightly and *Espiegle Louise*, and the German *Heuduc*, though ill dressed, was very amusing. Colonel D'Arnstadt, was in the hands of our best Amateur.

He was exceedingly well dressed, and walked his part with his usual felicity and good taste.

The Brigand, which followed, was exceedingly well got up. We noticed all the French artistes on the stage. The music was very good—the composition of Mr. Hamerton; but, strange to say, notwithstanding all the talent put into requisition on the occasion, it was not so well executed by the Brigands as it might have been. The dresses were very pretty. Mrs. Chester was in admirable voice, and is rapidly winning the good feelings of the Calcutta audiences—she will be a great favorite in a short time. Not to make invidious comparisons, she is in her line, a better actress than any now in Calcutta, in addition to which, she has a superb voice, which has been well cultivated.

Nassaroni was very great; but we thought him too polished for the character: there was a want of roughness in some of the scenes, and he could not help shewing that the drawing room of prince Bianchi, was as familiar to him, as if he had lived there all his life; a little less of grace, a dash of uncouthness of gait and manner, was all that was wanting in his delineation of this amiable vagabond.

Both the pieces went off with great success, and the plaudits were incessant.—*Hurkaru*, March 15.

LE BARBIER DE SEVILLE,

Le Barbier de Seville, was played to a tolerably well filled house. The performance of this opera by the French Artistes, taken as a whole, and looking upon it as an effort made by Artistes, and not by mere Amateurs, was but indifferent. The only really good thing of the night, was the *Bazile* of Monsieur Welter. This gentleman personated the intriguing music master, with great force and effect. His conception of the poet and his execution of the famous "*la Calunnie*" were quite novel. The usual reading of this part, is that of a dry, caustic, cunning, and unprincipled fellow, who would sell his soul for a mess of pottage, and who, like other people we could name, lives upon his rascality, his great weapon being calumny, and his grand principle in ethics being "the end justifies the means"—make money honestly if you can, but at all events make money, and so forth! We thought *Bazile* excellent in the third act, but to us he appeared too forcible in the second, and his delivery of some of the passages, in *la Calunnie*,

which evidently took wonderfully with the audience, struck us as bordering on the ludicrous, to which, from the sublime, we are informed, there is but one step. His dress and appearance were, however, perfect, and it will be some time before this public will have an opportunity of seeing this part so well personated.

Fleury was very correct, very dapper, very vivacious, and very much applauded; but as the Barber, his voice suited not the music he had to sing, and his falsetto screech, in *Largo al factotum*, and in one or two other passages, made people stare not a little. The part should have been assigned to Welter. Fleury should have taken Bartolo. Bonniol, as the Count, sang prettily, and that is all that can be said of him—his acting was indifferent. Madlle. Léméry, was, we thought, ill-dressed, and sooth to speak, disappointed us as Rosina. Both her acting and singing wanted expression. We must not forget to notice the clever way, in which Fradin threw out, into prominent notice, the insignificant part of the commandant of the Town-guard: it was an exquisite little bit of acting. Taken as a whole, as we before have said, this was an indifferent performance. In the concerted pieces, there was a want of a plumb, of ensemble, and of half a hundred other French phrases, by which enlightened Critics of the present day, delicately insinuate their disapprobation of those whose exertions it is more easy to blame than to imitate or emulate. We are bound, however, in common justice to say, that the audience appeared very well pleased, and we only venture to hint in the politest way in the world, and just by way of insinuation, that they ought not to have been satisfied with such a performance; but that is their affair and not ours, and so ends our catechism. —*Hurkaru*, March 20, 1837.

HENRY IV. PART 2ND.

If any man understands the taste of the Calcutta Public, it is our worthy Dramatic Secretary. Accordingly his benefit nights are not such in name only, for there is no beggarly account of empty boxes when Mr. Farmer caters for the appetites of our play-goers. We are not to attribute to his own unbiased judgment the selection of the kind of entertainment which he generally provides. It is almost always addressed more to the eye than to the mind. There is no sin, however, in thus satisfying the sight-seekers, and there is nothing very heinous in pocketing their cash for "value received." We have often remarked of this society, that it exhibits a certain juvenility of taste that enables it to enjoy a spectacle at the Theatre in the same spirit in which little boys get a half-penny peep at some travelling puppet-show. Few of those persons who attended our Chowringhee Drury on Monday last, had any occasion to exclaim with Coleridge:—

"Ah! that once more I were a child again."

Why did the Secretary select a play from Shakespeare? Do the people of Calcutta care a straw for that prince of Poets? It would be the grossest insult to their fine boyishness of spirit to answer in the affirmative. He knew what he was about. With his usual tact he passed over the first part of Henry the fourth, in which almost every word is a flash of wit or wisdom, and fixed

on the second part on account of a coronation pageant. He was in no way concerned to think that Falstaff was less witty in the part selected, as he remembered that his appearance would be unaltered. He would have the same white poll and round belly, and what more could be required by an audience who are all eyes? There were one or two fine scenes of sentiment and passion that were evidently received with some impatience, but nothing could be more eager and hearty than the applause bestowed upon the 150 "auxiliaries," who walked slowly one by one in very pretty dresses along a narrow slip of red *cur wd* cloth, stretched across the stage. To have omitted this scene would have been to make a Christmas pudding without the plums. Amidst all the finery, however, there was an air of melancholy and desolation. The whole procession passed through a solitary street. There were no loyal shouts of exultation, for there was no populace. The only lookers-on that appeared upon the stage, were Falstaff and his two or three associates. We suspect that there was in all this a sly hit at the audience who were to be regarded as the gazing mob, for there were certainly no sight hunters on the stage, if we except the single party already mentioned, who were too much absorbed in more important objects to care about the mere spectacle. But seriously speaking, we were thoroughly disgusted with all this trumpery, though we cannot blame the Secretary for turning his knowledge of this society to a handsome professional account. He is fit for better things, but he knows that the audience would not receive them. We cannot say that his poverty, but not his will consents, because we hope that he has played his cards so well as to be free from any pecuniary difficulties; but we are convinced that his benefit nights are not to be taken as a criterion of his taste but rather of his shrewdness, and that he sacrifices his own judgment to please the public, in doing which he does but labour "in his vocation."

Of the performance of the principal parts something must be said, though it must be very brief and not very laudatory. There was considerable chastity and neatness of style in the personation of the Prince of Wales, though he was sometimes hard and cold; and some truth of feeling, occasionally injured by a too stiff and laboured declamation, in that of the King. The Falstaff was a failure—even as addressed to the eye. He was not half fat enough and was much too easy in his movements. The amateur who performed the part, is undoubtedly one of the very best of our comic actors, but on this occasion his usual spirit and humour quite forsook him. Even his memory failed him, and in the laughable scene in which Falstaff puns upon the names of his recruits, the point of a joke was often omitted or destroyed. In addressing *Wart* for instance, after the dismissal of *Mouldy* and *Shadow*, he called him a *mouldy*, instead of a *rugged wart*, and he omitted the humorous speech to *Feeble* "prick the woman's tailor well." *Justice Shallow*, by the Secretary, was really a very good piece of acting. This gentleman almost always succeeds well in his old men. The blustering *Pistol* went off admirably. There were a few other parts very respectably performed, but it is hardly worth our while to go any further into detail. —*Hurkaru* March 29.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held at the Town Hall this morning, at half-past 9 o'clock, (March 8, 1837).

Present.—Dr. Wallich, M. D., V. P., in the Chair.

The Hon'ble Col. Rehling; W. Storms, Esq.; Capt. Leach; G. A. Prinsep, Esq.; A. Colvin, Esq.; J. C. Wilson, Esq.; D. B. Syers, Esq.; C. K.

Robinson, Esq.; W. Speir, Esq.;—Cowie, Esq.; John Allan, Esq.; M. Staunton, Esq.; H. M. Lowe, Esq.; Archibald Grant, Esq.; W. Masters, Esq.; D. Hare, Esq.; G. F. Speed, Esq.; C. Hutchins, Esq., and John Bell.

Visitor.—Captain Carter.

The proceedings of the last Meeting were read and confirmed.

The following gentlemen proposed last month, were duly elected by ballot, viz. :

J. F. Cathcart, Esq., C. S.; Jas. Hills, Esq., Senior; Jas. Hills, Esq., Junior; G. S. Hills, Esq.; Frederick MacLagan, Esq.; Nath. Alexander, Esq.; W. Speir, Esq.; Baboo Maudhub Dutt; Dr. G. N. Cheek; M. Bignell, Esq.; G. Cheap, Esq., C. S.; Dr. O'Dwyer; Capt. Lyagh; W. H. Macnaghten, Esq., and Lieut. Hannington.

The following gentlemen were proposed, viz. :

Proposed by the Secretary, seconded by the chairman. That with reference to the zealous efforts made by Colonel J. Colvin, introducing the American cotton seed and Otaheite sugarcane into Upper India, and to the great interest taken by that gentleman for many years in the proceedings of this society, up to the moment of his departure for England, that gentleman be elected an honorary member of the Agricultural and Horticultural Society of India.

Mr. C. K. Robison was quite ready to support any proposal that would do honor to Colonel Colvin, but objected to the above motion, as irregular; Colonel Colvin being still a member of the society, and after much irrelevant discussion, as to the power of the society to elect honorary members thus situated, which discussion took up much of the society's time, Mr. Robison consented to the original motion with the following addition—"and that as a further mark of the great respect in which Col. Colvin's services are held, that the gold medal be presented to him."

Resolved,—That the question be finally settled at the next general meeting.

Some members thought that the proposal, either in its original or subsequent form, was not in accordance with the rules of the society, although the Chairman contended that there was a precedent as regard Mr. Bell's motion in the case of Sir Robert Colquhoun, while there was no provision made for the award of gold medals. The honor of being elected an honorary member—or to wear a gold medal, or both, is therefore a subject for the grave consideration of members before next meeting.

ORDINARY MEMBERS PROPOSED.

1. His Excellency Monsieur Belier, Governor of Chandernagore, proposed by Sir Edward Ryan, seconded by Dr. Wallich.

2. Captain Carter, 73d Regiment, proposed by C. K. Robison, Esq., seconded by Dr. Wallich.

3. W. Jackson, Esq., proposed by H. M. Lowie, Esq., seconded by Dr. Wallich.

4. D. Pringle, Esq., C. S., proposed by H. Walters, Esq., seconded by W. Storm, Esq.,

5. A Grote, Esq., C. S., proposed by H. Walters, Esq., seconded by W. Storm, Esq.

6. Dr. Furnell, proposed by H. Walters, Esq., seconded by W. Storm, Esq.

7. J. H. Crawford, Esq., proposed by H. Walters, Esq., seconded by W. Storm, Esq.

8. George Taylor, Esq., proposed by John Allan, Esq., seconded by W. Storm, Esq.

9. J. W. Yule, Esq., proposed by John Allan, Esq., seconded by W. Storm, Esq.

10. W. Hickey, Esq., proposed by John Allan, Esq., seconded by W. Storm, Esq.

11. W. F. Fraser, Esq., proposed by John Allan, Esq., seconded by W. Storm, Esq.

12. T. A. Pitkin, Esq., proposed by D. McPherson, Esq., seconded by W. Storm, Esq.

13. R. S. Crawford, Esq., proposed by Mr. Bell, seconded by W. Storm, Esq.

14. Kenneth Mackenzie, Esq., proposed by Mr. Bell, seconded by W. Storm, Esq.

15. T. H. Gardiner, Esq., proposed by Mr. Bell, seconded by W. Storm, Esq.

16. C. Brownlow, Esq., proposed by Dr. Wallich, seconded by Mr. Bell.

17. A. Harris, Esq., proposed by W. Earle, Esq., seconded by Mr. Bell.

18. A. C. Bidwell, Esq., C. S., proposed by J. P. Grant, Esq., seconded by Mr. Bell.

19. Dr. Drummond, proposed by Dr. Strong, seconded by Dr. Wallich.

20. W. Ainslie, Esq., proposed by Alexander Colvin, Esq., seconded by J. C. Wilson, Esq.

21. The Rev. James Charles, proposed by J. C. Wilson, Esq., seconded by A. Colvin, Esq.

22. Charles Dearie, Esq., proposed by Captain Leach, seconded by C. Hutchins, Esq.

23. W. W. Kettlewell, Esq., proposed by C. Hutchins, Esq., seconded by Captain Leach.

With reference to the motion of the Rev. Mr. Boaz, which, by a resolution passed at the last meeting, was handed over to the Committee of Papers for further consideration, the Secretary drew attention to a report, signed by the President and Members of the Committee, to the effect, that they could not at present recommend the adoption of Mr. Boaz's proposition. After the report was read which called forth further discussion, it was proposed by Mr. C. K. Robison, seconded by Mr. Archibald Grant, that this report lay on the table, for the consideration of members, to be finally settled at next meeting.

Two boxes of bulbs purchased from Mr. Arnold, through a resolution to that effect last month, were placed on the table. As the quantity was small the Secretary had reserved distribution, until authorized by the Society, and it was resolved, that such members as wished, might help themselves, and that the remainder be given over to Dr. Wallich for propagation in the Society's nursery.

The Secretary informed the meeting that he had sent some samples of Colonel Colvin's acclimated Upland Georgia cotton to gentlemen, and would proceed to read the reports of Dr. Speir and Mr. Willis, who had kindly taken the trouble to examine the staple. As Mr. Willis's report had that moment been received, he would give Dr. Speir's views on this interesting subject. First, From W. Speir, Esq., to the Secretary, dated the 6th March, forwarding a report by that gentleman, upon a sample of the bale of acclimated Upland Georgia cotton, grown by Colonel Colvin, and presented at the last meeting.

Dr. Speir, says, "I find the greatest part to be of considerably longer staple than our best native cotton; but there are also a number of pods of which the staple is very short. On mentioning this to Colonel Colvin, he informed me, that the people employed to collect this parcel had gathered along with it the produce of some plants of country cotton."

"Upon the present sample, I shall merely remark that the staple, with the exception abovementioned, is equal to the American in length and also in fineness, but has lost a little in strength."

"Colonel Colvin states, that it was grown upon a sandy soil in Purnea, which was useless for every other purpose, and that the quantity produced is equal to that of the native sorts."

The sample upon which Dr. Speir reports, is the produce of the fifth year's crop, from seed originally imported from America, and he thinks that any deterioration which may have taken place, is at least not very rapid, since in the present instance it is after five years, 30 per cent. superior to that of the country, and will, it is to be presumed, maintain its superiority for some years to come."

Upon the whole, Dr. Speir's report is highly encouraging, to those who have time to attend to cultivating cotton themselves.

From Joseph Willis, Esq., to the Secretary, dated (this-morning), on the same subject.

Mr. Willis offers his opinion, under great disadvantages, being left to find out the origin, and general history of the sample before, but he pronounces it Upland Georgia. His general premises accord remarkably with the opinion expressed by Dr. Speir, and thinks that it would sell for 20 to 25 per cent. more price in England than the cottons common to the Upper Provinces.

From J. Thomason, Esq., to the Secretary, dated Azimghur, February 3d, enquiring for the sugar-cane, a supply of which he had been led to expect from Calcutta; intimates having received supplies of the Otahellie cane from Captain Sleeman's plantation at Jubbulpore, and from the Agricultural Society of Lucknow. Mr. T. adds, "the former was much larger, thicker and finer than the latter," and that both dispatches reached Azimghur in a tolerably good state. That the Agricultural prospects of that district were superb at the date of his letter.

From Major Honeywood to the Secretary, dated London, October 8, 1836, advising his arrival in England, and of having delivered over to his Agents, Messrs. Crawford, Colvin and Co., several copies of the 2nd volume of the Society's transactions, which he had kindly taken charge of, and that the parcels had been forwarded to their respective addresses by that firm on the same day.

Major H. solicits a supply of fresh seeds from the Himalaya mountains, especially of forest trees, and tenders his best services to the Society in England.

From Dr. James Anderson, Secretary to the Beerbhoom Society, dated 10th February, applying for seeds and plants; mentions, that the chief food of the hill-people in that district is Indian corn, and requests a supply of the Foreign Maize and Joonla paddy. Dr. A. adds, that the indigenous Maize produces only one small and very inferior ear.

Memorandum.—The Secretary had dispatched some seeds including some Himalaya paddy and American maize, promising more on the receipt of a supply expected from the United States.

From R. Lowther, Esq., to the Secretary, dated Allahabad, Feb. 7th, acknowledging the receipt of the Secretary's letter of the 25th Oct. and consenting to hold his services at the Society's disposal should he remain at that station. Mr. Lowther mentions having received charge of all the remaining cotton seed from Capt. Watt, on the departure of the latter from Allahabad, of which Mr. Lowther had forwarded one bag to Dr. Stevenson at Lucknow, who had promised to distribute it. Mr. Lowther intimates intention to forward a small supply of Sandoway tobacco seed, the produce of his own garden.* The crop had turned out very fine, the seed-plants being 7 and 8 feet high. Mr. Lowther accompanies his communication with a paper of fly powder,

for destroying insects on young plants, and affords some useful hints on the best method of cultivating strawberries.

From the same to the same, dated Feb. 22d, stating, that Mr. Turner, the Commissioner of revenue, had relieved him of all the cotton seed, with an intention of distributing it through the Tusseeldars, between Allahabad and Cawnpore, with injunctions that the seed is to be given to those only who are likely to give it a fair trial.

Mr. Lowther promises a further supply of tobacco seed, and expresses his willingness to meet the wishes of the Society for the establishment of a garden at that station.

Memorandum.—Col. Colvin, favored the Secretary with perusal of a letter from Mr. Lowther, to the same effect. Mr. Lowther, proposes to call a meeting as soon as he is put in possession of an outline of what is desired.

From H. T. Pinsep, Esq., Secretary to Government, dated the 8th Feb., in reply to the Secretary's letter of the 3d idem, in reference to the transmission of queries on subjects of an agricultural nature to residents in the interior; states, that the Governor of Bengal participates in the objects of the Society, and that communications on such subjects may be circulated free of postage.

Memorandum.—This letter, with the Society's, to which it is an answer, and the queries therein referred to, have been printed, and are now ready for circulation.

From Dr. Wallich to the Secretary, dated Feb. 17th, forwarding some silk worms' eggs, received from Mr. Edgeworth of Lodihana at the request of Capt. Wade. Mr. Edgeworth, does not state what sort of silk worm it is or whence derived. The Secretary on opening the paper, found many of the eggs hatched, and with the concurrence of Dr. Wallich, he is now rearing them on the full grown mulberry leaf. The eggs are altogether different from some he received lately in Bengal for the purpose of sending to Mr. Blundel in Assam, and these being in the same state, Mr. Bell was obliged to adopt the same course with them. They are now arrived at the stage of cocooning, in which state the Secretary intends forwarding them in perforated boxes, so that Mr. Blundel may receive either a colony of moths, or their eggs.

From Robert Cole, Esq., Secretary, Madras Literary Society, dated 7th February, requesting a complete series of this Society's transactions, in return for which he offers to send a copy of their journal.

Memorandum.—The Secretary had complied with Mr. Cole's request, availing himself of an opportunity which presented, to forward by Dr. Haffnagle, copies to the Madras and Bangalore Agricultural Societies, also.

From M. C. Crane, Esq., dated 21st February, forwarding specimens of the Pernambuco and Bourbon cotton, grown at Singapore.

From Captain W. H. Sleeman, General Superintendent, Mussoorie, dated February 11th. In reply to the Secretary's letter of the 23d January, with enclosures on the subject of transmitting sugar-cane, to the Collector of Ahmednuggur, states, that the correspondence has been forwarded to Lieutenant Brown, in charge of the Jubbulpore plantation, and expresses his willingness to meet the wishes of the Society on this or any other occasion.

In continuation of a former letter, gives an account of two different kinds of bamboo; notices the circumstances, and suggests a query as to the effect of lighting on the growth of the bamboo.

* This seed has been since received, and is now at the service of applicants.

From D Macleod, Esq., of Seonee, to the Secretary, dated February 9th, seeking information, regarding Tussur silk, which is manufactured in that district. Requesting to be informed what may be considered the value of two species of country cottons termed "mun-noca," and "dos cupas," stating they can both be cultivated to any extent in that part of the country, and offering to send down specimens, if required. Noticing an advantage possessed by the Indian agriculturist, in being able to sow the same description of crops from year to year, without the application of manure.

From John Donald, Esq., of Bareilly, dated February 11th, requesting to have some varieties of cotton and tobacco seeds for trial in his district.

From D. B. Syers, Esq., to the Secretary, dated February 28th, presenting to the Society, 16 maunds of fresh cotton seed for distribution in the Mofussil.

From Captain W. H. Sleeman, to the Secretary, dated Dehra, February 20th, stating that by a letter from Lieutenant Charles Brown, at Jubbulpore, to

Lieut. Kirke, some of the Otaheite cane, at the Jubbulpore plantation, this season, weighed eight seers each, or 16 lbs., and measured nine cubits; clearly demonstrating that the canes have not deteriorated, for, adds Captain Sleeman, "I do not believe that the canes of the plantation from which the original stock was taken by me in January, 1827, weighed more."

From John Allan, Esq., dated also this morning, forwarding an interesting extract from a letter of a gentleman at Dundee, on the mode of treating flax, promising further information on the same subject.

From R. S. Thompson, Esq., forwarding extract from the letter of Mr. Chimes, of Rio Janeiro, soliciting a supply of *East India* sugar-canes of sorts.

The thanks of the Meeting were ordered for all the foregoing communications.

JOHN BELL, Secretary.

Town Hall, Calcutta, March 8, 1837.

[Harkaru March 9.

PROCEEDINGS OF THE ASIATIC SOCIETY.

Wednesday Evening, the 1st March, 1837.

W. H. Macnaghten, Esq., Vice-President, in the chair.

Messrs. J. M. Mill and W. Cracroft, proposed at the last meeting, were ballotted for, and duly elected Members of the Society.

H. Torrens, Esq., was proposed by Mr. H. T. Prinsep, seconded by Mr. Macnaghten.

Col. Hezeta, proposed by Major Taylor, seconded by the Secretary.

Mr. W. Storm, proposed by Mr. Bell, seconded by Dr. Wallich.

The Secretary proposed the Bishop of Cochin-China as an Honorary Member, seconded by Mr. W. H. Macnaghten;—referred to the Committee of Papers.

Read a letter from Captain H. Harkness, Secretary to the Royal Asiatic Society, acknowledging the receipt of oriental works published by the Society.

Read a letter from H. T. Prinsep, Esq., Secretary to the Government of India, General Department, communicating the following extract from a Letter, No. 15, of 1836, from the Honorable the Court of Directors, dated the 14th September, 1836.

Para. 4. We learn from the *Journal of the Asiatic Society*, that you have recently transferred the European portion of the books of the Library of the College of Fort William to a public Library in Calcutta, and the Oriental works to the Asiatic Society of Bengal. We observe that this measure is made dependent upon our sanction, but as we are not aware of the reasons which recommended such a distribution, we refrain at present from issuing any directions upon the subject. With regard to the manuscripts, however, it is probable that the collection comprises many copies of several of the works or duplicates of those previously in the possession of the Asiatic Society; and we direct that in all such cases two copies be forwarded to us without awaiting the receipt of our decision upon the arrangement which you have made for the distribution of the contents of the College Library. We, at the same time, desire that

you cause to be prepared and forwarded to us by the first opportunity a list of the several works, both European and Oriental, which are included in the arrangement now referred to.

Ordered,—That a list be prepared of the works included in the Court's requisition, and that the manuscripts in question be separated for transmission home through the Government.

The Secretary noted the sale of 2,000 rupees Company's Paper with which the Printer's bill had been discharged.

Read a letter from Monsieur S. L. Laporte, Secretary to the Linnæan Society at *Bordeaux*, proposing a mutual correspondence and interchange of objects of natural history, which M. Laporte also offers to individual members from his own rich collection of zoology.

Read a letter from Professors Otham Frank, of Munich, acknowledging the receipt of Oriental works published by the Society, and suggesting a list of some of the principal Sanscrit works which it would be desirable to undertake, on the completion of those now in hand.

Mr. E. V. Irwin presented, on the part of the author, a duplicate of the *Cronological hypothesis* signed Veritas, which was received from *Van Diemen's Land* some months ago.

Museum.

Mr. Dyce Sombre presented to the Society, through Dr. Burlini, the sword of her late highness Begum Sombre, which she had worn from the year 1778 to the day of her death, and which was always kept by her bed side.

A collection of models of the human hand and foot in plaister of Paris, was presented on the part of Mr. C. W. Smith.

Dr. Wise, Principal of Hughli College, intimated that he was desirous of forming a museum in connection with the Hughli College, and would be happy to receive any duplicates which the Society might be able to spare.

The following memorandum and proposition were submitted by Captain Cunningham:—

"Having been engaged during the past month in arranging the coins in the Cabinet of the Asiatic Society,

I beg to submit to the Members of the Society the following observations upon their collection.

1. The collection of the coins belonging to the Asiatic Society, is so exceedingly meagre in every series of coins, that would be of use to the historian and to the antiquary, and at the same time, the individual specimens are so very poor in point of preservation, that the whole number of coins, which have been many years in collection, is scarcely deserving of the name of a Cabinet. To prove the meagreness of the collection, I need but to subjoin a list of the coins now in the Cabinet of the Society, in which the only really valuable specimen is a gold coin of Mahendra Gupta.

List of the coins of the Society's Cabinet, with their value.

	Co.'s Rs
1 Gold coin of Mahendra Gupta,	30
52 Dekkany gold hoons; some small, others minutely small,	60
7 Modern gold coins, chiefly Nipālese,	25
42 Indo-Scythic coins, including some rudely executed base gold coins,	50
26 Grecian, Arsakian and Sassaniden,	51
30 Māsulmān and Nipālese silver coins,	30
227 Māsulmān pice, all exceedingly common, except a Mahmud,	14
281 Dekkany pice—mostly modern and wanting inscriptions—nearly worthless,	5
115 Small silver coins—punch marks and Varaha series, all bad,	25
166 Chinese and Japanese,	5
25 Continental silver coins,	35
221 Roman coins,	120
	446

2. It is a fact, which must be known to most of the Members, that the Society's collection has not been increased during the last two or even three years by the addition of a single coin; or, in other words, that since private individuals have commenced the collection of coins, there have been few, if any, presented to the Society's Museum: most persons finding more pleasure in obliging a friend, by presenting to him any coins that they may pick up, than in displaying their public zeal by making a donation of them to the Society. I therefore beg to propose,—

As the Society's Cabinet has not been increased during the last three years by the donation of a single coin, and, as from the number of private individuals now collecting coins, there is but little likelihood of any donations being made for the future,—That the Society do either increase their collection of coins by purchasing such as may offer from time to time, in order that their Cabinet, at present nearly valueless, may be useful to the Antiquary in the elucidation of doubtful points in history, or that the Society do sell their present incomplete collection to the highest bidder, and apply the proceeds either to furnishing the Museum with subjects more generally interesting or with furniture indispensably necessary."

The general opinion of the meeting was adverse to the sale of the Society's Cabinet, its preservation being no source of expense; and it was to be hoped opportunities might occur of rendering it more important and rich.

Mr. Bell submitted the following communication on the subject of the statistical inquiries suggested by the Royal Asiatic Society. The author was thanked by the Chairman for his offer to draw up a series of papers on

staple products of India, and his note was ordered to be made over to the Statistical Committee.

A very large stuffed specimen of the *Ornithorychus patadoxus* was presented by Mr. E. V. Irwin.

A letter from Lieutenant N. Vicary, dated Sydney, 28th October, 1836, announced his having dispatched, under care of Captain Davidson, of the *Lady Kennaway*, a box containing a series of the fossil shells of New South Wales.

Captain Edward H. Harris, Commodore on the *Surat* station, presented a box of fossil bones from the *Peria* island in the Gulf of *Cambay*, which he had procured after much difficulty, expressly for the Society.

Among these are several very perfect bones—an alligator's head differing from that sent by Lieutenant Fitzjames—a buffalo's horn—a very large vertebra—a well preserved Mastodon's tooth in iron sand conglomerate—and numerous other fragments.

Captain A. Burnes' series of the geology and fossil conchology of the *Chari* range, in *Cutch*, arrived since last meeting, was laid on the table.

Dr. Pearson read a memorandum on the *gaur* and *gayal*, in justification of the name given to the specimen of the former in the Society's museum.—*Journal of the Asiatic Society* for February.

The transactions of the Asiatic Society of the 1st of March last, present, amongst other interesting things, to public attention, a very dignified paragraph from what in Mr. Prinsep's letter is called the Hon'ble Court of Directors. They appear to be in high but dignified dudgeon, with the Government of India, in the General Department, and it must be very gratifying to the 80 millions of Hindoos, and the rest of their subjects to remark, how searching and minute, is the attention paid by them, to the veriest trivialities. To so insignificant a matter as a few old white ant-eaten volumes and some copies of oriental manuscripts.

We may now fairly hope, that since such things can occupy their attention, that in process of time something may be done to alleviate the miseries attaching to the want of a proper currency, and having got so far, they may peradventure direct their attention to certain late legislative enactments; in short, they may be led on from small things to great, until their name shall descend to posterity, instead of their memories, slumbering, as has been heretofore the fate of most of these honorable personages, in the quiet repose of the grave, undisturbed alike by the gratitude of the millions of this country, as by the thanks of the Indies and Gentlemen proprietors of East India bonds at home. There is one feature in their calm and dignified address to the Government of India, General department, which cannot, however, fail to grate unpleasantly on the feelings of those, whose hobby (foolish people) is the advance and progress of education, both Native and European, East Indian, Armenian, &c., &c., and that is, that the Honorable Company not being aware of the reasons which recommended the distribution of the old books of the College to the Library and of the manuscripts to the Asiatic Society, (it could not be to give people an opportunity of reading them of course) they therefore refrain from issuing any directions on the subject; only this they do determine, that they will save as much of the manuscripts as they can from the ruin likely to ensue to them, in consequence of their dispersion abroad, when they may be made use of, instead of becoming the prey of the cockroach, and the white-ant in Waver's buildings, by having them sent home immediately.

* We have not room for this letter, being of considerable length.—Ed. C. C.

They speak wonders for the determination of the Court to increase their own archives, but very little indeed for their desire to enlighten their Indian subjects; and it is, moreover, a very bad compliment to the curators of the Library, and the Committee, if such there be, of the Asiatic Society, to whose objects and proceedings, by the way, we wish all possible success. It is really gratifying to observe the rapid increase of their Society, under, we presume,

the stimulating influence of the attraction of the Government House scientific conversations. Science will soon become quite the rage in this part of the world. The mechanism marches onwards with 7 leagued boots, why do not Messrs. Pittar and Lattey attend with their pretty things, and delight the assembled professors, with a treatise, explanatory about the same?—*Hurkaru, March 23.*

MEDICAL AND PHYSICAL SOCIETY.

At a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments on the 4th of March 1837.

T. Bell, Esq., M. D., and J. McCosh, Esq., M. D., proposed at the last meeting, were ballotted for and elected Members of the Society.

Letters from the following gentlemen were read:—

From W. Dunbar, Esq., Assistant Surgeon, Ramghur Local Battalion; W. Bell, Esq., Kennaon, Local Infantry, J. Donald, Esq., Madras Establishment; requesting that their names might be withdrawn from the list of Members.

From J. S. Logie, Esq., Surgeon to the Governor of the Agra Presidency, forwarding a very beautiful specimen of mulberry calculus which he had successfully removed from a boy 12 years of age.

From Apothecary J. Hingault, in charge of the station of Sudya, relating a very curious case in which part of a living insect had been expelled from the throat of a patient where it had remained for some days producing great inconvenience. This letter was accompanied by a preparation of the insect in question.

The following communications were then presented.

A paper from J. Downes, Esq., containing an account of a case of extensive injury of the knee joint, with a drawing of the parts.

Hospital cases, with some observations upon the beneficial effects of veratrin in nervous pains, by D. S. Young, Esq., Surgeon, Nizam's service.

A case of fever, accompanied with fits of an epileptic character, by F. H. Brett, Esq., Surgeon to the Body

Guard. The last mentioned paper was then read and discussed. The patient was a European, 20 years of age, of good constitution, who was attacked with remittent fever. The disease was treated by bleeding, leeches, purgatives, and repeated doses of calomel and antimony, and on the 5th day he was seized with a fit of epilepsy, followed shortly afterwards by a second attack; he was again freely bled and leeches and a blister was applied to the nape of his neck, antimonials were administered, and the influence of mercury was continued till his mouth became sore. At the end of a few days the patient recovered completely. It appears that about six weeks previously he had fallen from his horse, and striking upon the back of his head, he was doubled over; he had suffered considerably in consequence of this accident, and had not entirely recovered up to the period of the febrile attack.

Mr. Brett, in his remarks upon the case, asks what influence this fall had in producing the above symptoms. He says, that his own impression is, that sanguineous effusion upon the brain took place at the time of the accident; that this led to the fever and ultimately produced the epilepsy. The author makes also some observations upon the administration of saline substances in fever. Stating his belief in the value of this class of medicines, more especially in the shape of effervescing draughts, and he relates a case of recovery from a severe typhoid fever, in which, save small quantities of wine, a blister and mustard poultices with cathartics, the only remedies used were saline draughts in large quantities, to the employment of which Mr. Brett is inclined to attribute the success of his treatment.

H. H. GOODEVE, M. D.,

Secy. of Med. and Phys. Socy.

Hurkaru, March 13.]

DR. BRETT'S NATIVE HOSPITAL.

A meeting was held at the Town Hall on Saturday morning, 10th March, for the purpose of taking into consideration the propriety of establishing a hospital similar to the one now under the superintendence of Dr. Brett. The following gentlemen were present. The Venerable Archdeacon Dealtry, the Rev. T. Boez Drs. Drummond, Corby, Jacob, and Brett, H. Manuk Esq., and Baboo Gourmohun Dey.

The Venerable the Archdeacon in the chair. The following resolutions were proposed and unanimously adopted.

1. That this meeting highly approves of the generous, disinterested and successful labours of Dr.

Brett in his endeavours to relieve the miseries of the indigent native population of Calcutta and of his efforts to establish a native hospital for general purposes.

2. That while this meeting is impressed with the importance of such an institution, remembering that a similar one has been sometime in contemplation (and may soon be matured) under the auspices of the District Charitable Society it recommends that the subject be brought under the consideration of that Society before any further measures are taken for the permanent establishment of Dr. Brett's institution.

3. In the meanwhile, to prevent the possibility of the natives being deprived of the present institution, the

meeting recommends it as an object worthy the confidence and support of the public, and that subscriptions and donations be solicited to carry on its operations. The foregoing resolutions were adopted after considerable discussion as to the merit of the undertaking. The thanks of the meeting were tendered to the Archdeacon for his conduct in the chair, and the meeting adjourned. We

hope that the public will lend their aid to this effort to meliorate the miseries of mankind.

Subscriptions and donations will be cheerfully received by the Rev. T. Boer, Union Chapel, Burrumtollah, by the Venerable the Archdeacon, Drs. Corbyn, Jacob and Brett., M. Manuk, Esq., and Baboo Gourmohun Dey.—*Englishman Feb 19.*

HOWRAH SEAMEN'S HOSPITAL.

TO THE MEDICAL BOARD.

General Department.

Letter to Medl. Board, dated 27th Oct. 1834.

Do. from do. dated 4th Nov. do.

Do. to do. dated 10th ditto.

Do. from do. dated 17th ditto.

Do. to do. dated 21st ditto.

Memorandum by the Secy. to the Medl. Board.

Letter to do. . . 1st Dec. Para. 10th.

Gentlemen,—With reference to the correspondence noted in the margin, I am directed to transmit to you the annexed extract from a letter No. 45 of 1836, from the Hon'ble the Court of Directors in the Public Department, dated the 2d August, in order that the Hon'ble Court be informed of the success which has attended the Sanatorium at Howrah alluded to therein.

I have the honor to be, gentlemen,

Your most obdt. servt.

(Signed) H. T. PRINSEP, Secy. to Govt.

Fort William, Dec. 21, 1836.

Extract Public Letter, No. 45 of 1836, from the Hon'ble the Court of Directors, dated 2nd August.

11 and 12. Mr. Assistant Surgeon D. Stewart permitted to devote his leisure hours to conducting a Sanatorium at Howrah (experimentally) for the relief of sick seamen.

The loan of some hospital furniture.

10th. We approve of the aid which has been afforded by Government to this very praise-worthy object on the part of Dr. Stewart, and shall be glad to be informed of its success.

(True Extract.)

Signed H. T. PRINSEP, Secy. to Govt.

TO THE RIGHT HONORABLE THE GOVERNOR OF BENGAL.
Fort William, Jan. 31, 1837.

My Lord,—We have the honor to acknowledge the receipt of Mr. Secretary Prinsep's letter, No. 1746, of the 21st ultimo, communicating an extract from a despatch from the Honorable the Court of Directors requesting information respecting the success of the Seaman's Hospital established at Howrah by Dr. Duncan Stewart.

In reply we have the satisfaction to inform your Lordship, that the establishment referred to appears to have fulfilled the expectations of its founder, in so far as the welfare of the crews of ships in this port is concerned.

The annexed documents and correspondence afford the best information which we can obtain on the subject. Your Lordship will perceive by the report

for last year, that 461 patients, including 77 officers of vessels, received medical treatment at the Sanatorium.

Wishing to acquaint Government with the sentiments of parties who cannot be supposed under the influence of professional partialities, and who know the institution only from the benefits which it is intended to confer, we requested the opinion of the Master Attendant, and beg to subjoin his reply.

We have no hesitation in pronouncing the Seaman's Hospital highly useful, and deserving of support. But, though the stipulated payments by the patients have covered most of the expenses, they yield no remuneration whatever to the principal person, the medical officer, and gratuitous services can scarcely be expected, we fear, from all those who may succeed Dr. Stewart, as Assistant Surgeon to the civil station of Howrah.

We have the honor to be, &c.,

(Signed) J. LANGSTAFF, 1st Member,

„ J. SWINNY, 2nd ditto,

„ J. SAWER, 3d Member,

Medical Board.

TO DR. JAMES RANKEN,

Officiating Secy. to the Medl. Board.

Sir,—In reply to your letter No. 556, dated the 13th instant, I beg to inform you, that since its receipt, I have made a point of enquiring of various commanders, as they come to this office, their opinion of the institution at Howrah, and all those who had had occasion to send their sick there, spoke highly of its utility, and their men uniformly replied to their enquiries when they visited them, that they were very comfortable and well attended to.

I have the honor to be, &c.,

(Signed W. HORE, Master Attendant.

M. A. Office, Jan. 24, 1837.

(True Copies.)

J. RANKEN, Offg. Secy. Medl. Board.

[Englishman.

We invite attention to a correspondence published in another part of our paper between the Medical Board and Government, on the subject of the Hospital for Seamen established at Howrah. It will be in the recollection of many of our readers that about two years and a half ago, a small brochure of Dr. D. Stewart, upon this subject, was very generally circulated in Calcutta. In this pamphlet, which was addressed chiefly to the mercantile community, Dr. Stewart set forth, 1st, the prevalence of tropical diseases of dangerous character among the shipping in the Hooghly, particularly at the certain seasons of the year; 2d, the expediency as regarded the sick, of keeping them on board their own ships even though provided with medical officers, from the necessarily, noisy, crowded, hot and filthy state of vessels

the harbour, loading and unloading, the necessarily imperfect nursing, and the privation of all the comforts procurable on shore; 3d, the impossibility of obtaining for such ships as had no surgeons of their own, sufficiently prompt, or regular, or frequent medical assistance from shore; the time of most medical men being fully occupied in town, and it being always inconvenient, and sometimes dangerous and difficult to go aboard, while the usual diseases requiring treatment admitted not of delay, or partial looking after; and 4thly, the inefficiency and insufficiency of the General Hospital, as an asylum on shore for the sick of the river, on account of its distance, of its unsuitableness to their usual habits and associations, of its want of any thing like private accommodation, and of its being chiefly a military hospital, with some wards for townsmen and paupers, who are all mixed together.

Dr. Stewart had already sought and obtained the permission of Government to devote his leisure hours to the management of a hospital, or as it was called, in tenderness to a supposed English prejudice against that word, a sanatorium for ship's officers and seamen. He has also been promised the loan of two dozen hospital beds and furniture, with other hospital requisites, and laboratory utensils from the Government stores, for six months, with permission at the expiration of that time, to purchase them at prime cost, should he desire to carry on the institution. His object in appealing to the Chamber of Commerce, and the merchants and ship's agents, was not to solicit any pecuniary assistance in conducting his experiment, but protection against paupers and against loss from entertaining ship's crews, in defiance of the usual disclaimer by commanders of their responsibility for any debts incurred on shore. By a regulation of the port, no vessel can obtain her port clearance without presenting a certificate from the Steward of the General Hospital, that all claims against her for the treatment of any of her crew admitted into hospital, have been settled at the usual fixed rate of one rupee per diem, and ship captains are obliged, on leaving any of their crew sick in hospital, to leave security for the payment of all further expenses. Although the Chamber of Commerce declined as a body to give any such pledge as Dr. Stewart required, he received assurances from most of the mercantile houses separately, that he need be under no apprehension on that score, and we believe, that not a single instance has occurred of a dispute or of an unpaid bill since the establishment of the institution. The charges which he proposed to fix were the same as those of the General Hospital; for common seamen one rupee a day, for dieting, medicine, hospital clothing, and servants; for officers 2 rupees, the accommodation for them being of a superior nature. In an appendix to his pamphlet, Dr. Stewart gave a figured statement of the number of ships, of officers, and of men, of sick sent to hospital, of sick treated on board of hospital, of deaths on their way to hospital, of deaths on board during each of the five preceeding years, exhibiting the following annual average of

Admissions 280

Deaths 22.

To this was added his estimate of the expenses of the establishment, including house rent, apothecary's salary, servant's diet, medicine, and clothing, and of the income, which would be required daily to cover this to be derived from patients at the stipulated rates mentioned.

The pamphlet contained also some highly creditable testimonials to Mr. Linton's qualifications as an apothecary, and finally some letters from several medical men of Calcutta who had been longest acquainted with the place and the people, expressive of their entire concurrence in Dr. Stewart's views. One of these was from the late Mr. Twining of an opposite character, expressive of the writer's conviction that in every point of view the General Hospital was preferable as an asylum for sailors, to the proposed one at Howrah, which he likewise considered quite unnecessary, and not likely to clear its current expenses. As Dr. Stewart had frequently been taxed with having made an unwarrantable use of this letter, in publishing it with his own comments, we are glad to be able to promulgate his entire vindication.

We have seen the note, on which certainly no comment was necessary.

Within six months from the date of the note, it occurred to some professional gentlemen that a Floating Hospital for sailors would be a more eligible asylum than the Howrah establishment, and measures were accordingly taken to set one going. The scheme, however, entirely failed, though assisted by Government to a certain extent, and the Howrah hospital was again left the sole asylum for the sick sailor.

Upon Dr. Stewart's removal from Howrah, unwilling to abandon an institution which was rapidly rising into public usefulness and in public estimation, he very handsomely presented his assistant, Mr. Linton, with the entire of the Hospital furniture, &c., &c., which he had purchased at an expenso of about 3,000 Rs. upon condition of his continuing to conduct the institution at his own risk, and that he would engage the professional attendance of the civil surgeon at Howrah. This Mr. Linton readily agreed to; but though under his excellent domestic management and vigilant care the hospital continues to furnish him with a moderate livelihood, and to maintain an efficient establishment, he has not been able, at any time, to offer any remuneration to "the principal person" as the Medical Board, very justly remark, and although we do not concur in the "fear" which they express, having "some knowledge of the service," we certainly think it high time for those most interested in the permanency and prosperity of the hospital, the mercantile community of Calcutta, to take some steps to indemnify those to whom the institution is indebted for its utility. Perhaps the Chamber of Commerce will entertain the question, and if it should, we are certain that the great majority of merchants will follow. About 300 rupees per mensem would, we hear, furnish ample remuneration both for Mr. Linton and the civil surgeon at Howrah, for all their trouble, leaving the receipts from patients to cover the cost, of medicines and attendance.—*Englishman*, March, 4.

HINDOO COLLEGE EXAMINATION.

The distribution of prizes at the Government House, to the Students of the Hindoo College, was a highly gratifying sight. Amongst the visitors we observed the Lord Bishop, Sir Edward Ryan, Mr. Macaulay, Mr. Shakespeare, and many other distinguished members of this society. There were also, besides the Honorable

Miss Eden, a considerable number of ladies present. We overheard the Governor-General and the Lord Bishop, express themselves in the highest degree gratified, and there were other unequivocal signs of approbation and pleasure in the rest of the audience, which was a very numerous one.

The following is a list of the pieces, which were recited on the occasion with the names of the speakers :

THE KING AND THE MILLER.

King,..... Gobind Chunder Dutt.
Miller,..... Nurrotom Dass.

Soldier's Dream,..... Shoshee Chunder Dutt.
Toby Tasspot,..... Gopaul Nauth Mookerjee.
Shakespeare's Seven Ages,..... Ubotar Chunder Gungoly.
Lodgings for single gentlemen,..... Protab Chunder Ghose.

MERCHANT OF VENICE. ACT. IV. SCENE I.

Duke,..... Rajender Nauth Sen.
Shylock,..... Uma Churn Mitter.
Antonio,..... Gopaul Kissen Dutt.
Portia,..... Ubhoy Churn Bhose.
Gratiano,..... Raj Narain Dutt.
Bassanio,..... Rajender Narain Bose.

Salario,..... Gopal Nath Mookerjee.
Nerissa,..... Rajendur Narain Mitter.

Nelly Gray,..... Gobind Chunder Dutt.

THE DRAMATIC ASPIRANT.

Patent,..... Callay Kissen Ghose.
Dowlas,..... Greesh Chunder Ghose.

An Anecdote,..... Bhooban Makun Fagore.

The most ambitious attempt was of course the scene from Shakespeare, in which the young actors acquitted themselves with extraordinary credit. Nothing could be more pure and clear than their accent and intonation, though a considerable noise, occasioned by the Government House servants attempting to exclude some of the visitors at the door, interfered rather cruelly with the effect. What seemed to surprise many persons present, was the great accuracy and precision with which the right emphasis was always preserved, and the genuine feeling of their parts which the boys severally displayed. The humorous pieces, such as the string of poems in Hood's Nelly Gray, the Dramatic Aspirant and the Toby Tasspot, were the most successful perhaps, because the graver pieces required a less interrupted attention in the audience, and were not always well heard in consequence of the noise already alluded to.

Numerous specimens of map, landscape and figure drawings were displayed upon the table, and seemed to receive very general approbation.—*Hurk. March 30.*

THE FREE SCHOOL REPORT.

In submitting a Report of the Free School for the last twenty months to the Subscribers and Friends of the Institution, the Governors have but little, as regards its general circumstances, to communicate in addition to what is already before the public : their statement, therefore, on this occasion, will necessarily be very brief.

It is perhaps necessary to assign a reason, in the first instance, for so long an interval as that of twenty months having elapsed, since the publication of the last Report. The delay has been owing to a Resolution of the Subscribers at the last Annual Meeting in January 1836, deciding, that thenceforward the Report, before publication, should be submitted to the Subscribers at their Annual Meetings ; and that as it had hitherto been published in June, the Meetings should, by way of accommodation, take place in June likewise. A strict adherence to this Resolution, it will be seen, would involve an extension of the delay to June next ; for the Annual Meeting of 1836 having already taken place in January last, and an extra one in February, it became necessary either to call a third Meeting in June of the same year, for the purpose of discussing the Report, —which does not appear to have been at all contemplated,—or else suffer it to lie over till next June, as seems to have been intended. The Governors, however, upon more recent consideration, thinking it desirable that the accounts should always terminate with the year, that any further delay in the publication of the Report might be prejudicial to the interests of the Institution, determined to call the present Meeting at this the usual season, and submit the Report for approval ; and they not only hope that the course they have adopted will be deemed more satisfactory, but also that it may now be finally determined, that the Annual Meetings may still be allowed to take place in January, as heretofore, when from the suitableness of the season, there is a greater likelihood of a full attendance ; and that the Report of the preceding year be submitted for discussion in that month instead of June.

It will be seen by a reference to the last Report, that the Governors had it in contemplation to add to the girls' refectory in consequence of an accession to their number. This intention has since been carried into effect, and a small room and verandah have likewise been added to the Head Mistress's quarters, which are over the refectory, and which, (consisting of a single room, divided into two by means of a screen) were previously insufficient merely for accommodation, far less for comfort.

This is the only change that has to be noticed under the head of buildings, with the exception of partial repairs, which are entered as a separate item in the table of charges ; but while on the subject, it may be well to remark, that the buildings, especially of the Male Department, require an immediate thorough repair, which at a rough calculation will involve an expense, probably, of not less than 4,000 rupees.

The strict economy that can consist with the welfare and comfort of the children, is observed in regard to the monthly expenditure, to effect which a Sub Committee of three of the Governors has been formed to audit the accounts, while another composed of the same number, and styled the Sub-Committee of Repairs, examines into and reports upon all matters connected with the buildings, before any decision is made by the management at large, authorizing an outlay for repairs.

Among the contemplated improvements by which the Governors hope to facilitate and simplify all details of business ; both as regards their own functions and those of the several officers of the Institution, is a connected Code of Regulations, which is in the course of being framed, chiefly out of the mass of Regulations that are found scattered through the Books of Proceedings since the foundation of the establishment, and which constitute at present the Standing Regulations of the School. These there have been the utmost pains taken to revise, embody, and classify, such additions being likewise made as were deemed necessary ; and they are at present in

circulation among the Governors, for whatever further alteration, enlargement, or modification may be found requisite, previously to the final adoption.

There has been a slight increase of the regular current expenditure in consequence of the Head Master's salary having been raised in February 1836 from 250 to 300 rupees a month, and that of the Organist, in August of the preceding year, from 30 to 40 rupees a month; but besides taking these into the account, in comparing the disbursements now submitted with those of former years, it must be remembered that the present are entered in Company's rupees, a circumstance which swells the numerical amount considerably. Converting* the sum total into Siccas, at which rate and currency the outlay has been chiefly made, (though a change in this respect has lately been effected), it would be found, that notwithstanding the above increase, the average standing expenditure of 12 months out of the 20, is not much more than that of 1834-35.

It may here be intimated that the change of currency will henceforward operate considerably in favor of the Institution, and indeed has been doing so for some time. It has of course entailed no reduction of interest from the vested funds, or of the amount which the Government have stipulated to pay permanently, as Old Court House rent; the full equivalent being obtained from these two sources in Co.'s Rupees for what was formerly received in Siccas, as will be found in the table of Receipts. In the Government Donation only, which was formerly 853-5-4 Siccas, a small loss has been sustained, as the amount is now paid in the new currency at the Government rate of 104-8 per 100 Siccas. All private Subscriptions and Donations, however, with the exception of a few instances, in which the Subscribers give the full equivalent for their former contributions; together with all remaining sources of income are paid in the new coin without any regard to its depreciated value; but then again, this portion of the receipts scarcely amounts altogether to a third of the School's resources, and there is far more than will counterbalance any diminution in a reduction of all salaries to the Company's rate, and in the further reduction of a few of these, as vacancies occurred, to the same number of Co.'s Rupees as they before received of Siccas. But what is more, nearly all the other expenses, such as those of diet, clothing, and contingencies, constituting the main outlay, have already been reduced to the new rupee rate; so that two-thirds of the receipts being at the old rate, and about the same proportion of disbursements at the new, the change of currency, as has been observed, has operated considerably in favor of the Institution.

The Governors were in hopes some little time ago of an immediate addition to the funds in the shape of a bequest to the amount of 6,000 rupees or upwards, made to the Institution by the late Mr. Roote of Agra; but legal difficulties opposing the immediate transfer of the money, the matter is still in abeyance. It is hoped, however, that the money will be obtained, and that the benevolent intention of the testator will thus ultimately be fulfilled.

The actual state of the School in all other respects, is much the same as was detailed in the Report of 1834-35. The same course of plain education has been pursued, as was therein stated, comprehending, Geography, English Grammar, Writing and Arithmetic, the History of England, together with such books of a more simple kind, as are used for instruction in reading. Moreover, the nature and principles of the Christian

religion are taught every day out of the Catechism and other books, but chiefly from the Bible direct, which is made to constitute a very considerable portion of their daily reading during the hours of instruction, as well as at morning and evening prayers. Two out of the three examinations that have taken place since the Report for 1834-35, was published, viz. that in June 1835, and the last in December, 1836, appeared to give satisfaction to those who witnessed and took part in them, when the children evinced quickness in all matters pertaining to what they had learnt. The intermediate examination in June 1836 was rather productive of disappointment; but this was chiefly attributable to the more advanced boys having left the School in quick succession, thereby leaving the boys of the junior classes to supply their places.

The circumstances of the girls' department preclude their being as far advanced as the boys. Their opportunities of instruction are not equal to what the latter enjoy, more than half of the day being necessarily devoted to needle work, lace and bonnet-making, and such other occupations as may enable them to get a living by their industry, when they leave School. The rest of the day is employed in much the same course of study as is pursued by the boys, and, as in their case, primary attention is paid to their religious education.

Of the health of the children, the Governors are enabled to report favourably. It has happened, indeed, at particular seasons, when, for instance, epidemics have prevailed in and about Calcutta, that considerable numbers have been in hospital at one time; but the ailments have generally been both mild in character and short in duration. At one period, owing to some cause which could not be assigned at the time, and the influence of which was not confined to this establishment, the children became affected with sore eyes, which spread rapidly through the School, and upwards of thirty at a time were on the sick list in consequence; but every case was not only of the most simple nature, but admitted of a cure in a few days. Nor was there one among them, that in the opinion of the medical officer of the Institution could be strictly designated *ophthalmia*.

Upon the whole, however, the children have enjoyed good health in ever respect, and so exhibited the fairest argument that can be brought forward of the nature of the treatment, which they have been in the habit of receiving. Only two deaths occurred within the whole period of 20 months; one that of a boy, aged 7 years, of spleen, and the other, of a girl, aged 8, of fever and dysentery.

The Governors cannot conclude this Report, without once more adverting to the state of the funds, and in doing so they beg to reiterate their intreaties for increased support. They rest* the grounds of their appeal on the important benefits, which result from the establishment; and they trust, that the single fact,—that 400 children are rescued from destitution, ignorance, and vice, brought up in the fear and love of God, instructed in the Christian religion, and enabled by what they are taught in the School to earn a livelihood when they have left it,—is more than enough to recommend the Institution to a benevolent and discerning public.

STATE OF THE SCHOOL ON THE 1 ST JAN. 1837.		
On the Old Establishment,	Boys	239
	Girls	144
* On the New ditto,....	Boys	9
	Girls	0
Day Scholars,.....	Boys	0
	Girls	2
Hurkaru, March 27.]		Total,.... 394

* The statement at the end present the Receipts and disbursements in each currency.

* A small sum monthly, not exceeding ten rupees, is paid for these children.

PARENTAL ACADEMIC INSTITUTION.

WEDNESDAY,—MARCH 1, 1837.

Agreeably to the notification, several East Indian gentlemen, and many of the European community, attended at the perscribed hour. Among the assembly we recognized Col. Pecket, Dr. Corbyn, and several gentlemen of influence. There were more than a hundred persons present.

It was unanimously proposed and carried, that Doctor Corbyn should take the chair. The Doctor having kindly consented, took the chair, and said, that the assembly met in consequence of an invitation given in the public papers, and proposed that the report of the Committee be read.

Mr. J. Sinaes proposed, that the notice convening the report be read.

Mr. Kellner thought it quite unnecessary.

Mr. Pote thought if it could be shewn that the notification contained any thing that would bear upon the questions to be discussed, that he would second the proposition, provided that the paper containing the notice were at hand, or that Mr. Sinaes had a copy of it in his pocket.

Mr. Wale Byrn asked if a copy of the *Hurkaru* or *Exchange Gazette* were at hand, and not being answered either in the affirmative or negative, he repeated the notice from memory and proceeded to read the report, the length of which prevents our giving it here, but which we suppose will be published for general information. We cannot, however, avoid noticing that part of the report which acknowledged the gratitude of the Committee to Dr. Halliday, for the great trouble he took, in personally examining the details connected with the dieting and comforts of the children. The report also bore strongly upon the necessity of such parents as have allowed their bills to run into arrears, and strongly recommend, nay entreated, that all arrears should be paid up.

In one part of the report, the Committee seemed to have experienced great inconvenience from the removal of boys at two early an age, and that part of it caused several trite and appropriate remarks from the chair, and from Messrs. C. Pote and W. Kirkpatrick.

Mr. Pote said, it fell to his lot to propose the first resolution, in doing which he could not avoid giving expression to a few remarks which he thought would be received, as interesting in their connection with the report and with the subjects that would come under discussion during the evening. Mr. Pote then read the resolution which was as follows:—

“That the report now read be approved and published for general information.”

This is the resolution he had to offer, and to adduce such arguments, as he could command to secure the acquiescence of the meeting; he did not think it necessary to enter into much detail; as the meeting, he thought, should concede to every thing contained in the report; he could not conceive how any objections, under the circumstances, could be raised. Education is one of the subjects on which the mind of man has been greatly interested. If this report contain some things in which all may not concur, look at the difficulties in which this institution is placed. In other countries similar undertakings have not the same obstacles opposed to them. In them there is either acknowledged ignorance or some advance in true knowledge; but this is a locality where ignorance exists undetected, or rather mischievously wears the mask of sound philosophy. Where there here utter barbarism, where there here any just

information, (speaking of the large mass of natives,) there would be greater hope; there would be in the first case, nothing, comparatively, to eradicate, and in the second, something to build on; but our difficulty is, that we have a false philosophy, a false religion, and these must be displaced to make room for truth. It is a country buried in superstition. In mentioning all this he wished only to touch on the hypercritical objections of some, who might be disposed to take exceptions at some parts of the report. But such hypercriticism was hardly to be expected. What could the meeting require more, to shew the value of this institution, than the general approbation which sent 270 pupils to be instructed within its walls! Mr. Pote, adverted strongly to that part of the report complaining of irregularity on the part of parents and guardians in paying up arrears,—he trusted this would be amended. He said it was much to be regretted that at tea and other parties, among several families, every every subject was conversed on, overlooking education altogether. They seemed quite callous to that subject, and treated it as one which did not require their best attention. India, Mr. Pote remarked, was buried in ignorance, caused by a want of education; that while political economists seemed to occupy their attention with improving the resources of India, they allowed the chief means to escape by which those resources would naturally become superabundant.

Mr. H. B. Gardener here attempted to interrupt the speaker, on the ground of irrelevancy; but was silenced by Mr. Pote, who remarked that he regretted that the gentleman on his left did not seem to understand the difference between ignorance and instruction—(great laughter). Mr. Pote, concluded by a few remarks on the superstitions as yet so largely prevailing in India, and attributed to their existence one of the great causes of the slow progress of education. He also complimented the Committee on the disinterested labor they underwent in behalf of the institution.

Mr. Pote's resolution was seconded by Mr. M. Crow and carried.

Mr. W. Kirkpatrick was afraid to enter into any lengthened observations after the extraordinary impatience evinced by some gentlemen during the luminous speech of Mr. Pote, but he would, nevertheless, enter into one or two points previous to moving a resolution he held in his hand. That extraordinary difficulties have been experienced by persons undertaking the management of establishments for education, could not be denied, and also that great credit was due to the Committee for their labors and assistance in the continuation of this institution in its present favorable position, and that the society were certainly bound in gratitude to the Committee for it; but while all were anxious to encourage the managers in their praise-worthy endeavours, the parents and guardians of the children entirely neglected one of the chief objects of this institution, that of maturing children in the principles of a good and useful education. No sooner does a boy arrive at the first class, then his parents display an eagerness to remove him from school, thereby depriving him of the means of fixing his principles, and consequently of ultimately becoming an useful member of society. It was almost natural to suppose, that before a boy had arrived at that age which is properly considered one at which he could be safely launched into the world, he is taken suddenly from a career of study and introduced into society, quite unprepared to meet objections, and quite unguarded against common temptations. That if a young tree were taken from a good soil, and planted on a sterile one, the result would

certainly turn out that the growth of that thriving tree would be stunted. Mr. Kirkpatrick alluded to some instances of parents withdrawing their children from school at such critical periods of their education, even without in the slightest degree being necessitated to take that step; and lamented this practice as a serious evil, calculated to ruin the prospects of the children. He concluded by earnestly advising parents not to withdraw their children from school, until they had been well prepared to act a part in the stage of life. He then proposed the following resolution.

"That this meeting recognizes the usefulness which the institution has in view, and desires a continuance in labors that are calculated to advance the interests of the rising generation."

Mr. G. F. T. Speed seconded the above resolution, observing that he had more than once endeavoured to impress on the minds of those who have the welfare of the Institution at heart, the great necessity of entertaining the views so fully detailed by Mr. Kirkpatrick.

The chairman, previous to putting the resolution to the vote, begged to make a few observations on the remarks which had fallen from Messrs Pote and Kirkpatrick. That he was fully persuaded that the country was in a state of utter ignorance, and that the efforts were either insufficiently strong, or ill conducted to enlighten its inhabitants, and to rouse the energies of the multitude to the cultivation of the mind. The impoverished state of the country could be traced to the ignorance prevailing in it, and were the people at large sensible of the use, and alive to the importance of education, the general resources, the revenues, and the produce of the soil, would develop themselves, and that from the introduction of the sciences. He had visited several eminent academies in Europe, and the improvement made by the boys here, was very, very great and astonishing, and indeed he had heard the remark from several, the Archdeacon, the Rev. Mr. Fisher, and from others, that the annual examinations were satisfactory in the extreme, as regarded the progress of the boys in their general studies. He could not help lamenting the want of attention on the part of parents and guardians in removing boys at too early an age from their studies, and necessarily turning that useful and powerful weapon education into one of destruction. That the observations of Mr. Kirkpatrick were valuable and should be retained in the minds of parents and guardians;—and in promoting the welfare of this institution, the wealth of the parents and of the country would be naturally promoted.—(*Applause and Cheers.*)

Mr. J. Welsh said something about what he had said last year, and dwelt also on the impropriety of removing children at too early an age from school, after which he proposed the following:

"That the cordial thanks of the meeting be given to the friends and supporters of the institution, for the encouragement afforded by them to its interests."

Seconded by Mr. W. Byrn and carried.

Mr. Byrn, in seconding the last resolution, thought that while the thanks of the meeting were due to those about them, they should not be forgetful of the services of departed friends. The portrait hanging in the room was that of the first establisher of the institution. That his exertions, and his purse had served the cause, and that in his zeal he had staked every comfort in raising the East Indians to distinction, and therefore called to the minds of those present the late Mr. Ricketts, whose chief object was to raise his countrymen in a moral and social degree; that he undertook a perilous and dangerous voyage to improve the condition of the general body, in which act he patiently bore up with the contumely and contempt of the public in his efforts to raise the energies of youth; he forgot his own domestic

interests and ended his career by leaving a family perfectly destitute; as before the pension was granted by Government, Mrs. Ricketts was obliged to subsist upon alms-donations, and that the family having grown in years, the pension was inadequate to their support. That he could not help calling the attention of those present, to the case of one who had made his comforts subordinate to the interests of his country. He conceived that Mr. Ricketts had been the first man in the class to which they belonged, and considered it highly necessary that his family should be maintained in a manner suited to the position which its head had occupied. It therefore behoved his countrymen to support his family.

Mr. Byrn also, in every complimentary terms, thanked Dr. Corbyn for the part he had taken in the business of the evening, but made use of the word rank to which Mr. Pote took an objection. He said that he valued Dr. Coabyn as a man, but not for his rank. This last observation of Mr. Pote's seemed to take very well as it called down loud cheers from the assembly.

Mr. Byrn recalled the work rank, but said he thought that Dr. Corbyn had descended from his altitude, and then the debate took an astronomical turn, and the moon and seven stars were rather roughly handled by Messrs. Pote, Byrn and Kellner.

Mr. J. Graham then moved the following, which was seconded by Mr. J. Chill and carried.

"That the undermentioned gentlemen be appointed a Committee of management for the ensuing year: viz., Messrs. W. Byrn, W. Dacosta, C. Francis, J. Hill, J. Jacobs, F. D. Kelner, R. Kerr, C. W. Lindstedt, H. Martindell, W. Stacy, W. Sturmer, J. Welsh, and J. Wood; and that Mr. W. Byrn be the Secretary for the ensuing year, and Mr. J. H. Lorimer Honorary Member."

Mr. Kirkpatrick, previous to proposing a resolution he intended to submit regarding the election of the Committee, expressed his disappointment at not hearing the name of the five gentlemen who had been added to the Committee at the last anniversary. The Secretary here explained, that that addition having been made contrary to a standing rule, strong protests had been sent to the old Committee, and the new members on being applied to, had agreed to withdraw.

Mr. Kirkpatrick then observed, that the proceedings of the old Committee were highly censurable in having taken upon themselves to cancel a resolution of a general meeting, which necessarily superseded the old standing rule. The additional members had withdrawn from motives of delicacy; but the inference of the public, but for the explanation given, would have been, that those members having been proved to be incompetent had been quietly put on the shelf, and the meeting owed it to those gentlemen to re-elect them on the present occasion. Mr. Kirkpatrick then read his resolution, observing that it was based on the principle which had been recognised at the last meeting, by the addition then made to the Committee; the principle, namely, of benefit to the Committee by the accession of new members. The benefit he contemplated would consist not only in extending the sphere of the society's operations by the influence of the new members, but in providing means of improving the system of management, so as to make it keep pace with the progress which society was every day making. He adverted to the necessity of evidence being given that the Institution was in a state of progress; since, without such evidence, it would be naturally assumed that it was retrograding.

Mr. Kirkpatrick then read the following resolution:—
"That in consideration of the great advantage derivable from the accession of new members, it be a rule of the

Institution, that three senior members shall go out by rotation at each anniversary, whose places are to be supplied by a new election."

Mr. Speed.—In seconding the resolution adverted to the great disadvantages attendant on a long continuation of the same persons on committees generally; for the experience he had had, as well as what he had gleaned from the information of others, shewed that three or four years in most cases served to give to the institution, wherever it might be, all the information possessed by each individual of a committee of the subjects under their control and management. And this was the case more especially in matters connected with education, from the extensive changes that are annually made in the system and principles of communicating information to youth. It was now upwards of sixteen years since he first became connected with the profession of the education of youth; and while in England he found the necessity of much study of the system pursued, to keep pace with the annual progress of improvements, and every year, he then found there was something new to learn in connection with the subject. On coming to India, other pursuits made him lose sight of these for three or four years, and the works which then reached him from Europe, shewed how vast had been the alterations that had occurred during that space of time in the systems, nay in the very principles of education. Science took a more prominent site in the operations of the teacher, and classical literature and the languages of the ancients were deemed less exquisite. Ever since this, he had continued the study of the new works on education, and he became the more impressed with the necessity of frequent changes in the individuals forming the committees of institutions connected with this most important branch of the exertions for public good, that by so doing you might bring within your reach all the newest information on the subject, and be enabled to graft on the old rules, such improvements as might be picked up in the progress of new principles taught to younger members, and forming parts of their education. Such was his opinion,—an opinion founded on the practical experience of some few years, and which he offered to the meeting unconnected with any private feeling or personal interest, his sole grounds for supporting Mr. Kirkpatrick's motion, being a conviction of the advantages it offered to advance the institution and promote the progress of education.

Mr. Pote was not aware whether the members of the Committee were for or against the resolution. His business would be simply to shew that the arguments which had been urged to support that resolution, were altogether fallacious, and the proposition itself wholly unavailing for. Mr. Pote then proceeded to comment on the remarks of Messrs. Kirkpatrick and Speed. Before admitting that new blood ought to be infused into old subjects (the Committee), as had been observed by Mr. Kirkpatrick, he would wish to see the necessity of such an operation pointed out. He would learn the nature of the disease before he listened to prescriptions for its cure. Wherein, he asked, was the old Committee defective, and how would the new one answer all the purposes, which it was alleged the old one could not. Why, he continued, should the old Committee be ignorant of the improvements that were making, or their notions continue contracted. He did not see the least necessity for the adoption of the proposed measure, nor the propriety of supporting such a resolution. Mr. Pote said, that the Committee had given general satisfaction for the last fourteen years, and that there was no reason now to alter the constitution of it. That parents and guardians had the power to expel members from the Committee, if they found them unequal to the duties entrusted to them. It was not to be supposed, therefore, that in a matter of such importance, they would hesitate to do their duty from an idea of its being an invidious one. Mr. Pote

concluded by adverting to the labor and the heavy pecuniary responsibility which the members of the old Committee had incurred, and declared it as his opinion, that it would be next to impossible to find such men to supply their places.

In replying to Mr. Pote, Mr. Kirkpatrick observed, that though Mr. Pote professed to know nothing of the opinions of the Committee on the subject, yet it was quite evident that he had received a special retainer from them, and spoke according to the instructions communicated to him by some of that body. He, (Mr. Kirkpatrick) did not, however, understand why the wishes of the Committee were to be consulted at all on the subject—the question being to be determined by the constituents of the Committee. Mr. Pote had been complimented as being a radical, but all the arguments he urged against the plan were rank Tory, and such as might be brought in support of every abuse and every corruption. The system of re-electing the same men every year, it was said, had worked well; but he appealed to the meeting whether it was not a system which tended to induce great indifference to the interests entrusted to the Committee, and whether it would not tend to contract their minds by obliging them to go year after year over the same ground. The object of the old rule was to have new men over the institution every year; whereas its practical operation had been the very reverse,—the same men being elected year after year without any change. The rule he proposed would necessarily oblige a part of the Committee to go out, and lead to the introduction of new members. He therefore called on the meeting to support the plan on its own merits.

Mr. Pote here observed, that as he had declared, that he was not even aware of the opinion of the Committee, he could not have received a retainer as stated by Mr. Kirkpatrick. He (Mr. Pote) positively denied the imputation.

Mr. Roger Dias addressed the chair, saying, he would, if allowed, offer a few observations on the merits of Mr. Kirkpatrick's resolution. Mr. Dias had referred to, and perused the rules of the institution, and thought clause vii. very objectionable, as, it was more than likely, that that clause would some day prove detrimental to the interests of the institution. Mr. Dias, then quoted the clause which we give.

"That the executive business of the society be conducted by a Committee of management, consisting of 13 members, including the secretary, who are to be elected annually by the society from their own body."

A clause of that kind, was certainly against the welfare of a public institution, and no committees could be perfect, that had the power to re-elect themselves. It was proved that the constitution of the vestry of the Cathedral was defective for a similar reason, and Mr. Dias referred to the trust deed of the Catholic church, which was set aside in consequence of its containing a clause of self election of trustees: above all things, the clause should be rescinded, as there was no other in the set of rules, by which the Committee could be checked, if they did any thing that required immediate correction. The retention of the clause would not perhaps have been so great an evil, if a counter clause were contained in the set of rules. On reference to the list of those forming the present committee, (Mr. Dias disclaimed all personal allusion to any of the gentlemen whose names he would be obliged to cite in the course of his argument) Mr. Dias found several of the members responsible for multifarious duties. Mr. Byrn, for instance, is *Secretary, Accountant, and Collector*, and on reference to the names of the Committee-men, Mr. Byrn is down as a member. Mr. Jacobs, it also appeared, is *in charge of the banks and stationery department and a member of the Committee*; and Mr. Lorimer, though a teacher, is an *honorary*

member also. To this state of things there was also great objection, as, if the secretary, the gentleman in charge of the books, and stationery, or the head teacher; were guilty of delinquency, neglect, or any reprehensible conduct, there was no existing possibility of check, as the parties alluded to, would sit in judgment on their own acts. Their errors would be brought under their own cognizance, and it would be inconsistent to suppose, that evils would be remedied as strictly as they should be; were the Committee a distinct body from the officers of the institution. Mr. Dias fully concurred in Mr. Kirkpatrick's views, and remarked, that by supporting Mr. Kirkpatrick's resolution, the institution would open the door to popularity; that the public, while assisting it, would also effectually remove abuses, and as contributions were constantly demanded from the public, the

public should have a voice in the conduct and existence of the institution; he therefore hoped that those around him would see the necessity of supporting Mr. Kirkpatrick's resolution as very useful, and essential to the welfare and future prospects of the institution. Mr. Dias was frequently interrupted by Mr. Pote and Mr. Charles Marriot; the latter, however, got rather a severe reprimand from Mr. Dias, and Mr. Marriot's interruptions were effectually put down by Doctor Corbyn, who said, that Mr. Dias's remarks were all to the point, and allusive to committees generally. Mr. Kirkpatrick's resolution, after a great deal of desultory conversation, was put to the vote, but was not carried—being negatived by a majority of eighteen to nine.

Thanks were then voted to the chairman, and the meeting dispersed.—*Bengal Hurkaru*, March 6.

MEETING OF THE DINAPORE STATION ORPHAN COMMITTEE.

DINAPORE, 4TH FEBRUARY, 1837.

Pursuant to a notice circulated by order of the President, the Committee and Subscribers to the Orphan Society, met at Captain Sage's Bungalow at 10 A. M. The President having taken the Chair.

1st. Proposed by Captain Dick and seconded by Captain Barnard. That the present and all future meetings, of the Dinapore station Orphan Committee, be public meetings, and that the proceedings be published in the *Englishman and Hurkaru* for the information of the subscribers to the fund. Carried *nem. con.*

2nd. Proposed by Captain Blundell and seconded by Rev. J. Vaughan. That this meeting cannot recognize in the several management any right to eject a ward from the institution, except for immoral conduct, fully established on unquestionable evidence, and it views the expulsion of Mr. ses Cumming and Polhill from the home provided for them by their parents on the childish plea of insubordination, as an act of injustice, against which this meeting invites the subscribers to the institution to join in a solemn protest. Carried *nem. con.*

3d. Proposed by Lieutenant Mackenzie, 11th Native Infantry, and seconded by Lieutenant Y. Lamb, 51st Native Infantry. That the use and necessity of an efficient and responsible Board of managers being admitted, a copious infusion of Regimental Officers, stationed near the Presidency, is requisite to make that Board, a true representation of the body of subscribers. Carried *nem. con.*

4th. Resolved. That the Dinapore Committee, in circulating the votes of the army on the propositions signed by Lieut.-Colonel Maddock and other officers, and the consequent resignation of the Committee of Management, cannot refrain from expressing their regret that the Orphan Society has been deprived of the services of so many able officers, who have, for a long time, given the institution the benefit of their talents and assistance. Carried *nem. con.*

5th. Resolved. That the unfortunate discussions regarding the establishment, which have attracted the public attention since the nomination of the Rev. Mr. McQueen to his present situation, coupled with the sentiments of the chief justice on the late trial of "Polhill versus McQueen," call, in the opinion of this Committee, for immediate notice from the army; in their judgment Mr. McQueen is not a fit person to be secretary and superintendent of the Upper Orphan School, and the committee are of opinion that Mr. McQueen has for ever forfeited the confidence of his employers. Carried by 13 to 2.

6th. Resolved. That in consequence of the foregoing resolutions, it is the opinion of this meeting, that should Mr. McQueen decline tendering his resignation, and a majority of the voters take our view of this case, that Mr. McQueen be called on to vacate the situations he now holds in the Orphan Institution. Carried by 11 to 4.

7th. Proposed by Lieutenant Mackenzie, of the 11th Regiment, and seconded by Lieutenant Younger, 56th Native Infantry. That it is desirable, provided the services of such a person can be allowed, and obtained, that the post of Secretary to the Orphan Institution should in future be filled by a Clerical, Medical, or Military Officer of the Bengal Army, who would be more likely than any stranger unconnected with the Institution, by community of interest and feeling, to sympathize with the orphan offspring of brother officers. Carried *nem. con.*

8th. Proposed by Lieut. Mackenzie and seconded by Lieut. Younger, that the election of a Secretary should be open to the votes of all subscribers. Carried *nem. con.*

9th. Proposed by Lieut. Younger and seconded by Lieut. W. Lamb. That the thanks of this meeting be given to Dr. Corbyn, for the zeal and perseverance he has evinced for the welfare of the Orphan Institution. Carried *nem. con.*

10th. That the thanks of this meeting be given to the President, for his able and conciliatory conduct in the chair. Carried *nem. con.*

11th. Proposed by the Committee.—That the Reverend C. Wimberly be elected to represent the Dinapore division in the general management. Carried *nem. con.*

WM. SAGE, Secretary.

I object; as Mr. McQueen acted under the directions of the General Management, I consider them the responsible agents.

J. R. YOUNGER, Lieut. 56th Regt. N. I.

To this (5th) and to the other resolutions consequent upon it! I object also, because I still think the Rev. Mr. McQueen to be every way capable of discharging his office. If he has erred, and who does not? he has gained his experience by this time, and will doubtless take care not to err again.

J. VAUGHAN, Chaplain.

I dissent from, and disapprove of resolution 6; as unnecessary or, at least, premature.

Alexander Mackenzie, Lieut. 14th N. I.

W. A. Yates, Lieut.-Col. President.

David Thompson, Captain.

G. Newbolt, Lieutenant.
 J. Vaughan, Chaplain,
 A. Goldie, Captain.
 G. Raakin, 51st N. I.
 S. J. Blundell, Captain.
 W. O. Barnard, Captain,
 Wm. Lamb, Lieut.
 F. S. Chean, Lieut.
 J. Turner, Engineers.
 C. Herklots, Lieut. 51st N. I.
 A. Drummond.
 J. R. Younger, Lieut.
 Alexander Mackenzie, Lieut 11th N. I.
 H. Wick, Captain, 56th N. I.
 F. B. Todd, Captain, 11th N. I.
 F. Sutherland, Captain.
 Samuel H. J. Davies, Engineers, 51st N. I.
 St. E. D. Showers, Captain.
 Geo. Thompson, Captain.
 Jas. Spens, Lieut. Engineers.
 John Gilmore, Lieut. Engineers.
 J. E. Allen, & C. Chaplain: I strongly object to
 Nos. 5 & 6.

I dissent with respect to the points contained in points
 Nos. 5 and 6.—W. Hough.

I consider the removal of the Reverend Mr. McQueen
 rather a harsh and too hasty measure, and therefore dis-
 sent from resolutions 5 and 6.—J. J. Somerville, Capt.
 51st Regt. N. I.

I agree to the whole propositions, most particularly to
 Nos. 5 and 6.—W. Warner, Artillery.

I agree to all the propositions.—G. R. Crawford,
 Capt. Artillery.

Ditto as above.—A. P. Begbie, Lieut. Artillery.

Y. Lamb, Lieut. 51st N. I.

T. O'Beirne, Lieut. 25th Regt.

S. Davies, Assistant Surgeon.

I agree to all the propositions.—R. E. Macdonald,
 Major, 49th Regt. N. I., on leave of absence.

ABSTRACT.

Nos. 5 and 6, carried by a majority of 28 to 6
 The other 9, carried unanimously

Ibid.]

W. SAGE, Secretary.

THE PUBLIC LIBRARY.

At a meeting of the proprietors and subscribers held
 on 4th March, 1837.

J. F. LEITH, Esq., in the chair.

Present.—W. P. Grant, Esq., J. Bell, Esq., T. H.
 Gardner, Esq., G. F. T. Speed, Esq., Dr. Jackson, Dr.
 Pearson, and J. Beardmore, Esq.

Visitor. G. A. Prinsep, Esq.

The Curators reported the following new proprietors,
viz.

The Right Hon'ble Lord	Dr. Charles Egerton.
Auckland, p. o. s.,	W. Earle, Esq.
A. Gladstone, Esq.	C. Lyall, Esq.

And the following new subscribers :

Lieut. Paice,	C. G. Strettell, Esq.
G. B. Ryan, Esq.	Dr. McCosh.
D. E. Malloch, Esq.	

And the following list of contributions to the *Vested*
Fund in aid of the Library, *viz.*

M. M. Manuck, Esq.	1000
Right Hon'ble Lord Auckland, p. o. s.	200
Bahadur Dwarkanauth Tagore.	200
Hon'ble Sir E. Ryan, Kt.	100
Hon'ble Sir J. P. Grant, Kt.	100
Col. W. S. Beaton.	50
W. P. Grant, Esq.	50
W. Earle, Esq.	50

Proposed by W. P. Grant, Esq., and seconded by Dr.
 Pearson, that the contributions to the *Vested Fund*, be
 invested as realized in Company's paper in the joint
 name of the curators. The paper to remain in the cus-
 tody of the Government agent, and the interest to be

drawn by him, and invested in the Government Saving's
 Bank in the joint names of the said curators.

Proposed by Mr. Bell, and seconded by Dr. Jackson,
 and carried unanimously, that with reference to the few
 opportunities enjoyed by men in business to watch or
 even to gain an outline of the proceedings of this infant
 institution, for the successful establishment of which
 upon a sound foundation all must be anxiously inter-
 ested, that a copy of the rates and rules of admission as
 proprietors and subscribers be circulated with sub-
 scription books as well for contributions to the Vested
 Fund as for the admission of new proprietors and sub-
 scribers among such members of the community as the
 curators may deem expedient, with a note as follows :—

To A. B. Esq.

Sir,—Upwards of months have now elapsed since the
 formation of this Library without having the benefit of
 your name on its list of proprietors or subscribers.

Feeling assured that the claims of such an institution
 to public support need only be brought prominently for-
 ward to engage your attention, we beg to submit a copy
 of our rules and rates of admission.

In doing this we earnestly entreat you to consider
 that, although your time may not allow you either
 to take at present any active part in its operation
 or draw largely upon the literary resources, you
 can render a most important service by contribut-
 ing towards its solid establishment and future sup-
 port, and we confidently hope that you will at least
 afford this testimony of the interest you feel in the pros-
 perity of a public depository of knowledge and recrea-
 tion which to every individual at some time or other
 must prove useful.

We are, &c.

CURATORS.

Hurkaru, March 6.]

MEETING TO ERECT A MONUMENT TO BISHOP CORRIE.

The Meeting held this morning at the Town Hall to commemorate the virtues of the late Bishop Corrie with some tribute of respect, was very numerously attended, the Bishop of Calcutta being in the Chair. Among those present we observed Sir Edward Ryan, (apparently quite recovered from his late indisposition), Sir Benjamin Malkin, the Archdeacon and a considerable number of Clergymen.

The Bishop opened the proceedings with a short address, in which he noticed the extraordinary burst of sympathy at Madras on the death of their lamented prelate—As soon as he heard of the subscription opened there, he sent his own contribution to it, not anticipating that it would be followed up by a similar tribute in Calcutta.

The Chief Justice moved the first resolution (see below.) Many who were present would be better able to speak of Bishop Corrie in his clerical capacity; but he had himself had much opportunity of seeing him in private life when Archdeacon of this Presidency, and having been associated with him in the District Charity and on other occasions, he could speak to his kindness of heart and the benevolence for which he was so remarkably distinguished.

The Rev. Mr. Fisher seconded the resolution. He lamented Bishop Corrie as an intimate friend of twenty-two years—a man of a kinder and more affectionate disposition never lived. The meekness of his character was the praise of every one, when Mr. Fisher arrived in the country: it was this and his devoted piety that had recommended him to Mrs. Corrie, who previously had refused many advantageous offers.

The second resolution was moved by Sir Benjamin Malkin, who observed that not having had the good fortune to be in Calcutta when Bishop Corrie was here, he might consider himself the representative of a class (and a large one it was) who admired though they did not personally know him.

The Rev. Mr. Bateman, as seconder of the resolution, spoke to the universal feeling of respect and affection for the deceased, which he had observed to prevail in the course of his travels during the last eighteen months in different parts of India. Considering the difficulties which the Church had to contend with in this country, it was a most fortunate circumstance and a great consolation, that such a man, so excellent a Minister, had existed in India. Such Ministers of the Gospel were what India wanted; the influence of their character was the best possible support to the preacher.

Mr. Mangles moved the third resolution, and was induced to do so, though not in the habit of putting himself forward at public meetings, because he had a strong feeling of regard for the deceased, whose name he had never heard mentioned but with respect and admiration.

The Rev. Mr. Boswell followed as seconder. The late Bishop was the first to take him by the hand on his arrival, and had pursued him with kindness ever since. His charities to objects of distress were unbounded, and his zeal unsurpassed in supporting pious institutions. The High School was founded chiefly by his exertions, and to that excellent Seminary he had appropriated more than 30,000 Rupees from funds placed at his disposal. Nothing was more remarkable than his disinterestedness. It was the greatest possible triumph to Bishop Corrie to receive the mitre, but he had meekly borne his honors and only valued them as a means of extending the influence of the Gospel. Bishop Corrie

came out to India as a Missionary, and was to the last a Missionary in heart.

The Chairman, in putting the third resolution, could not resist the opportunity of expatiating again upon the excellent character of the man they were assembled to honor. It was a character you might look at in any point of view—"so lovely—so full of humility and tenderness." A man of Bishop Corrie's amiable character may commit a hundred faults and still his eminent benevolence shall be always perceptible. The news of his death reached him (the Chairman) when he was standing on the beach at Mirzapore: it came like a thunder bolt: it produced a sensation every where. He went on to Chunar—"Who built the Church? Bishop Corrie"—Who did some other pious act—who did every thing? Bishop Corrie. Two prominent features in his character had been well noticed by Mr. Boswell, first his tenderness of disposition and secondly his perfect disinterestedness.

Mr. Fisher followed up this remark by relating an anecdote we but imperfectly caught—that when Bishop Corrie was presented to the King, His Majesty jokingly asked him what made him go out to India again? was it to get rich? The Bishop's answer (he observed) was such that His Majesty was very much struck with it.

The fourth resolution was introduced with a short but very eloquent speech from the Rev. Mr. Charles, to which we much regret our inability to do justice in the slight sketch we give from memory of its purport. Mr. Charles dwelt particularly on the kind feeling and conciliatory tone, which marked all Bishop Corrie's communications with those who happened to belong to a different Church from himself. With him differences of opinion merged in his love for all Christians. He is now among the blessed, and will be remembered with the pious men, whether of the Scotch or English Church, who are recorded in history. Let us raise a monument to his virtues; this will prove our regard for religion better than volumes of argument, than centuries of contention. Mr. Charles here quoted from memory a passage from a book, which had struck him as peculiarly applicable to the character of the deceased, and concluded with a remark that "the whole end of his being was to diffuse its benefits among his fellow men," to whom example of this worthy and pious man was the best legacy he could leave them.

Mr. Greenlaw seconded the fourth resolution, to which (as first worded) an addition was made at Mr. Mangles's suggestion, instructing the Committee to appoint trustees for the scholarships. Mr C. K. Robison, moved the fifth resolution, giving as a reason for naming Messrs. Gisborne and Co. as treasurers for the Subscription, that Mr Gisborne had married the daughter of one of Bishop Corrie's most attached friends. Mr. Beattie seconded the resolution:—after which the usual thanks were voted to the chair by Dr. Jackson and acknowledged by the Bishop, who took the opportunity of mentioning that he had expected Bishop Corrie and Mr. Carr, the Bishop elect of Bombay, to arrive here in the course of next month for the ceremony of the ordination of the latter, when by a mysterious providence the whole arrangement had thus been disconcerted.

RESOLUTIONS.

"1st—That this Meeting has heard with the deepest regret of the demise of the Bishop of Madras, and consider it a duty which they owe to the Church of which

he was so distinguished a member, to raise some token of regard to his character at this Presidency, which was the scene of his arduous labours, and his pre-eminent example for almost thirty years.

"2d.—That Subscriptions be solicited for the purpose of erecting a marble slab in the Old Church near those of his revered friends Brown, Martyn and Thomason, and a similar one in the Cathedral; and for painting a likeness of the late Bishop to be hung up in the Old Church Rooms.

"3d.—That the surplus which may remain after defraying the expences of the monuments and the portrait, be appropriated for the purpose of endowing Scholarships in the Calcutta High School, to be called "Bishop Corrê's Scholarships." And that special regard be had

in the nomination to eventual preparation for Missionary labour.

"4th.—That a Committee be formed of the following Gentlemen, to see these objects carried into effect, and to nominate the Trustees for the above purposes, viz.

The Ven. Arch. Dealtry,	John Dougal, Esq.
Rev. H. Fisher,	A. Beattie, Esq.
H. M. Pigou, Esq.	C. W. Brietzke, Esq.
Major G. Hutchinson,	

"5th.—That Messrs. Gisborne and Co. be appointed Treasurers, and those who are friendly to the above design be requested to forward their subscriptions to those gentlemen as early as possible."—*Calcutta Courier*, March 16.

MEETING FOR THE ESTABLISHMENT OF A SAILORS' HOME.

TOWN HALL, SATURDAY, MARCH 18, 1837.

The Hon'ble Sir J. P. Grant, in the Chair.

The assembly was numerous and respectable, and among the attendants we recognized Messrs. Walters, Chapman, Spier, Colvin, both the Captains Birch and Johnston, Bagshaw, Macfarlane, G. A. Prinsep, Bradon, and several others whose names we have not time to enumerate.

Mr. W. Spier moved.

"That it is the opinion of this meeting that the welfare of seamen visiting this Port will be materially promoted by the establishment of an institution to which they may look as a refuge from the many ills to which they are exposed."

The Reverend Mr. Boaz, in seconding the above resolution, remarked, that he had been requested by the Committee to explain the object of the present meeting. Sailors, the gentleman observed, were naturally thoughtless, unsuspecting and generous, and how easy it was for the more cunning to take advantage of them, when these natural qualities in them made them an easy prey to the wicked: that seamen, therefore, had a peculiar claim on our sympathy. For the actual service they rendered they had also strong claims on us. They are the medium of commerce or friends against piracy and warfare, and the chief means of conveying to us tidings from those dearest to us, and from our native land. Mr. Boaz, in explaining the nature of the proposed institution, said it was to combine comforts both temporal and spiritual.

In referring to the objections offered to the institution, the two principal, Mr. Boaz said, were that the Home would be an inducement to the men to leave their ships, and the difficulty of supplying religious instruction suitable to all parties. The first objection he thought altogether nugatory, as it was one of the principal objects to prevent desertion; and to ensure the second, there was no objection to the appointment of Clergymen of different persuasions on the Committee. The speaker then alluded to the wretchedness of the unhappy men, who as a matter of necessity, fall into the hands of crimps. That there were many difficulties which opposed themselves to the success of the Home, he was ready to admit, but there was no work ever so good, or great, that had not to contend with obstacles in its establishment; but it was the duty of the wise to overcome every thing in their sympathetic and benevolent efforts. Mr. Boaz referred to the neglect to which all seamen had been, more or less, subjected up to the year 1814, when the excitement of a lively interest on their behalf, originated institutions both in England and America, similar to the

one in contemplation by the present meeting. The Institutions in London had been formed successfully; whole ship's crews, shipped by the Committee of *Sailor's Homes*, had in their occasional calls to this port, during the past year, borne testimony to the orderly and moral deportment. In concluding Mr. Boaz alluded to the state of feeling in Calcutta on the subject, and he was glad at observing a general unanimity in the commendable desire for the success of such a praiseworthy institution. Some feared the practicability of the Plans as now proposed; but with such unanimity, and with the aid of the Magistracy, the mercantile and shipping communities, together with the important influence of the press, all which though they might object to some of the details, yet notwithstanding had, by their liberal pecuniary aid and generosity, given the institution their fullest sanction. With such a combination of friends and influence, the duty of the Committee, would be only to try to succeed.

Mr. H. Walters, in proposing the second resolution, referred to a circular which was distributed at the Hall, and in a few very brief and appropriate remarks, explained the plan, and answered objections very completely. The gentleman felt himself bound, not only in gratitude, but in duty, to propose an asylum, the necessity of which was very evident, and the effect of which would be the welfare of a large proportion of our fellow men. He hoped that those assembled would feel as he did, as to praiseworthiness of an institution which would deprive the wicked from obtaining victims, and would tend to lessen the amount of vice and wretchedness. Mr. Walters then gave the following resolution.—

"That this meeting deem it advisable to attempt the establishment of an institution to be designated "the Calcutta Sailor's Home," based upon the principles of a prospectus recently circulated now before the meeting; the details of which shall be left to the Committee of Management, which may be nominated by this meeting."

Seconded by Captain Ingram and unanimously carried.

Moved by Captain R. H. Birch.

"That the following gentlemen be requested to form the Committee for carrying the plan into effect:—

H. Walters, Esq., R. D. Mangles, Esq., Rev. J. Boswell, D. McFarlane, Esq., J. Dougall, Esq., A. Colvin, Esq., Rev. J. Charles, Captain J. H. Johnstone, R. H. Cockerell, Esq., C. Alexander, Esq., W. F. Birch, Esq., Rev. T. Boaz, Rev. J. Haberman, Captain Fagan, J. Mackay, Esq., A. Grant, Esq., and J. W. Alexander, Esq."

Sir J. P. Grant was unanimously elected president of the Committee.

Mr. Chapman, in seconding the resolution, felt convinced that those whose names had been proposed would, without hesitation, afford every means in their power for the success of the institution. The difficulties, when compared with the object in view, were mere nothing, and he felt assured that the efforts of benevolence would not fail of support from that great source whose bounty was ready to aid the needy, and to comfort the distressed. The trials, he would say, would be nothing, when he called to mind the example held out to us in the Gospel. What could be more satisfactory than to contribute to the bodily welfare, and spiritual wants of a numerous and deserving class of our fellow creatures.

On the above resolution being put to the meeting by the Hon'ble Chairman, Mr. Bagshaw remarked, that in the names proposed, he found those of several omitted who would be of essential service to the meeting. Messrs. J. Phipps and Baldston, and Captain Vint, he said, had had experience in nautical matters, and much to do with sailors, he would therefore propose them as members.

The Hon'ble Chairman remarked, that the most active formed generally the least numerous committees. Mr. Bagshaw then said, that there were several gentlemen whose names ought not to be on the list, as he presumed they had enough to do. He asked what Mr. Mangles was put down for; he had surely enough to do, than to join Committees of this kind. He therefore thought, that gentlemen likely to be useful ought to be introduced into the places of those who had not time to devote to the business, that the Committee would have to transact.

The Hon'ble Chairman remarked, that the names already mentioned were contained in a resolution which was apparently carried, but that he would, in the usual course, put the additional names to the vote, which being done, Messrs. Phipps, Baldstone, and Captain Vint were elected.

Mr. C. G. Strettell said, that he could not be silent on the present occasion, nor bear witness to the extreme necessity of the proposed institution. As paupers' attorney he had various opportunities of observing the state of wretchedness and misery in several classes, and most among the numerous Seamen that come to this port,—of the machinations to which they are exposed, and the ease with which they are fleeced by the rapacious, and inconsiderate people to whom they are necessarily obliged to have recourse, for the want of an Asylum, where such extortions must be obviated. That while he recognized the advantages of such an institution, he was very desirous of impressing upon the local authorities that they were already vested by the public regulations with very extensive controul over Seamen and punch-house-keepers; that the latter were people generally of the worst character, and he need not say, of bad dispositions. That his own professional experience, as he said before, had given him great insight into the nature of the evils which always beset the poor sailor. Inticed by some crimp into some vile place, in the purlieus of either Loll Bazar, or Bow Bazar, and there indulged with intoxicating liquors, and reduced to a state of stupifaction till the leave had outrun, and dreading punishment as a deserter, or a refusal of permission to rejoin his ship, the crimps avail themselves of the opportunity, false charges are raised against his captain, his hard earned purse is emptied, health lost, and the poor sailor, is left a victim to destitution and vice. The Committee should feel it one of their chief duties to urge the Magistrates to the exercise of the power vested in them to correct the vices

of the crimping system; to which the speaker attributed the cause of the great evil prevailing.

Mr. Strettell also produced an Act passed in 1835. V. IV: William IV. "*to consolidate and amend the merchant seamen of the United Kingdom and for forming and maintaining a register of the men in that service*," which Act Mr. Strettell shewed by many appropriate reasons, where in force in every part of the British empire, and concluded by strongly recommending the provisions of it to the attention of the Committee. *Loud and much applause.*

Mr. McFarlane here observed, that the magistrates had made many, but he regretted to say unsuccessful, attempts to suppress the crimping system, and that they (the magistrates) had great difficulty in interfering with the punch-house-keepers, from the imprudent rule under which a tax is levied upon spirit licenses. That the amount payable per diem by each license was before 5 rupees, but which had now been reduced to 3 rupees per diem. Something ought to be done amending the rule referred to, and Mr. McFarlane believed the evil would in some measure be remedied.

Mr. Strettell disclaimed all intention to impugn the magistrates, but said that the rule was certainly very objectionable.

Mr. J. W. Alexander proposed, that the Most Reverend Dr. R. St. Leger should be elected a member. On the proposal being put to the meeting, it was unanimously carried.

Mr. Dias said, that the meeting were not perhaps cognizant that a great number of Portuguese seamen were constantly navigating to and from Calcutta, and that as they spoke no other than the Portuguese language, their wants could not therefore be supplied by persons unacquainted with that language; he would therefore propose the Rev. Fre Antonio da Santa Maria as a Member, and he felt confident that the Committee would find that gentleman very useful to a number of sailors who will resort to the Home.

Mr. Boaz thought that as there was but one Clergyman of each persuasion elected, that it was objectionable to have two Catholic Members.

At this time, a gentleman, whose name we could not ascertain, remarked, that he objected to the appointment of both Dr. St. Leger and the Reverend Gentleman last proposed, as he thought the institution ought to be purely Protestant.

The meeting were unanimous in displaying their dissent from the above remark, by cries of "*illiberal*" and hisses, which at once set it aside and the business proceeded.

The Hon'ble Chairman here addressed the meeting, stating that he could not allow the last remark to pass without a notice of disapprobation. He was honored with the seat awarded to him, but that he should not have occupied it, did he think that the establishment of the Institution was to be exclusive, or that the assembly would have been so illiberal as to exclude particular sects or religions from the benefits of a public and benevolent Institution, he therefore hoped that there were none in the room who did not fully agree in entertaining the sentiments he had just expressed. *Great applause.*

The Hon'ble Chairman then put Mr. Dias's proposition to the Meeting, but it was lost by a majority of 23 to 19.

Captain J. H. Johnston then proposed the Reverend Fre Antonio da Santa Maria as an honorary Member of the Committee.

Mr. Dias in seconding the proposal, again urged the Committee to bear in mind the extreme necessity of combining in the Committee a member who would be very

useful in answering the wants of a great number of the inmates of the Sailors' Home.

Mr. Strettell said, he would strongly recommend the proposition, as he was aware that the Catholic clergymen had great sway over Portuguese seamen, both in their common and spiritual affairs. He computed that the number of Portuguese inmates would be about 1.

The motion was, however, lost by a majority.

It was then proposed to add Doctor. Duncan Stewart to the Committee, he having had great experience in the Howrah Seamen's Hospital, which proposition was carried.

Proposed by D. McFarlane, Esq., and seconded by W. Bruce, Esquire.

"That the Committee be empowered to form sub-committees, or a sub-committee to conduct details." Carried unanimously.

Proposed by J. R. Bagshaw, Esq., and seconded by Captain Vint.

"That it be recommended to the Committee, that they endeavour to engraft upon their plan a system that may improve the state of the native lascars." Carried unanimously.

Moved by Alexander Colvin, Esq., and carried by unanimous acclamation.

"That the thanks of the meeting be given to Sir. J. P. Grant for his able conduct in the chair."

After which the meeting dispersed. The Debate was one of the most interesting we have been at lately. Every one present seemed to join hand and heart in the proposed establishment, and if this feeling animates the public of Calcutta, "A SAILORS' HOME" will neither lack assistance nor friends.—*Hurkaru*, March 20.

SUPREME COURT.

FIRST SESSION, 1837.

FEBRUARY 24, 1837.

(Before Sir E. Ryan, Knight.)

THE KING v. DABEE SING—CHARGE MURDER OF RAM JEEBUN SING.

Names of the Petit Jurymen.

Foreman, C. Porteous.

C. Cornelius,	J. G. Parker,
J. H. Madge,	W. Barrett,
W. Carberry,	W. Byrn,
J. Marcarlo,	D. McDonald,
G. H. Hollingberry,	and
J. McKellar,	J. Rostan.

Mr. H. Holroyd, the Clerk of the Crown, read the indictment.

Dabee Sing, you stand charged with the murder of Ram Jeebun Sing, a durwan in the employ of Baboo Mudub Dutt. The indictment charges you, that you, at the hour of half past 3 o'clock in the morning of the 9th of January, 1837, did, in the house of Baboo Mudub Dutt, in Colootollah Street, in the Town of Calcutta, with a drawn sword, inflict several wounds on the neck of Ram Jeebun Sing, from the effects of which wounds he died on that day; and the Coroner's Jury have likewise, given their verdict of wilful murder against you, on the 16th day of January last:—what say you, are you guilty of this crime or not.

The prisoner pleaded not guilty.

Ram Deol Sing, sworn.—I am a durwan in the employ of Baboo Mudub Dutt, and I was so in Jan. last. I knew the prisoner at the bar. He, together with Ram Jeebun Sing, the deceased, Sustee, a witness in this case, and me, were employed as durwans of Baboo Madub Dutt's female homestead, at Colootollah Street in the town of Calcutta, in January last. Baboo Madub Dutt had 4 durwans. The prisoner was engaged before me, but I served with him 3 or 4 months. The prisoner was of the Chattri caste. Ram Jeebun was, and Sustee and I are, of the Rewany caste. I recollect the night of Ram Jeebun Sing's death. Dabee Sing got leave on that day, from Mudub Baboo, to go to Kalse Ghaut, to worship the goddess. He went at about 6 or 7 o'clock

in the morning, and returned at about 11 o'clock at night. After his return home, he said to Sustee and me, on our enquiring of him what had delayed him so long "I went to Barrackpore with an intention to purchase some clothes there, but I have been unable to procure any; however, I have left 3 rupees with a friend there, to get them for me. As I suspected that the Baboo would not grant me permission to go to Barrackpore, I named Kally Ghaut to him, because I knew that he would not refuse me the request to visit the goddess." When this conversation was over, I said to Sustee, "it is late now, do you keep watch, whilst I go and sleep." He said, "very well, do so, I then went to sleep, and when I lay down, the prisoner and Sustee were both awake. Prisoner was sitting in a shed, at the outer door of the Baboo's compound, where we all used to dwell. We slept on 3 platforms, Sustee on one, Ram Jeebun Sing on another, and the prisoner and I on the third. When the prisoner returned, Ram Jeebun Sing was asleep, but whilst the prisoner Sustee and I were conversing in the shed, a Bhramin who had lost his clothes, came enquiring for them there. At his request, Sustee awoke Ram Jeebun, who in reply to the Bhramin's inquiry, said I know nothing regarding your clothes; after this he retired to sleep again, and the Bhramin left us. When the prisoner returned, there was nothing in his hands; for if there had been any thing, I should have perceived it, as there was a lamp burning in the shed at the time. Whilst I was asleep, the prisoner wounded me on the head with a drawn sword. The blow awoke me and I started up in fright and preterbation. On opening my eyes, I perceived the prisoner standing with a drawn sword in his hands and before I could get up on my legs, he struck me again, on the back part of my head, with it, and lifted it up a third time to strike me; in doing so, the back part of the sword struck against a transverse bamboo in the hut, and then alighted on my neck. (Here the deponent showed his wounds to the Court.) Seeing this I, in fear and agitation, seized both his hands, and called out to Sustee to come to my rescue. Hearing my outcry Sustee came, and was followed shortly after by Peeroo tyce, who came running from the stables. They laid hold on him, and pulled him out in the compound, and Peeroo wrenched the sword from his grasp and held him, whilst Sustee gave information of this assault on me to Mudub Baboo. In the meanwhile Bhawany chokeydar came and took hold of the prisoner and shortly after, the alarm having reached the thana,

the naib thanadar arrived with 3 or 4 chowkeydars. After this Baboo Madub arrived, and made enquiries regarding the disturbance in his house, and called me near him, with an intention to examine my wounds. On this the prisoner said in irony to the Baboo, what is the use of looking at this *salah*? he and Sustee have escaped—if you wish to look at any one, then look at Jeebun *salah* there in the shed, whom I have slain—see how he is." Afterwards the naib thanadar and chokeydar took me to the hospital; but previous to my going there, I saw Jeebun Sing, lying wounded on the neck on the platform where he had slept. I saw him from outside the shed, as I did not go into it to examine him. No quarrel had happened on that day, either with me and the prisoner, nor with him and Ram Jeebun Sing, as far as I am aware of the occurrences of that day. I heard no conversation between them about a *materany*. I never saw the deceased after my departure for the hospital, but I heard that his brother burnt his corpse. These are my clothes hacked by the sword, and covered with blood, (pointing to a bundle which he brought with him.)

The prisoner declined questioning this witness.

Sustee Durwan, sworn.—I am a durwan in the employ of Baboo Madub Dutt, and was so in January last. The prisoner and Ram Jeebun, were likewise employed there during that month. The Baboo's house is in Colootollah Street, in the town of Calcutta. I recollect the night of Ram Jeebun Sing's death. The prisoner was absent during the day previous, by permission from the Baboo to go to Kalsee Ghat; he returned at about 11 o'clock at night. It was my watch on that night from 12 o'clock till 3 o'clock a. m. Shortly after our conversation was over, and Ramdial Sing had retired to rest, the prisoner said to me, "Father I do not feel sleepy, so I will keep watch in your stead, do you retire to rest." I replied it is my watch, and I will not go to sleep till it is over. When my watch had ended, I went to wake Ramdial Sing, whose turn come next to keep watch; but the prisoner said, "Do not awake him, I will keep watch in his stead;" consequently I did not awake Ramdial Sing, but resigning the watch to the prisoner, I went to asleep. When the prisoner returned at 11 o'clock p. m., Jeebun Sing was sleeping in the shed and Ramdial shortly after went to sleep likewise. Prisoner had nothing in his hands at the time. At about $\frac{1}{2}$ past 3 o'clock in the morning I heard Ramdial bawling out, "He has wounded me!" "He has killed me!" Hearing this "I started from my sleep ran towards him, and saw the prisoner" in the act of making a "blow at him with a drawn sword, which he held in his hand. I saw him strike Ramdial with it, before I could arrive to prevent the blow. I saw this by the light of a lamp that was burning in the shed at the time. He then lifted the sword up again, with an intention to wound Ramdial, but before he could effect his purpose, Ramdial and I closed with him and held his hands. By this time Peeroo syce came running from the stables and grasped the prisoner by the waist, and we forced the sword from his hand. Peeroo then desired me to take away the sword, and give intimation of this assault to the Baboo. I did so, and the Baboo came out, and asked the prisoner, "Why have you wounded Ramdial?" The prisoner made no reply to this question. The Baboo then said, bring a rope and bind the prisoner. Whilst they were binding him, he said these two *salahs* Ramdial and Sustee have escaped, but Ram Jeebun *salah* I have slain. By this time Bhowany chowkydar came, and took the prisoner into custody. He was followed by the naib thanadar, and 3 or 4 chowkydars, who, by the Baboo's orders, carried the prisoner to the thana, and Ramdial to the hospital. Jeebun Sing's brother took his corpse and burnt it. After the prisoner had said that he had killed Ram Jeebun Sing, Peeroo syce said to me, "bring a light, and let us see if Jeebun Sing is really killed, as the prisoner says." I then brought a light and we

went towards the platform where Ram Jeebun had slept that night. When we arrived there I lifted up his coverlet, and we saw his body, all bathed in blood, lying on the platform, with his head hanging over the pillow, dismembered from his neck and attached to it only by a slight ligature. We went there by the prisoner's intimation, and saw the corpse in his presence. The wound was a sword wound, and it had cut the neck from ear to ear. There was a lamp burning in the shed when I got up and seized the prisoner. It was this light that I took up from its stand, by the desire of Peeroo syce, and went with it towards Ram Jeebun's body. I made no inquiries regarding Ram Jeebun before, because I did not suspect that any harm had befallen him, but I imagined that he was sleeping all the time. It was the statement the prisoner gave us regarding him, that excited our suspicions, and induced us to inspect his corpse. I knew of no quarrel between either Ramdial and the prisoner, or between him and Ram Jeebun, I cannot conjecture the motives which could have induced him to commit this rash act. I had but lately returned from my family, whom I had gone to see on leave from the Baboo. It was during my absence that the prisoner entered the Baboo's service, and I never was so intimate with him as to be entrusted with his private affairs. In fact I never enquired after them.

I never saw him either eat, drink or smoke any thing of an intoxicating nature. He was not drunk at the time, but quite sensible of the act he had committed. The sword I gave to the Naib Thanadar. I believe he has it. I could identify it again if I were to see it.

Comul Sing, Naib of the Colootollah Thanna, sworn.—Produces a sword. This sword I received on the morning of the 9th of January last, at the house of Baboo Madub Dutt, from the hands of Sustee durwan, at about 4 o'clock: I then saw the corpse of another durwan there, whom the prisoner had slain.

To a question by the prisoner.—When I apprehended you, you said in my presence to Madub Baboo, "what is the use of seeing the wounds of Ramdial *salah*, he and Sustee have escaped; if you wish to see what I have done go and see Ram Jeebun *salah*, whom I have slain:" you likewise, in the way, whilst I was taking you to the thana, said, I am sorry that I did not succeed in killing Ramdial and Sustee likewise. These statements I made both at the Coroner's inquest, and at the Police; if you say I speak false now, and contradictory from those statements, refer to them, and satisfy yourself on this point.

The Judge said that there was no necessity for this, as what the prisoner had said under either a threat or promise, could not be taken as evidence against him; in fact, he did not wish to hear it.

Sustee's examination continued.—(Looks at the sword.) This is the sword I gave to the thanadar, on the night of the murder. None of Madub Baboo's durwans had any swords. I never saw any sword in the prisoner's possession, till I saw him assaulting Ramdial with this one. I know not when, or from where, he got this,—he can best tell that.

The prisoner declines questioning this witness, adding, "if I killed Ram Jeebun Sing, would I not have run away whilst Sustee and Ramdial slept, instead of staying there to be caught and tried for my life for the offence."

Peron Ostler, sworn.—I am an ostler in the employ of Baboo Madub Dutt, whose house is in Colootollah Street. I know the prisoner at the bar, and I likewise knew Jeebun Sing, whom he has killed; the latter had been in Madub Baboo's employ for a very considerable period. I recollect the night of Ram Jeebun Sing's death. I had the previous evening received orders from the Baboo, to get the horses ready early in the morning, as the

Baboo intended to go and see the race; I therefore got up at 3 o'clock in the morning, and was so rubbing the horses. At about half past 3 o'clock a. m. I heard Ramdeal bawling from the shed, "I am killed!"—"I am wounded!" Hearing this I ran to their shed, and on going into it, I perceived that Ramdeal had hold of the hands of Dabee Sing, who held a drawn sword in his right hand. Sustee had hold of the hilt of the sword with one hand; and grasped Dabee Sing's body with the other; they were all struggling on a platform in the shed. Seeing this, I dropped the curry comb which was in my hand, seized Dabee Sing by the waist, and giving him a severe jerk, the sword fell from his grasp. Sustee snatched it up, and both he and Ramdeal, ran out of the shed, for fear of their lives, Sustee taking the sword with him, whilst I stood clinging to the prisoner. I then said, "Dabee Sing, what is all this uproar about." He made no reply. I then gradually pulled him out, into the compound, where Ramdeal was crying out, "Oh God! oh God! my skin is hanging over my neck, from the wound on my head." I then desired Sustee to bring a light, and when he brought one, I perceived that Ramdeal's clothes were drenched with blood, which was still trickling from his wounds. Seeing this, I said to Sustee, "go and call a chowkeydar, and give information of this to the Baboo, for this a serious matter. While Sustee had gone to call the Baboo, Bhowanny chowkeydar came and held the prisoner by his hands. By this time the Baboo shook the inner gate of the compound, and I told Sustee to open it. The Baboo stood within the gate, and said, "what is all this disturbance about?—why have you awoke me at this time of the night?" I replied, "Dabee Sing has been attempting to murder Ramdeal, whom he has wounded severely on the head and neck." The Baboo then called Ramdeal to him and seeing him covered with blood, said, "take him to the hospital and bring a rope from the stables to bind the assaulter." Hearing this, Sustee took up a rope used for drawing water from the mouth of a well close by and we began to bind the prisoner. Whilst we were so doing, the Baboo asked him, "you have wounded Ramdeal?" The prisoner made no reply to this question. After he was bound, the Baboo said, "bring him here;" and when we took him before the Baboo, the Baboo said to him, "you have nothing to fear; if you truly tell us why you have committed this assault, no harm will befall you?" The prisoner then said, "Ramdeal, although he has had a narrow escape, is still dangerously wounded; heaven knows whether he will survive or not. Sustee has escaped. What is the use of inspecting Ramdeal's wounds? if you wish to see what I have done, go and see Ram Jeebun *salah*, who is lying dead there on the platform, in the shed; him at least I have slain." This information made me suspect that some harm had happened to Ram Jeebun Sing, more so as I had repeatedly called out to him, and got no reply from him. I then said to Sustee, get a light, and let us go and see what Dabee Sing has done to Ram Jeebun. Sustee then took up the lamp that was burning in the shed, and we both went to the platform, where Ram Jeebun used to sleep. When we got there, Sustee shook him, and called out, "Ram Jeebun," but getting no reply, he lifted up his coverlet, and then we saw that his head had been dismembered by a stroke of the sword from the neck, and it was hanging over the pillow attached by a slight integument to the neck. He was dead and cold. The prisoner was close by all this time, in the custody of the chowkydars. Seeing this, I said to the Baboo, "It is true what Dabee Sing has told you respecting Ram Jeebun; he has killed him, come and see." Hearing this the Baboo came near the door of the shed, and just gave a peep from a distance—he was too horrified to go into the shed. After this the chowkydars took the prisoner to the thana, and Ramdeal was taken to the hospital. The prisoner did not confess that he had

murdered Ram Jeebun, or wounded Ramdeal, till after the Baboo had told him to speak the truth, and no harm would happen to him for it. I neither know, nor can I conjecture, the motives which induced the prisoner to kill Ram Jeebun and wound Ramdeal. I never heard, nor do I know of any quarrel between them; they are Hindoos and I am a Musselman. They are employed at the outer door as durwans. Their shed is some distance from the stables where I am employed, how should I then know any thing of their private affairs? I have enough to do to mind my own business, without prying into their affairs. I never heard that the man ever was subject to fits of madness, or that he either eat, drank or smoked any thing intoxicating on the night of the murder. He was quite sober and sensible.

Bhowany Sing, chowkeydar, sworn.—I am a chowkeydar of the Colootollah thana. At about 4 o'clock on the morning of the 9th of January last, I heard that a murder had been committed at the house of Baboo Madub Dutt, at Colootollah, and in consequence of this information I went there. On my arrival at the house, I perceived Sustee durwan, and Peeroo syce, holding the prisoner, whilst Ramdeal was bleeding and crying, "he has taken the skin off my head." On my arrival, Sustee left the prisoner, and went to give information to the Baboo, whilst Peeroo and I held him. Whilst in my grasp, he said to me, "what is the necessity of compulsion? I have killed one durwan, and as soon as I can kill the other two, I shall voluntarily accompany you to the thana." In the mean time the Baboo came and inquired of the prisoner his motives for what he had done, adding, "speak the truth, and no one will harm you." Hearing this the prisoner said, "Ram Deal and Sustee *salahs* have escaped, but go and see Ram Jeebun *salah* whom I have slain; there he lies on the platform, in the shed." After this I accompanied Peeroo and Sustee to see Ram Jeebun's corpse. As I had ears to hear the information given, and eyes to see what was doing, and as much curiosity as the rest, I went to see the body as well as the rest. Had I not a right as well as they to see it? Being connected with the Police, it is my duty to inquire into these matters and to report on them. I did not accompany the prisoner to the thana—the naib thanadard took him there. I went with Ram Deal to the hospital at the Chandneychoke. I had no other conversation with the prisoner.

The prisoner declines questioning this witness.

Baboo Madub Dutt, sworn.—I reside at Colootollah Street, in the Town of Calcutta, and am a merchant by profession. I remember Monday morning the 9th of Jan. 1837; the death of Ram Jeebun occurred at about half past 3 o'clock of that morning. Ram Jeebun, deceased, Dabee Sing, the prisoner at the bar, and Ramdeal and Sustee, were all as durwans in my service on that day. At about half past 3 o'clock a. m., whilst I was sleeping in my bed in the inner apartments, I heard Sustee durwan knocking at the door, and calling to me to come out, as a serious assault or murder had been committed by the durwans. Hearing this, I got out of bed and came to the gate and desired Sustee to open the door, and on his opening it, I came and stood at the door, and inquired what was the matter. Sustee said, "come and see; Dabee Sing has wounded Ramdeal so severely with a sword on the head, that he is not likely to survive it:—he is bleeding profusely, and is covered with blood." On this I ordered Ramdeal to come near me, and seeing that he was severely wounded on the head and neck, I ordered him to be taken to the native hospital, and asked Dabee Sing, who was in the custody of Peeroo syce, and Bhowanny chowkeydar, what had induced him to do so, and ordered the chowkeydar to bind him and bring him near me, in order to examine him. He made no reply to my question. After he was bound and brought to me, I said to him, "fear nothing and

speak the truth, no harm will happen to you in so doing." I said this to get information and ascertain how the matter stood from him. He replied, "where is the utility of examining Ramdeul *sahib's* wounds? he and Sustee have escaped; go and see Ram Jeebun *sahib*; he I have killed; there he lies dead on the platform in the shed.

The judge said, he did not wish to hear this reply, it being extorted from the prisoner under a promise of security. The witness continued to say:—When a light was brought, which was ordered by me in consequence of this information of the prisoner, I saw from a distance the corpse of Ram Jeebun. I did not go into the shed, but Sustee and Peeroo did, and they said that he was dead; previous to this I supposed that he was sleeping in the shed. The first intelligence I had of his murder was from the prisoner himself. My reason for saying that Ram Jeebun was dead, although I did not go into the shed, was because I saw from outside that his throat was cut through and through with the wound, and I never knew a man to live after decapitation; besides, the persons in the shed said he was dead.

After the murderer was apprehended, he said to me, "I am of the respectable Chutree or Princely caste; although I am poor, I have not lost my respectability; the other durwans, who are of the low Rewanny bearer caste, have accused me of having an intercourse with a maternity: this is a stigma on my caste, and if their aspersions are credited I will be rejected from my caste. It is this that has actuated me to kill them. I am not afraid of death, I am only sorry that I could not kill the three before I was apprehended." I heard this statement confirmed by Ramdeul, who deposed to this effect before Captain Birch, the Superintendent of the Police, when we were all examined there. I have no other information, whereby I can assign any inducement for the commission of this crime. The prisoner was peaceable and quiet enough whilst in my service, with this exception, that he used to be very abusive to, and make a great uproar with, persons who happened in passing the lane to make urine against my walls. His noise sometimes disturbed me when sitting above reading or writing, and I then ordered him to remain quiet. He never, to the best of my knowledge, ever eat, drank or smoked any thing of an intoxicating nature, and was as intelligent as most people of his sphere of life. What has a merchant to do with swords or swordsmen? I had prohibited all my servants from wearing or keeping swords in their possession, and never saw one with any of them till the night of the murder—when or from whence it came I cannot tell.

Ramdeul recalled.—I did state to Captain Birch at the Police, that I suspected the prisoner's motives for the commission of this murder, but it escaped me when questioned here to-day, and this is the reason why I forgot to mention it before. It is this:—One day in Pous last, the prisoner had a quarrel with us on this account. The prisoner in opposition to the Baboo's orders, which are not to permit any one to go into the female or inner apartments, took some sweetmeats in there. Seeing this we all forbade him and told him not to do so again, for if the Baboo should ever come to the knowledge of this, he, as well as we three, would all lose our situations, and that it was very wrong of him to go there against the Baboo's orders. On this he abused us, and wanted to pick a quarrel with us; but as he is a Chutree and we are Boodras, we held our tongues and let him vent his rage in abuse, and thus the quarrel ended. It is this, I suppose, that has induced him to endeavour to murder us all. Who the sweetmeats were intended for I cannot tell, for I never heard any thing further on the subject. As the Baboo questioned me on that subject, I revealed it to him before Captain Birch.

The prisoner declined questioning this witness. He said the Baboo and the other witnesses, who are his menials and hirelings, are all giving false evidence at his instigation. The Baboo for some cause or other owes me a grudge and they have all conspired to tax me with this murder and swear away my life, and thus get rid of me and gratify their revenge.

Robert H. Bain, sworn.—I am the Police Surgeon. I examined the body of a person named Ram Jeebun Sing, on the 9th of Jan. last, at about 10 o'clock A.M., in a small hut in Colootollah-street, in the town Calcutta. The premises I heard, were Madub Baboo's, but I cannot swear to this. The deceased appeared to be an upcountry man, of the Brijobasse caste. Blowanny chowkeydar pointed out the corpse to me. The man was dead. I found the head almost severed from the neck. The wound was very extensive: it was from below the tip of the right ear across the neck, down to the left shoulder blade; the windpipe, the gullet, the spinal column, and all the larger blood vessels, were all completely discovered by the wound. The head was merely attached by a piece of a slight integument to the neck, and this wound, I believe, and am quite certain was the cause of the deceased's death. I have no doubt about it. The wound must have been either inflicted by a sword or a large knife, or some other very large and sharp instrument. Looks at the sword and says, an instrument like this would inflict such a wound if used for such a purpose. I saw the body at about 11 o'clock on the 9th of January, 1887. I do not think that one stroke could inflict such a wound; it would require 3 or 4 strokes to lacerate the throat so, and that with a very sharp and powerful instrument. I examined the corpse, on account of an order to do so from the Police.

The prisoner declines questioning this witness.

Blowanny chowkeydar recalled.—I have seen this witness before. I pointed out to him the corpse of Ram Jubun Sing for post mortem examination at Colootollah, at the house of Baboo Madub Dutt, on the same day that I took the prisoner into custody for the murder. It was at about 10 o'clock A.M. that I pointed out the body to him.

Prisoner declines questioning this witness.

This closed the case for the prosecution.

The Judge then intimated to the prisoner, that if he had any thing to urge in his defence, this was the time for him to do so.

The prisoner said "My watch commenced at midnight and was over at 3 o'clock:" when it was over I went and roused Ram Jeebun Sing, whose turn came next, and after awaking him went and laid down on the platform alongside of Ramdeul and slept. At about 4 past 3 o'clock, I was awake by a noise from my sleep. I started up with an intention to see what it was about. Ramdeul starting up at the same time with me, and all of a sudden before I could quit the platform, dashed on me, seized me by the hands, and taxed me with having wounded him. This is all I know of this affair. How could I at that late hour of the night procure a weapon of this kind? and if I had done the act, would I stay there to be apprehended?

We then put in certificates of character. They were read. The first was a receipt for 2,109 bage of sugar, over which he was a chulundar, and signed by Boyd and Co., dated 7th Jan. 1836. The second was a certificate of his services as a chokydar for 3 months, signed by R. Campbell, Apothecary, 4th July, 1831, Agra. The 3d was a like document for 2 months services, and signed by Mr. B. Campbell, Benares, 13th May 1835. They were filed in the case.

The prisoner said he had no witnesses.

After the prisoner had finished his defence, the Judge then addressed the jury. Gentlemen of the jury, the prisoner at the bar, Dabee Sing, stands charged with the wilful murder of Ram Jeebun Sing. The indictment states, that he, on the morning of the 9th January, 1837, at about half past 3 o'clock, A. M., did, at the house of Baboo Madub Dutt, at Colootollah Street, in the town of Calcutta, with malice aforethought, inflict one or more wounds on the neck of a person named Ram Jeebun Sing, from the effects of which wounds, Ram Jeebun Sing died immediately, as it discovered the head asunder from the neck. The crime of murder, gentlemen, is the most heinous offence any person can commit against the laws, and the prisoner's life certainly depends on the verdict which you will give in his case. With the assault he made on Ramdial Sing, a witness in this case, you have nothing further to do, than as it might lead you to suppose, from the circumstances attending it, and from what subsequently occurred, as to whether the prisoner did or did not commit the murder of Ram Jeebun Sing. With his assault on Ram Dial, however uncalled for or aggravated it might have been, as it is not on trial before you, you have nothing further than what I have just pointed out to you to do with it: and here, although you are by law bound to reject as evidence the statement the prisoner made before Madub Babo, after the murder, because it was extorted from him under a promise of security from harm, and the law has provided that no confession of any prisoner, made under a promise of threats, can be evidence against him, because persons in such situations have been known to have accused themselves of crimes which they never committed: still you have even here a fact, as evidence, viz., that he did point out the corpse of the murdered man, and all facts are made evidence by law. That the deceased was wounded on the night in question there is no doubt, from the depositions heard in this case; and that he died from the effects of the wounds he then received, is quite evident, both from the testimony of the medical person who examined the corpse, and has sworn to this fact, as well as from the very circumstances of the nature of the injury he received, which we all know is sufficient to extinguish life in any person. The sole question which remains for you then to decide, is whether it was the prisoner at the bar who did commit this crime, or whether it was committed by some other person, as he says. He has called no evidence to back his statement and it rests on his own *ipse dixit*. What is most strange is, that unless we suppose it to be the trivial quarrel in Pous last, about the sweetmeats being taken by the prisoner to the zenannah, there does not appear any clue to conjecture the motives that could have led the prisoner to the perpetration of this crime, and a man must be very callous of both his life and that of others, to let so trifling an offence urge him to the crime of murder. This is in case, gentlemen, you suppose that he did the deed, the evidence showing that on that night the deceased, the prisoner, Ramdial and Sustee, two witnesses in this case, all slept in one hut, and that at about half past 3 o'clock in the morning Ramdial was awakened by a furious assault made on him, with a drawn sword, by the prisoner; and on a search being made another man, by the prisoner's directions, was found to be lying murdered, where he pointed him out. Another suspicious circumstance, against him is this, that he voluntarily takes upon himself the extra duty of keeping watch at a time when it was not his turn to do so, and is thus left the only man awake at the time when the crime is committed. There is no evidence to show when the sword was in the prisoner's possession, or how or from whence he got it; but that he had it at the time of this assault in his hands, is quite clear. Then, gentlemen, if we are to credit Dr. Bain's testimony, another strange circumstance is that the noise which must have been made by the sword striking the chopper of the hut, in inflicting so many wounds,

as he says must have been given before the head could be dis-jointed from the trunk, that it did not wake any body in the hut, until Ramdial was awakened by the blow inflicted on him. The certificates the prisoner has produced I have had read and filed; they are not strictly evidence and do not affect the evidence in this case. He then minutely recapitulated all the evidence given in this case, commenting hurriedly on it and ended by saying—throughout this evidence, gentlemen, I have not discovered any discrepancy, of a nature to effect the testimony of any of the material witnesses in this case, and if their statements are to be believed, the whole is one straightforward tale of facts; but if you have any doubts, you should not convict the prisoner; for no body ought to be convicted on doubtful testimony. With these remarks I leave you, gentlemen, to give your verdict as you may deem fit, according to your conscience and oath.

The Jury retired for about one hour and 40 minutes, taking the certificates with them, and on their return, gave a verdict against the prisoner of Guilty.

After this verdict was recorded, the prisoner was asked what he had to say, why the sentence of death should not be passed on him. To this he made no reply.

The Judge having then put on the black cap thus pronounced the sentence of death against the prisoner. Dabee Sing, you have, after a very careful and deliberate investigation of your case, been found guilty by the jury of the crime of murder of a fellow-servant named Ram Jeebun Sing, on the 9th of January last at half past 3 o'clock in the morning, at the house of Madub Dutt, your master, in Colootollah, in the city of Calcutta, and it is now my painful duty to pass on you the last awful and dreadful penalty of the law, the sentence of death, which is invariably accorded to the crime of wilful murder; and were it not so, the life of no person would be safe from the malice of wicked and designing men. No person who has heard the evidence in this case, can possibly entertain any doubt of your guilt, and it was accident alone which prevented your guilty purposes of killing the other 3 fellow servants of yours, who have been preserved by the interposition of Providence to manifest your guilt to the world. What motives could have urged you to the commission of this horrid crime, is a mystery to all but yourself and your maker, from whom no secrets are hid. Had you not been convicted of this murder and been tried for the aggravated and unprovoked assault you made on Ram Lal Sing and been convicted of it only, that conviction alone would have entailed on you the sentence of death. There is not even the shadow of palliation for your guilt; what you did, you did with calm reflection. You were, it appears, neither provoked to it by anger nor intoxicated at the time; you did it, with full possession of your senses at the time. The sentence which I must now pass on you is, that you, Dabee Sing, be taken from hence to the place from whence you came, and from thence, on Monday Morning at 6 o'clock A. M., to the place of execution, and there be hung by the neck till you are dead and may God Almighty have mercy on your soul. The prisoner bowed.

After this the Court adjourned till 11 o'clock A. M. to-morrow morning.—*Hurkaru, March 1.*

FEBRUARY 25, 1837.

Before Sir E. Ryan, Knt. Chief Justice.

LIST OF THE PETIT JURY.

Foreman, J. TAYLOR.

T. Turner.
W. R. Ord.
A. Gardyne.

T. DeCruz.
L. W. Judah.
B. Allardice.

T. Kerr.
J. T. Fraser.
J. Rodrigues.

H. Kyte.
and
H. Cook.

Jugut Chunder Deb, with others, stood charged with an assault and felony, committed by him, on the 30th of August 1836, with a knife, on the left arm of the person of Chandu Churn Babur, the prosecutor, at Sham bazar, in the Town of Calcutta, on a bill found against him in the 4th Sessions of 1834.

The prisoner pleaded Not Guilty.

Attorney for the prosecution, Wm. Smith, Esq., Counsel for the prosecution, J. Pearson, and Mr. Leith. *Attorney for the defence*, Mr. Thompson. Counsel for the defence, C. R. Prinsep, Esq.

Mr. J. Pearson opened the case thus:—Gentlemen of the Jury, the facts of this case are very clear. The prosecutor bought a piece of land and began to build huts; the prisoner and his father came and forbade them, and took away the materials, and then Rajnarain, the father, and prisoner, his son, came with others, and made an assault, and Shamlull, a brijobasee, took a bludgeon with iron wound round it, and inflicted a wound on the head of the prosecutor, who warded it off with his hands: had the blow taken effect, it would have been fatal. These are the facts; the Judge will be more minutely able to detail the law on the case.

Mr. Prinsep requested the witnesses to be ordered out of Court.

Chundu Churn Babu, the prosecutor, sworn.—I am a sircar, in the service of Glasgow, Oswald and Co. I remember that at 8 or 9 o'clock in the morning of the 30th of August, I went to my ground with the builders, to fix posts to build huts: some one gave information to Rajnarain Baboo, and he came out and took away the bilhooks from the builders into his house, on which the builders said, what are we to do now? and I brought other bill hooks. After this Rajnarain Baboo and his son Jugut Chunder, came with some brijobasees, and the prisoner gave me some blows and told his followers to beat and kill me. He said "if you are put to expense for the assault I will pay it;" on this a brijobasee lifted up a bludgeon to strike me on the head; I lifted up my hands to ward off the blow, and was wounded with this bludgeon on the arm. I fell on the ground and became senseless, and some person lifted me up in that state and took me to the hospital. I subsequently saw the bludgeon in the hand of a chowkedar at the Police. My hand was covered with blood and split at the wrist. I then went and told my master of this assault, and he sent me to Capt. Birch, he to Mr. McCann, and he to the native hospital, where Mr. Patton, an assistant, attended me. I attended the hospital daily for 15 or 16 days. First the prisoner struck me and then the brijobasee; after this I do not know more, because I fell senseless to the ground from the blow.

Cross examined.—I was struck on the wrist and I complained at the Police, where nothing was done, and I then came to the Supreme Court. The prisoner did not appear at the Police on the summons nor when a constable went to arrest him; he subsequently appeared. I was continually at the Police before Mr. McFarlan. I was dissatisfied at the Police proceedings and therefore preferred coming here. I was not sworn there. My complaint at the Police was for an assault and wounding. Rajnarain and his son were standing at the door of Goopy Baboo and giving orders, when this assault was committed. They were near the place of assault. I had no agreement about this land, either in writing or verbally. I knew that the land was mortgaged to Rajnarain. I never heard Rajnarain say that the sale of the mortgage to me was a fraudulent one and done to cheat Rajnarain. I never knew that Rajnarain was to

purchase the lands, return me my purchase money, and cancel the sale. I learnt from the mortgagee that Rajnarain, to whom the land was mortgaged, wished for the cash; and as such he sold it to me for 600 Rs. I never got the title deeds of the lands. I did tell Raja Gopymohun Deb; I am a poor man, I cannot go to law with you; give me my purchase money and take the lands. On this the Raja said, I will see if I can adjust this affair for you; afterwards he said I cannot effect a compromise, go and pay the purchase money at the attorney's office and build on the lands if you please. He said this in Choit last, at his house, and many persons were there. He is a great man and so are his acquaintances. I am a stranger to great folks. After this I gave the money at an attorney and began to build. I showed my wounded hands to Mr. McCann at the Police, and he said I do not wish to look at it and sent me to the hospital. On the day I was struck I told the magistrate nothing can be done here as to my wounds and I will go to the Supreme Court. I came here to get justice for all my affairs: if I get justice for this complaint, I may then do something further. It does not require any advice for a sensible man to get redress for an assault. I do not think the Police an incompetent tribunal, but the Supreme Court is a better. I thought it was requisite to institute primary proceedings there. I went to serve the warrant of the Police. I never went to the defendant's zenana nor did I see any one go there. Perry, the constable, told me to go in and once pulled me into the house; but I ran out from fright, it being the house of a Raja. I do not know whether it was the female or male apartments; it is the main entrance to the house. Mr. Perry wanted me to go upstairs but I refused. This was six or eight days after I received the blow. When the blow was hit Rajnarain was standing at the door and Jugut went away.

Re-examined.—There were many brijobasees there and they all had bludgeons in their hands. (Shows his hands). The blow rendered the hand useless for about 20 days.

W. Patton, apothecary, sworn.—I am an assistant at the Chandny chok native hospital. The last witness was sent to me by the Police authorities on the 30th of August last, with a wound on his hand, to be examined and cured. He attended the hospital for 14 days. When he came had a contused wound occasioned by a blunt instrument; the skin was broken and the wound was $\frac{1}{4}$ of an inch in depth and $1\frac{1}{2}$ inch long. The wound was not dangerous, nor a very severe one. It was a slight wound and healed in 14 days. The man could not use his hands for 3 or 4 days. I applied adhesive plaster to it and bandaged it up. It was not a wound that could do a very serious injury.

The opposite party decline questioning this witness.

Paunchoo, chokedar, sworn.—I am a chokeydar of Sham-poker thana, and I was so in Aug. last. I recollect an affray there in Bhador last, between Rajoo Baboo and Chundey Baboo. At 8 or 9 o'clock A. M. I was going to the bazar and saw it near a washer's house. Seeing it I went to the spot and saw Rajoo Baboo and Chundey Baboo and the prisoner there. There were about 200 or 300 brijobasees and others with sticks in their hands, and Rajnarain said, "kill him, kill him, and I will pay all the expenses." On this an up country man took up a bludgeon and aimed a blow on the prosecutor's head and split his hand. I ran and gave information to the naib and we came altogether to the place of the affray and caught the man who had struck the blow, and the rest ran away. Chundeychurn followed me to the thana. It was a bamboo stick bound round with sharp iron rings about one inch thick.

The prisoner and his father were standing at a confectioner's ordering and encouraging the assailants. I heard Rajnarain give the orders and not the prisoner. The thana was not far distant from the place of affray. When Chundy reached the thana he was covered with blood and fell at the thana not in the way. He showed his hands at the Police to Mr. McCan and all the men there.

Cross-examined.—I took the man who struck him to the police and he was taken to the phatuck, and the division Magistrate, on hearing that the matter was taken to the Supreme Court, released the man on bail. Chundy complained at the police against Rajnarain and this prisoner. I do not know if Chundy abandoned the complaint or not. I left the stick at the police in Mr. Humberly's possession: it was a common stick.

Re-examined.—These sticks are used by up country men and are used by them when they are employed in riots. I do not know what has become of this stick. Rajnarain gave the order to strike and not the prisoner. I did not hear him. Chundychurn did not return the blow. Chundychurn had men with him, but they had no sticks. I did not see them strike the brijobasees, though they were quarrelling; I only saw this blow struck, after which I ran off to the thana.

Goluck, tauntee, sworn.—I am a weaver by trade. I live at Shampooker. I know the place of where the affray occurred, my house is quite near. I was sitting at my shop, and I saw Juggit Baboo and his father take away 4 bill-hooks from the goramees. They went into their house and came back with a rabble, abusing and saying "beat the salaha." There were brijobasees with sticks in their hands, and one of them struck Chundey with one. The prisoner first struck the prosecutor, and then the prisoner and his father ordered the brijobasees to beat Chundey Baboo and the blow was struck. The blow was aimed at the head, but it was warded off by the arm. It was an iron bound bludgeon. The blow split the arm at the wrist. Chundy on receiving the blow fell, and others then began to beat him and I ran away. I subsequently saw the bludgeon at the police in the possession of a chokeedar; what became of it I do not know.

Cross-examined.—Chundy had bought a piece of ground on which Rajnarain had a mortgage. I do not know of any thing further about it. The men were ordered to beat them off the ground. I have no other name but Goluck, but I am some times called Holloodar. Goluck Doss is my name. I never have been to the petty court under any name there.

Re-examined.—My name is Goluck Doss, and tauntee means a weaver, which is my profession.

Chundy Churn Bose, sworn.—I live at Shampootty near the prosecutor's residence. I know of a quarrel there in Bhador last. I was there on that day at 8 o'clock a.m., at a confectioner's shop, and I saw four guramees at work on a piece of ground and perceived Rajoo Baboo come with four or five persons and take away their bill-hooks, and he told the workmen "if any of you come here to work I will have you beaten to death." On this they told Chundy how are we to work without billhooks? he replied, "I will fetch others and consult Raja Gopeemohun Deb, by whose permission I am building." On their recommencing the work, Rajoo Baboo and the prisoner came with a rabble of brijobasees and told them "beat the prosecutor and we will pay the expences," and Juggit struck two or three blows at the prosecutor: after this a durwan aimed a blow at the head of the prosecutor, who warded it off with his hands, and the prosecutor on receiving the blow cried *bapras* and fell *seeslawa* to the ground, and then a crowd began beating him. The stick I saw subsequently at the police office.

Cross-examined.—The prosecutor's men did not return the assault. The prisoner likewise said "strike and I will pay." Rajoo and Juggit told the prosecutor "you had better take the money and give up the ground." Whether he consented to it I do not know. All that Chundychurn said was, that "the prisoner and his father will neither give me the money nor let me take possession of the ground." Chundy went to the Raja who sent some men and forbade the men to make a riot. The defendants brought about 12 or 14 men; the spectators amounted to about 700 men. I am a dulla at the Sea Custom house. I do not know Rada Madub sircar who is a witness here. I have no fixed situation now. It was quite accidentally that I saw the riot.

Re-examined.—The 12 or 14 men who joined in the affray, were Rajoo Baboo's men.

This closed the case for the prosecution. The judge wished to see the indictment.

The prisoner's counsel argued that the case could not proceed as the indictment charged the prisoner with cutting with a knife or a sharp instrument, neither of which appears to have been the case, as made apparent by the evidence of the prosecutor's own witnesses, and as such he moved the Court that the case be dismissed for want of agreement between the indictment and the evidence adduced in the case of the plaintiff, without going to the jury or defendant entering on his defence.

Mr. Pearson, in reply to these objections, quoted 2 cases tried at the Old Bailey. The first was, No. 78, of King on the prosecution of Richard Chantry *vs.* Hywood, for Larceny and cutting and wounding B. Chambers: the indicting mentioned a sharp cutting instrument, but it was proved in evidence, that the prisoner had only struck the person with a piece of iron used in forcing open locks: nevertheless, the man was convicted, and when the judge who tried the case referred it on the score of this objection to the general meeting of the judges, they upheld the conviction. There was another similar case, King *vs.* Atwood, in which the prisoner was charged with wounding with a cutting instrument. It came out in evidence that he struck the prosecutrix with the claw-end of a hammer on the head and body. The prisoner was convicted, and the case referred to the general meeting of the judges and the verdict upheld.

The Chief Justice replied, that it is admitted that there is no necessity for the indictment to specify (not even in cases of murder) the instrument, and even if stated in the indictment it is not incumbent to prove it, so that the case may proceed.

Mr. Prinscp waived the objection with the exception of that part which states if death had ensued, it would have made the offence capital. The Judge said he reserved his opinion on that point for his charge to the jury.

The Prisoner in his defence said, that he was not present at the quarrel; and then commented on the conduct of the prosecutor in withdrawing the case from the police; said it was not proved that he had any weapon in my hand, and put in certificates of character. These certificates were read to the jury.

Ghoroochurn Roy, the defendant's witness, examined.—I was not in the court this morning. I am a sircar of Raja Gopy Mohun Bahadoor. I know the ground about which a dispute occurred between Rajnarain Baboo and Chundychurn; it is near the house of Rajoo Baboo. Chundychurn went once to the Raja and said Rajoo will not give me any rest about the ground, and asked him to adjust it. Rajoo Moodoo Baboo, the seller of the ground, and Chundy Baboo, were one day sitting together, when they sent for a stamp paper. Rajoo Baboo said to Chundychurn, "I have nothing to do with you, I know Moodoo

only in this affair." Moodoo said, "I have borrowed 100 rs. from you, take it." Rajoo Baboo said, "you owe me 125 rs. why shall I take 100 rs.," and he told Moodoo, I wish to buy the ground, why did you then sell it to Chundy?" and he said to Chundy, "why did you, without asking me, buy it of him?" Chundy made no reply. This was before the affray occurred.

Cross-examined.—There was no writing on that day. The dispute about the 25 rupees lasted the whole of that day; what occurred afterwards I do not know.

Ramjoy, bricklayer, sworn.—I live at Goopce Mohun Baboo's garden, near the place where this affray occurred. I was returning home one morning from some business, and I saw Rajnarain and Chundy Churn planting posts. Rajoo Baboo's men said, we will not let you plant the posts. On this a struggle ensued, and Chundy fell into a trench dug for a wall, and in the fall his hand was cut by a tile; and Chundychurn Bose beat Baboo Rajoo's men. The brijobasees who were not Rajnarain Baboo's men, then began to beat Chundy. They were only spectators and Chundychurn went and complained to the thana and the thana men came and arrested many men, beat them and carried them into custody. I did not see the prisoner there. After the chokedars took away the brijobasees, the prisoner came out and said "let them beat the men we will go to law!" The father came to see the tamasha of his men being beaten to death. The brijobasees were not Rajnarain's men, there was only one gardener of Rajoo Baboo's there. He was the person beaten to death; he is not a witness here. I have only spoken truth. The brijobasees with bludgeons in their hands were beaten to death by the Bongaalees without any cause, and taken to the Police. The molly was so very severely beaten, that I do not know whether he is dead or alive.

Mr. McFarlan, sworn.—I am the Chief Magistrate. A complaint was made on the 30th of August. It was a case of an affray brought from the thana to me. Chundy's deposition was taken. The substance is in a book before me. The book states, it was on oath, and it is customary to swear plaintiff, and I take the deposition myself; but I cannot positively say whether he was sworn or not. I do not think the prisoner ever came before me. Mr. Smith was for the prosecutor, and Mr. Thompson for the defence and I was prepared to go on with the case on the 21st September, when Mr. Smith, after consulting with Mr. Thompson, said, he would rather not go on with the case in the Police and would take it to the Supreme Court. I replied that it is a misdemeanour case; you can either go on with it here or withdraw it to the Sessions. Mr. Smith then withdrew it from the Police and there was an end of the case at the office, and the 3 or 4 brijobasees were released on bail.

Mr. Prinsep wished to have the examination read.

Mr. McFarlan reads the deposition of Chundychurn. I was beaten on this morning. A brijobasee of Baboo Rajnarain beat me on the hand and others beat me on the head and other parts of my body. It was about a piece of ground near Sheebo Baboo's ground. It was 5 cottahs and 5 chittacks. I had bought it of Moodoo Baboo for 500 rupees, and as it was mortgaged to Rajnarain Baboo for 100 rupees I applied to Rajoo Baboo for the title deeds, which he refused to give me. I then applied to him for them through my attorney, sending him the amount due to him on the mortgage, viz. 100 rupees, but he did not reply to it.

Rajnarain wishes to keep the ground to himself and to give me back my purchase money, and he will not permit me to build any thing on it. This day he, together with the brijobasees, came on this ground and took away the billhooks from my workman, and on my remonstrating with him he abused and assaulted me himself and gave orders to his brijobasees to assault me

likewise: Shamlo then struck me with a bludgeon on the hand and cut me on the arm near the wrist, and the others inflicted blows on my forehead and other parts of my body.

Mr. McFarlan's examination continued.—I do not know what became of the stick; I did not take any particular notice of it. It was merely a preliminary proceeding: there was only one warrant issued against Rajnarain. Perry the constable said, that he could not apprehend the defendant who had escaped. The bails are liable for the brijobasees. I do not recollect their names.

This closed the defence.

The Judge.—The prisoner at the bar is indicted for a capital felony, for cutting with an intent to kill or do some grievous injury to the prosecutor at Shambazar, on the 30th of August last. The first count charges him as a principal, and the second count for being accessory and aiding it. And although you may be led to suppose, you are only trying him for a simple assault, it is for a felony; and though the man may not be sentenced capitally, he is liable to be transported for the offence if convicted. The judge then said that if he gave the order he would be equally guilty as the person who committed the crime and if death had ensued, it would have been murder; if the instrument was of that nature that a blow with it would cause death it is then felony, not otherwise; but if the affray was mutual, then it would, even if death ensued, be only manslaughter. Then the judge detailed the evidence, commenting minutely on it and after going through it he told the jury that if they had made up their minds that the prisoner gave the order, they could not, but find him guilty of this charge; but if they entertained any doubt to give him the benefit of it: he ended by saying, that the bricklayer's evidence was in contradiction to all the others. The jury, without retiring from their seats, gave in 5 minutes a verdict of not guilty, and the prisoner was forthwith released.

After this the Judge inquired whether there were any more prisoners, and being informed by Mr. King that there was one D. DeMonte, against whom a true bill had been found, he was brought forward and discharged by proclamation.

In closing the Sessions the Judge remarked, that this last case of Jugget Chunder Deb had come on very irregularly before him, with many exaggerations: there was nothing in it beyond a misdemeanour and a simple assault, and it might in all respects have been disposed of more fittingly at the police than at the Supreme Court.—*Bengal Hurkaru, March 2.*

SECOND TERM,—MARCH 1, 1937.

This being the first day of term the Court sat and took motions of course; we understand there will be a great deal of business.

The Advocate-General mentioned the case of *Roots versus Cockerell*, and said he was prepared to move to set aside the verdict, under the liberty given him by the Court, on Saturday next; but that, as he was very much occupied, he should prefer it being allowed to stand over. No objection was made to this arrangement.

WOOLLEN VERSUS BARNES.

In this case a motion was made to assign judgment for the nominal damages with costs given at the trial, and that the Prothonotary should have liberty to add the taxed costs to the judgement: the whole to be paid by the defendants.

It appeared by the rule of Court on this subject, the Stat. Rules on the plea side, that when costs are awarded they are to be taxed and added to the debt or damages before judgment is signed; but if the costs are not taxed within a year after judgment given, the record is to be completed without costs and signed by the Prothonotary.

It appeared in this case, that the Attorney for the plaintiff had presented his bill for taxation eleven months after the trial, and that it had not been taxed within the year; so that the rule of Court was dead against him, and his motion refused.

27 We mention this case for the benefit of young practitioners: the costs thus lost are about two thousand rupees. In the instance in question, the delay did not arise out of any laches on the part of the Attorney; there was a question, we believe, as to whether the signing the judgment would not prejudice the equitable rights of the plaintiff against the defendants, and the case is considered one of great hardship upon the Attorney for the plaintiff.

HOLROYD *versus* ———.

This was a motion by the Advocate-General for an order, that the Coroner should make a return to the writ issued out in this case.

It appeared, that the writ issued in the name of Mr. Thos. Holroyd as the Assignee, who succeeded Mr. Mackintyre as plaintiff in the action; the writ was executed by him as Sheriff, and the defendant had entered an appearance. Mr. Holroyd, as Sheriff, now refused to return his own writ, and the application was made in consequence for the Coroner to do it.

Chief Justice.—The defendant has waived the objection to the Sheriff's executing his own writ, by putting in an appearance, and you have a right to your return by the Sheriff; if you refuse to return your own writ, you can rule the Sheriff (yourself) to return it!!! (laughter.) There were a great variety of other motions of no public interest. —Harkuru, March 2.

MARCH 2, 1837.

CLESTINA SMITH, *versus* DEBHARRY LOIL.

Mr. Clarke applied for a commission to swear the defendant to an answer, the defendant residing at some place in the Mofussil. The learned Counsel said, that a commission for this purpose had issued, but that the persons appointed Commissioners being Civil Servants, were absent on their circuits, &c.

The Advocate-General shewed cause.

By the Court 6 weeks further time was granted to execute the commission on payment of costs.

GOPEY MOHUN DEB *versus* THE EAST INDIA COMPANY.

Mr. Clarke moved for complainant, on notice under the new Rules, that publication do pass.

The Advocate-General shewed cause, and stated that the case has been 8 or 9 years in court, and that he had always experienced the greatest accommodation from the gentleman who formerly conducted the case; matters had gone on smoothly and quietly hitherto, but now that his friends had the conduct of the cause, they were all of a sudden in a prodigious hurry. The learned Counsel then took some technical objection to Mr. Clarke's grounds, and stated that equity and justice alike demanded that he should have time allowed him; that his interrogatories were now at this time filed, and that he was ready to examine his witnesses, and if Mr. Clarke's motion were granted, the case would come on, on the evidence only of the complainant.

Mr. Clarke in support of his rule stated, that the delay on the part of the Company had been vexatious in the extreme; that they had filed pleas for want of parties, long ago, which had on argument been overruled; that, however, as the case was of such immense consequence, Mr. Tutton who then conducted the case, had thought it advisable to add 38 defendants to the bill; that so far back as April 1836, the complainant had ruled the defendants to file interrogatories; that therefore the cause had been at issue nearly 4 years but that the defendants from that time hitherto had done nothing; that during all that time, and for years previously, they, the complainants, had been subject to abatements of the suit, in consequence of the deaths of some one or other of the numerous defendants, and that to use an expression of Lord Eldon, "this corporation (the East India Company) appeared to avail themselves of their enormous wealth for the purposes of procrastinating litigation."

By the Court. Time was given to the Advocate-General, to the 1st of June to pass publication on his rule; he undertaking to file interrogatories in the original cause, and to dismiss his interrogatories in the Cross Cause, by which means to speed the suit, and not to delay it any longer, the Advocate-General to pay the Costs of the application.

The Equity Board was then called, and the court was occupied for the rest of the day in hearing an argument on Demurrer in the case of Seboosondory Dusee *versus* Joymoney Dusee.

The Advocate-General, Mr. Prinsep, Mr. Leith, and Mr. Grant, for Demurrer.

Mr. Clarke, Mr. Osborne, Mr. Nott, in support of the Bill. Demurrer allowed.—Harkuru, March 3.

MARCH 3, 1837.

The Judges took their seats a little after eleven o'clock, and were occupied for two hours and a half in trying an ejectment case of little interest.

At two o'clock, the important case of Dwarkanauth Tagore *vs.* the Assignees of Ferguson & Co. was called on: a number of gentlemen from the public offices and mercantile establishments had been in attendance as witnesses from the morning; but the court understanding that there was a probability of the case lasting beyond four o'clock, directed that it should be heard on Tuesday, when the witnesses will have to attend again.—Harkuru, March 4.

MARCH, 6, 1837.

Mr. Justice Grant informed the bar, that indisposition would probably prevent the Chief Justice taking his seat on the bench for the next two or three days. The motion in *Roots v. Cockerell*, and the cross-motion in the same case, were postponed until Thursday next, when, it is expected, Sir Edward Ryan will be able to resume his seat. The court intimated they would take the injunction in *Dos, &c., Major Cape v. Assignees of Cruttenden and Co* in due course, and go on with the common law board on Tuesday.—Englishman, March 7.

FORUNNOOMAR TAGORE *vs.* LEADIMOHUN TAGORE, &c.

This was an argument on demurrer to the plaintiff's bill for want of Equity.

For Demurrer.—The Advocate-General and Mr. Clarke.

Against it.—Mr. Prinsep and Mr. Leith.

The argument lasted till past 4 o'clock. The Court took time to consider.

MARCH 7, 1837.

The Chief Justice still continues slightly indisposed; but we understand that the learned Judge will resume his duties on Thursday next.

The Court took motions. Mr. Grant moved for a Commission to three Indigo Planters to swear an attesting witness to a warrant of attorney.

Mr. Justice Grant. It is not usual to appoint persons as Commissioners, who are not in official situations, or about whom the Court has not some certain information. —Commission refused.—*Ibid*, March 8.

BISUMMER SEAL V. RUMDHONE BONNERJEE.

Mr. Justice Grant delivered the decision of the Court in this case. This was a motion for the appointment of a receiver on behalf of a second mortgagee. Were this an English mortgage, the Court apprehended there could be no doubt that a receiver would be appointed and were of opinion that, under the circumstances of this case, and particularly to prevent collusion between husband and wife to the detriment of the second mortgagee, a receiver ought to be allowed. The Court were further of opinion that the second mortgagee is entitled to receive interest from the period of the commencement of the law; that the words "when I shall command the means" must be construed into "when I shall receive the rents," and that, therefore, when the receiver gets in the rents, the interest must be paid thereout. The Court reserved the rights of the prior mortgagee on clearing contempt.

GOLAUBCHUNDER PODAR V COWRY DOSS.

The Advocate-General put in affidavits to show that the defendant was possessed of property in houses, lands, jewels, &c., to a considerable amount in value, and that he had made over this property by a fictitious sale of mortgage or conveyance of some sort for the purpose of appearing in this court in forma pauperis. Rule nisi — *Englishman*.

MARCH 7, 1837.

DWARKANATH TAGORE V. ASSIGNEES OF FERGUSSON AND CO.

Mr. Osborne opened the pleadings.

Mr. Advocate General stated the case for the plaintiff. The court were aware that there formerly existed in this town certain societies formed for the purpose of insuring the lives of persons and more particularly for the purpose of insuring the lives of persons in debt to the agency houses, and that these societies were chiefly composed of the agents themselves. One of these, the Oriental, is the subject of the present enquiry. It was the practice of these societies to lend money to the different firms on the security of the firm's promissory note. The firm of Fergusson and Co. were holders of a great number of policies on which they paid the premiums, amongst others a policy for Rs-24,000 on the life of the Hon. Captain Sinclair; a policy on the life of Mr. McKnight for Rs-60,000 and one on the life of Mr. James Smith for Rs-60,000. The note on which Fergusson and Co. borrowed the money was payable to the secretaries of the Oriental, or order, and it was endorsed over by the then secretaries, Mackintosh and Co., to Dwarkanauth Tagore. These were preliminary matters of which it was necessary the Court should be informed to come at the gist of the present case. After the failure of Fergusson and Co., it was thought expedient to carry on the factories, and money being required for this purpose, the assignee applied to the Society for the payment of policies on lapsed lives. Dwarkanauth Tagore, to whom the promissory note for the lakh of rupees borrowed from the society by Fergusson and Co. had been endorsed,

opposed the claim, and it was agreed between him and the assignees to submit a special case for the decision of this court. Dwarkanauth Tagore, agreeing to pay over the money in the mean time to the assignees, who also agreed that this act of his should not be prejudicial to his right. Two years have elapsed since the date of this agreement, but no case had been submitted for the decision of the court, and the action is now brought to recover back the amount of the policies paid under this agreement. The learned counsel understood that there would be set up two grounds of defence; one a set-off, but as far as he was instructed he knew not of the existence of any debt due to the assignees by the plaintiff. The second ground was that the plaintiff had prevented the defendants from bringing their suit. Prevented them forsooth! The learned counsel thought that a court of law was open to all who choose to come into it.

Mr. Thomas Hyde Gardner, examined by Mr. Clarke — Witness is in the employ of defendants, and was formerly in the employ of Fergusson and Co. Knows the Oriental Life Insurance Society, and the firm of R. C. Jenkins and Co. Before the failure of Mackintosh and Co., they were secretaries to the Oriental, subsequently Mr. R. C. Jenkins; was the secretary. Proves Mr. Macnaghten's signature to exhibit A.; the body of exhibit was written by witness from a draft written by Mr. Macnaghten. Interlineations in exhibit are Mr. Macnaghten's. Proves the signature of Mr. Macnaghten and Mr. W. F. Fergusson to B. and C. and D. Proves signatures to various other exhibits, including the note given by the firm of Fergusson and Co. to the Oriental, and the endorsement of the secretaries at the time to plaintiff. Mr. Jenkins was secretary to the Oriental before his firm was established, afterwards the firm became secretary.

Cross-examined by Mr. Prinsep.—Policies in the Oriental were not held by the firm, but by the individual members of Fergusson and Co. The share-holders in the Oriental are not now the same as they were before the failure. It is now called the New Oriental. I do not know if there has been a new deed. I have never conversed with plaintiff on the subject. I drew A. out from a draft by Mr. Turtton, he was then acting as mutual counsel,—acting for both parties. Proves the signatures of Mr. A. F. Smith and Mr. Low to endorsements of premiums paid. Mr. Smith and Mr. Low were clerks in the house of Fergusson and Co. After the failure of the different agencies houses, I understand the Oriental vested in Dwarkanauth alone. I do not know that he bought up the insolvent's shares and formed a new society. I do not know if he purchased Fergusson and Co.'s shares.

Mr. Henry Holroyd deposed to several documents. Witness was cross-examined by Mr. Prinsep as to the formation of a new Oriental Life Insurance Office, but knew nothing of the society as far as his own knowledge went.

Mr. Gardner was recalled and deposed that there was an agreement between plaintiff and defendants, that the payment of the policies should not prejudice plaintiff's claim of the promissory note.

Mr. T. J. Phillips, examined by the Advocate-General, proved Mr. Calder's hand writing on exhibit G. (the endorsement.)

Cross-examined by Mr. Sandes.—Witness did not know plaintiff was sole proprietor of the Oriental after the failure of the agency houses?

This was the case for the plaintiff.

Mr. Prinsep spoke to a nonsuit, on the ground of a variance in the agreement as set forth in the declaration and the agreement as proved. Secondly no consideration proved to have been given by plaintiff for the note.

But the court thought the grounds were not sufficient to stop the case.

Mr. Prinsep took two grounds for the defence. First that the time in which it was agreed that a special case should be submitted for the decision of the court was suffered to elapse by the plaintiff; and secondly, that plaintiff's only claim to the promissory note endorsed by Mackintosh and Co. was as sole member of the Oriental Life Assurance Society, and therefore the note was liable to the sett off for the amount of the lapsed policies.

Mr. J. G. Garden, examined by Mr. Sandes. Witness was a member of the firm of Mackintosh and Co. who, acted as secretaries to the Oriental till January 1833, the date of their insolvency. Does not recollect the circumstances of the endorsement of the note, to whom it was endorsed, or when it was endorsed. It is in Mr. Calder's handwriting. Knows the note was held by the firm as agents to the Oriental, for a loan to Ferguson and Co. for one lakh of rupees, under the authority of the proprietors. The note went into the hands of the succeeding secretary, as part of the assets of the society. I know it was not delivered over to any one previous to our insolvency. It may have been endorsed before our failure. I infer it was given over to the succeeding secretary. There was a new partnership formed under the style of "the New Oriental, &c." Mr. Turton and Dwarkanath Tagore were members. I have heard plaintiff say he was the last partner in the former Oriental. I was present when the formation of the new Society was discussed. It was agreed that the new Society should be liable for the policies of the old Society for a consideration. All remaining assets of the old Society should belong to Dwarkanath Tagore as the remaining partner of the former firm. I cannot say if Ferguson and Co.'s note remained in the hands of Mr. R. C. Jenkins or of Dwarkanath Tagore, but it was considered part of the assets of the society. Witness attended the Advocate-General's chamber about September 1836, for the purpose of attending a discussion regarding the plaintiff's claim against the late firm of Ferguson and Co. A paper purporting to be a promise by Mr. Macnaghten to refund was produced. Plaintiff, Mr. Macnaghten and Mr. Jenkins were present. I cannot say if Mr. Carr was there. I wrote a memorandum of what passed. Mr. Jenkins also wrote a memorandum. I saw my memorandum last in Mr. Macnaghten's hands; he was then in the room where we met.

Cross-examined by the Advocate-General. The note bears Mackintosh and Co.'s endorsement. It could not have been endorsed after we applied to the Insolvent Court, thought it might have been after we had stopped payment. When we stopped payment, Ferguson and Co. were solvent members of the Oriental.

In reply to the Court. I cannot say that plaintiff was the last surviving member of the Oriental at the time of failure.

In reply to the Advocate-General. Mr. Bruce, Mr. Allan, Mr. Hurry were members of the Oriental at the time we stopped payment.

In reply to Mr. Sandes. Plaintiff informed me that he purchased the remaining members' shares.

Mr. W. F. Ferguson was called, but the Advocate-General objected to his evidence. If the estate of Ferguson and Co. pays sixteen annas in the rupee, witnesses will have a direct interest in the note which is the subject of the present trial.

Mr. J. P. McKilligan, examined by Mr. Prinsep. Plaintiff was a member of the old society and of the new society. Witness remained in the employ of the

assignees of Ferguson and Co. till some time in 1836. Remembers the formation of the "New Oriental;" attended one meeting before it was formed, Dwarkanath Tagore was present. He took very little part in the proceedings the state of the society was discussed but he had no distinct recollection of what was said.

Mr. T. Sandes examined by Mr. Prinsep. The witness detailed various meetings with Mr. Judge, when it was intended to bring this forward as a special case. A special case was drawn and sent to counsel on the 27th of April, received back on the 18th of May, some alterations made on the 29th of May, and sent to Mr. Judge, with whom it remained till the 3d of March following. This is the special case. There were two of them, the latter was kept from July 1835 till March 1836. I have Mr. Judge's letters. [Correspondence put in.]

At the conclusion of the defence, the court, without calling on the Advocate-General, gave a verdict against the defendant.—*Englishman*, March 8

MARCH 8, 1837.

Dwarkanath Tagore vs. Ellis Elliot Macnaghten and Others.

This action, of which we gave a short notice yesterday, was brought by the plaintiff against the Assignees of Messrs. Ferguson and Company, on the following agreement:—

BABOO DWARKANATH TAGORE.

Sir,—If you will consent to Messrs. R. C. Jenkins and Co., as Secretaries to the Oriental Insurance Society, paying to us rs. 24,000, the amount of the policy No. 575, on the life of the Hon'ble Captain P. C. Sinclair, without prejudice to your claim, we hereby agree to refund to you that amount (rs. 24,000) as money had and received to your account, in case the suit which we are now about to begin in the Supreme Court, to try the right of the proprietors of the office to insist upon retaining the same against the defendants of the late firm of Messrs. Ferguson and Co., shall be determined against us, or in case we shall not obtain a decision of the Court in two years from this date; but in such latter case our refunding the amount now received, is not to be considered as affecting, any right to recover in the suit. In the event of our having to refund the amount we consent to pay to you interest at six per cent.

We are, Sir, your most obedient servants,

E. MACNAGHTEN, for self and Co. Assignees of Messrs. Ferguson and Co.'s Estate.

Calcutta, July 4, 1834.

BABOO DWARKANATH TAGORE.

Sir,—With reference to our letter of the 4th of July last, we beg to say, that we consider the arrangement agreed to in it as binding upon us to the extent of the claim in respect to the policies on the lives of James Macnaght and James Smith.

We are, Sir, your most obedient Servants,

E. MACNAGHTEN, for self and Co. Assignees of Messrs. Ferguson and Co.'s Estate.

Calcutta, August 23, 1834.

The policies on the lives of James Macnaght and James Smith were for 60,000 rupees each.

The damages were laid at 200,000 rupees.

The defendants pleaded a set off, and that the plaintiff by various offers and negotiations, had delayed and prevented the defendants from getting a decision in the Court within the two years specified in the agreement,

The plaintiff proved the payment of the money to the defendants in pursuance of the agreement.

The defendants failed wholly in proving their right to set off any debt against the plaintiff, and failed also in proving that the plaintiff delayed them by offers or negotiations, or in any wise hindered them from obtaining a decision as to the right to the money in the Supreme Court, within the two years specified.

The Court gives its verdict somewhat to this effect :—

Mr. Advocate-General ; we don't think it necessary to trouble you to reply.

As to the set off, the debt was due by the plaintiff, if due at all, in conjunction with the other partners of the old and new Oriental. As to the delay in obtaining a decision in this Court, on the subject, we don't think it was such as to support the plea ; the defendants, if dissatisfied with the course things were taking, and with the difficulties which presented themselves as to settling the question, and the terms on which it was to be tried in this Court, had nothing to do, but to give the plaintiff notice, that they would proceed with their remedy in Court. They have not done so, the period agreed upon by them for refunding has elapsed, the conditions of their agreement have not been performed, and the plaintiff must have a verdict, and by this decision the defendants are put in no worse position, than when they obtained the money, — nothing therefore happens in consequence, not perfectly consistent with justice. Verdict for plaintiff, for 75,000 Rs. with interest, &c.

The Chief Justice still continues indisposed.

Mr. J. Grant and J. Malkin sat to-day, and disposed off six or eight cases in the plea Sitting Board.

To-morrow being Equity day, the Court will hear arguments, &c.—Hurkaru, March 9.

MARCH 9, 1837.

We understand that the Chief Justice came this-day to Chambers, but the learned Judge did not appear in Court. Mr. J. Grant and Mr. J. Malkin sat and took contested motions.

MUTTY CHUND *versus* BABOO JANOEKY DOSS.

Mr. Prinsep applied in this case to have Mr. Dickens, the Registrar, appointed to act as Master in this case, and to take the account between the parties in place of Mr. Dobbs, the present Master, that gentleman having acted all along as Counsel in the cause. Mr. Prinsep addressed the Court at great length ; in the course of his argument the learned Counsel contended, that the Court could appoint a person to act as Master, in the event of any gentleman filling the office of Master being compelled to leave India on account of sickness ; upon which we understood Mr. Justice Malkin to state, that no person who was an officer of Court could go out of the jurisdiction, without ceasing *ipso facto* to be an officer of the Court.*

Mr. Justice Grant.—I had always heard from learned persons, in a position to make the statement, that a Counsel become Judge, has always a leaning against his

own clients, and that from the fact in the event of the case being enveloped in any degree of doubt or difficulty, that his original bias of mind acquired as Counsel, might turn the scale against those parties not his clients when Counsel.

The learned Judge then proceeded to refuse the motion, and stated that he thought it necessary to designate it as an exceedingly indiscreet motion. We understood him to say also, that a Judge who refuses to entertain a cause in which he has acted as Counsel, does so from mere matter of feeling on his part ; where the case could be decided without him, and no injustice, or denial of justice, would happen to the parties, in consequence of his refusal to act, it would be as well perhaps for him to refuse to act ; but that he, Mr. Justice Grant, felt assured that the refraining from acting in the case above stated, was enjoined neither by the principles of morality nor of law. In old times, when Judges were removed from party motives, and replaced when better times succeeded, the persons so removed descended again into the ranks of the bar, practised, and on their re-appointment entertained, and decided in the various causes without any such objections occurring or being started. Mr. Prinsep's application was rejected.†

GOOROODOSS MOSENDAR *v.* RAMNARAIN DATT.

Mr. Marnell, moved in this case, for substitution of service of process of the Court, by leaving the process at the house of the defendant. The affidavit stated, that enquiry had been made at the house, and the defendant had been known to live there, but had since absconded, and gone, the deponents did not know where.

This application was refused,

Mr. Justice Grant observing, that the affidavit was insufficient ; that substitution of service, was only permitted, when strict search had been made, and when the circumstances detailed in the affidavit, led the Court to believe, that the defendants purposely, and contumaciously kept out of the way.

THOMAS HOLROYD, ASSIGNEE OF CRUTTENDEN AND CO. *v.* THOMAS CAPE, JAMES MACKILLOP, AND MACKILLOP AND CO.

The Advocate-General, with whom were Mr. Clarke and Mr. Leith, moved in this case, to stay the proceedings of the defendant, Cape, the plaintiff in an action of ejectment, from proceeding further in his action at law until the decree could be had, in the above equity suit. The application was for a special injunction supported by affidavit. The bill of the complainants, the applicants in the present motion, prayed for a discovery, relief, and the writ of injunction now moved for. The Advocate-General, Mr. Clarke, and Mr. Leith, addressed the Court at considerable length, and detailed the facts on which the application was founded. The bill also charged fraud in Cape, and the other defendants, and prayed a discovery upon oath, in order to enable the defendant in the action at law to make good his defence.

* According to this doctrine, the present Chief Justice has ceased to be Chief Justice. If the returns have been made of salary received by the Chief Justice, and the other Justices, as the salaries of officers of Court. If it have been decided in Parliament, that Judges are officers of Court. Query, did not the present Chief Justice resign his office, or virtually cease to be Chief Justice, when he left India for the Cape—the Cape being out of the Jurisdiction ?!!!

Printer's Devil ?

† We have been favoured by a learned correspondent with the following observations upon the above motion of Mr. Prinsep : in *Enchiridion* fut un Pape, et avait comme grand Fœt, et dixit Cardinalibus suis ; judicate me, et dixerunt non possumus judicare te quia Papae's et caput ecclesiae judicate te ipsum, et judicare it se cremari, et crematus fuit, et après fut un Saint." The English of which is, we believe, that when the learned do justice on themselves they become Sainted in the other world, and lauded in this.

The facts, as we gathered them from the learned Counsel in the progress of their several addresses to the Court, were shortly these.

In the year 1820, or 1821, Mackillop and Co. lent to a Mr. Taylor, the sum of three lakhs of rupees with which Taylor purchased the premises in Loll Bazar, now occupied by Jenkins and Low, two adjoining premises, and the house in Tank Square, now occupied by the Bengal Club. Taylor then deposits with Mackillop and Co. the title deeds of this property so purchased, and draws a bill upon Major Cape, his father-in-law, for 30,000 pounds sterling, and then departs for Europe, leaving in the hands of the Firm of Cruttenden and Mackillop, a power of attorney to execute a mortgage to Cape of the premises in the event of Major Cape paying the Bill for £30,000, and requiring from Taylor security for re-payment. Major Cape was the father-in-law of Taylor. On the 18th of February 1822, James Mackillop of the House of Cruttenden and Co. writes to his correspondents, Palmer, Mackillop and Co., to advise Major Cape of the whole transaction. Major Cape pays the £30,000, and allows the title deeds of the property to remain in the hands of Cruttenden, Mackillop and Co. until 1827, in the mean time Taylor returns to Calcutta and having occasion for money, borrows of Mackillop and Co. the sum of four lakhs of rupees, stating to the firm that he had given to Major Cape his father-in-law, other security in England for the £30,000 he had lent to Taylor, in payment of the first loan of 3 lakhs, the purchase money of the properties in Loll Bazar and Tank Square, Cruttenden and Co. lent the four lakhs to Taylor, taking as a security a mortgage in fee, of these premises; but as they then considered themselves as attorneys for Major Cape, under the power given them by Taylor, in 1822, they, until the story of Taylor was corroborated by Major Cape, took as farther security for the second loan, a quantity of indigo belonging to Taylor. The firm, therefore, considered themselves as mortgagees in fee of this property in question, and in 1825, they received a letter from Cape, in which he stated that he discharged them from executing as Taylor's attorneys, a mortgage on his account, and admitted that Taylor had given him other security, confirming the statement of Taylor in this matter, in all points. Under these circumstances, Cruttenden and Co. considered themselves as sole mortgagees in fee of this property in Calcutta, that is of the premises in Loll Bazar and in Tank Square, and Mr. Holroyd, as their assignee, now files his bill for discovery, relief and injunction to stay the defendant Cape, from proceeding in his action of ejectment at law, for the recovery of these very premises. The title set up by Major Cape, being a mortgage of these premises, effected to him in England previously to 1824, the period when the claim of Cruttenden and Co. arose, in virtue of the mortgage to them by Taylor, as a security, for the 4 lakhs lent to Mr. Taylor by that house, the complainant, Mr. Holroyd, makes his affidavit that he cannot make a good defence to the action at law, unless Cape puts in his answer, and makes a full discovery of all the facts in connection with the transactions of the loan of the £30,000, and his alleged security and mortgage for repayment of the same by Taylor.—Cases were cited to show that under the circumstances Mr. Holroyd was entitled to an injunction, and that the affidavit of facts founded on the bill, disclosed sufficient equities to induce the Court to restrain the defendant Cape from proceeding in his action at law, for the recovery of the premises mortgaged in 1824 to Cruttenden and Co.

Mr. Grant for the defendant Cape contended, at great length, that there was no ground disclosed by complainant to entitle him to discovery, or relief in equity, and that the facts disclosed, on the affidavit of

Mr. Leighton, were insufficient. The learned Counsel, wanted to put in affidavits contradictory of the complainant's affidavits, and explanatory of the facts. The affidavits of Mr. Grant were rejected by the Court, on the authority of Jones P. 8—Vezey 46, and of another case in 19 Vezey P. 83. Mr. Grant contended that the defendants in the action at law, could get any evidence they might want, under a commission, directed to England, to examine the witnesses who were resident there in the absence of which the complainant in this suit partly founded his application.

The Advocate-General in reply, as we understood, stated that Mr. Mackillop, was a necessary party to the mortgage in 1824, and therefore a necessary party to this bill, also Mr. Cullen, and that therefore Mr. Holroyd could not examine them under a commission, they being interested in the event of the suit, and that therefore the present bill, and proceedings, were necessary to enable him to make his defence. The learned Advocate continued his address at very considerable length. The Court rose at a quarter to 6 o'clock! and took time to consider of the application.—*Hurkaru, March 10.*

12TH MARCH, 1837.

JOY DEPAUL BYRACK, VERSUS RAMONAUTH BYSACK.

The Chief Justice delivered the judgment of the Court in this case. The decision was supposed to involve and decide the important question of the claim to 5 per cent. commission on estates of Hindoo executors. The case came on, and was argued on exceptions to the Master's report; two reports had been made by two ecclesiastical Registrars, as to the practice on the point, in the three Courts at Bombay, Madras, and Calcutta; and great delays had arisen, in consequence of the difficulty in obtaining these reports. It appeared, however, after all, that the point argued at the bar, turned on the 6th exception; and that had been argued as if it went only to the separate estate of the complainant, when in point of fact, the point was argued on both sides, as if the joint and separate estate were included in the exception: all that could be determined at present, was therefore, that the exception must be dismissed, and the point as to the right of Hindoo Executors to commission, will, we presume, be determined when the cause shall come to decree.

JONOKY DOSS, VERSUS HONGWAUN DOSS.

In this case, issues were directed on the first and second exceptions.

IN THE GOODS OF CAPTAIN OAKLEY, DECEASED.

The Advocate-General moved for administration, or probate, we did not catch which, to Messrs. Cokerell and Co., the constituted attorneys of the Executors or administrators in England. The question here was whether the powers of attorneys to Messrs. Cokerell were only executed. They bore the notorial seal of some London notary, and were attested under the new Act of the 5th and 6th, William the 4th, c. 62, for dispensing with oaths before Justices of the peace, Lord Mayors, Public Notaries, &c., and substituting solemn declarations in lieu of them. The Court took time to consider of the sufficiency of the power of attorney.

MARCH 13, 1837.

IN THE GOODS OF CAPTAIN D'O'LY, OF THE ARTILLERY, DECEASED.

Mr. Prinsep moved for a probate to be granted to John Currie, Esq., of the Howrah Docks, in the goods of Captain D'O'ly, of the artillery. The learned

counsel stated, that he had heard and believed, that Captain D'Oyly had been wrecked in Torrie's Straits, in the bark *Charles Eaton*, on the 15th of August, 1834, and that the whole crew and passengers of the vessel, excepting Capt. D'Oyly's son, and another lad named Ireland, had been murdered by savages; and that the insurance on the vessel had been paid. Captain D'Oyly, on his departure in the *Charles Eaton*, requested his will under direction to John Currie, Esq., to be opened and acted upon, only in the event of his not returning from his voyage, or certain intelligence being received of his death. The John Currie mentioned in the will, was the person who now applied for a probate. Probate granted.

ROOTS *versus* COCKERELL.

The Advocate-General moved, under the liberty reserved to him, to set aside the verdict and enter a nonsuit.

The Chief Justice granted a rule *nisi*, and said, that the point made by plaintiff, upon which the rule was granted, was that the plaintiff had no exclusive right of possession upon which he could maintain his action of trespass.

ROOTS *versus* COCKERELL.

Mr. Prinsep moved in the same case, for a new trial, on the ground that there was misdirection, and that more damages were proved in evidence, than were gained by the plaintiff.

The Chief Justice, granted a rule to shew cause, first on the ground of misdirection as to the indigo; and, secondly, for insufficiency of damages; and directed both rules to be brought before the Court together.

We will give a full report when the case comes on for argument, which will be in four days.—*riturkaru*, March 14.

ROOTS *v.* COCKERELL AND OTHERS.

The Advocate-General, by permission of the court, moved for a rule to set aside the verdict and enter up a nonsuit. He briefly laid before the court the grounds on which he moved. Their lordships would remember at the trial his learned friend, Mr. Prinsep, endeavoured to show that two particular letters, part of the correspondence between Cockerell and Co. and Mr. Roots, constituted a lease, whereas he, the learned counsel, contended, that the plaintiff was at the factory only as a servant of Cockerell and Co. or of Mr. Cockerell, the administrator of Rose deceased. If he remembered correctly, the court concurred in neither of the views taken by himself or his learned friend, but put the rights of Roots on something which he derived from his wife,—that Mrs. Roots had an interest in the property, by virtue of which interest the plaintiff had sufficient authority to maintain his action of trespass. Now if the plaintiff had this right one would have thought that he would have been aware of it. He, the learned counsel, was not about to say that counsel were able to judge of the particular rights of parties to a cause as well as the court who tried it, but he conceived that neither the court or counsel were so good a judge of what Roots thought was his situation as was Roots himself. That Roots never imagined that he derived any right to possession in virtue of Mrs. Roots's interest, may be gathered from the opening address of his learned friend, in which no claim was attempted to be set up on that ground, but in which he relied solely on a lease. That Mr. Roots did not look on the letters as constituting a lease appeared from the evidence, for what witness said any thing as to a lease? A person named Clarke, deposed that in the letter written on the 1st of September, it was stated that the relative position of plaintiff and defendant were to be those of agent and constituent. On the letter being

put into his hand, indeed, he acknowledged that it did not contain anything that could authorize the assertion; and that he must have first heard it from Roots himself. Now it often happened that parties themselves knew their relative situations very accurately, when lookers on were much puzzled to make them out. Their lordships had heard of a comedy wherein the servant and master were continually changing places, where Archer was sometimes the master and sometimes servant of Aimwell, and Aimwell sometimes the master and sometimes the servant of Archer, and the audience might be often puzzled to know which was the master and which the servant, but Aimwell and Archer knew their relative positions right well, and neither of them was at any time the master or servant of the other for they were friends: now what thought the parties here of their relative situations? On the former occasion he had troubled the court with much of the correspondence that passed between the plaintiff and defendants referring to Mr. Roots's position previous and subsequent to the time when the alleged agreement was made. It was not necessary to refer to the whole of that correspondence now, for it was quite clear if Roots had possession in right of his wife at all, he must have had possession in virtue of that right from the day that he married her, and therefore, a letter of one date was as good as that of any other for his purpose. [Here the learned counsel referred to the plaintiff's letter of the 14th July, which after noticing several circumstances relative to his domestic circumstances, asked on what footing he was to consider himself at the factory.] In answer to which Mr. Cockerell, who had never dreamt of the right of Mrs. Roots, says, "you must consider yourself as principal manager." In another letter dated 15th August 1834, their lordships would find what was the lady's opinion regarding her own right. It contained an admission that Mr. Cockerell had a right to turn the plaintiff out of the factory if he thought proper to use it. If then Mr. Roots had any right it was evident that he was profoundly ignorant of it. He would not trouble the court with any more extracts. It appeared clearly to him that Roots had rested his claim to possession on the two letters, of 1st and 8th September, and he would like to know what there is in them upon which any court could decree a specific performance? Another point on which his learned friend laid much stress at the trial, was the arrest by Cockerell and Co. of the plaintiff, and with reference to this much had been said regarding the oppressive conduct of the firm. This was neither the time nor the place to refute the assertion of oppressive conduct,—another time would be granted him, and that too at no distant period, when unless he erred greatly in the expectation which he had of the manner on which his learned friend would treat these matters when he came to shew the cause, he would have as good an opportunity as he could wish to enlarge upon and reply to all that his learned friend's zeal, urged upon the matter of oppression. But perhaps on this occasion their lordships would forgive him if he departed for a moment from the rule which he had laid down for himself to follow,—that of keeping strictly to the point of law. The court would remember that it was in evidence that Roots had sold indigo seed to the amount of some thousand rupees, which Cockerell and Co. had sent him to sow upon the lands of the factory, and that it was for the price of this seed, which Roots had unwarrantably appropriated to himself, that Cockerell and Co. arrested him on his bond. The court would remember that it had been proved a sum of Rs. 4,500 was due from Mrs. Rose to Cockerell and Co. Now when Roots married her that debt became his debt; and here he asked, if Cockerell and Co.'s object had been to oppress the plaintiff, what would have been more easy than for them then to have added this debt to the other, and by this means to have kept him in confinement? But it is said he was to

possession in right of his wife! Let us see whether this lady had the right or not, because he took it for granted, that Mr. Roots had acquired no right but that formerly held by his wife.

Mr. Justice Grant.—You say a sum of Rs. 4,500 was due from Mrs. Roots to Cockerell and Co. How do we know that?

Mr. Advocate-General.—My lords, we were told over and over again of it at the trial. My friend, indeed, argued that nothing could be due from Mrs. Roots if she were only a servant, but he did not deny that she had misapplied money sent by the firm for the purposes of the factory; and I imagine that a servant who appropriates to her own use money entrusted to her for her master's use, incurs a debt to him by such misappropriation. Now as to any rights which she might have to the property, I say they were contingent on the payment of the debt and on her share of the residue being allotted to her. But this is not sufficient to enable her to maintain an action for trespass, and if not sufficient for her, it is not sufficient for another who claims through her. At the trial I was asked by one of your lordships, what motive there was to induce Roots to live more as a servant at the factory. To this I answer now, as indeed I ought to have answered then, that Root having married the widow of Rose, had a contingent interest in the factory on payment of the debts for which it is first of all liable, and thus had an interest in having the debts paid out of the profits of the factory. As to Mrs. Roots's right, is the property real or personal? I presume it is either one or the other. It can hardly be considered a chattel real; but be that as it may, it has nothing to do with her right except when accompanied by possession. Admitting that it is a chattel real, her right would have been to one-third, subject to the payment of debts. That would have been her dower after dower assigned, subject to the payment of debts I think, but of that there may exist a doubt; however the dower must have been assigned.

Chief Justice.—You see, Mr. Advocate, you mistake the grounds on which the court gave judgment. I said Mrs. Roots's interest came to the plaintiff to a certain extent,—that he had possession by an agreement with Cockerell, and that under all the circumstances of the agreement he was enabled to maintain his exclusive possession.

Mr. Advocate-General.—Agreement! I can find no agreement my lords.

Chief Justice.—But that was the question we had to consider.

Mr. Grant.—I have a note of what fell from your lordship when giving the decision of the court. Your lordship—

Chief Justice.—I have a very full note of what I said Mr. Grant. [And here his lordship referred to and read it.]

Mr. Justice Malkin concurred entirely with the note by the Chief Justice.

Mr. Advocate General.—The evidence was that Roots was to remain at the factory as manager.

Mr. Justice Grant.—Not so, Mr. Advocate-General. There was evidence of an agreement between the two parties, and as security Roots gave a bond. The plaintiff was, for a valuable consideration, in possession of the property under a contract from Cockerell and Co.

Mr. Advocate-General.—Then, my lords, it must have been a lease, but, certainly I understood the court to find that there was no lease. And if there was no lease, I do not see how he could maintain an action for trespass. I will trouble the court with a passage from an authority—a text book it is true,—and one which

some have called an elemental book,—but of which a great judge once said to me, “if upon any point you read Blackstone, and follow up his references you will not go wrong.” The learned counsel then read the following from Blackstone's *Commentaries*, vol. 3, c. 9, of Trespass:—

“Trespass signifies no more than an entry on another man's ground without a lawful authority, and doing some damage however inconsiderable to his real property. For the right of meum and teum or property in lands being ever established, it follows as a necessary consequence that this right must be exclusive—that is that the owner may retain to himself the sole use and occupation of his soil. Every entry therefore thereon, without the owner's leave and especially if contrary to his express order is a trespass, or transgression. One must have a property either absolute or temporary in the soil, and actual possession by entry to be able to maintain an action of trespass.”

Now if there did exist an agreement for a year, it is clear that it did not exclude Mr. Cockerell from entering on his own soil, for it is not pretended that Roots had exclusive possession. Your lordships will remember that when Mr. Lethbridge was sent up to the factory to look at the state of the lands and to inspect the books, Roots produced the latter immediately and never questioned the defendant's right to examine them, or to go upon the lands for the purpose of reporting on the state in which they were. That Roots had not exclusive possession I think I need not argue. The evidence is directly the contrary. Now, the learned counsel put it to the sense of the court, whether Mr. Cockerell ever invested the plaintiff with such a power as might exclude himself. Their lordships would remember, as far as Mrs. Roots's rights went, the lady desired Mr. Cockerell to take possession and to permit her to carry the factory on. All her letters, all the correspondence of Roots, appear to consider the writers as the mere servants of Cockerell and Co.—that they stood in the character of servants, and the only question is whether they were servants removal at pleasure. My argument is that if Roots had possession at all he had it only as a servant; but whatever possession he had, it is quite evident he never had exclusive possession, and quite certain that without exclusive possession he cannot maintain this action of trespass.

The Chief Justice, after consulting with the other judges, said, under all the circumstances of the case, we are disposed to grant this rule.

Roots v. Cockerell and others.

Mr. Prinsep moved for a new trial, on the ground (not a very common one in this court, said the learned counsel) of a misdirection of the judge. The Chief Justice in giving the decision of the court had stated that there were no special damages laid whereas in fact the Indigo was laid, and which after deducting the share of the native who held one third of the factory would leave to the plaintiff Rs. 10,000.

Chief Justice.—You may take your rule.

Mr. Prinsep.—But, my lords, we have another ground. Since the trial of this cause the plaintiff, being informed that an account current filed in your lordship's court by Mr. Cockerell as administrator to the estate of Rose deceased, contained items important to his case, he has inspected the mortgage deed, executed by Rose and his wife, which was put in as an exhibit by the defendants at the trial, and on examination of the account current he has found that in March 1833 the mortgage and interest were fully paid to Cockerell and Co. by Mr. Cockerell as administrator of Rose deceased. Now when the mortgage had been put in as evidence, and it turned out to have been paid in full, the learned

counsel could not but think that it must have weighed in the same interest with Joymoney Dossee, the complainant.

Chief Justice.—Take your rule and let both motions come on at the same time.

MARCH 14, 1837.

CRIMINAL INFORMATION.

Mr. Advocate-General moved for a rule nisi calling on Charles Thackeray, Esq., barrister at law, to shew cause why a criminal information should not be filed against him, for writing two letters addressed to Mr. W. D. Shaw, one of the attorneys of the court, with an intention to provoke him, Mr. W. D. Shaw, to commit a breach of the peace. The learned counsel put in an affidavit sworn by Mr. Shaw, which set forth, in substance, that he was employed by a party to recover an amount of Rs. 300 due by Mr. Thackeray, on a promissory note drawn several years ago; that deponent sent the usual letter of demand, in reply to which Mr. Thackeray denounced the deponent's conduct as unbecoming the character of a gentleman and disgraceful to the legal profession, stating amongst other things, that if deponent so attempted to impose on a member of the bar, who is acquainted with the bearings of legal questions, there could but be little doubt as to his general practice when the ignorant and unwary were his clients, &c., &c., &c.

The Court, after reading the affidavit and the letters appended thereto, made the order nisi, expressing a hope that the friends of the parties would endeavour to effect a reconciliation, and prevent the necessity of further proceedings in this matter.

Mr. Advocate-General said, that one of the members of the bar had used his best endeavours in order to induce the party to withdraw the letters which formed the ground of this application, and thus supersede the necessity of this proceeding. He regretted much that gentleman's efforts had been ineffectual.

The Court remarked that possibly when the party was aware of this application, and the grounds on which it was made, he would be disposed to listen to the suggestions of his friends.—*Englishman*, March 15.

MARCH 15, 1837.

JOYMONEY DOSSEE V. SEEBOOSONDERY DOSSEE, and *others*.

This cause came on, on further directions upon the finding of certain issues which had been directed by the Court.

The question argued, and which occupied the court from the time of sitting up to past 5 o'clock, was whether Collycoomar Mullick could, according to Hindoo Law, be adopted by Joymoney, in pursuance of a direction given to her to that effect by her deceased husband, the Rajah Sibchunder Roy.

The points put forward against the adoption on the part of the defendant Seeboosondery Dossee, the other and younger widow of the Rajah, were: 1st, that Collycoomar being an only son, could not, according to Hindoo law, be given, or received in adoption.

And 2ndly, that he could not be given in adoption, because the ceremony of Tonsoc had been performed on him by his own father. The case was argued by

Mr. Clarke, Mr. Osborne, and Mr. Nott for the defendant Seeboosondery.

By the Advocate-General.—Mr. Prinsep, Mr. Leith, and Mr. Grant for Joymoney.

And by Mr. Cochrane, for the defendants Collycoomar, and his mother Hurroosondery Dossee, who were

in the same interest with Joymoney Dossee, the complainant.

The Court took time to consider.

MARCH 16, 1837.

IN EQUITY.

RADAMODUS BONNERGEE *versus* OMACHURN BONNERGEE.

Mr. Advocate General moves for Omachurn Bonnergee, the complainant, for an injunction to stay proceedings in an action at law, in which the defendant in Equity was plaintiff and the present complainant's defendant at law, and for a receiver.

Mr. Prinsep for Radamadub Bonnergee, consented to the injunction, and to the appointment of a receiver, the complainant undertaking to speed the account.

versus WOMERCHUNDER PAUL CROWDRY.

Mr. Prinsep obtained an order nisi against defendant for a contempt of court in resisting and tearing its process, when attempted to be served on him.

Order nisi granted.

ECCLESIASTICAL SIDE.

IN THE GOODS OF JULIA GREGORIE, DECEASED.

Mr. Advocate-General moved for administration with the will annexed to the Ecclesiastical Registrar. The question was whether the acts of the Testatrix amounted to a revocation of the will in question. It appeared by the affidavit of one Turner, that the Testatrix gave him instructions to have another will prepared, and then intimated her intention to, and was about to destroy the will, on which probate was now sought, but was prevented by Turner, who wanted it, as a guide to him, in describing in the new will the real property to be devised; the testatrix then restored the will to him, but ordered him to destroy it when he had done with it, and Turner believed he had destroyed the will which now turns up. The new will was never executed.

The Court directed Counsel to search for precedents as the case was new.

PLEA SIDE.

JOHN WALLACE ALEXANDER, ASSIGNER OF NAT. ALEXANDER, ESQ., LATE SHERIFF, *versus* RAMNARAIN MOOKERJEE AND OTHERS.

Mr. Prinsep moved for a new trial.

The question was, whether the assignee of a Sheriff, can bring his action against the person who acted as his banyan during the shrevality.

The plaintiff was nonsuited, on the ground that at the trial he failed in proving that the money sought to be recovered was in the hands of the banyan, and received by him, as fees and poundage.

A new trial was now proved for a new trial on technical grounds, on the ground that the Sheriff, though insolvent, should have brought the action in his own person. Rule refused.—*Hurkurn*, March 17.

MARCH 17, 1837.

IN EQUITY.

GOVERDHONE DOSS V. BULRAM DOSS AND JUGENNATH DOSS.

This cause came on, on further directions, on the finding of certain issues directed by the Court in favour of the defendants.

The Court dismissed the bill, each party paying his own costs.

For complainant Mr. Prinsep and Mr. Leith.

For defendant the Advocate-General and Mr. Clarke.

SARASWATTY SANKARASOONDARY DOSSETT, WIDOW OF JUGOOL-MOHOR BISWAS v. KISHUNUNDO BISWAS.

This was a suit by the widow, the complainant, for maintenance against her step-son the defendant, and for 36½ gold-mohurs lent by her to her step-son, the defendant, the said sum of gold-mohurs belonging to the widow as stridhun. The cause came on, on bill answer and evidence on both sides.

After hearing Mr. Advocate-General and Mr. Osborne, for the complainant, and Mr. Clarke and Mr. Nott, for the defendant,

The Court recommended a reference to Mr. Dickens to determine, what sum by way of maintenance the widow was entitled to, and as to the loan of the gold-mohurs to the defendant.

ASSIGNEES OF FERGUSON AND CO. v. ADAM MAXWELL.

This was an appeal from the decision of the judge of Cawnpore, Mr. Robert Neave, to this Court, being the first and the last appeal, under the section of the Act of Parliament, now repealed by the Black Act. The Court heard Mr. Advocate-General and Mr. Prinsep for the appellants; Mr. Clarke, Mr. Leith and Mr. Grant for the respondents.

The argument lasted all day. We will give a report to-morrow.—*Ibid*, March 18.

The case of the *Assignees of Ferguson and Co. vs. Adam Maxwell*, which was argued in the Supreme Court on Friday last, and of which we promised a report, is of interest in so far only as it is the first and the last of those appeals, under the Section of the Act of Parliament, now repealed by the Black Act. The facts of the case are shortly these:—In October 1832, a Mr. Adam Maxwell, an East Indian, and who could therefore hold lands in this country, being possessed of four indigo factories, assigned them over to Messrs. Burnett and Co. by deed, the conditions of which were amongst other things, that Burnett and Co. should pay Maxwell blank rupees a year, so long as he remained in India, and two thousand pounds sterling per annum, so long as he should reside in England, whether he, at the time of entering into the agreement, contemplated proceeding. In 1827 Burnett and Company failed, and were unable to pay; and according to the terms of the agreement, it was contended by the Advocate-General that Maxwell ought to have resumed possession of the villages. But on the failure of Burnett and Co., Ferguson and Co., to whom they were largely indebted, took possession of the factories, and villages, and paid on account of Government jumma 30,000 Rs. Maxwell on his return from England brought his action in the Zillah Court for a specific sum of 64,000 Rs., and interest; and by the decree of the Court he was declared entitled to the specific sum of 64,000 Rs. and 30,000 Rs. interest, making a sum of 94,000. Against this decree the appeal is made, and it was contended by the counsel for the appellants—1st, that Maxwell had no remedy at law; that he should not have brought his action for a specific sum, but should have asked for account, of what had come to the hand of Ferguson and Co. during their management; and also that he should have allowed a set off, of all sums paid and expended by them on the property, and amongst other sums that of 30,000 Rs. paid by them for Government revenue arrears, without which payment Maxwell's interest in the property would have been lost. It was also contended, that the decree was bad, inasmuch as the Judge had

awarded Maxwell a specific sum without having any proof before him to warrant his decision on this point.

Mr. Clarke for the respondent first took a preliminary objection to this effect, that all the proceedings of the Court below had not been translated, and that subsequently the Court of Appeal was called on to reverse proceedings not before them.

The Chief Justice said, that if Mr. Clark persisted in his objection, the case must stand over, and that he might insist upon the transaction of any of the papers, and that appellant must pay the costs of the day. But that if when the case came on again, it should appear that the papers translated were not material, then Mr. Clarke's client, would have to pay all the expenses consequent upon the delay.

Mr. Clarke abandoned his objection, and then argued his case, at great length, and with much ability. We understood him to contend, that the objection to the decree, on the ground of want of evidence on the facts decided, was cured, by the admissions of the appellants on their own pleas, and that an account was unnecessary, for Ferguson and Co.'s claim and right in the premises, was merely that of their debtors Burnett and Co., whereas Maxwell claimed upon an agreement, which was binding on Burnett and Co. had they been in possession, and which therefore was binding on Ferguson and Co. Had Burnett and Co. been in possession, he could have sued them for the specific sum of 64,000 Rs. with interest, he could therefore equally sue those who stood in their shoes.

The Court reversed the decree, stating that the Zillah Court might perhaps be right in its decision, only it did not appear upon what evidence or facts the decree was founded. We understood the Court of Appeal to observe, that the alleged admissions in the appellants' pleas, did not go the length contended by the Counsel for the respondents and that it was absolutely necessary to send the case back to the Zillah Court, in order that an account might be taken of what was due and owing to and by the parties in the cause.—*Hurkur*, March 20.

MARCH 20, 1837.

The Court sat at eleven and took contested motions. Up to the time we left, about 3 o'clock, no motion of any general or public interest was heard with the exception of an application made by Mr. Leith, for a certiorari to remove the proceedings of the Commissioners of the Petty Court, on the ground that one of these Sotons, had given a judgment in favor of a plaintiff, against a defendant, who was responsible to said plaintiff, neither in law, equity, nor in good conscience, the defendant being only a servant in the employ of a certain firm, against which firm, and not against the defendant, the right of action, if any, could be by any one, but a Petty Court Commissioner, be held to exist.—*Ibid*.

MARCH 21, 1837.

MILLS v. MATHESON AND CO.

This was an action on the money counts, to recover from the defendants as agents of the plaintiff with whom he had an account, the sum of 2,500 rupees.

Mr. Barwell opened the pleadings.

The Advocate-General stated the case. Mr. Robert Lyall was Executor of the plaintiff's father, who by his will left his son a considerable sum of money. The son opened an account with the firm, and had received from them all the money he was entitled to under the will, excepting the sum of 2,500 rupees. The defendants refused to pay him this sum, on the ground that the Executors of a Captain Webster, had some claim against plaintiff's father's estate; and they being agents

only of the plaintiff, retained this money to meet this claim when it should be substantiated.

Mr. Wight, of Mackenzie, Lyall and Co.'s, proved the plaintiff's case.

Mr. Prinsep, with whom was Mr. Clarke and Mr. Leith for defendants, stated, that Mills, the father, was executor of Webster, and Mr. David Andrews, was his co-executor: Mr. David Andrews was also executor, with Mr. Robert Lyall, of the estate of old Mr. Mills. There appeared in the accounts of Webster's estate, signed by old Mills, a sum of 10,000 rupees in Company's paper, and an agreement was set up, by which the plaintiff, on receiving the sum due to him on account of his father's estate, agreed that Robert Lyall, or Lyall, Matheson and Co., should retain 15,000 rs. in their hands for 12 months, to meet any payments or demands which should be made against the estate of old Mills; and the case of the defendants was, that a demand was made against the estate of old Mills for 10,000 rupees, one-fourth of which the plaintiff was liable for, he having a right as legatee to one-fourth of his father's estate, and that this demand was made by Mr. David Andrews, the executor of Webster.

The case on the part of the defendants broke down, and the *Chief Justice* stated there must be a verdict for the plaintiff. The only defence was in the covenant opened by M. Prinsep, and the conditions precedent constituting the important portions of that covenant are wholly unproved. The Court stated that if all the conditions could be proved, Robert Lyall, the Executor, might have an ulterior remedy by bill in Equity.

Verdict for plaintiff for 2,500 rupees with interest from 1st May, 1836.—*Ibid*, March 22.

NOBINCUNDER GOSAYN v. ISSERCHUNDER GOSAYN
and others.

Mr. Advocate-General and Mr. Prinsep for plaintiffs.

Mr. Clarke and Mr. Leith for defendants.

This was an action of trespass, and for carrying away the plaintiff's goods. The plaintiff was the adopted son of a Gossayn, a sort of religious professor and teacher. The Gossayn died leaving a widow, to whom he gave a direction to adopt. She did adopt the plaintiff, and subsequently took him to Dacca, and other places, to introduce him to his father's disciples, who were very numerous; whilst absent, the defendants broke open and entered the house in Calcutta, which was in the possession of the plaintiff, and which descended to him, in virtue of his adoption, and took and carried away sundry jewels, and other property belonging to the plaintiff.

The case set up for the defence was, that the present plaintiff was never in point of fact adopted; and that the defendants acted under a power of attorney from the widow, as her mooktears, and that therefore this was no trespass.

The Court, however, believed the case of the plaintiff, and gave their verdict accordingly for plaintiff.

WALLIS versus TOOMAN.

This was an action for goods sold and delivered.

The Advocate General and Mr. Barwell for Plaintiff, stated plaintiff was a tailor, and the action was brought for clothes supplied to defendant.

Verdict for plaintiff, damages 609 Rs.

JACKSON versus GOLLAUM GOUS.

This was an action by Dr. Jackson, the owner of the Durrumtollah Bazaar, against the defendant, a beef butcher, for breach of contract.

The defendant, about two years ago, left the Teratta Bazaar, and went to sell meat at the Durrumtollah Market, receiving, as the consideration for his deserting the cause of Moothoornauth Mullick, and going over to the Jackson faction, the sum of 500 Rs., made payable at the end of 3 years without interest: the condition being that he should occupy a meat stall in the Durrumtollah market, and sell meat there, paying 4 pice daily for the rent of his stall.

The defendant went back to the Teratta Bazaar shortly after entering into this agreement, and Doctor Jackson in consequence has brought his action against him about every 6 months.

The present action is the Fifth!

Mr. Clarke and Mr. Leith for the persecution.

Mr. Advocate-General for the defendant, who stated that it was supposed that Moothoornauth Mullick paid the defendant's expenses in these actions. Such was not the case, in proof of which, the costs of the 4 preceding actions, and of this last, had completely ruined the poor man, and that from his present circumstances this would certainly be the last action. The learned counsel took two or three very ingenious points for poor Gollam Ghouse.

Chief Justice. There must be a verdict for the plaintiff with damages: the damages are the interest on the 500 Rs. and the 4 pice a day from November last. As to costs—this is the 5th action, it certainly is the defendant's fault that he has not fulfilled his contract, but the plaintiff can now obtain little or no benefit from the fulfilment of this contract, inasmuch as the period terminates in November next; but the costs of all these actions must amount to much more than the 500 Rs. he originally received, and though the verdict must be for the plaintiff, yet, all circumstances considered, we think he is not entitled to have his costs from the defendant: each party, therefore, must pay his own costs.—*Hurkaru*, March 23.

MARCH 22, 1837.

HURRISCHUNDER SAHA versus GEORGE GORDON Mc-PHERSON.

The Advocate-General applied on behalf of the Defendants to postpone this trial until the last day of the Sittings, on account of the absence of the witnesses. The Court granted the order, on condition of giving judgment as of the term.

The Advocate-General stated, that it had been suggested to him, that the Plaintiff was out of time, to get judgment, as Term ended on Tuesday and the Court would not sit on Friday.

The *Chief Justice*, We stated yesterday, that the Court would take Common Law to-day, in order to give parties their judgments; if you did not put off the Trial, the plaintiff might have judgment to-day.

Mr. Clarke said he was not engaged in this cause; but for the sake of uniform practice, he must remind the Court, that it was only ex-parte causes, or where both sides consented that the Court took cases out of their turn, on Mondays or Thursdays. If a party was not prepared on those days, the cause was never struck out.

The *Chief Justice*. We would not strike out a cause on those days on which we do not generally try, but we would try it, if the plaintiff was prepared.

Mr. Clarke. But not if the defendant was not prepared. He ought not to be required to bring his witnesses on Equity days. Indeed in practice the Taxing Master did not allow the Attornies their Common Law attendances on those days, nor would any experienced Attorney take out a subpoena for them. He pressed upon the Court to state what the future practice should

be, as it was of great consequence to the suitors and the production.

The Chief Justice. It is very important that the practice should be settled, and so settled as to save judgment of the Term. Let the Prothonotary take a minute that for the future, when the last day for giving judgment of the Term falls on a Thursday or Monday, the Court will take Common Law Cases on those days, and the Attornies must be prepared with their witnesses.

Mr. Clarke said, he only wished to have the practice settled and known; the alteration he considered would be very beneficial.—*Hurkaru, March 24.*

MARCH 25, 1837.

The court disposed of two or three cases in the Plea side, of no public interest, and then proceeded with the Equity Board, in which also it disposed of two or three cases of no interest to any one, but the parties concerned. In the course of the morning

Mr. Clarke, moved on behalf of Messrs. Bruce, Shand and Co, for an attachment against Mr. Thomas Fergusson, for a contempt of court, in not complying with an award, the submission to which had been made a rule of court. By the terms of the award it was enjoined on Mr. Fergusson to pay the firm 60,000 rupees in a given time, and that Messrs. Bruce, Shand and Co. should be accountable to him for a large claim or dependency on insurance policies yet unrealized. Mr. Fergusson, it appears, disputes the propriety and justice of the award, and refuses to comply with it. The rule *nisi* for the attachment was granted, with liberty to shew cause in vacation, but as of the term.

MARCH 27, 1837.

NEWTON *versus* NEWTON.

This was a libel, and suit in the Ecclesiastical side of the Court, promoted at the instance of Mrs. Newton against Colonel Newton, her husband, for a divorce *à mensu et thoro* and for alimony.

The libel charged adultery with one of her ayahs against Col. Newton, and several acts of cruelty, neglect, &c. This was denied by the impugnant Colonel Newton.

The Court, after reading the evidence on both sides, and hearing Mr. Grant, in the absence of Mr. Clarke, who was counsel for the promonent; and Mr. Advocate-General and Mr. Prinsep, for the impugnant, decreed a divorce *à mensu et thoro*, and gave 300 Rs. a month alimony, together with all the costs of the suit against the impugnant Colonel Newton.

In the case of Bruce, Shand and Co. *versus* F. Fergusson, which was to come on for argument to-morrow, Mr. Fergusson having to shew cause why an attachment should not go against him for refusing to comply with the terms imposed on him by an award, the submission to which had, as usual, been made a rule of Court.

Mr. Leith intimated in reply to an observation from the Bench, that the matter was settled, the parties having come to an understanding.—*Hurkaru, March 28.*

MARCH 29, 1837.

ROOTS *versus* COCKERELL.

The Advocate-General and **Mr. Grant** shewed cause against **Mr. Prinsep's** motion for a new trial, on the ground of misdirection, that is, that the Judges had misdirected themselves, and had not given any damages for that indignity, which had at the trial been proved to have been seized by Cockerell and Co. Surprise was another ground, i.e. that the plaintiff was taken aback by the

production of the mortgage at the trial. Affidavits of **Mr. Cockerell**, **Mr. Smith**, his accountant and confidential Clerk, and of, we believe, **Mr. Martip**, were read. These affidavits will probably be published, as they contain a sort of counter-statement, and attempted justification of the conduct of the house.

It was contended for Cockerell and Co., that if the mortgage by Rose had been paid off, which is, we believe, the fact, still they, Cockerell and Co., had a right to hold the mortgage over the head of Roots, as a security for any future advances made by them on account of the cultivation, and it was then attempted to be shewn, that by the cultivation account, Roots was largely indebted to Cockerell and Co.

Mr. Prinsep, in support of his rule, ridiculed the notion as farcical and preposterous, that Cockerell and Co. should hold this paid off mortgage by Rose to them, as a security for advances of cultivation made to Roots long after the payment of the mortgage money,—Roots being no party to the mortgage, and there being in law not the slightest pretence to connect him with the mortgage transaction. The learned Counsel then proceeded to argue the only point in the case, which was that evidence was given of a great loss by Roots, in consequence of the seizure of the *in-ligo* by Cockerell and Co., and yet the Court had been guilty of a misdirection in stating that they gave no damages for the *in-ligo*, but damages only for the two trespasses; and he stated further, that he was now, on behalf of Roots, ready to refer the whole matter, to any person whatever as arbitrator.

The Court took time.—*Hurkaru, March 30.*

MARCH 28, 1837.

ROOTS *versus* COCKERELL AND CO.

Mr. Prinsep shewed cause against the rule *nisi* for a new trial and contended, that the possession of Roots was an exclusive possession for a year, and that he therefore had a good right of action against the defendants. The learned Counsel's address, was in substance an argument, directed to the same points which occupied him at the trial.

The Advocate-General, with whom was **Mr. Grant**, contended in support of the rule, that from the evidence it was clear that Roots had not an exclusive possession, and that there was no lease to him from defendant; and 2ndly, that if he had, he was by the terms of the alleged lease only a tenant at will, or rather a servant at will, (this was the expression) and therefore notice to quit terminated the tenancy; and that the defendants had perfect right on misbehaviour of the servant, to put an end to the tenancy. The learned Counsel then contended that upon the evidence it clearly appeared that the tenancy had been put an end to by Messrs. Cockerell and Co., and that therefore the plaintiff had no right of action against Cockerell and Co. for trespass.

This was, we believe, what will be found to be in substance all that was urged on either side, and was in point of fact, a mere point of law, and has nothing to do with what is generally considered the hardship of the case.

The Advocate-General and **Mr. Grant**, argued the cause for their nonsuit, from about half past twelve to the rising of the Court. We understood both the learned Counsel to state, that they laboured at their two points, and took the deep interest exhibited by them both in this case, from a sense of the grand object, which it was to all persons in a mercantile capacity, to have every suspicion attaching to the propriety of their conduct removed.

The Court intimated that they would hear **Mr. Prinsep's** motion for a new trial in the same case, on the

ground of a misdirection; and would then give their decision.

Mr. Prinsep's motion will come on to-morrow.

JOYMONY DOSSEE V. SEEBOOBONDERY DOSSEE.

The Court gave their decree in favour of complainant.—*Hurkaru, March 29.*

ROOTS V. COCKERELL AND CO.

Mr. Prinsep moved to make the rule absolute.

Mr. Advocate-General shewed cause. He would do all in his power to detain the court for the shortest time that the necessity of the case required. The motion of his friend Mr. Prinsep, had two grounds; first, a misdirection of the judge, and secondly, that the damages were inadequate. In the first place it will not be difficult to shew that these two grounds resolve themselves into one, for as to what his friend had set up, that he had become acquainted with the existence of a paper which shewed the mortgage was discharged, that would have little weight when it was placed beyond all doubt that the mortgage was not discharged but continued. How then was this application supported? On the affidavit of Roots, who is himself the plaintiff in the case; not that he is unworthy of belief on that account, but let us see how far he is deserving of credit for the affidavit he has sworn. He swears that he has since the trial inspected the account filed by Mr. Cockerell in January, whereas the account was not filed till July; he swears that the mortgage was executed in June, whereas the circumstance which has produced the impression did not occur till January. Not that these errors are of much importance as regards the present application, but it is well to shew the court how negligently this case has been conducted, and how recklessly an ignorant and unlettered man has been permitted to swear. Next he swears that all sum due on the said mortgage were fully paid by Mr. Cockerell on the 1st of March 1833, then follows the item, extracted from Mr. Cockerell's account as administrator—"cash paid Messrs. Cockerell and Co., amount of Mr. Rose's account with them closed this day, Rs. 15,171," Roots being up to the time of trial ignorant of the existence of this document. Ignorant we dare say he was: no man ever suspected that Roots is acquainted with the rule of their lordships' court, which requires that administrators file their accounts within a particular time, but the question is, as to this very extraordinary surprise; are Roots's counsel and attorney as ignorant of what the court requires as is Roots himself? For, the Advocate-General insisted, whatsoever may be known to counsel is also known to the client. Allowing his friend, however, all that he could obtain from the most extraordinary ground of surprise ever mentioned in this court, he would proceed at once to Roots's affidavit, and here he had no difficulty in asserting that their lordships would find nothing in the world which could induce them to believe that the mortgage was ever paid off. That the account of Rose was closed would be admitted, but then, was there not another account opened? and of which even Roots might have satisfied himself, for in the administrator's account appeared this item, "to balance of sketch rendered Rs. 7,630,"—sufficient, one would think, to induce him to believe there was something still due.

The learned counsel here alluded to an affidavit sworn by Mr. Martin, of the firm of Cockerell and Co., and by Mr. J. S. Smith, book-keeper to that firm, which set forth:—that it has always been the practice of the firm of Cockerell and Co., as it is with houses of agency in general, to keep with the several indigo planters two separate accounts, one of which is termed the "cultivation account," the other "private account;" that the cultivation account contains all disbursements on account of the indigo factories, during what is termed the indigo

season, and receipts on account of the indigo manufactured whenever the same may be sold; and that whenever the balance of the account of such season's cultivation can be ascertained, such cultivation account is closed and the balance thereof transferred to the credit or debit, as the case may be, of the private account of the indigo planter. That all mortgages taken by the firm are always and without exception, considered and treated by them and the parties granting the same as security for both accounts; that the aforesaid was the mode in which the firm kept their accounts with Rose. That Rose died during the indigo season of 1831-2; that the indigo made by him during that season was sold for Sa. Rs. 20,339, and the same placed to the credit of an account opened on the 1st of January 1833, under the title of "R. H. Cockerell, administrator of the estate of John Rose deceased." That the amount due to the firm on the cultivation account of Rose on the 23d January 1833, was sicca rupees 14,521, which was then transferred to Rose's personal account, and the cultivation was closed. That the personal account was made up on the 1st of March 1833, when there appeared to be a balance against Rose deceased of Sa. Rs. 15,171, which balance was then transferred to the account of "R. H. Cockerell, administrator of Rose deceased." That the personal account of Rose was then closed, and the accounts relating to the Mysathul factory afterwards kept in the name of "R. H. Cockerell, administrator of Rose deceased." That there are no accounts in the books of the firm under the head of Maria Roots or plaintiff, the firm having always considered the factory to have been carried on since January 1833, for behoof of R. H. Cockerell, administrator of Rose deceased, under the management of Maria Roots and plaintiff respectively. Further, that in March 1833, the firm were under advances to the factory for the indigo season 1832-3 to the amount of Sa. Rs. 7,800, which sum they had paid on account of the cultivation of the factory, and that amount was due to the firm exclusive of the sum of Sa. Rs. 15,170 paid by R. H. Cockerell to the firm as the balance of the personal account of Rose deceased. That the sum last mentioned was not paid as the balance due on all sums secured by the mortgage, nor were all sums so secured then, or ever, nor have they now been fully paid to the firm by Mr. R. H. Cockerell, as administrator, as erroneously stated in the affidavit of the plaintiff. That the mortgage deed remained as a continuing security, as well for the sum of Sa. Rs. 7,800 actually due on the cultivation account for 1832-3, as for all sum thereafter to accrue on such cultivation account, as for all sums thereafter due on the cultivation accounts for succeeding seasons so long as the factory might be carried on by the administrator of Rose with funds supplied by the firm of Cockerell and Co. That at no period from the 4th of January 1832 to the time of the sale of the factory in December 1835 was Rose in his life time, or his administrator since his death, or the factory, out of debt to the firm; but that there has always been debt against them, for which debt the mortgage was a continuing security. That the money laid out by the firm for the factory for the season 1834-5, during a portion of which year plaintiff was manager, amounted to Sa. Rs. 17,915, and that the receipts on the same account during the same season, amounted to Sa. Rs. 15,316, leaving a balance to the debit of actual outlay on that season's account, of Sa. Rs. 2,598, exclusive of interest, commission, and agency charges, making altogether Sa. Rs. 5,406. "And this deponent, Joseph Samuel Smith, for himself further saith, that the said Richard Howe Cockerell, as the administrator of the estate of the said John Rose, (and who took out administration to the said estate at the request of Maria Rose, now Maria Roots, the widow of the said John Rose), was, on obtaining such administration, desirous of disposing of the share of the said John Rose in the said Mysathul Indigo Factory and of winding up the affairs of the estate of the said deceased, but that she

the said Maria Rose, in the presence of this deponent entreated the said Richard Howe Cockerell not to do so, as indigo factories were then much depreciated in value and that a loss would accrue to the estate if it was then sold; and she also requested the said Richard Howe Cockerell to consent to carry on the cultivation of the said factory as administrator and to allow her to manage it for him, as she, the said Maria Rose, had no other means of supporting herself, and the carrying on the cultivation of indigo, was the only means by which the estate could pay the debts due by it; and this deponent saith that the said Richard Howe Cockerell thereupon complied with such the request of the said Maria Rose, and the sums which were required for the cultivation of the said factory were paid from time to time, as they were so required, by the said firm of Cockerell and Company and from their funds. And these deponents, William Martin and Joseph Samuel Smith, for themselves further say, that the said Richard Howe Cockerell has at different times, since the time he so obtained administration as aforesaid, expressed his wish to sell and dispose of the share of the said John Rose, deceased, in the said factory, and to wind up the estate, but that he has at the repeated request of the said Maria Rose, continued to carry on the same, and to allow her to have the management thereof for him. And these deponents further say, that they have been advised, and believe, that if the said Richard Howe Cockerell had, as he was desirous of doing, sold off and disposed of the said indigo factory on his so obtaining administration as aforesaid, the said firm of Cockerell and Company, who were then, as these deponents believe, the only judgment creditors of the said John Rose, deceased, would have been paid in full their said debt, but by consenting at the request of the said Maria Rose, to carry on the said factory and to pay other debts due by the said estate to a large amount, and by one Pertaub Sing having afterwards obtained a judgment against the said Richard Howe Cockerell as administrator, as aforesaid, and upon which he issued out execution, the debt of the said Messieurs Cockerell and Company became postponed: and these deponents further say that the estate of the said John Rose now is indebted to the said Richard Howe Cockerell as such administrator, as aforesaid, in the sum of Company" Rupees eleven thousand, two hundred, and forty-five eleven annas, and three pie. And these deponents further say that the said Maria Rose during the time she continued in the management of the said factory, that is to say from the month of January 1833, up to her marriage with the said plaintiff as hereinafter mentioned, drew her support and maintenance from the money supplied from time to time by the said firm of Cockerell and Company, in order to carry on the cultivation of the said factory. And these deponents say they have been informed, and believed, that the said Maria Rose some time in the month of June 1834, married the said plaintiff George Roots, and that the said plaintiff and the said Maria Rose, then Maria Roots, from that period up to the time of the said plaintiff ceasing to have the management of the said factory in the month of March 1835, continued to draw their support and maintenance in the same manner from the money supplied from time to time by the said firm of Cockerell and Company, in order to carry on the cultivation of the said factory. And these deponents further say, that on or about the twenty-seventh day of August 1834, and shortly after such marriage, the said Maria Roots arrived in Calcutta and called on the solicitors of the said firm of Cockerell and Company, Messieurs Collier and Bird, and represented that she had been forced to leave the said factory by the ill-treatment of the said plaintiff, and that she had proceeded to Calcutta expressly for the purpose of obtaining a legal separation from her said husband. And these deponents say, that they have been informed, and believed, that from the above mentioned date of twenty-seventh day of August to the seventeenth day of September following, the said Mrs. Roots had frequent interviews with

the solicitors of the said Messieurs Cockerell and Co.; was persuaded by them, and to which she reluctantly agreed, to return to her said husband at Bhogwanolah. And these deponents further say, that from the situation in which the said Richard Howe Cockerell as such administrator as aforesaid, and the said firm of Cockerell and Company found themselves placed, owing to these quarrels between the said George Roots and his said wife Maria Roots, and from the accusations which they mutually made against each other, and from the amount of property which the said firm of Cockerell and Company had under the management of the said plaintiff, and from the circumstance of the said plaintiff being personally unknown to them or to the said Richard Howe Cockerell, the said firm of Cockerell and Company took the best security they could from the said plaintiff for their protection, and required a bond and warrant of attorney of the said George Roots, in addition to an insurance on his life, which he offered them. And these deponents further say, that the said plaintiff was afterwards considered by the said firm of Cockerell and Company, as a servant managing the factory for the said administrator Richard Howe Cockerell, and never by an act of his or any communication to them gave them any reason to consider that he looked on himself in any other light until his application to the magistrate of Berhampore in May 1835, to be reinstated in the said factory. And these deponents further say, that the said bond and warrant of attorney and insurance on the life of the said plaintiff so given and granted by the said plaintiff to the said firm of Cockerell and Company, was given by the said plaintiff under the circumstances before stated, and in consequence of the necessity that existed of having some legal check upon him, the said plaintiff as such manager as aforesaid, and for saving the said firm of Cockerell and Company harmless against the mismanagement of the said plaintiff or the misappropriation by him of the money supplied for carrying on the factory. And these deponents further say that the said firm of Cockerell and Company never considered the plaintiff as responsible for the money supplied by them for carrying on the said factory any further than as regarded its due appropriation. And these deponents say that the said plaintiff, whilst he was in the management of the said factory as aforesaid, and without the knowledge of any of the members of the said firm of Cockerell and Company, disposed of about three hundred maunds of indigo seed, which had been supplied for the purposes of the said factory by the said firm of Cockerell and Company, and appropriated the proceeds thereof to his own use, and the said plaintiff (as these deponents were informed and believe,) substituted in lieu of the said last mentioned seed, seed that was old and of a very inferior quality and caused the same to be sown on the lands belonging to the said factory, which lands or the greater part thereof were, as these deponents have been informed and believe, obliged to be resown. And these deponents say that the said firm of Cockerell and Company on being informed thereof, caused the said plaintiff to be arrested on the judgment entered upon his aforesaid bond and warrant of attorney for the price of value of the said indigo seed so sold, and converted by the plaintiff to his own use as aforesaid, and also for the then balance of his the said plaintiff's account with the said firm of Cockerell and Company, amounting together to sicca rupees three thousand five hundred and forty-seven, eleven annas, and seven pie, and which said account consisted of items wholly independent of money supplied on account of the said factory. And these deponents say that the said firm of Cockerell and Company were obliged, in consequence of the lateness of the season, and the then scarcity of indigo seed, to purchase other seed to replace that which had been so sold and disposed of by the said plaintiff, at the rate of sicca rupees twenty per maund, being sicca rupees eleven per maund beyond what they had paid for the

seed so sold by the said plaintiff, and that no part of such excess of price has ever been paid by the said plaintiff. And these deponents further say that the cultivation of the said factory was much retarded and injured by the delay which took place in the procuring a fresh supply of indigo seed, to replace that which had been so sold, and disposed by the plaintiff as aforesaid. And these deponents further say, they verily believe that not only the said plaintiff, but also the said Maria Roots, greatly mismanaged the said factory, and misappropriated the monies which had been from time to time supplied by the said firm of Cockerell and Company for the purpose of the cultivation thereof, for these deponents say that since the said factory has been in the hands of its present proprietor, Mr. Thomas Clarke, it has been worked at a considerable advantage, and has produced a greater quantity of indigo, than it produced at any period to the said administrator, Richard Howe Cockerell, under the management of the said Maria Roots, or the said plaintiff. And these deponents further say, that the share of the said late John Rose in the said Mysathul indigo factory, and also of the Bedoul factory, was sold and disposed of by the said Richard Howe Cockerell as such administrator as aforesaid, by and with the concurrence of the said firm of Cockerell and Company, as such mortgagees as aforesaid through Messrs Moore, Hickey and Company of Calcutta, auctioneers, on the seventeenth day of December, 1835, to Mr. Thomas Clarke, who paid for the same the sum of sicca rupees nineteen thousand, two hundred, and fifty, which was the highest sum that could be got for the same, and which said sum (less the sum of sicca rupees four hundred and thirty five eight annas and six pie, being the amount of the auctioneers' commission and charges thereon,) has been carried to the credit of the account of the estate of the said John Rose, and the said factory has been duly conveyed to the said Thomas Clarke by deeds of lease and release, dated on the twenty-first and twenty-second days of March, 1836. And these deponents further say, that they, these deponents and the members of the said firm of Cockerell and Co., were informed, and which information these deponents believed and still believe to be true, that it was the express intention of the said plaintiff, had he not been prevented from so doing by the said deponents hereto, forcibly to seize and carry away the whole of the indigo which had been manufactured at the aforesaid factory for the season 1834-5, the cultivation and manufacture of which had been altogether made by and with the monies supplied by the said firm of Cockerell and Company, and to dispose of the same, and to convert the proceeds thereof to his own use. And these deponents further say, that there is now due, and owing to the said Richard Howe Cockerell as such administrator by the estate of the said John Rose, deceased, after giving credit to the same for the aforesaid sum of sicca rupees nineteen thousand, two hundred and fifty, the proceeds of the sale of the said indigo factory, (less the auctioneers' charges as aforesaid,) the sum of Company's rupees eleven thousand, two hundred, and forty-five, eleven annas and three pie, and that there are not, to the best of these deponents' belief, any further or other available assets belonging to the said estate. And these deponents further say that the said Robert Speir,

one of the defendant's, is now residing in some part of Great Britain, and that the said Richard Howe Cockerell is absent from Calcutta, but is shortly expected to return thereto, and that on such his return it is as these deponents believe, the intention of the said Richard Howe Cockerell to file a continued account current in the estate of the said John Rose, and so the said plaintiff has been informed through his said attorney, Mr. Joseph Spencer Judge, by the said firm of Cockerell and Company. And these deponents further say, that in addition to the said aforesaid sum of Company's rupees eleven thousand, two hundred and forty-five, eleven annas and three pie, so due, and owing to the said Richard Howe Cockerell, as such administrator as aforesaid, there is due, and owing to the said firm of Cockerell and Company, or to the said Richard Howe Cockerell by the said plaintiff, on account of such second purchase of indigo seed for the purpose of the said factory at an increased price and other payments on his account, the sum of sicca rupees three thousand and five hundred, or thereabouts, independent of the sum or at least Sicca Rupees four thousand and eight hundred stated by the said plaintiff in his letters to the said firm of Cockerell and Company, and the said Richard Howe Cockerell as improperly taken by his wife, Maria Roots, from the sums paid by the said firm of Cockerell and Company on account of the cultivation of the said factory, and by her misappropriated. And these deponents have hereto annexed true copies of three accounts in the books of Messieurs Cockerell and Company, marked with the letters A, B and C, whereby the truth of their statement as to the said mortgage debt not having been satisfied by the said payment of Sicca rupees fifteen thousand, one hundred and seventy-one and ten annas by the said Richard Howe Cockerell as administrator as aforesaid will fully appear.

The Advocate-General was followed by Mr. Grant, who was proceeding to enter minutely into the state of the accounts between the administrator of Rose, deceased, and Cockerell and Co., but was stopped by the Chief Justice. His Lordship said the court were clearly of opinion, that there was a balance due to Cockerell and Co.

Mr. Prinsep for the rule absolute, took two grounds, the misdirection of the judge in not giving any damages for the indigo, and the surprise in having a mortgage set up which had been entered as a cancelled mortgage. He insisted that the administrator having once paid off the mortgage could not again set it up, but that it had been brought forward merely to throw dust in the eyes of the court. One of their lordships had stated that the plaintiff could not recover on the indigo, because it was to go to Cockerell and Co., under the contract, but that firm, having refused to continue their advances, compelled the plaintiff to look to other quarters, and thus put an end to the contract. The indigo sold for Rs. 20,000, deducting from which the native proprietors' share, and the charges, would leave Rs. 10,000, to which the plaintiff was clearly entitled. The learned counsel concluded by offering to refer the matter to arbitration and to abide by the decision of a competent officer.

The court said they would take time to consider.—*Englishman.*

INSOLVENT COURT.

On the rising of the Court, the Chief Justice proceeded to the Insolvent Court where, after hearing Mr. Clarke and Mr. Leith for the Assignees of the Insolvent firms, and the Advocate-General and Mr. Prinsep for the Bank, he ordered the Bank to be admitted to receive dividends from each of the three estates namely, Fergusson and Co., Crutenden, Mackillop and Co. and Mackintosh and Co.

—upon the whole of its claim consisting of the balance (nearly six lakhs of rupees) of the transaction of the 27 Bills for which those firms made themselves jointly responsible with Alexander and Co. striking off from the claim only about 8,000 rupees for costs, which the Bank agreed to abandon.—*Calcutta Courier, March 1.*

March 11, 1837.

The court sat at twelve o'clock this day. John Peter Venerosity was heard on his petition and declared entitled to the benefit of the Act.

In the matter of Cruttenden and Company. Mr. Advocates-General declined to examine Captain Warlow, and the application came on for argument. Mr. Leith applied to postpone the argument, on the ground that three affidavits had just been sworn, office copies of which had not been delivered to counsel before this morning. The Advocate-General and Mr. Clarke opposed the application to postpone the argument, and Mr. Justice Malkin decided to go on. An affidavit sworn by Captain Warlow was then put in, which the officer of the court was proceeding to read, when he was interrupted by the Advocate-General and Mr. Clarke, who contended that the affidavit ought not to be received, Captain Warlow appearing in court under extraordinary circumstances. The officer of the court was then referred to the affidavit of Mr. H. J. Leighton, in which it was sworn that Captain Warlow had purchased up the claims of nineteen creditors* of the estate of Cruttenden and Co., the total amount of which exceeded Rs. 2,60,000. This gentlemen, the learned counsel argued, stood in a situation in which a court of law or equity would not receive his affidavit. Captain Warlow was deeply interested in the decision of the court by which, if unfavourable to the application of the retired partners, whose claims are in amount equal to one tenth of the claims on the schedule, his profits and the debts purchased would be increased ten per cent. But Mr. Justice Malkin decided that it should be read, and it was read accordingly. The affidavit entered minutely into the affairs of Cruttenden and Co. as they appeared on the books at various periods, and concluded by setting forth the deponent's belief that the late firm was insolvent on the 1st January, 1835. At three o'clock our reporter left the court at which hour the argument had every appearance of continuing for several days. — *Oriental Observer*, March 11.

We subjoin one of Captain Warlow's affidavits, and will publish the others to-morrow:—

Thomas Warlow, of writers' Buildings, in the Town of Calcutta, a Captain of Engineers in the service of the East India Company on the Bengal Establishment, maketh oath and saith, that he, this deponent, is a creditor of the above named Insolvents to the amount of sicca rupees 38,000 and upwards, and that he hath also been constituted the agent of certain other creditors of the said Insolvents, whose claims inclusive of his, this deponent's, amount to about 12½ lakhs of rupees, to oppose the claims of the retired partners of the said Insolvents to participate in the dividends payable by the present assignee, T. Holroyd, Esq. And this deponent further saith that he hath personally investigated certain books of account belonging to the said Insolvents, and that the accounts therein written of the retired partners of the said Insolvent firm of C. M. and Co., and also of the said Insolvents, are very far from being clear and satisfactory; and in consequence of the alleged destruction of the valuation balance sheets, no means are afforded of ascertaining how the different credits to their respective names are made up; and whether there were bona fide profits to be divided, or whether a fair valuation was made of the alleged assets of the house at the respective times of the said retired partners and also to the said Insolvents entering

* We may mention, as within our knowledge, that these claims were purchased up in 1834 as a mere speculation. The enquiries instituted in 1836, and now continued, were suggested, as we are credibly informed, entirely by Mr. Hargrave Wyborn's letter and exposes. — *En. Or. Observer*.

and quitting the said firm. And this deponent further saith that in the year 1822 on the formation of the co-partnership between G. Cruttenden, G. Mackillop, J. Cullen, and D. Bryce, that the account current to the said G. Cruttenden on 1st May 1822, exhibits a balance of upwards of 12,000 rupees due by him to the said firm, and that the said G. Mackillop had only to his credit a sum of 19,000, or thereabout and that J. Cullen and D. Bryce were respectively indebted to the said firm. And this deponent further saith that the sum annually divided by the said partners was never an ascertained profit, but a sum more or less fictitious, being in part composed of difference of interest on bad and doubtful debts. And this deponent further saith, that on the several occasions hereinafter mentioned, this sum of profit and loss was valued by the partners in their own settlements at a far less value than the sum denoted by the books; and that in the settlement of 1822, the value of the profit and loss, for 8 months, was sicca rupees 2,10,000, and the sum of profit and loss actually divided between the new partnership and reserved fund for the remaining 4 months of that year, namely from 1st January to 30th April 1822, amounted to sicca rupees 4,58,000 or thereabouts. And this deponent further saith that in the settlement of 1827, the 6-16 proportion of profit and loss, for that year, was valued at sicca rupees 1,02,000: whereas the sum actually credited to the reserved fund as 6-16ths of the profit and loss of the mercantile years 1826-27 was 2,02,000 or thereabouts. And this deponent further saith, that in the account of D. Bryce of the mercantile year 1826-27, a transfer is made from the sum at his credit to the amount of 1,40,000 or thereabouts, to the credit of J. Mackillop, for which, this deponent verily believes, no value was ever received, and at which time there were no actual profits ascertained. And this deponent further saith, that he has examined the accounts of T. Hutton and R. Browne, and that the sum brought into the firm of Messrs. C.M. and Co., on 1st May, 1827, by the said T. Hutton was sicca rupees 1,30,399 0 1, and by the said R. Browne, 1,36,180 3 11; and that on 1st Jan. 1830, a transfer was made to each from the account of G. Mackillop of the sum of 90,000 rupees to meet the loss, on his 6-12 share of the concern by bad debts that existed prior to the year 1827, and not included in the settlement of that year, and which sum this deponent has no hesitation in saying should have been credited to the reserved fund to meet such bad debts, and not to the account of parties who had no interest in the concern at that time. And this deponent further saith, that, by inspection of the said books, that he finds it has been the practice of the firm of C. M. and Co., to advertise the retirement of a partner in the public papers in India, at the same time that information is sent to the creditors in India, viz. on or about the 1st May of the same year. And this deponent further saith, that in the public papers of this place an advertisement appeared under date 2nd May, 1831, notifying the retirement of G. Mackillop from the said firm, but that no such advertisement appears in the public papers of the retirement of Thomas Hutton, either in May, 1831, or 1832, or 1833, and that he, this deponent, therefore firmly believes that no such advertisement was ever published. And this deponent further saith, that in the letter book, to constituents in India, certain letters, under date 1st May, 1833, notify the retirement of Mr. Hutton, which said letters though bearing that date, are, to this deponent's knowledge, not received by many of the constituents for 2 or 3 months after, as they are detained till the several accounts current are made up; and this deponent hath been informed and which information he verily believes to be true, that prior of the receipt of such notification an act of bankruptcy had been committed by the said firm by refusing to make payments to divers creditors. And this deponent further saith, that in the first week of January, 1833, he then being in England, did address a

letter to the firm of C. M. and Co., directing a certain portion of his funds then in their hands, to be paid to a friend of this deponent's, then about to sail for India, who was also furnished with a full power of attorney to receive the said funds and to grant receipts and discharges for the same, but which money the said firm positively refused to pay to such party.

Sworn on 11th Feb. 1837.

Englishman.]

IN THE MATTER OF CRUTTENDEN AND CO.

Affidavit regarding the state of the house in 1835.

Thomas Warlow, of Tank Square, in the Town of Calcutta, a Captain of Engineers in the Service of the East India Company, on their Bengal Establishment, maketh oath, and saith, that he is a creditor of the above named Insolvents to the amount of Sa. Rs. 38,000 and upwards, and that he is also the agent of certain other creditors of the said Insolvents of the amount of 12 lacs of sicca rupees or thereabouts, for the purpose of opposing the claims of James Mackillop, George Mackillop, the Executors of David Bryce deceased, and Thomas Hutton, to participate in the dividends which now are, or hereafter may be, payable from the Estate of the said Insolvents. And this deponent further saith, that the abovenamed James Cullen, in and by his affidavit of 30th November last past, swore that since the 1st day of January 1822, and up to and including the 31st December 1833 out of the amount standing to the credit of the said James Mackillop in the books of the firm of Messrs. Cruttenden, Mackillop and Co. the sum of Sa. Rs. 3,34,000 and upwards was drawn and paid to the said James Mackillop, or was appropriated to his use by his orders, whereas this deponent saith that the statement hereunto annexed and marked with the letter A, contains a true and correct extract from the books of the said insolvents of the sums therein debited to the said James Mackillop, from the said 1st January, 1822, to the said 31st December, 1833; and the said exhibit A. shews that a sum of Sicca Rupees 8,88,000 or thereabouts was drawn and paid out of the amount standing to the credit of the said James Mackillop in the said books. And this deponent further saith that he hath carefully examined the balance sheet of the said late firm of C. M. and Co. of the 1st May, 1825, and that the list of alleged assets of the said firm therein set forth, shews a sum of Sicca Rupees 160,03,597 : 10 : 10, to meet a like sum on the opposite side of the said balance sheet, acknowledged to be due by the said firm on certain accounts therein specified; including that of the fund, called the reserved fund, and the accounts of the then partners of the said firm as by the said books, reference being thereunto had, will fully appear. And this deponent saith that the Schedules hereunto annexed, and marked with the letters B and C, contain certain items from the said list of alleged assets; which items, amounting altogether in the aggregate to the sum of Sa. Rs. 99,46,151 : 3 : 6; this deponent after a long and minute inspection of the said books of the said firm is convinced were on the 1st May, 1825, bad and doubtful debts. And this deponent saith that of the items so challenged, several were afterwards admitted by the said insolvents to be bad, and were written off to the said account entitled the reserved fund, and that the items so written off, amount, to the best of this deponent's belief, to the sum of sicca rupees 63,37,828 : 12 : 11, the particulars whereof appear in the said annexed Schedule marked B. And this deponent further saith, that of the items so challenged by this deponent as aforesaid, there are many, which on the said 1st May, 1825, appear to have been considered bad or doubtful debts, from the fact, that they either bore no interest at all in the said books at that time, or else, they bore interest only at the rate of 6 per cent, per

annum. And this deponent hath annexed hereunto a schedule of such debts marked with the letter E, amounting in the whole to the sum of sicca rupees 41,90,737 : 5 : 2 or thereabouts. And this deponent further saith, that of the items so challenged by this deponent, as aforesaid, there are many which appear on the final Schedule filed by the said insolvents in this Honorable Court as debts then due to the said estate, on which the parties had never made any payment since the said 1st May, 1825, and on which no sums have been realised from that time hitherto; with the exception of some few accounts, which have been partially recovered by insurance kept up since the said 1st May, 1825, at the expence of the said firm until its insolvency; and, at the expence of the estate of the said Insolvents thereafter. And this deponent further saith, that the said annexed schedule marked with the letter C. exhibits to the best of this deponent's belief, a list of the said last mentioned debts amounting on the said 1st May, 1825, to the sum of sicca rupees 18,86,052 : 13 : 5, and the said schedule also exhibits a list of the amounts to which such debts had respectively increased, at the date of the said final schedule of the said insolvents; amounting in the whole to Sa. Rs. 41,75,189 15-9. And this deponent further saith, that on the said 1st day of May, 1825, the amount appearing on the other side of the said balance sheet, due to the account entitled the reserved fund, and to the several accounts of George Mackillop, David Bryce, James Cullen, and James Mackillop, being all the then partners of the said firm of C. M. and Co. amounted to sicca rupees 49,75,661 : 9 : 7, as by their said books, reference being thereunto had, will fully appear. And this deponent saith, that after a careful examination and investigation of the said books, he, this deponent, is clearly satisfied, and can with safety swear, that in his opinion the said firm, on the said 1st May, 1825, had not sufficient funds to meet the several demands then fairly due, and payable by it; and that if the said alleged assets of the said firm which this deponent has hereinbefore challenged, were properly examined into, and such as were then bad, were struck off, and such as were overvalued, had a proper value put on them, and such as were insured at the expence of the said firm, were valued at the rate at which the respective insurances would at that time have sold for, it would appear that the said firm was on the said 1st May, 1825, in insolvent circumstances.

Sworn to, on 20th February, 1837.

Englishman, March 14.]

Thomas Warlow, of Tank Square, in the Town of Calcutta, a Captain of Engineers, in the service of the East India Company, on their Bengal Establishment, maketh oath, and saith, that he hath carefully inspected files of the *Hurkaru* and *John Bull* newspapers of this presidency for the year 1831, and finds in the said newspapers respectively, an advertisement under date 2d May, 1831, notifying the retirement of George Mackillop, from the late firm of Messrs. Cruttenden, Mackillop and Co. And this deponent further saith, that he hath carefully examined the lists of alleged assets of the late firm of Messrs. C., M. and Co. appearing on the balance sheet of their books on 1st May, 1831, which shews a sum of alleged assets amounting to sicca rupees 212,83,911 : 4, to meet a like sum therein acknowledged to be due by the said firm on different accounts, including therein the account entitled the reserved fund, and the accounts of the then partners of the said firm. And this deponent saith that in the said alleged assets, a number of items appear which after a long and minute investigation this deponent verily believes to be bad or doubtful debts, or overvalued property, of which items, this deponent has hitherto annexed lists or schedules, marked with the letters A. and C. amounting to the sum of sicca rupees 160,01,365 :

1 : 0. And this deponent further saith that of the said items so particularized, several have been since admitted by the partners of the said firm to be bad, by having been written off to the debit of said reserved fund : and this deponent has annexed a list of such items so written off in the said schedule A., and this deponent further saith that the amount by the said balance sheet admitted to be due on account of the said reserved fund and on the respective accounts of James Cullen, Robert Browne, Thomas Hutton, and George Mackillop the then partners of the said firm, was in the aggregate sicca rupees 63,64,26½ : 1 : 11, or thereabouts—the particulars of which appear in the said schedule A. And this deponent further saith, that if, in addition to the said items struck off as before mentioned, other bad debts and Indigo debts appearing in the said schedules A. and C. were struck off, and the over valuation set in the indigo factories, and other property therein mentioned were deducted from the amount of alleged assets in the said balance sheet of 1st May, 1831, there would, as this deponent verily believes, at that time, be found a deficiency to a large amount in the assets of the said firm, to meet the engagements therein acknowledged to be due ; and this to a much greater amount than the said accounts of the said reserved fund, and the said partners would cover. And this deponent further saith, that many of the items in the said schedule A. and C. above mentioned, consist of book debts due from a period long prior to 1831, on which no payments have been received by the said firm for many years, and that many of such debts had been allowed to increase annually in amount for a long time by addition of charges for commission and insurance, on account of none of which charges, had any payments been received by the said firm for a long series of years. And this deponent saith that many of such items remain now unpaid, and that the only sums, which since the said period of 1st May, 1831, have been realized in respect of the same period until the failure of the said firm, had been kept up at the expense of the said firm, and have been since kept up at the expence of the creditors of the said firm. And this deponent further saith, that he has ascertained from the present assignee of the said estate, that, in no case in which he thought it for the interest of the creditors to discontinue an insurance, has he been able to sell the policy. And this deponent verily believes that the value of such policies at the said period of 1st May, 1831, was very small, and much less than the amount of the sums in the said list of alleged assets set forth, in respect of which, such insurance had been effected. And this deponent further saith, that many of the said items in the said schedules A. and C. consist of debts due by parties who had then been dead for many years, and on which no payments had been received for many years, and on which no payments are likely to be recovered at any time hereafter, except from insurance on some few of them ; all which insurances were kept up as aforesaid at the expence of the said estate. And this deponent further saith, that by way of evidence of the charge he has brought against the manner in which such list of alleged assets on the said 1st May, 1831, has been made out, he has in a schedule hereunto annexed and marked with the letter E, made an abstract of five accounts, which appear as assets in the said list of 1st May, 1831, one of which accounts relates to a certain property known by the name of " Premises in the Cossitollah," valued in the said list at a sum of Sa. Rs. 1,45,589 : 5 : 11, which property was on 1st May, 1825, valued in the books of the said firm at the sum of Sa. Rs. 1,01,128 : 14 : 3 only ; and this deponent saith that the increased valuation of the same property in 1831, is not made in consequence of the real value thereof in the said interim, but merely by adding to the original value, interest and other charges on the said property, this deponent saith that in the said interim, the sum of Sa. Rs.

1613 only, appear to have been credited to that accounts, as by the books of the said firm reference being thereunto had, will appear, and this deponent further saith that he has ascertained, that the sale of this property has realised the sum of Rs. 33,000 only. And this deponent further saith that to the best of his belief every item in the said schedules A. and C. relating to property belonging to the said firm of C. M. and Co. was valued much higher than its value was, at the said period of 1st May, 1831, and that such values have been affixed to the same respectively, not pursuant to any actual estimate of what the same were then worth, but, merely by adding to the prices for which the same were bought, all subsequent charges of interest, &c. And this deponent further saith that by way of further evidence of his said charges, he has in the said schedule E, abstracted the account of one E. Muston, which appears on the said list of alleged assets on 1st May, 1831, as amounting to Sa. Rs. 1,10,940 : 3 : 2. And this deponent saith that he hath been informed, and verily believes, that the whole of the said E. Muston's property was sold by the Sheriff of Calcutta in the mercantile year 1828-29 ; and this deponent saith that after such sale, the balance of the said account amounting to Sa. Rs. 94,291 : 10 : 10 was continued on the books of the said firm as an available asset, and has since accumulated by the addition of interest until on the final schedule of the said insolvents, it appears as an available asset to the amount of Sa. Rs. 1,30,156 : 15 : 8. And this deponent further saith, that since the said sheriff's sale, nothing has been received on the said account either by the said insolvents, or their assignees, as by their books, reference being thereunto had, will fully appear. And this deponent by way of further evidence of his said charge, saith, that in the said schedule E, he has abstracted the account of another item which appears in the said list of alleged assets of 1st May, 1831, namely, the account of an indigo property known by the name of the " Arroah concern," which this deponent saith was purchased at the said E. Muston's sale in the year 1828-29, for the sum of Sa. Rs. 20,162, and this deponent saith that the interest and other charges debited in the said books to the said concern between the time of its being so purchased for 20,162, in 1828-29, and its being put on the said list of alleged assets in 1831, and no estimated difference of its actual value at the latter period, has swelled the amount at which it appears as an available asset on 1st May, 1831, to the sum of Sa. Rs. 1,09,468 : 12 : 2, and this deponent saith that he verily believes that every item relating to the nominal value of every indigo factory which appears in the said schedules A. and C. has been increased in like manner, and that so it would appear were the same properly examined. And this deponent as further evidence of his said charge, hath, in the said schedule E., abstracted the account of one Vickers Jacob, who this deponent saith was on 1st May, 1827, indebted to the said firm in the sum of Sa. Rs. 75,676 : 11 : 6, as by the books of the said firm reference being thereunto had, will appear, and this deponent saith that the said Vickers Jacob was shortly thereafter debited in the books of the said firm with the moiety of an indigo factory at the price of one lakh of rupees. And this deponent saith that the said debt by the accumulation of interest and other charges amounted on 1st May, 1831, and is there stated as an available asset for sicca rupees 2,84,423 : 4 : 8, which sum this deponent has been informed and verily believes, is much more than would at that time ever be expected to be realized from the said Vickers Jacob, and this deponent saith that he verily believes the said debt was at that time of no value whatever, beyond what the moiety, of the said factory would then have sold for. And this deponent further saith, that he verily believes there are in the said schedules A. and C. many items of

the same sort, and so it would appear if the same were properly examined into. And this deponent as further evidence of his said charges, has in the said schedule E. abstracted another account appearing on the said list of alleged assets on 1st May, 1831, namely, the account of one J. W. Bateman; who this deponent has been informed, and believes, had a lease of $\frac{1}{2}$ share of an indigo concern, known by the name of the Jungypore concern, at the annual rent of sicca rupees 7,054; and this deponent saith that the balance due by the said J. W. Bateman, on 1st May, 1825, amounted to the sum of sicca rupees 72,472 : 4 : 11, and this deponent saith that the balance due by the said J. W. Bateman on 1st May, 1831, amounted to, and is there treated as an available asset for the sum of Sa. Rs. 3,35,296 : 11 : 8, as by the books of the said firm will appear; and this deponent verily believes the same was at that time of little, or no more value than the lease of his said share in the said factory would then have been sold for. And this deponent saith there is a debt due by one J. Lamb, another lessee of $\frac{1}{2}$ share of the same indigo concern, of which is there stated as an available asset to the amount of sicca rupees 3,21,994 : 9 : 11, which debt this deponent saith has increased in the same way as that of the said J. W. Bateman, and which this deponent verily believes to have been of little or no more value than the said J. W. Bateman's and that so, if the same were properly examined into, it would appear. And this deponent further saith, that $\frac{1}{2}$ of the above mentioned Jungypore Indigo Concern was taken by the said late firm in Dec. 1830, in part payment of a debt due from one James Wilkinson, for the sum of 1,52,000 and that the balance due to them by the said James Wilkinson, after crediting him with such purchase money amounted on the said 1st May, 1831, to sicca rupees 1,25,097 : 11 : 11 which date appears in the said schedule A. as an available asset to that amount, 1 lakh of which was afterwards admitted by the partners of the said firm to be bad, and written off to the reserved fund, and no part of the balance of which has ever been since received by the said partners or by their assignees. and this deponent also saith that, many of the sums opposite the said indigo and other properties specified in schedule C. do not truly represent the value of such properties respectively, but are made up of prime cost and charges and interest and all subsequent losses sustained upon such properties, and that so, if the same were properly examined into, it would appear. And this deponent further saith that the price at which many of the said indigo factories were bought, are not $\frac{1}{2}$ the amount placed against them, as their value in such schedules. And this deponent further saith there are on the said schedules A and C, many items on account of debts due by mercantile houses, that had failed long before the period of 1st May 1831, and that such debts were at that time, as this deponent verily believes, wholly bad and irrecoverable. And this deponent further states, that there are many items in the said schedules A and C on account of debts which appear on the final schedule of the said insolvents; as available assets to the amount of 26 lakhs or thereabouts, of which debts, the assignees have not been able as yet to realise a single anna, and which this deponent verily believes to be wholly bad and irrecoverable, and to have been equally so on the said 1st of May, 1831. And the deponent further saith, that he hath made application to the said insolvents' assignee for papers submitted to the committee of mercantile men and others in the months of February, 1833, and finds that such papers are not in the assignee's office, but this deponent saith he hath obtained from the office of chief clerk, and annexed hereto, marked with the letter B, an office copy of the report of the committee of mercantile men selected by the creditors of the said firm under an order of this Honorable Court, in February, 1836, by which it appears that there were on the final schedule of the said insolvents of 1834,

book debts that were over valued or bad to the amount of Sa. Rs. 23 lakhs, which this deponent saith are in most part included in the said annexed list of alleged assets of 1831, with the exception of the amount of interest accrued on them respectively, from that period until the date of such final schedule. And this deponent further saith, that in the said annexed report, that there are indigo planters' debts on account, independent of the value of their factories, to the amount of 16 lakhs, that were over valued or bad to that amount, which are in most part included in the said annexed list of alleged assets of 1831, with the exception of interest and other charges added since, and also that there are indigo factories on which there are over valuations of about 28 lakhs of rupees, which this deponent verily believes to have existed to a great extent in 1831. And this deponent lastly saith, that he hath no hesitation in swearing, to the best of his opinion and belief, that the said firm of Crutenden, Mackillop and Company was an insolvent estate in the year 1831, and that so, on due examination of the items in the said schedules A and C particularised, it would fully appear.

Sworn, 20th February, 1837.

[Englishman, March 15.]

In the Insolvent Court on Saturday, the 11th instant, the argument in the case of the claims of the retired partners of Crutenden, Mackillop and Co. having been gone into, Mr. Leith took a preliminary objection to the form of the applications for the rule nisi, and contended that the retired partners who were alive ought not to have made their applications, in the manner in which they had done, namely, through their agent (Mr. Cullen, who alone swore to the debts, and that only as to his belief. That only Corporations and Companies were allowed to prove by an agent, and even in that excepted case the agent must prove his authority satisfactorily to the court, and that Mr. Cullen had not proved any authority, or put in as part of his grounds any power of attorney from the retired partners authorising him to make these applications. That as to Mr. Cullen's application to David Bryce deceased, it was made as executor, and that it had been decided in courts of bankruptcy at home that a bankrupt cannot prove as executor, against his own bankrupt estate, without a special order first obtained for that purpose. That the same reason upon which these decisions were made would equally apply to the bankrupt or insolvent claiming to be paid out of their estate as agent or trustee. As to George Mackillop's claim, on whose behalf Mr. Cullen applied and petitioned to have the alleged debt paid over, it appeared by Mr. C.'s own affidavit in support of the application, that G. Mackillop had signed the debt to a Mr. Learmouth previously to the insolvency, and that the latter did not join in making the application, which according to authorities at home, he ought to have done, while Mr. Cullen shewed no authority from either to claim against the insolvent estate or to give a receipt or discharge to the assignee for dividends supposing any to be due. That Mr. Cullen appeared a mere volunteer in these several applications, and that for any thing that was before the court, another party or other parties might start up with authority from the principals, who might say that they never authorized Mr. C. to act, therefore, the learned counsel urged, that without the authority of Mr. C. being proved to the court's satisfaction, no order could be made in the several petitions.

The learned counsel then addressed the court on the merits, and went most minutely through the voluminous affidavits and evidence before the court, and argued at great length to shew that the firm of Crutenden, Mackillop and Co. were insolvent in 1825, the date of Mr. James Macillop's being advertised out, and also in 1831 at the date of Mr. Mackillop's being advertised out,

and the partners of the house must have known it at the times of their respective retirements. The learned Counsel also insisted that the nature of the original transactions which had been called dissolution of the co-partnership at the different periods, which long preceded those advertisements, and the relative situations of the parties to those transactions, and the provisions and consent from the creditors of the deeds themselves, shewed that they were not made *bona fide*, or the arrangements final, but only an alleged settlement of accounts, a fictitious balance of profits struck, and the amount of that balance credited to the retiring partner in the books of the firm, and that Mr. Hutton was never advertised out at all. The speech of the learned gentleman lasted three hours and a half.

Mr. Grant was heard on the same side at considerable length on Saturday last, and contended that the non-delivery to the assignee of the balance sheets made on the retirement of the partners, and which Russomoye Dutt in his evidence swore were kept for the private use of the partners separate from the books of the firm, threw suspicion on the firm, and that the retirement of the partners now claiming was a fraud upon the creditors.

Mr. Advocate-General and Mr. Clarke then addressed the court, in support of the petitions, and argued that the dissolutions of partnership were made in good faith, that the best evidence of it was that the retiring partner allowed the sums standing to their credit to remain in the house—that the house was in solvent circumstance at the times of their retirement, but if otherwise, that the dissolutions of partnership were made in good faith, and not fraudulently that they were binding on the creditors; and that the present claimants had as much right to claim dividend from the insolvent estate of the new partnership, as any other of their creditors. For the latter position several cases were cited by the learned counsel, the names of which we did not catch. As to the preliminary objections taken by the opposite counsel, they were not taken in sufficient time. The argument continued until four o'clock, when the court rose, Mr. Justice Milkin expressing his intention to give judgment in the case on the next court day.—*Englishman*.

IN THE MATTER OF JAMES CULLEN AND ROBERT BROWNE.

The application in the matter was, as most of our readers know, a claim from the retired partners of the late firm of Cruttenden and Co. to be paid a dividend on the admitted debts due to them from the estate. The claim of James Mackillop, is for dividends on 4,98,000 rupees; that of Mr. G. Mackillop, for 3,38,750 rupees; that of Mr. Cullen, as Executor of Mr. Bryce, 1,20,306 rupees.

Mr. Cullen is the constituted attorney of these retired partners, in whom the legal estate of the real property of the insolvent estate vests; they at the time they retired from business having left powers with Mr. Cullen to execute such deeds as might be necessary; but the legal estate remaining in them although they resigned all beneficial interest therein, in consideration of their several accounts with the firm being credited with the sums abovementioned on their retiring, and which sums they left in the house; the assignee of the estate now refuses further payment of dividends on these sums, and Mr. Cullen, who alone, under his powers, can convey the legal estate to the assignee, Mr. Holroyd, to enable him to sell, in order to realize the property, and pay dividends, now under legal advice, refuses to convey any further portion of the real property to the assignee, as that functionary refuses any further payments of dividend to the retired partners.

Captain Warlow comes in as a creditor of the estate and contends, that Mr. Cullen ought to be made to convey, and that not only are the alleged retired partners not entitled to dividends on the sums credited to them, but that in fact they are liable to the other creditors, inasmuch as the house was insolvent when they went out.

The Court has time taken to consider. There are plenty of affidavits on both sides, and counsel have talked an immensity. We shall give the substance of the affidavits and the points at issue between the parties, when the Court shall deliver its decision.—*Hurkaru*, March 20.

COURT OF REQUESTS.

We understand that the Government of Bengal have determined, that a rule of some 4 years standing in the Petty Court, shall forthwith be abolished, that the practice as existing previously to the passing of the rule in question, shall be resumed. The rule alluded to, is the requiring from the plaintiff a deposit in the shape of costs, previously to hearing the case. It is now determined that the plaintiff shall in future be called upon, only to give security for the payment of costs, in the event of the defendant's not paying them. This will open the court to a very considerable number of poor suitors, whose hands are now tied up from the mere want of funds, and consequently the utility of this institution will be greatly increased. We are told upon the best authority, that previously to the introduction of the rule, 4 years back, calling upon plaintiffs to deposit costs, the number of cases disposed of in a year, amounted to 40,000, and that since the promulgation of the obnoxious rule, this number has very considerably decreased, and that the diminution is wholly and solely attributable to the rule. It is also contemplated, indeed, we believe settled, that the Commissioners shall be empowered to try cases up to a thousand rupees. This will of course greatly enhance the importance of the

decisions of this tribunal, and it would be but well, we think, to take some steps to secure to the public a due and efficient administration by the Commissioners of these increased powers. A knowledge of law is absolutely essential in some of the Commissioners. Although a Court of Conscience, still the consciences of the Commissioners may be informed, enlightened, and directed properly by a knowledge of the principles and practice of the law, just as are guided and regulated the decisions of Courts of Equity by the principles of law. The utility of this Court may or may not be increased by giving it jurisdiction in cases up to a thousand rupees, but it is certain that the difficulties with which the Commissioners will have themselves to contend, will be greatly enhanced. Those claiming or resisting to the amount in question, will probably seek professional assistance, and the questions will then come to the notice of the Commissioners, perplexed with the ingenuity and learning of the professional advisers,—disputes on points of law, discussions on points of evidence, will be daily presented for the decisions of the Commissioners. Now we do not say that the present Commissioners are not very learned and duly qualified to administer the law of conscience, but

when they shall be embarrassed with the law of evidence, and with law generally, it would be just as well that they should have some one capable of giving them assistance and information on these points. We understand, indeed, that it is the opinion openly expressed of the very able Commissioner now about to resign, that some Barrister of competent standing should be appointed Chief Commissioner, with a salary of two thousand rupees; and the suggestion is one, we think, well

deserving the attention of Government. They would find some difficulty in getting any such person duly qualified to assume the office, as it would, under the circumstances, throw him out of practice in the Supreme Court, it being in our opinion an absolute requisite, and *sine qua non*, that any person undertaking such an office, shall give up to it his whole time and attention.—*Hurkaru, March 9.*

COURT OF THE SESSION JUDGE OF THE 24-PERGUNNAHS.

MARCH 3, 1837.

RAILYGUNGE TANK CASE.

This day having been fixed for the decision of the above case, which had been transferred by the Government under Act 7, of 1835, from the Court of the Commissioner of the 18th Division to that of the Session Judge, Mr. Bignell appeared to support Mr. Pattle's petition of appeal against the order of the Magistrate of the 24-Pergunnahs, dated 14th October last. As this petition, which was filed in English, accompanied by a Persian *durkhast*, contains the whole substance of the appeal, we give it at length.

To H. M. PIGOU, Esq.,

Commissioner of Circuit for the 18th or Jessore Division.

The petition of James Pattle, a senior merchant in the service of the Hon'ble Company.

Sheweth,—That on the 12th day of October, 1836, a summons, signed "J. H. Patton, Magistrate and justice of the peace," was served upon your petitioner, requiring him to appear either personally or by an authorized agent, on the 14th of the said month, before the said Magistrate and justice of the peace, to answer a charge of having directly and indirectly interdicted access to a tank situated at Ballygunge; such conduct being in contempt of the authority of the said Magistrate, and in violation of an award of Court.

That your petitioner being much occupied in the discharge of his official duties as senior member of the Sudder Board of Revenue, could not, without inconvenience to the public service, attend in person before the Magistrate, and he therefore appointed Moonshe Sudler Odeen Ahmed, as his mookhtar, to appear in his behalf.

That the said mookhtar did accordingly attend before the Magistrate and Justice of the Peace on the 14th day of October, when it appeared, that the charge against your petitioner was made by Mr. Francis Kirchoffer, a British subject, and the nature of such charge, as stated by the Magistrate, was that your petitioner had, in disobedience of the orders of the court, forcibly not given water to the people, the carriers and drinkers of water, from a certain tank situate at Ballygunge, in the jurisdiction of Tajeerhaut, and had shut the door of the said tank with a lock.

That the Magistrate on the said 14th day of October, passed an order, declaring your petitioner to have been guilty of a contempt of court, and directing that a fine of two hundred rupees to Government should be taken from the mookhtar of your petitioner, who had appeared and answered the suit as your petitioner in person, and if the fine were not paid within twenty-four hours, the Nazir should make his report, when suitable orders would be issued. That your petitioner, in consequence of such order, paid the said sum of two hundred rupees to the proper officer of the court.

That although the summons to your petitioner was signed by Mr. Patton as Magistrate and Justice of the Peace, yet the rubikaree of the 14th October, purports to be a proceeding in the Magistrate's Court, and was signed by Mr. Patton as Magistrate only.

That your petitioner being aggrieved by the said order of the Magistrate, immediately presented a petition of appeal to your court, but being subsequently advised that you had no jurisdiction in the case, and that your petitioner as a British subject could obtain redress only in the Supreme Court, he requested permission to withdraw the said petition of appeal, which was returned to him on the 26th of October.

That on the 14th day of November, your petitioner obtained an order from the Supreme Court, calling upon the Magistrate and Justice of the Peace to shew cause, on the 18th day of that month, why a writ of *certiorari* should not be issued out of the said court commanding him to send or return to the said court the rubikaree, or order or conviction above mentioned. That the period allowed for shewing cause against this order was, by consent, and at the request of Mr. Patton's counsel, enlarged from time to time until the 30th day of November.

That on the date last mentioned, the Advocate General appeared on behalf of the Government, and prolixed a certain affidavit sworn by Mr. Patton on the 28th of November, in which Mr. Patton, among other things, deposed as follows—"And this deponent further saith, that such last mentioned proceedings before this deponent were had, as is usual and customary, in Zillah Criminal courts in the like instances at the prosecution of the Company, and that the said charge or complaint was not investigated by and determined on by this deponent in pursuance of the one hundred and fifth section of a certain act of Parliament passed in the fifty-third year of the reign of his late majesty George the third, chapter one hundred and fifty-five, as is alleged in the affidavit of the said James Pattle, sworn the tenth, and re-sworn the eleventh, day of November instant, but that this deponent investigated the said matter and passed the said sentence of fine under certain Regulations of the Bengal Government."

That in consequence of Mr. Patton's having sworn that he determined the complaint against your petitioner under certain Regulations of the Bengal Government, not named, and not under the act of Parliament above quoted, the majority of the judges of the Supreme Court decided that they had no power to issue the writ of *certiorari*, and the rule nisi obtain by your petitioner on the 14th November, was accordingly discharged.

That your petitioner in his affidavit sworn the 10th, and re-sworn (in consequence of a clerical error) on the 11th day of November, deposed, among other things as follows—"And this deponent further saith, he, this

deponent, is a British subject, and that he has been informed and believes, that the said charge or complaint was investigated by and determined on by the said James Hardwicke Patton in pursuance of the 105th section of a certain act of Parliament, passed in the 53rd year of the reign of His late Majesty George the third, chapter 155, whereby authority is given to the Magistrate of the Zillah or District, in which certain offences therein mentioned may be committed, to have cognizance thereof but by which said act of Parliament a writ of *certiorari* is given to remove such convictions, and all proceedings relative to the same, to His Majesty's Supreme Court." That your petitioner, at the time of making such affidavit was aware, as appears from other parts of the said affidavit, that if the Magistrate had determined on the said charge in pursuance of the said act of Parliament, he had exceeded his authority, the complaint against your petitioner not being within the scope of the said act; but your petitioner was also aware, that the Regulations of the Bengal Government gave no power to the Magistrate to determine on such a charge (even if it had been made by a native of India and complaining of an injury accompanied with force) against a British subject, and that it could only be investigated by Mr. Patton either under the provisions of the 33d George the third or under the those of the 53d George 3d. That your petitioner having been served with Mr. Patton's summons attested as Justice of the Peace, submitted to his jurisdiction, for your petitioner could not anticipate that a civil servant holding so responsible an office, would entrap him into an admission of jurisdiction, or that if he acted under a mistaken notion of the powers vested in him, whether by act of Parliament or by the Government, that he would afterwards, to screen his illegal order from correction, and to deprive your petitioner of redress, swear by affidavit that he had acted without any reference to any law belonging to the case.

That the Magistrate has not thought it derogatory to the dignity of his office, or opposed to the principles of justice, to appear in the Supreme Court as a partizan in a case decided by himself, and has taken the most active measures to prevent his proceeding being reviewed or any redress being afforded for the wrong he has himself committed by swearing that he decided on the charge under certain Regulations (not named) of the Bengal Government, and that he has stopped the issue of the writ of *certiorari*, and that he has left to your petitioner no remedy in the Supreme Court, except such as may be obtained by filing a criminal prosecution. He has, to use the language of Mr. Justice Grant, sworn, that he has proceeded not according to law, and has made that this excuse for eluding the Court's jurisdiction—he has pleaded his own wrong as the extenuation of his own illegal acts.

That, under these unparalleled circumstances, your petitioner again applies for redress to your Court, grounding his application on the Magistrate's affidavit before the Supreme Court, that he convicted your petitioner and levied the fine under the Regulations of the Bengal Government. That your petitioner is informed and believes, that there are in fact no Regulations of the Bengal Government under which the Magistrate has any power to try such a charge, when preferred against a British subject, and that unless Mr. Patton acted under the 53d George 3d, which he has sworn he did not, he acted without any legal authority at all: but inasmuch as a majority of the Supreme Court have held the magistrate's affidavit (unless proved to be false upon an indictment for perjury) to be conclusive in regard to their power to call for his proceedings, your petitioner again prefers his petition of appeal to you, that you may admit it, or formally reject it, as you may or may not find certain regulations of the Bengal Government under which the magistrate convicted your

petitioner, and caused a fine of two hundred rupees to be levied from him. That assuming the possible existence of such regulations, (however unknown to your petitioner) there can be no doubt that an appeal will lie to you, the Commissioner, against any sentence of the Magistrate passed under their authority; and your petitioner therefore prays, that you will be pleased to call for the record of the case, together with all the proceedings had before the magistrate, and after an investigation of the whole, either quash the conviction and order the return of the fine to your petitioner, as having been levied under an order which was issued in a suit that the magistrate had no power to try, founded upon evidence he was not competent to receive, and passed in direct opposition to the merits of the case, or declare your reasons for finding that you have no jurisdiction in the same.

That in support of this prayer, your petitioner alleges the following reasons:—

1st. The Magistrate was not competent, under the regulations of the Bengal Government, to investigate and decide upon the charge preferred against your petitioner, a British subject, by a British subject.

2nd. The summons attested by Mr. Patton as Justice of the Peace, describes the alleged offence of your petitioner as a contempt of the Magistrate's authority and a violation of an award of Court,—the charge, as set forth in the magistrate's conviction or rubikaree of 14th October, is, that the same alleged offence was in disobedience of the orders of his and your Court. Your petitioner does not conceive it necessary to enter into any argument upon the abstract question of whether there be in all Courts an inherent power of punishing for contempt. It is sufficient to say, that Mr. Patton has solemnly sworn he acted under certain regulations of the Bengal Government, and that those regulations have defined and limited the exercise of any such power. Sec. 2, Reg. XI. of 1795, empowers the zillah Magistrates to punish by fine any person who may resist any process or order of their Courts, *provided he be a party amenable to the authority*. Clause 2, Sec. 5, Reg. XII. of 1825 enacts that "all persons amenable to the authority of the established criminal Courts, who may be guilty of contempt of Court in any of such Courts," shall be liable to a fine not exceeding 200 rupees; but Sec. 2, Reg. II, 1796, expressly declares, that *European British subjects are not amenable to the authority of the Magistrates and other criminal Courts, but only to the Supreme Court of Judicature at Calcutta*. It is then clear, that the Magistrate could not have acted in this case either under Reg. XI. of 1796, or Reg. XII. of 1825; it is for him to shew any other regulation of the Bengal Government under which he convicted your petitioner.

3rdly. The alleged offence of your petitioner is stated to have been a contempt of Court under the regulations of the Bengal Government, whereas the act said to have been committed by him can by no possibility be considered a contempt of Court under those regulations; for Sec. 21, Reg. IV. of 1793 explains a contempt of Court to be a *contempt committed in open Court*, or an undue arrogation of the authority of the Court, or an illegal exertion of judicial authority by a party in his own cause. If then it were true that your petitioner had put a lock upon the door of the Ballygunge tank, how could such a proceeding be a contempt of Court under the regulations of the Bengal Government?

4thly. Upon the face of the Magistrate's rubikaree it clearly appears, that there was no contempt of, or disobedience to, any order of Court on the part of your petitioner. There is not one iota of evidence from the beginning to the end of the proceedings, shewing that your petitioner ever saw or heard of any order prohibiting him from any act in respect to the tank. The

Magistrate, indeed, swears, in his affidavit, that in his judgment your petitioner must have been cognizant of an order passed in the case of one Mohun Sing, to which case your petitioner was no party. But your petitioner submits that there is no regulation of the Bengal Government under which a person can be convicted and punished merely on account of a suspicion the Magistrate may arbitrarily entertain.

5th. The Magistrate's rubikaree is dated the 14th October, and yet a part of the grounds of his decision was a kifayat or report of the omiah of the thannah, made on and bearing date the 15th day of the said month; and neither your petitioner nor his mookhtar ever saw, or heard of, or were in any way made acquainted with, the existence of such report, nor does it appear to have been verified by the oath of any persons; on the contrary, it is manifestly an exaggerated statement couched in servile and adulatory language, which of itself ought to make it incredible, instead of forming the ground-work of a judicial proceeding.

6th. It appears from a rubikaree of your Court, dated 29th October, that the depositions of certain witnesses which formed a part of the grounds of the Magistrate's conviction, had never been signed by such witnesses, and your petitioner submits that the receiving such depositions as evidence was in direct opposition to the provisions of Clause 15, Reg. IX. 1793.

7th. The evidence in the case clearly proved that your petitioner was not the person who caused the door of the tank to be locked.—Govindpersaud Bose, the proprietor of the tank, having appeared before the Magistrate and declared that the lock was put upon the tank by his directions, and in pursuance of an order of Mr. Barlow, the former Magistrate, dated 6th February, 1833, which declared him to be the proprietor of the tank and at liberty to do any thing he pleased with it, which said order was produced by the said Govindpersaud before the Magistrate, who, however, thought fit to inflict upon the said Govindpersaud a fine of two hundred rupees, commutable to six months' imprisonment, for having so locked the door of the tank. Now your petitioner begs to observe, that it must be clear to you that justice at least demanded that Govindpersaud should have been required to justify the confession he had made, and only in failure of doing so to abide by the consequences; and that, therefore, neither reason or justice or law could warrant, in the absence of all other evidence and all opportunity for justification, the orders passed by Mr. Patton. This case of Govindpersaud Bose is now pending in appeal in your Court, and your petitioner only refers to it to shew that the Magistrate actually fined another party for having confessed that he did that act, the commission of which is alleged to have been an offence on the part of your petitioner. The Magistrate, indeed, states, that he believes Govindpersaud asserted that he locked the door of the tank, merely with a view to assist your petitioner in his case; but there is not one word of evidence produced to support this most unauthorized surmise. While, on the contrary, there is the positive testimony of Govindpersaud that he did direct the door to be locked; and Mr. Barlow's order of 6th February, 1833, passed under Reg. XV., 1824, has never been appealed against, and cannot now be legally altered except by a regular suit in a civil Court, and it is therefore conclusive in favor of Govindpersaud's right to do that which he has voluntarily declared he has done.

8th. The following fact your petitioner hopes, will not fail to shew to you in their true light the features of the present case, viz. The plaintiff, Mr. Kirchoffer, has tanks close to him, from which he and his people can always with convenience take water, but to gratify the vindictiveness arising from a previous quarrel with

your petitioner's servants, in which the latter were successful on appeal before you, he gets up this complaint, supporting it by most incredible evidence. Your petitioner requests you will consider with what probability it has been urged by this litigious individual that great injury has been sustained by a vast number of people from the door to this tank being shut, whilst ever since Mr. Barlow's order, dated 6th February 1833, the tank has been frequently locked up, and the door shut, without any complaint having been ever preferred by any one except Mr. Kirchoffer.

Your petitioner respectfully solicits your early decision on this appeal, as unless he can obtain from your Court the redress he considers to be due to him, it is his intention to solicit the interference of the Government.

(Signed) JAMES PATTLE.

By his constituted Attorney.

Calcutta, Dec. 10, 1836.

M. A. BIGNELL.

The above petition, and the whole of the papers in the case, English as well as Persian, having been read, Mr. Bignell said that he would not trouble the Court by repeating the arguments urged in his petition of appeal, but there were one or two additional observations he would wish to make. The letters of Mr. Patton, addressed to the Secretary to the Bengal Government, and dated 7th and 19th November, (copies of which had been obtained after the appeal was presented) he would not comment upon, as they were not essential to the decision of the case; but they were singular documents, and exhibited a strange confusion of ideas; how Mr. Patton could suppose that "a summoning jurisdiction" in one capacity, was to enable him to pass sentence in another and a very different capacity, upon the party so summoned, it was not easy to understand. Mr. Patton's affidavit was also curiously inconsistent with the concluding paragraph of the first of these letters. In his affidavit he had sworn as follows:—

"And this deponent further saith, that the such last mentioned proceedings before this deponent, were had, as is usual and customary in zillah criminal Courts, at the prosecution of the Company, and that the said charge or complaint was not investigated by and determined on by this deponent in pursuance of the 105th Section of a certain Act of Parliament, passed in the 53d year of the reign of his late Majesty George the Third, Chapter 155, as is alleged in the affidavit of the said James Pattle, sworn to the 10th and re-sworn the 11th day of November instant; but that this deponent investigated the said matter, and passed the said sentence of fine, under certain regulations of the Bengal Government. And this deponent further saith, that in proof of this deponent not having acted in pursuance of the said 105th Section of the said Act of Parliament, he has not transmitted copies of conviction and other proceedings relative thereto, to the Government, nor the amount of the fine so levied as aforesaid to the Clerk of the Crown of this Hon'ble Court; nor was the subject matter of the said charge in the judgment of this deponent within the scope or meaning of the said Act of Parliament."

Now in his letter to Government of the 7th November Mr. Patten wrote:—"The defendant James Pattle, was convicted by me under the Acts of Parliament, and Regulations of the Government in such cases made and provided, copy of which conviction shall hereafter be transmitted if necessary. But the Magistrate's letter to the Commissioner, of the 10th January, required more particular notice, as he there stated under what regulations he had acted. These were clause 5, sect. 26, reg. 20 of 1817 and sect. 19, reg. 9 of 1807. The last of these regulations had nothing whatever to do with the present

matter; it empowered the Magistrate to pass sentence of imprisonment and corporal punishment not exceeding thirty rattans, or of imprisonment and fine, in certain cases not expressly provided for in former regulations; but it, of course, gave him no power over persons expressly exempted from his jurisdiction by former regulations, nor had it the slightest reference to contempts of Court or resistance of process. Clause 5, sec. 26, reg. 20 of 1817 (which had escaped Mr. Bignell's attention at the time he drew the petition of appeal) was perhaps somewhat loosely weighed; but there could be no possible doubt as to its meaning. The legislature of the day had no power to render British subjects amenable to the criminal Courts of the Company; nothing could do that, except an Act of Parliament. This of itself would be sufficient to shew that the Magistrate had no jurisdiction under the regulation he quoted; but in point of fact, the words of the section would not allow of Mr. Patton's construction. Although the 5th clause says generally, that "in all instances of resistance to the process of a Magistrate," certain punishments may be inflicted, yet that clause could not be read alone and separate from the context. Clause 2, of the same section, declared that the subsequent clauses were enacted in modification of the provisions contained in Secs. 2 and 4. Reg. XI. of 1796; and the 3rd clause began, not "If any person convicted of resisting the process of a Magistrate, but, if the person convicted"—clearly referring to the person specified in regulation XI. of 1796, who was there declared to be "a person amenable to the authority of the zillah and city Magistrates." The argument of the petition of appeal remained therefore unshaken upon this point, which was by far the most important one in the case. But even supposing for the sake of argument, that Mr. Patton had jurisdiction over Mr. Pattie under the regulations, what offence had been committed? There was no evidence of any interference as to the tank on the part of Mr. Pattie, except the depositions of some of Mr. Kirchhoff's own servants. These depositions, even if true, were inadmissible in evidence, as shewn in the 6th reason of the petition of appeal; but the testimony was altogether worthless. Could Mr. Pattie have declared to these men that he had rented the tank? The fact was notoriously the reverse, and besides, Govind Persaud had declared that he was the person who ordered the lock to be affixed. Then again, if Mr. Pattie had shut up the tank, still there was no proof that he was cognizant of any order of Court prohibiting him from doing so, and there could therefore, have been no contempt or disobedience on his part. Lastly, even if Mr. Pattie had caused the tank to be locked, and had known of the order in Mohun Sing's case, still he (Mr. Bignell) would contend that the order was a nullity, and that disobedience to it could not be a punishable offence. It was an order passed by the Magistrate under regt. 15 of 1824, and it had been ruled by the Sudder Nizamut Adawlut in their circular letter of the 17th of December 1830, that that regulation did not empower Magistrates to try any case, in which each of the parties had not "a permanent interest in the land, or other property, of which the possession was disputed." Now Mohun Sing had no kind of permanent interest in the tank; the Magistrate's order was, therefore, clearly null and void, as having been passed by an incompetent authority; and how can disobedience to it (supposing such disobedience to have taken place) be a crime in the eye of the law? When the regulations speak of resistance to the process or order of a Magistrate, they must be taken to mean, resistance to some legal process or order. The two last observations applied to the case of Govindpersaud Bose, the proprietor of the tank: he acknowledged that he had caused the tank to be locked, and added that he had done so under the authority of Mr. Barlow's order in 1833, and there was nothing in the world to shew that he had ever heard of the subsequent irregular and

illegal proceedings in the case of Mohun Sing, by which an important question of right was endeavoured to be decided in the absence of the only person really interested in it.

The presiding Judge (Mr. E. Barwell) observed, that he should perhaps save some trouble Mr. Bignell, by stating at once that he considered his objections to the jurisdiction to be fatal to the Magistrate's proceedings. Mr. Patton had sworn that he had convicted and fined Mr. Pattie under the authority of the Regulation of Government, and he (Mr. Barwell) was bound to say that there was, in his opinion, no Regulation under which the Magistrate had any power to pass such a sentence against a British subject. he must, therefore, quash the Magistrate's proceedings, and order the fine that had been levied to be returned to Mr. Pattie. At the same time he must add, that it was upon the law, and not the merits of the case, that he decided in favor of the appellant. If the witnesses were to be believed, and he saw no reason to discredit them, Mr. Pattie had taken an active part in shutting up the tank, and preventing people having access to it. It was true there was no direct evidence that Mr. Pattie was acquainted with the orders in Mohun Sing's case, but as this man was his own servant, there was the strongest possible presumption that he was acquainted with them. He (Mr. Barwell) admitted the validity of Mr. Bignell's objection to the proceedings in that case, as having been improperly held by the criminal authorities under Reg. 15 of 1824, but he could not consider this a sufficient justification of a resistance to the orders passed. For the reason, however that he had already stated, he should pass his orders that the magistrate's order of the 14th Oct. last be set aside and the fine be returned to the appellant, Mr. James Pattie. As to Govindpersaud Bose, he saw no reason to interfere with the order of the Court below.

The following are the three letters of the Magistrate referred to by Mr. Bignell.

Copies—No. 413.

To R. D. MANGLES, Esq.

Secy. to the Govt. of Bengal, Judicial Department.

SIR,—I beg leave to forward copy of a notice, personally served on me, on Saturday night last, by an individual calling himself Smally.

2. I request you will do me the favour of submitting the document for the consideration of the Right Honourable the Governor of Bengal, with a request, that I may be permitted to place myself in immediate communication with the law officers of the Government, and that they be instructed to afford me their counsel and advice on the occasion.

3. With reference to the shortness of the period allowed in the notice, I beg respectfully to solicit his Lordship's early orders on the subject.

4. The defendant James Pattie, was convicted by me under the Acts of Parliament, and Regulations of the Government, in such cases made and provided; copy of which conviction shall hereafter be transmitted, if necessary.

I am, &c.

(Sd.) J. H. PATTON, Magistrate.

Zillah 24-Perghs., the 7th Nov., 1836.

No. 424.

To R. D. MANGLES, Esq.

Secy. to the Govt. of Bengal, Judicial Department.

SIR,—Apprehensive lest an inference foreign to my purpose, and at variance with the true state of the case

might be drawn from that part of the concluding paragraph of my letter of the 7th instant, which refers to "Acts of Parliament," I beg leave herewith specifically to declare, that my allusion to them, in connection with the conviction of the defendant James Pattle, related solely to the powers with which they vest me as a Justice of the Peace, in which capacity alone, I have a summoning jurisdiction over British subjects, to bring them before me for all unlawful acts done by them, of what nature soever.

Although a moment's reflection will point out the absurdity of the assumption that the conviction in question was made under the joint provisions of authorities, essentially and constitutionally incompatible with each other, yet that construction, with all its palpable inconcurrences, might with ingenuity be put on the reading of the context: it is to guard against this misapprehension, that I now address you, in doing which I would be distinctly understood to disclaim the sanction of any authority for my judgment in the matter under view, than that of the Regulation of the Government.

I remain, &c.

(Sd.) J. H. PATTON, *Magistrate.*

Zillah, 24-Perghs., the 19th Nov., 1836.

(No. 7.)

TO H. M. PIGOU, ESQUIRE.

Commissioner of Circuit, 18th Division, Allipore.

SIR,—I have to acknowledge the receipt of your letter of the 9th instant, with its enclosure, and to state in reply, that the only observation I have to make with reference to the case under consideration, is, that I passed judgment therein in virtue of discretionary power vested in a Magistrate by Clause V. Sect. XXVI. Regulation XX. 1817, and Sect. XIX. Regulation IX. 1807, and under the sanction of that inherent power constitutionally possessed by every court of record in existence to enforce its awards and uphold its authority, without which law is a dead letter and the tribunals of justice a vain and empty pageant.

2d.—As connected with the subject, I transmit for the purpose of being appended to the rest of the papers, the depositions of sundry residents of Ballygunge, taken by me in further prosecution of the enquiry relative to the propriety of the tank in which the present matter has originated. The testimony is entitled to consideration and weight, owing to the extreme respectability of the deposing parties and their long sojourn in the immediate neighbourhood in which the tank is situated.

I am, Sir, your most obt. servt.,

(Sd.) J. H. PATTON, *Magistrate.*

Zillah, 24-Perghs., Jan. 10, 1837.

ZILLAH 24 PERGUNNAHS—FOUZDARY.

ALLIPORE, TUESDAY, MARCH 7, 1836.

Before J. H. Patton, Esq., Magistrate.

Several petitions were this day received on stamps but chiefly from poor and indigent natives connected with petty assaults and affairs, none of any interest. Several little cases were also gone into, and in the course of business, the following communication was received by the Magistrate, from the judge of 24-Pergunnahs.

TO J. H. PATTON, ESQ.

Magistrate of Zillah 24-Pergunnahs.

Sessions Court.

SIR,—The accompanying copies of my proceedings of yesterday's date, and of a letter this day, addressed by

me to the Registrar of the Sudder Nizamut Adawlut, relative to the case in which you imposed a fine of 200 rupees upon Mr. James Pattle for resistance of process, are transmitted for your information.

I am, Sir, your most obedient Servant,

E. R. BANWELL, *Sessions Judge.*

Zillah 24-Perghs. Sessions Judge's Court, March 4, 1837.

TO J. F. M. REID, ESQ.,

Registrar to the Court of Nizamut Adawlut, Fort Wm. Sessions Department.

SIR,—In conformity with the orders of the Court of Sudder Nizamut Adawlut, communicated in your letter No. 66, under date 17th January last, to the Commissioner of Circuit for the 18th Division, I have the honor to re-submit for the consideration, and further orders of the Court, and of Government, the papers connected with the case in which Mr. Patton the magistrate of the 24-Pergunnahs fined Mr. James Pattle, the senior member of the Sudder Board of Revenue, residing at Ballygunge, the sum of 200 Rs. for resistance of process, — copies of my own proceedings, held under yesterday's date on that case, the appeal in which, was transferred to me from the Commissioner's Court agreeably to the recent orders of Government, and the provisions of Act VII. of 1835, for adjudication.

2d. In proceeding to an investigation of this case, I have endeavoured, as much as possible, to dismiss from my mind every impression connected with the reputation which it cannot be denied Mr. Pattle so generally bears among the majority of our service, as a man of despotic, unjust, and arbitrary temper; neither did I conceive that reference should be had to the high official situation held by that gentleman, a consideration of which, in my opinion, would have materially tended to aggravate an offence for which any other individual unacquainted with the Laws and Regulations of the country, or unaware of the mischievous effects likely to ensue, from an open resistance to the authority of the magistrate of a district, might have pleaded the excuse of ignorance.

3d. I entered, therefore, upon the enquiry with, I hope, as much impartiality as I should have done, had the appellant been any other British-born subject, residing in the interior of the country, or beyond the confines of the Mahabutta Ditch; and the principal points to which I conceived it right to direct my attention, were, first the validity of the proofs afforded in evidence of the fact of resistance of process, or contempt of the magistrate's authority on the part of Mr. Pattle; and secondly, how far the magistrate was borne out by the Regulations under which he acted, and which are stated, in a letter addressed by him to the Commissioner, dated 10th January last, to have been Regulation XX, of 1817, Clause V, Section XXVI, and Regulation IX, of 1807, Section XIX, in imposing the penalty awarded by him as a punishment for the breach of his orders relative to the matter in dispute.

4th. In regard to the first point, the annexed English translations of the depositions of credible and respectable witnesses, delivered on oath before the magistrate of the Pergunnahs, the originals of which are with the record of the case, will, I think, satisfy the superior court, that Mr. Pattle not only himself evinced the most indecorous defiance of the orders of the Magistrate issued on just and reasonable grounds for throwing open the tank, which has been the object of contention to the community of Ballygunge, but that he has been the cause of similar resistance of authority in others, who, but for his support and encouragement, would never have dared to be guilty of such contempt towards any European functionary vested with magisterial powers.

5th.—On the second point, therefore, I am of opinion that Mr. Patton was justified by every principle of equity and justice, as well as by virtue of that inherent power, which he states to be constitutionally possessed by every Court of Record in existence, to enforce its awards, and uphold its authority, in imposing the penalty levied from the offending party; but that the sentence has been nullified by an unfortunate defect in the existing laws, which provide no rules empowering a Magistrate in the Company's service to inflict punishment on a British subject for any offence, similar to that with which the appellant in this case stands convicted. Neither clause V., section XXVI., Regulation XX., of 1817, nor the previous enactments modified by that rule, nor any Regulations subsequently promulgated, can, in my opinion, be considered applicable to such cases; while on the other hand, the provisions of Regulation II., of 1796, and Regulation XV., of 1806, clearly exempt British-born subjects from the operation of the Regulations above quoted.

6th.—I have therefore been most reluctantly compelled to direct the remission of the fine imposed by the magistrate of the 24-Pergunnahs upon Mr. Pattle, while confirming that inflicted upon the native proprietor of the tank in dispute, Gobind Persaud Bose, for having allowed himself, under the pernicious influence of the former individual, to be drawn into a direct contravention of the Magistrate's orders.

7.—It will remain with the superior Court and with the Government, to apply such remedy as they may deem proper to a state of things most assuredly, as observed by the Secretary to Government, in the Judicial Department, in his letter to the Court, under date 6th December last, involving questions of the utmost general interest and importance.

8th.—Copies of this address, and of my proceedings of yesterday's date, have been furnished to Mr. Patton.

I have, &c.

(Signed) E. R. BARWELL, *Session's Judge.*

Zillah 24-Pergunnahs, Civil and Sessions }
Judge's Court, the 4th March, 1837. }

(True Copy.)

(Signed) E. R. BARWELL, *Session's Judge.*

We give the translations of the depositions referred to in the above letter, having had them among our notes, which we made in the progress of this long pending suit.

TRANSLATION NO 1.—*Kurree Bux Bheestie, in the employ of Mr. Kirchoffer, deposed.* That according to the orders of the Magistrate, the deponent went to the tank and having placed his bag on the bank, was about to fill it with water, when this deponent saw Mr. Pattle's bheestie, who had come to the tank for the same purpose. The deponent finding the water near him very muddy, asked Mr. Pattle's bheestie where he, the deponent should fill his bag from, and was requested by Mr. Pattle's man to take water from the side near which he was standing; this deponent accordingly went to that side, and while filling water Mohun Singh, a durwan in the employ of Mr. Pattle, desired his master's bheestie to retire from the tank, and kept this deponent a prisoner in the tank. This deponent requested that the thana should be informed of his having been detained. After a little time, Khodayar Khan jemadar came to the tank and desired Mohun Singh to release this deponent; after which this deponent informed his own employer of what had happened, and Mr. Kirchoffer desired his kitmutghar and durwan, to accompany this deponent to the tank. While this deponent was filling his bag with water from it, Mr. Pattle came to the tank, and informed this deponent, that the tank belonged to him, Mr. Pattle, and that he would not consent to any person's having access to it for water, and this deponent has seen a padlock on the door of the tank in question.

No. 2.—*Sobrathee Kitmutgar, in the employ of Mr. Kirchoffer, deposed.* That in obedience to his master's orders, he accompanied Curum Bux bheestie, and his master's durwan, to the tank. On arriving at it, Mohun Singh, in the employ of Mr. Pattle, informed this deponent and his companions, that if they dipped a finger into the water, he Mohun Singh, would confine this deponent and his companions. During this time Mr. Pattle came to the tank, and having heard the above conversation, desired a lock to be put on the door of the tank, and said that he, Mr. Pattle, would not allow access to it for water; and this deponent further saith that the lock is yet on the door.

No. 3.—*Bisonath Durwan, in the employ of Mr. Kirchoffer, deposed.* That in obedience to his master's orders, this deponent accompanied the kitmutgar, and bheestie to the tank, and that while the bheestie was filling his bag with water, Mr. Pattle, came to the tank and ordered that the bheestie should be allowed to take but one bag of water, and that the door of the tank, should be locked up as the tank belonging to him, Mr. Pattle, and as he would not allow access to it for water. This deponent further said, that after the occasion above alluded to, his master's bheestie did not go again to the tank.

No. 4.—*Khodayar Khan, Jemadar of the Thontollah Phouree, deposed.*—That Mr. Pattle said, that he had bought the tank from Gobind Baboo for a hundred rupees, and that he would not allow any person to take water from it, and that the deponent reported the above to the thana. Having seen the tank door locked outside, this deponent went and informed the said Mr. Pattle of it, and that the ryuts were prevented from supplying themselves with water. Mr. Pattle replied that he had purchased the tank, and would not consent to any person having access to it.

No. 5.—*Jumal Barkandaz, of the Thontollah Phouree, deposed.*—That Mr. Pattle would not allow the ryuts to take water from the tank, alleging that the tank was his. Witness believes that the Jemadar reported the circumstance to the thana. This deponent further stated, that Mr. Pattle had prevented access to the tank by having locked the door of it.

No. 6.—*Rhueemooddian Barkandaz, of the same Phouree, deposed.*—That Mr. Pattle had prevented access to the tank, alleging that he had purchased it. Witness saw a padlock on the tank door.—*Hurkaru, March 9.*

SUDDER BOARD OF REVENUE.

CONSULTATION, — MONDAY, FEBRUARY 20, 1837.

SETTLEMENTS OF ESTATES — ZILLAH BACKERGUNGE.

Mr. Secretary Mangles on the 7th instant, communicated the orders of the Right Hon'ble the Governor-General, regarding four settlements in the abovementioned district.

The classes were treated as if they were proprietors, that is to say, the classes amongst whom the profits arising from the limitation of the Government demand were distributed, were in the above four settlements peculiarly numerous, and formed a long chain of holders one under another. The share of the actual rent of the land given up by Government as proprietary profit, was "much larger than that authorized by law or custom," by rent being understood either the money actually paid by cultivators who had no other claim but of farmers under the lowest of the chain of holders, or that which such farmers would have paid, had the land been offered to them, instead of being, as a part of these lands would appear to be, cultivated by one of the chain of holders himself, at a low rate of payment to his immediate superior.

The Board were not satisfied that the whole of the extraordinary amount of profit allowed, was rendered necessary by the circumstances which alone ever can be legitimately taken into consideration in limiting the demand of Revenue; and they objected to the principle on which that profit had been made to depend on the greater or lesser number of subordinate holders in the chain of assumptive proprietors; at the same time, they explained that they wished for no arbitrary interference with existing customs; but that they thought, when no party had any legal rights, all having reclaimed the land without authority or stipulation, it was peculiarly the duty of the officers of Government to be very cautious in allowing no greater extension to a pernicious system than they found in actual existence.

The very general information before them did not appear to warrant either the taking of so unusually small a portion of the rent as the Government assessment, or the admission of so unusual a number of distinct classes of rent holders. They accordingly informed Mr. Dampier, first, that the jumma must be assessed solely with reference to the nature and situation of the lands, and to the original expence and difficulty of reclaiming them; and that the profit to the reclaimers must in all cases be equally granted, whether the original cultivator had retained his interests entire in his own hands, or sublet them to others to any extent. Secondly, they distinctly directed him to make a *special* report upon the claim of each individual in the claim of assumptive tenants, pointing out in what manner, and to what extent, the person with whom he had engaged, had earned a right of engagement. And thirdly, they ordered that in cases where the engager had originally let out any part of his interests to others, the net profit should be proportionally divided between the several parties without diminishing the Government Revenue in order to make up to any party the difference between an entire estate, and a part only of an estate.

Instead of obeying the Board's instructions, Mr. Dampier, in his letter dated the 27th of November 1833, did little more than describe generally the origin and character of the tenures of the Talookdars, whether Puteet Abadee, Ousat, or Gauteedars, land or Hawaldars, Neem Hawaldars, and Kersah ryuts according to the result of his enquiries in the Soonderbuns.

Mr. Mangles observed, that with reference to the first point noticed, Mr. Dampier contents himself with endeavouring to shew that the Jumma assessed is not too low, from a comparison with the rate per Beegah overhead in these settlements, with that in the settlement of Puteet Abadee Talooks in the 24-Pergunnahs, and with the stipulated rate payable by Soonderbun grantees after the expiration of 23 years from the grant, and with regard to this point, the Board observed that "as the Revenue of Government did not suffer, there could be no objection to the assessment as far as the interests of Government are concerned."

But the Right Hon'ble the Governor of Bengal could not feel satisfied on this point without more specific information. The late Commissioner had by no means met the objections of the Board to the principle on which the assessments had been made. That principle and the effects of it are thus described in another letter from Mr. Dampier to the Board, dated the 22d of September 1833, in which he, in remarking on the Standard of assessment which had been assumed for the lands reclaimed from the Soonderbuns in this very same district, says: — "The first step taken in each of these Jumma Bundeeds is to ascertain the produce of the soil as regards the staple crops of the district (rice) and that being found and the rates of the lower classes in consequence decided upon, the distribution of profits in the shape of rent to the superior classes is easily made; and the rate of Government revenue depends is much on the number of these 'intermediate classes,' as on the produce of the staple crops of the talook."

The comparison of rates distributed by Mr. Dampier himself, is very disadvantageous to these settlements. The ultimate jumma of land granted in the Soonderbuns will be nearly double the jumma of these lands, although the situation of such grants in the forest bordering on the 24-Pergunnahs is understood to be very inferior to that of the lands reclaimed from the Backergunge jungle, and although it is necessary to induce persons to clear those grants, which are now a dense forest, whereas we have these lands already cleared, to our hands, and in high cultivation. Mr. Dampier said that the rate of his jumma per beegah of 1,600 square yards, over all the Backergunge settlements from 4a. 0p. to 4a. 10p. but in these four cases the kaneer being taken to equal 8a. 2c. 12cn. of a Bengal beegah, the jumma averages no more than 3a. 5½p.

From the manner in which the jumma-bundeeds have been prepared, it is impossible to ascertain with certainty to what sum the deductions allowed to the various classes of holders amount in the aggregate: for no column shows the actual rent of the land. All that appears is the amount paid by one class to its intermediate superior. Thus, whilst a ryut's rate of rent is set down at, say rupees 6 per kaneer, for the land immediately paid for by him, the rates of rent set down for the Neem Hawaldars, Hawaldars, and Ousat Talookdars, for such land as is immediately paid for by them, are no more than say rupees 4-rupees 2, 12-and rupees 2 respectively. It is obvious that the aggregate of no one set of these payments constitutes the rent of an estate, and that all the difference between the last specified rates, and the rate paid by the ryuts is a part of the proprietary profit arising out of the limitation of the Government demand. Yet although the rents of the whole of the lands pass through the hands of one or more of the last mentioned classes, no part of the profit so given up to them appears upon the proceedings, nor can the amount thereof be accurately extracted from them because the true value of the soil immediately cultivated by them is not stated.

In about Tuktaboonea, for instance, the talookdars who engage for the revenue receive rupees 2,036: according to the usual process in settling lands in well peopled districts, an engaging proprietor of an estate yielding rent to the above amount, would be allowed about five per cent for village expenses, rupees 105, and a further proprietary profit of twenty per cent on the jumma, rupees 330; the jumma thus calculated would be rupees 1,651. Here, his jumma has been assessed at only rupees 1,444, leaving him an extraordinary profit of nearly half as much again as the regulation allowance. If the true rent of the lands were only rupees 2,086 as above stated, the Governor of Bengal would by no means wish it to be understood that he would object to this extraordinary profit for a Sunderbun estate. It must not, however, be forgotten, that the safety of a settlement depends as much on the moderation of the rates of rent on which it is leased, as on the profit left to the engaging party; and it is hoped that he rents are moderately assumed in this settlement, since the highest rate is rupees 6 per kanee, whereas formerly it is said rupees 12 per kanee used to be exacted.

But besides the above deduction of rupees 642 left to the talookdars, the net profits of the Ouset talookdar, the Hawaladar, and the Neem Hawaladars have to be taken into calculation. There are 5d. 13k. 10g. 0c. 1k. of land cultivated, and of these the Ouset talookdar holds 14d. 3k. 13gs. 3c. 1k. at the rate of rupees 2 per kanee, which he pays to the talookdar for land for which it appears that the ryots are glad to pay rupees 6. By this process a further deduction of about rupees 911 is made or half as much again as the whole profit of the engaging party. This sum is distributed by the Ouset talookdar and the Hawaladars and Neem Hawaladars below him: the remaining 37d. 9k. 12g. 1c. 1k. of land are held by Hawaladars directly of the talookdar, at a rent of no more than rupees 2-12 per kanee; whereby it is probable that a further deduction of about rupees 1,955 has been made, which is distributed between the Hawaladars paying directly to the talookdar, and the Neem Hawaladars under them. It thus appears that out of assets (it is hoped) moderately assumed at rupees 5,585, the proprietary classes have been allowed a profit of rupees 3,508 the jumma being no more than one-fourth part of the true rental.

An alienation of the public dues so extensive, (involving, it would seem, if the principle upon which these settlements have been made be admitted, a corresponding sacrifice of revenue throughout the large tracts of country reclaimed from the Backergunge forests since the date of the permanent settlement,) cannot of course, be sanctioned upon the faith of vague and general assertions that such an assessment as Mr. Dampier has proposed, is as much as the lands will bear.

With reference to the second point of the Board's instructions to Mr. Dampier, his Lordship remarks that that gentleman made no attempt to carry that part of his orders into effect, neither has he given any reason for not having done so. The general observations of the late Commissioner, cannot answer the purpose of the report on the special claims of certain specified individuals which was called for from him.

With reference to the third point in the Board's orders, His Lordship directed Mr. Mangles to observe, that the principle therein declared seems to be identical with the fundamental axiom of the land tax of India, as laid down in the Preamble to regulation XLIV. of 1793; on the other, the principle on which the late Commissioner in the Sunderbuns proceeded, is not only injurious to the interests of the revenue, but must operate unfairly towards individuals, and is, in the abstract, highly impolitic as an agricultural measure. Supposing two individuals to have been engaged in reclaiming two

equal parcels of land, one of whom had employed his own capital throughout and retained the whole profits immediately in his own hands, and the other had either made over to others holding of him a portion of his profits for valuable considerations or else, being unable to cultivate entirely with his own capital, had called in small capitalists to assist him, on consideration of holding under him and of sharing the profits with him: by the principles which have been acted upon in these settlements, a much higher jumma would be assessed upon the first parcel of land than upon the second, to the unfair loss of the first speculators, the discouragement of the best method of improvement, and the fostering of a very bad system of sub-tenancy.

In the very case which has been remarked upon, in this letter, one portion of the same estate pays about nine annas a kanee more jumma to Government than the other portion, merely because of the difference in the methods by which the body of improvers have chosen to carry on their work in two parts of the same property.

In the foregoing arguments the principle upon which these (and it is believed many other) settlements have been formed by the late Commissioner and his assistants, along the line of country on the skirts of Backergunge, Sunderbuns, has alone been discussed; but there are manifestly other weighty considerations which must be taken into account before these settlements can be finally disposed of.

The point at issue,—viz., how the right of the state to "a certain proportion of the annual produce of every beegah of land, demandable according to the local custom, in money or kind," is to be reconciled with the just or equitable claims of the parties among whom, as it appears from the settlement proceedings before His Lordship, so large a portion of the net rent of the land is divided, to the necessary defeasance of the state right of the above referred to, is rendered one of much importance to the Government by the great extent and value of the lands which having been reclaimed from the Backergunge Sunderbuns since the date of the permanent settlement, have already been, or will probably shortly be, adjudged liable to assessment. On the other hand, it is clear that if the numerous gradations of tenures existing in the four estates of which the settlements are now before His Lordship extend throughout the tract in question, the import and well being of a large and useful class of the agricultural community in Zillah Backergunge, must depend upon the manner in which the question under consideration is dealt with. For if the position taken up by Mr. Dampier, be to any considerable extent correct, it is obvious that the rule laid down by the Board for the guidance of the late Commissioner, stated under the third head, could not be carried into practical effect, without intruding deeply upon the means hitherto (apparently) enjoyed by the different grades of middlemen. Further, as a consideration affecting both parties, but more especially the Government, it may reasonably be apprehended that any very strict assertion of the abstract right of Government, to the detriment of the class, or classes by whom the existing clearings of the Sunderbun Forest have been made, would tend to discourage enterprise, and mischievously to retard, if not altogether to prevent, further operations of a like nature.

Upon every ground, therefore, further and more definite information is indispensable, before orders can be passed which must either involve a very considerable relinquishment of those dues, to which, under an essential principle of the Indian land-tax, the state is unquestionably entitled of strict right; or hazard, to say the least, the infliction of much suffering, and perhaps of wrong, upon a very useful and apparently industrious and deserving class of agriculturists. For it must not be forgotten

that though these persons have cultivated without license, the waste lands appertaining to the state, they were permitted to enjoy what was originally usurped without disturbance, or even demand of revenue on the part of Government, during a long term of years, and that their habits of life must have been formed in a great measure, upon their hitherto untaxed income.

The points (in addition to the question specified under the second head, in paragraph 6 of these orders to which a clear reply is indispensable) upon which the Governor has requested that fuller and more complete information may be obtained and reported, are as follow :

Firstly. These numerous tenures interposed between the actual cultivation of the soil and the highest party to whom rent is paid, exist throughout the newly reclaimed lands declared liable to assessment, or which are considered obnoxious thereto, in Zillah Backergunge ; and have all the middlemen, or the generality, practically contributed in money, time, or labor to the clearing of the jungle ?

Secondly. What is the difference taken in clearings situated in different quarters of the district, between fair rent, i. e. that paid by a cultivator without any but leasehold, or contract rights, and the receipts of the parties considered by Mr. Dampier to be entitled to enter into immediate engagements for the revenue with Government ?

Thirdly. About what dates have the clearings in question been severally made ?

Fourthly. Is the clearing of the jungle now advancing, and if so, by what classes of persons and under what system is it now being conducted ?

Fifthly. Have all the parties whom Mr. Dampier has constituted sudder malgoozars, done more than merely grant pottahs for the cultivation of the Government waste ; have they all *bonâ fide* expended capital, or otherwise contributed effectual assistance towards the clearing of the jungle ?

The sixth point which his lordship desires to have cleared up is this :—He is doubtful, from Mr. Dampier's settlement proceedings, whether the whole of the Government revenue has not been taken from the share of the rent heretofore enjoyed by the party whom he has constituted the sudder malgoozar ; at any rate it is clear that a smaller proportion of the rent received has been left in his hands than in those of the middlemen beneath him in the scale, and if all have contributed their quota towards the sudder jumma, it is no where shewn how the rent was previously divided. It is essential that this matter should be explained, for if any modification of the strict revenue principle stated in the opening paragraphs of this letter can be admitted, it would appear to his lordship that it cannot be necessary to grant to any tenant in the scale a larger share of the rent than may be an adequate compensation for the actual risks and responsibilities of his situation. But in one of the settlements now before him, the Governor remarks, that whilst only 8 annas out of rs. 2-8 per kane, which he receives, are left to the sudder malgoozar on the scale, and rupees 2 per kane to the person below the farmer : the reason for such differences should be clearly stated.

The Governor is not aware of any reason why land (and such there appears to be) held in *nij jote* by any of the middlemen, or let to ryots by any of those persons superior to the grade immediately above the ryots, should not, in the first instance, pay the ryotwara rate of rent ; and in the second, the rate paid by the lowest grade of middlemen to their immediate superior, at present under Mr. Dampier's jumma-bundees, it seems that the parties in question pay at one rate, to wit that calculated upon their receipts from the privileged class immediately below them in the series, for all land, whether underlet to that

privileged class, or disposed of in the more profitable manner above referred to. This point must also be investigated and reported on.

Finally, his lordship is very desirous that it should be ascertained whether the claims of some at least, of the middlemen in the estates could not be advantageously got rid of with their ready consent, by assigning to those parties on favorable terms, new grants of the waste in the vicinity of their existing tenures. Such an arrangement would, if practicable, be very desirable ; and with a view to effecting it, or at any rate, to the regular parcelling out, upon formal pottahs of the Backergunge Soondurbuns, (which appear to be much more valuable than those of the Twenty-four Pergunnahs and Jessore) and to thus avoiding future uncertainty and litigation, as well as embarrassing prescriptive claims, like those above treated on, the Board are requested to report whether measures ought not be taken early in the ensuing season for ascertaining by scientific survey what lands have been brought into cultivation beyond those accounted for in Mr. Dampier's settlements and for plotting out the forest into definite and convenient lots for the tenders of parties desirous to become grantees. The terms of the grants, unless the Board think that they should correspond exactly with those prescribed for the Twenty-four Pergunnahs, may be discussed at the same time. It would not, however, with reference to the superior value of the Backergunge Soondurbuns, appear to the Governor to be necessary, or consistent with the orders of the Honorable Court, to grant tenures in perpetuity. Grants for fifty years, on terms similar in principle to those sanctioned for Assam, would probably hold out sufficient encouragement to enterprise.

In their reply to this requisition, the Board are required to state for what period the first settlements ought, in their judgment, to be made with the parties, who, without pottahs from the public authorities, have brought land on the skirts of the Sunderbuns in Backergunge or elsewhere into cultivation. The orders of the Hon'ble Court above alluded to, as well as general policy, preclude a perpetual settlement ; and it appears from a part of Mr. Dampier's letter of the 27th of November 1833, that he has not led the parties concerned to expect any such annuity.

The Governor feels that the subject matter of those orders is of great importance, and that after the long delay which circumstances have induced, prompt and effectual measures are absolutely necessary to carry them into effect in such a manner as to enable him to dispose of the Backergunge Sunderbun settlements in a satisfactory manner, and at an early date. In order to these ends, and as Mr. Slakespeare, the Commissioner in the Sunderbuns, upon which the duty would, in ordinary course, devolve, is understood to be fully engaged in enquiries connected with the Puteetabody Mehals (granted by Mr. Hinckell) in Zillah Jessore, His Lordship has been pleased to assign the task of carrying their requisition into effect to Mr. Staniforth, the Collector of Backergunge, an officer who has evinced much ability and patience of investigation in the conduct of revenue settlements in another quarter. The Board are desired to instruct him accordingly, directing him to commence at once upon whatever preliminary enquiries may be practicable whilst he retains charge of his present offices, selecting as the scene of his local investigations three or four of the resumed Talooks in different quarters of the district, which may be considered fair specimens of the whole. He will be directed (from Mr. Mangles's office, to make over charge of his offices to Mr. Houston, as soon as that officer shall have concluded the business for which he has been specially deputed at the requisition of Mr. Maddock, to Zillah Backergunge. In consideration of the extraneous duty thus imposed upon Mr. Staniforth, His Lordship is pleased to assign to him a deputation allowances of rupees 10 per diem for all time actually spent in the Mofussil in carrying on the present investigation.

If any points have gone unnoticed in these orders, on which the Board may desire information in regard to settlements under remark, they will, of course, issue their instructions in regard to them to Mr. Staniforth, and embody them with his replies, in their report.

In concluding, his Lordship trusts that effectual measures have been taken for the regular realization of the amount of the several assessments formed in Backergunge by Mr. Dampier and his assistants, from the date of their conclusion respectively.

The Board, in obedience to the above instructions, have began their enquiries through Mr. Staniforth, and the Commissioners of the Sunderbuns and Jessore, affording each of them a copy of Government orders.—*Hark.*, March 8.

CHITTAGONG LANDS.

We noticed some time since at considerable length a petition from the zameendars of Chittagong to Government against the survey and measurement of their estates, with the reply thereto. The Board have now before them a full and able report from Mr. Collector Harvey, which has been forwarded with the full approval and concurrence of the Commissioner. From this, it appears, that in zillah Chittagong, the foundation of the assessment is the record of a measurement of the cultivated and part of the uncultivated lands of the district made in 1725, after Chittagong fell under the British rule. In the chittahs of this measurement, the quantity of land in each estate is distinctly specified. The turruf estates (that is subsequently decennial settled estates,) are recorded by name; the quantity of land, the number of dags of the chittahs and quantity of land in each dag, with the length and breadth of each dag appertaining to each estate distinctly laid down with land marks (such as tanks, &c.) noting from what point the measurement began, are generally recorded. Similar information is given of the lands measured, as lakraj, much of which is recorded on the face of the chittahs, as hajut trijnees (or pending investigation; much as "bozumuddee," and much as, "sumuddee," without record of the nature or term of the grant, whether as a life or hereditary tenure. Add to which numerous portions of many turruf estates are generally recorded in each chitta, which also contains patches of lakraj tenures. Each chitta containing the quantity of land measured by one ameen in one day, and the number of chittahs in each village, varies according to its size. In the assessment of 1769, various lands recorded in the chittahs as malgoozaree were not brought forward on the Jumma bundee papers, some being illegally transformed into rent free tenures and others collusively kept back. In consequence of this the total land measured under each estate, as per chitta, does not correspond with the total of land assessed in each Jumma bundee, and transfers of land intermediately occurring have caused the lands measured in one name to be assessed under another. The Jumma bundee records the quantity of land measured in each estate, as also the total hasillah land measured. From the full quantity, the waste land, as specified, is deducted, and then certain portions under the designations of neezjote, khamnehereo, and Puttahdaree, as well as any parts held rent free, the assessment being fixed on the remainder. Numerous additions and deductions arising from fraud, from sub-divisions, and from transfer occurred between 1767 and the decennial settlement which we recorded in the kurcha of the estates which purports to be a record of the whole land assessed as appertaining to each estate to which the zameendar is entitled, while to the state belongs the revenue of all land found in his possession, and not included in that kurcha. But it is to be noted that although the jumma kurchas include only the cultivated land assessed under each estate after deducting the items of waste, of Neezjote of Khamabaree and of Puttahdaree, which

form on an average about 30 per cent. of the land recorded in the chittahs as belonging to each estate, still the Commissioner and Collector have held these items to belong to each estate under the terms of the decennial settlement, and they have been given up to the zameendars with scruple. It appears then that there are numerous talooks subordinate to each turruf estate, and that much of the land now assessed and unrecorded, is in possession of the subordinate talookdars, from whom, as the zameendars draw no revenue, they are not properly speaking in possession of those lands. The decay and mutilation of the land marks and destruction of records consequent on a series of years, places the officer of Government, especially unassisted by the occupants of lands in much doubt, at the same time that the known existence of these land marks may be laid hold of by the litigious to draw the revenue authorities into litigation. The best apparent means, therefore, of determining the lands of each estate, is, that each zameendar select the land possessed by him of the talookdars subordinate to him, which should be recorded accordingly, and the rest recorded as liable to assessment without reference to the days of the chittahs of 1765, but only to the holdings recorded therein. To induce the zameendars to pursue this course, the authorities have directed the deputy collectors to waive to each zameendar so acting, and who shall enter into engagements for the excess of land in his possession, the assessment on 2 kanees of cultivated land per dhroon on the quantity of land recorded as appertaining to his estate, as for the kurchas, or in other words to grant him an additional 12½ per cent. beyond what he was entitled to render by his decennial engagement. And further, as a provision against the litigious disposition of the disaffected, the Deputy Collectors have been desired to note carefully in the present measurement, the land marks laid down in the chittahs of 1765, wherever discoverable. The zameendars are well aware of the broad principle of justice on which the present measurement is undertaken, and it is remarkable that they have urged no complaints whatever against the rates of assessment, which goes far to prove that they have in that respect received every liberal consideration, and in no instance, among numerous abusive petitions, has any ground of objection against any individual of the Deputy Collectors employed been stated except a want of knowledge of Bengalee, of which the Collector has every reason to believe them all possessing a competent knowledge. The Board submit this report to Government with a repetition of their confidence in the judgment and ability of Mr. Collector Harvey; and an expression of satisfaction, that the Government will be convinced, on a review of the case, not only that the rights of the landholders have been carefully observed, while pending the claims of the state, but that measures have been taken to avoid the possibility of infringing on those rights, while every indulgence has been and still continues shewn to parties found in possession of lands justly liable to assessment.—*Englishman.*

CONSULTATION.—MARCH 7, 1837.

LEASING OF CHUR LANDS—TIPPERAH.

Mr. Dampier, Commissioner of Chittagong, on the 1st of February last, transmitted a statement of Churs, to be leased out for a series of years, as proposed by Mr. Deputy Collector Allen. The terms appeared to the Commissioner to be sufficiently advantageous, and the retention of such detached increments under khass management, was sufficiently obvious. The Commissioner also stated, that he would direct the Deputy Collector carefully to register the securities, and therewith transmit the decrees, declaring the lands liable to assessment. The Collectors of the Chur Durrcea Dowlut, will be entitled to malikana, at ten per cent. per annum.

The Board informed the Commissioner of their approval of the farming arrangements, as follows:—

Churs.	Term.	Jumma.
Chur. Dhary } Chur. Moheemarry, } Chur. } Dhuna, } Godah, } Chur. } Dhuna, } Dowlat, } Chur. } Nundun- } pore, }	for 4 years, from 1243, B. S., to 1246, . for 8 years, from 1243, B. S., to 1250, . Ditto Ditto Ditto	12 12 10 9 14 2 183 0 0 12 5 11

The Accountant of the Revenue Department has been duly informed of the above arrangements.

CHARGE AGAINST MR. R. WALKER, LATE COLLECTOR OF MYMENSING.

The Special Commissioners appointed under regulation XVII. of 1813, at Mymensing, in acknowledging the receipt of the Board's letter of the 21st June, 1833, with its enclosures, calling on them for a report on the case of Raj Kissen Roy, late Sherishtadar of the Collector's office at Mymensing, and requiring from Mr. Walker, a particular explanation of his conduct in the same case, also desiring them to state, why they overlooked the Collector's extraordinary conduct in the case noticed, and why they did not deem it necessary to call upon him for an explanation, &c.; before they entered on the subject of the two points above noticed, begged leave to state for the information of the Sudder Board of Revenue, with reference to the 3d point, that previously to the receipt by them of Raj Kissen Roy's petition forwarded by them, they had no intimation or even hint from any quarter, nor did it occur to them that there was any thing wrong or suspicious in Mr. Walker's conduct in relation to his roobukaries dated the 24th of February, 1832, the 24th of March, 1832, and the 5th of May, 1832, the truth of the contents of which were then unquestioned before them. Indeed Mr. Walker's proposition for the removal from office of Raj Kissen Roy, founded on these very roobukaries, had been sanctioned by the local Commissioner, Mr. H. J. Middleton, thereby taking the cognizance of the matter in a manner out of their hands, for they had seen the propriety in the cause of these investigations of avoiding interference with the proceedings of the Revenue authorities in cases more properly appertaining to their province than to those of the Special Commissioners either decided by, or pending before them, as much as possible; and besides, Rajkissen Roy, if dissatisfied with the decision of the local Commissioner, had it in his power to appeal to the Sudder Board of Revenue: under these circumstances, and entertaining such views of their duty, they, the Special Commissioners, did not apply that degree of scrutiny to the proceedings in question, which they otherwise would have exercised, pressed as they were at the time with the investigation of numerous charges of a much more serious nature. The result, however, of the present enquiry, has established, that there were grounds for making it, and has had the effect of materially altering the opinion expressed by them with respect to those roobukaries in their report dated the 30th of May last.

They now proceed to the report required on Rajkissen Roy's case. That individual was removed from Office on 3 grounds; 1st, for having falsely circulated reports that Mr. Walker was largely indebted to him, and for having under those pretences extorted sums of money from the Omlah of the Collector's Office: 2d, for having made a verbal application for 15 days leave of absence, and instead of presenting an arzee to the Collector to that effect, surreptitiously giving in one, in which the period of absence solicited was indefinite and in which it was requested that his nephew Gobind Chunder, might

be appointed to act for him and in a fraudulent manner procuring a written order to the purport of the prayer of the said arzee; and 3d, that his affairs were found in so deranged and confused a state, that it would require "dufters" to describe it;—Rajkissen Roy never was called upon for a reply to those charges, and no proceedings appear to have been held with the view of substantiating them in a regular manner. Mr. Walker, in his letter to their address of the 11th of July 1833, writes that from the "late investigation that had taken place, it would appear by the evidence of several witnesses, that the supposed extortion was in fact a voluntary donation from some of the Omlah to the late Sherishtadar, on the occasion of the demise of his grandmother, and which it would appear is a custom prevalent amongst Hindons; and with reference to the misrepresentation, it was in the first place, as clearly appeared in their roobukarry, to be hearsay." Mr. Walker on the 18th of July, 1833, states, that he (Poonet Lal, now absent from this place) was one of the informants against the late Sherishtadar, but he could not name any of the others. It thus appeared that with respect to the 1st charge Mr. Walker had not the means of proving the alleged misrepresentations, and that he was then satisfied from what appeared in evidence before the Special Commissioners (the substance of which was correctly stated by him) that Rajkissen Roy, had not been guilty of extortion. With regard to the 2d charge further than the assertion of Mr. Walker, there is no proof and from the reply given by that gentleman to one of their queries, it would appear that he would not prove it; and with reference to the 3d charge, they were wholly unable to discover the grounds on which Mr. Walker had recorded in his roobukarry of the 5th of May 1832 that the Office of the late Sherishtadar was found to be in such a deranged and confused state, that it would require "dufters" and indeed would be a waste of time to describe it.

Such were the conclusions they drew as to the merits of Rajkissen Roy's case, founded on the correspondence and other papers which accompanied this report, and the Special Commissioners were further of opinion, that the late Sherishtadar, had by no means been fairly dealt with by Mr. Walker in the course of it, because, prior to Rajkissen Roy's departure from that place on the 23d of February 1832, no regular enquiry in the matter was instituted, nor was that person then or ever afterwards called upon to defend himself from the charges which had been preferred against him, nor indeed allowed any proper opportunity to do so. Mr. Walker pleaded in excuse, that he could not enter on an enquiry in the absence of Raj Kissen Roy, and that individual having "absconded" from the place and failing to return to his duty during a period of several months, it only remained for him to submit a report for his removal from office to the Commissioner of revenue and circuit. Mr. Walker admitted that Rajkissen Roy, was at that station from about the 6th to the 23d of February, but he has altogether failed to explain why nothing was done during the period of a complete fortnight, although particularly called on by them to do so; and after the departure of the late Sherishtadar, it surely was the collector's duty on the discovery of the additional case of fraud, to recall him by perwanah, communicating to him at the same time, the contents of his roobukarry of the 24th of February, and thus after taken his answer, to proceed regularly in the investigation of the case. So far from this course having been adopted, Rajkissen Roy, was never made acquainted with what he had been accused of, whilst his case was pending, and obstacles were even thrown in the way of his obtaining copies of the roobukaries relating to him which he at last succeeded in obtaining, after great delay, on the Commissioner calling on the Collector, for an explanation of his conduct.

The Sudder Board, it was presumed, would perceive from the accompanying copies of the special Commissioner's

letters to Mr. Walker, addressed on the 18th and the 20th of July 1833, the point in that gentleman's conduct, which appeared to them particularly to require explanation and they now proceeded to record their observations on the replies furnished by him in his letters dated the 18th and the 22d of the same month.

In their opinion the discrepancy noticed by them, had not been explained by Mr. Walker in the least.

That the contents of the roobukarries in Rajkissen Roy's case were not communicated to him, appeared to be virtually admitted by Mr. Walker, and the truth of their remark, that copies were not furnished to the late Sherishtadar until the Commissioner had interfered on his behalf, is not denied.

Mr. Walker's belief that Gobinchunder was the writer of the order passed on the urzee dated the 21st of February, corresponds with the information they had obtained. That person was then in attendance at their Board as Rajkissen Roy's inookter. Mr. Walker did not state "in whose presence the application for leave was made and the above order written.

There was no direct answer to the question asked as to the date of Rajkissen Roy's return from leave to be found in Mr. Walker's letter, but in the 10th paragraph he said it was "about the 6th of February." "No explanation whatever" was given why an enquiry was not instituted in the interval between the 6th of February and the 23d of that month.

They, the Commissioners, observed at this place, that Rajkissen Roy's obtaining leave of absence for an indefinite period and Gobind Chunder's being authorized to act for him, are regularly entered in the diary or "*roze namcha*" of the Collector's office, but it did not appear, that the said Gobind Chunder performed the Sherishtadar's duty. A copy of the Perwannah said to have been granted to that person was not found in the proper book.

The special Commissioners understood Mr. Walker's reply to their 8th paragraph to be quite unsatisfactory and inconsistent with the contents of his 8th paragraph because it should be inferred from the part of his letter last quoted, that Rajkissen Roy's case being urgent, it was his object to start, after obtaining leave, with as little delay as possible, yet in the 11th paragraph it is stated, that "although leave had been granted to Rajkissen Roy, it was understood that he was not to quit the station for a day or two to come."

The Commissioners thought that a distinct order should have been passed in the Roobukarry of the 24th of February as to the person or persons by whom the enquiry directed should have been made. As to the case of Radhanath Mookerjee, it was separately treated in Mr. Walker's roobukarry of the 24th of March, and the single case of Issurchund (in which they were not able to discover sufficient cause for implicating Rajkissen Roy) was certainly on inadequate foundation, for the very strong language used in the roobukarry of the 5th of May. Mr. Walker admitted that no written report on the subject to his recollection, was made nor could he furnish any particulars of the irregularities which formed one of the main grounds for his recommending Raj Kissen Roy's removal from office.

The Commissioners referred the Sudder Board to the papers mentioned in their letter dated the 20th of July. It would be perceived from them, that Mr. Walker did not furnish the Commissioners with the explanation called for from him, and from the unsatisfactory nature of his reply to their question as to the result of the enquiry ordered by that officer, they could not but suspect that no proper notice of the misconduct of his Omlah in withholding the copies after preparation was taken by him.

Taking into consideration all the circumstances of this case, particularly that Mr. Walker had finally made up his mind to recommend Rajkissen Roy's removal from office on the 5th of May, they did not think the reasons assigned by him for not reporting the matter to the Commissioner till the 21st of September following, to have been sufficient.

The facts were as stated in their 3d paragraph, and even supposing the communication of the 9th of September to have been of a purely private "and unofficial nature" as asserted, still Mr. Walker was not justified in concealing from the Commissioner the receipt by him, of the original urzee to his address, relating to his case forwarded on the 18th of April, and which was then with the Nutees.

The Peshkar and the 2 Mohafiz dafters have wholly denied that they received any instructions to make the enquiry ordered in the Roobukarry of the 24th of February, and their statements were supported by the facts that no written orders on the subject were addressed to them, and that no report was prepared, which Mr. Walker admits. Moreover, had the omlah above mentioned received verbal orders on the subject from the Collector, or had it been understood that they were to execute them, why did not that officer insist on their being carried into effect between the 24th of February and the 5th of May without having received any report whatever? The custom as to orders for Kyfcuts being passed without specification of the individuals by whom they are to be prepared, adverted to in Mr. Walker's letter, applied to petitions and not generally to roobukarries. That the Commissioners had ascertained this by reference to the records of the Collector's Office. For the above reasons they did not think that Mr. Walker had exculpated himself from the interpretation of having recorded in an official proceeding, matter most materially affecting the character and interests of his ministerial officer, without having any grounds for so doing.

Their opinion, in short, was that the misconduct attributed to Rajkissen Roy had not been established so as to warrant his dismissal. They thought, however, that he should not be restored to office until he most satisfactorily explained the transaction of the drafts stated in their report of the 30th of May last, most particularly the 52d paragraph.

Without respect to Mr. Walker, the special Commissioners declared, that in their judgment his conduct in the case of Rajkissen Roy, was quite unjustifiable; and they added, that it left on their minds an impression, with respect to his official character in general, by no means favorable.—*Hurkuru*, March 11.

CHARGES AGAINST MR. WALKER, CONTINUED.

The Sudder Board, on the 20th of September 1833, addressed Government on the subject, stating that as Government were already aware that Mr. Goad had altogether failed to substantiate the numerous charges which he brought forward, and Mr. Goad had shewn himself to be utterly unqualified to execute the task which he undertook, and it was evident that the Special Commissioners were right in their conclusion that he was not the author, or at least not the unassisted author of the earlier letters to which his signature was affixed, and which (whatever their other faults and deficiencies) were in many respects, powerfully written, his latter conduct had been feeble and puerile in the extreme.

The consequence of this entire failure on the part of the accuser had been, that all, or almost all, the charges which had been investigated by the Special Commissioners, had, when not successfully rebutted by Mr. Collector Walker, fallen to the ground for want of proof,—and that circumstance should certainly have been allowed its full weight in favour of that officer's integrity, after concluding the investigation of Mr. Goad's allegations, for they

proved to be nothing better. The Special Commissioners entertained the same sentiments as regards "the absence of all proof of guilt" as those above expressed, though they certainly went further than the Sudder Board were prepared to follow them in the conclusion which they built upon the premises.

For the Sudder Board observed, in the course of a careful examination of the voluminous papers that accompanied the Special Commissioners' report, more than one suspicious circumstance which those officers had either overlooked, or but slightly glanced at. These circumstances were all connected with Rajkissen Roy Chowdry, a person appointed by Mr. Walker to the Sherishtadarship of the collectorate, and subsequently dismissed, principally on the grounds that he had circulated rumours that the Collector was deeply indebted to him, and that he had extorted two months' salary from each of the native omahs as stated in the roobukaries, severally held by the Collector on the 24th of Feb. and 24th of March 1832.

These proceedings, even when regarded *irrespectively*, appeared to the Sudder Board to afford indication that there was more beneath the surface, relative to the nature of the connection subsisting between Mr. Collector Walker, and his sherishtadar, than was intended to meet the eye, and this suspicion was increased both by the contents of the petition to Government by Raj Kissen Roy the sherishtadar above named, and forwarded to the Board from his office, and by the circumstances of certain remittances from Mymensing in the form of drafts drawn by the Collector upon the General Treasury, which his Lordship in Council would find commented upon in paragraphs 48 to 54 of the Special Commissioners' Report of the 30th May last.

The Board accordingly referred the circumstances of Raj Kissen Roy's dismissal from office, and Mr. Walker's roobukaries above cited, which they had insufficiently investigated for the reconsideration of the Special Commissioners. Their report with its enclosures, under date the 25th of July last, accompanied. His Lordship in Council would remark, that the impression produced upon the minds of those officers by the result of that supplementary investigation, was very different from that under which they drew up their former report. Their letter of the 25th of July, concludes with the following expressions.

"With respect to Mr. Walker we have now to declare, that, in our judgment, his conduct in the case of Raj Kissen Roy was quite unjustifiable, and we must add that it has left on our minds an impression, with respect to his official character in general, by no means favourable." The Board deemed it necessary to add that Mr. Walker's letter of the 11th of August 1833, to the address of the Board, in which he attempted to justify the three roobukaries above referred to, and to account for neglect to investigate the charges which he placed on record against Raj Kissen Roy on the 24th February, when that person was in attendance on the preceding day, and had obtained further leave of absence, is not only wholly unsatisfactory, but wholly dangerous and discreditable in the extreme.

The Sudder Board on their part followed up the enquiry by summoning Raj Kissen Roy who was a resident of Calcutta and taking his deposition with reference more especially to the drafts above alluded to, on four of which, to the amount in the aggregate of rupees 10,000, his name is endorsed. There is a fifth draft (No. 109 of 1831-32) for rupees 2,000, on which Mr. John Hughes's name appears after a most protracted correspondence, and after vainly employing the influence of the Chief Magistrate, which that officer kindly exerted in their favor, the Board succeeded in obtaining Mr. Hughes's attendance—a sketch of the statements which he made in reply to their question was submitted.

In the judgment of the Board the whole transaction, from the appointment of Raj Kissen Roy to the Sherishtadarship to the granting almost simultaneously to many drafts upon the General Treasury; four of which were traced to Raj Kissen himself, and the fifth to Mr. Hughes, who avowed before the Board that he had acted as Mr. Walker's attorney in pecuniary matters, was one of extreme suspicion. In the first place the Special Commissioners stated as the conclusion which they drew from their enquiries, that Sheopersaud Wastee, who asserts that he handed to Mr. Hughes the five drafts, was not their real proprietor, that he and one Ramdeal Sookul were merely employed as agents for some other person or persons, whose object appears to have been the concealment of the true nature of their transactions; it appeared also, and the Board deemed the fact remarkable, that the records of the Collector's Treasury did not tally with the drafts in regard to the name of the party by whom some of them were purchased. The Board considered this fact remarkable, because all the drafts in question were dated in September and October 1832, long after the record of Mr. Walker's roobukaries above mentioned, by the last of which, the Collector had declared Raj Kissen Roy "unfit to be employed in the public service," and the latter could scarcely, therefore, have retained influence sufficient in the office, from which he had been removed under such circumstances, to induce the parties responsible for the correctness of the books of the Collectorate to make false entries; other obvious reasons must have suggested themselves to his Lordship in Council, as they did to the Board, which concurred to render it improbable in the extreme, that a disgraced and a dismissed native officer, who did not appear to have visited Mymensing, after he quitted that district, in the latter end of February, 1832, should have voluntarily chosen the Collector's treasury as the medium of remitting a sum of money, which could scarcely have been honestly acquired.

It was still evident that the transactions were not of a *bonâ fide* nature, and that the *nominal*, was not the *real* remitter. The drafts were all traced as above-mentioned, into Mr. Hughes's possession, who had avowedly acted on former occasions, as Mr. Walker's attorney, and were made over by him to Rajkissen Roy, who, as it appeared from his own evidence, and Mr. Hughes's statement, was originally recommended to Mr. Collector Walker, for the Sherishtadarship, by the same attorney. To all this it must be added, that notwithstanding the roobukaries above noticed, his alleged gross misconduct was never reported to the Commissioner of the Division, till the 21st of September, 1832, a period most closely corresponding with the date of all the drafts on which the names of Rajkissen Roy, or John Hughes appeared, nor could the Board omit to notice the gross inconsistency between the real facts of Rajkissen's recommendation to Mr. Walker, and of his previous public employment being limited to a seat as a writer in Mr. Bailey's office, and the statement in the commencement of the Collector's roobukary of the 24th of February, 1832, that he was appointed in consideration, not only of the recommendation in his favour, but of "respectability," trust-worthiness, and experience in the business of Bengal.

On the whole, the Board were of opinion, that the facts elicited in regard to Rajkissen Roy's leave of absence in February, 1832, to the charge of corruption adduced against him by the Collector, and never at all followed up, and to the length of time during which the alleged misconduct of the Sherishtadar was kept from the knowledge of the Commissioner, was very discreditable to Mr. Walker's official character; which added to the circumstances connected with the drafts as above detailed, shewed the way to the still graver suspicion, upon strong presumptive evidence, of Mr. Walker's being in debt to his Sherishtadar.

Pending the late general investigation, the correspondence had passed between the office and the Commissioner of Dacca relative to the attachment by Mr. Collector Walker, of one hundred and seventy-four mehal, on the permanent rent roll of the district to enforce the registry of mutations under the provisions grossly misunderstood, of clause 2d section XI. Regulation of III 1238.

The statement enclosed in Mr. Commissioner Middleton's letter of the 26th of June last, did exhibit to his Lordship in council the manner in which the illegal attachment had been carried into effect, the persons employed for that purpose on extravagant salaries having been retained from June, July, August, and October 1831 respectively to December 1832, whilst 2 men only were paid any thing from the Public Treasury, (to the amount of rupees 81) one received Rs 48, total "amount", of collections, or in other words, all that he thought fit to account for. Therest were allowed to remunerate themselves as they could, by the plunder of the estates which they were deputed to attach, whilst the proprietors were compelled, by the compulsory process of the sale Laws to pay the revenue of their Mehals during the whole period of dispossession. Five estates were actually sold for the recovery of such arrears, but through the interference of the Board that part of the mischief had since been remedied.

Mr. Walker's defence of his conduct in this particularly was forwarded under cover of the Commissioner's letter of the 13th ultimo. He expressed surprise that his "acts, whilst acting under the express stipulations of a specific Regulation of Government, had been considered illegal, "since" Lands bearing a Mocurruree Jumma could never be Lakheraj," and stated that no individual could have suffered from those attachments from the circumstances of the Ameens being seldom or ever able to obtain possession, and that no cost "or expence of any kind could accrue to Government in consequence of their never having been paid from the public Treasury, and the revenue of such Mehals having been collected."

This letter in the judgment of the Board, was almost in itself sufficient to demonstrate Mr. Collector Walker's unfitness for responsible employment in the revenue branch of the service, since it not only displayed an extreme ignorance of his duty, of the Laws entrusted to his administration, and of the rights of the people, but bespoke an indifference to those rights and to the plainest principles of equity, which the Board considered still more disqualifying.

Under those impressions and with reference to Mr. Walker's previous removals from the Collectorate of Rajshahye, and the judicial line of the service, the Sudder Board could not recommend that he should be restored to his office at Mymensing, nor could they conscientiously state to his Lordship in Council that they considered him to be a person to whom the interests of the public service could safely or beneficially be confided in any situation of high trust and responsibility.—*Hurkaru, March 13, 1837.*

CONSULTATION, MONDAY, 13th MARCH, 1837

EAST INDIA SUGAR.

The Governor-General in Council has recently had under his consideration, the provisions contained in cap. 26th, 6th, and 7th, William IV., which, by opening the British markets to East India Sugar, may possibly occasion a great increase in the growth of that valuable product, in the districts subordinate to the Presidency of Fort William in Bengal, and ultimately throughout the British possessions in India, should the advantages of the late Act, as his Lordship in Council anxiously desires, be at no distant period extended.

It consequently appeared to His Lordship in Council to be particularly desirable at the present period, that as regards the cultivation of sugar, one uniform principle of the assessment should be observed, so that the inhabitants of one district may not be subjected to heavier imposts than those of another, and that every reasonable encouragement being afforded to the production of that valuable article, due effect may be given to the intuitions of the British Legislature.

In the opinion of the Governor in Council, the most correct principle of assessing lands appropriated to the growth of sugar, or other rich product, is that prescribed in the dispatch from the Hon'ble the Court of Directors to the Bombay Government, under date the 16th of July 1830, namely that such lands should be subject to the same assessment as land of the same quality and advantage under ordinary crops, but His Lordship in Council is desirous of ascertaining what is the practice followed throughout the Bengal Presidency, what may be the maximum rate of assessing such lands, and, where the rates vary greatly, the causes of the variation.

The above enquiry referred chiefly to the Government demand; His Lordship in Council being desirous of ascertaining the principles on which that demand is regulated in those districts in which lands have fallen under the immediate management of Government, and in others in which temporary settlements only are made with the proprietors or holders of lands, although he would gladly receive all information which can readily be given as to the rates of rent ordinarily prevailing in different districts under the permanent settlement, as regards such cultivation, and the modes in which those rates are adjusted.

Mr. Secretary Mangles conveyed the above queries to the Board, they having been put to him by Mr. Secretary W. H. Macnaughten.

The Board have transmitted copies of the above Government orders to all the Commissioners, requesting they will favor the Board with a communication of their sentiments on the subject, with the least possible delay.—*Hurkaru, March 14.*

CHARGES AGAINST MR. R. WALKER, LATE COLLECTOR OF MYMENSING.

Substance of a Petition of Rajkissen Rai Chowdrie, late sherishtadar to the Collectorate of Mymensing.

That owing to the machinations of one Poneet Loll, the person whom Mr. Walker appointed as Nazir, that gentleman became prejudiced against the petitioner, and falsely charged the petitioner, in proceedings held on the 24th Feb. 1832, and 24th of March 1832, with certain malpractices connected with the Surburra Karee of Radanath Mookerjee, to which charges the Collector neglected to call on the sherishtadar to answer. That the said sherishtadar, giving as substitute his relation, departed on leave of absence to his home, for the recovery of his health. That subsequently he sent from Calcutta two representations with a medical certificate, of his health not being sufficiently established to admit of his return to duty.

The case, however, really stood thus. The petitioner in February 1832, applied for, and obtained from Mr. Collector Walker, 15 days leave of absence: shortly after Rajkissen Rai had left the station, the Collector received a letter from him stating, that he, the sherishtadar, understood his leave to be unlimited, and had left his relation to act for him. The Collector supposing that he had been deceived, for the sherishtadar obtained leave on the plea of going to Dacca, for 15 days, for medical advice, selected, as acting sherishtadar, an individual named Bhownanychurn Mittra.

Mr. H. Middleton, the then Commissioner of that district, gave it as his opinion, that the petition was incorrect,

rect, about the mode in which his representation to this office was disposed of. The Commissioner's order on that document being to the following effect: That the paper having been transmitted to him by the post, and the writer having no representative at Dacca, the consideration of its contents must be postponed till the receipt of the Collector's proceeding upon the subject to which it referred.

On the 15th of January 1834, the Government in acknowledging the receipt of the Board's letter dated the 20th of September last, submitting the result of the investigation of the special Commissioners into the charges preferred by Mr. Good against Mr. R. Walker, (Collector of Mymensing, desired, before passing final orders on that case, that Mr. Walker should be called on distinctly to explain all the circumstances attending the nomination, appointment, and removal of the sherishtadar, and that he should have an opportunity of submitting any explanation, that he thought proper regarding the money transactions connected with the drafts on the General Treasury tracted to the sherishtadar and Mr. Hughes.

For that purpose, copies of the depositions of Raj Kissen Rai, and Mr. Hughes should be furnished to Mr. Walker, as also extract paras: 8 to 10 of the Board's letter of the 20th September, and any other documents, which Mr. Walker may not have seen and which would be necessary to enable him to explain those transactions.

The Board were requested to call for copies of all the correspondence between Mr. Walker and the Local Commissioner, connected with the nomination, appointment, and removal of the sherishtadar, that this case should have been complete and separately taken into consideration, without the necessity of searching through the voluminous records connected with the proceedings of the Special Commissioners.

Mr. Walker's Explanation.

Mr. Walker, in acknowledging the Board's letter of date 28th January, furnished for submission to Government the following explanation:—

With reference to that part of Mr. Secretary Waresen's letter relative to Raj Kissen's appointment, &c. to the situation of sherishtadar at the Collectorate at Mymensing, Mr. Walker stated, that shortly after his own appointment to the district, he was informed the situation of sherishtadar was vacant, and as such, whilst he was in Calcutta, there were several candidates for the vacancy, amongst whom was Raj Kissen Rai; as he was strongly recommended to the Collector by Mr. Hughes as well as other gentlemen high up in the service, he consented to give Raj Kissen the situation, on Mr. Walker joining the district, and there being no one intermediately appointed.

On Mr. Walker's arrival at the station, he found the information he had received in Calcutta to be correct, and although he had arrived at the station and waited to receive charge, a delay of 3 or 4 days took place, and Mr. Bury, then in temporary charge, and when on the very eve of delivering over charge to Mr. Walker, appointed Gopalchund to the vacancy, and in his, Mr. Walker's, presence.

Soon after taking charge of the office, Mr. Walker found Gopal Chund invariably in a state of inability, and although Mr. Walker had been led at first to suppose it originated from sickness, he soon discovered its origin to be intoxication, and that the man had long been an habituated drunkard; so bad was he on one occasion that upon getting a roobukarry, he did not know the top from the bottom, and the Collector was obliged to get Ramneedhes Sein, then Mohafiz Qufter, and who was at the time standing by him, to perform the duty.

How far such a man could be deemed fit or unfit for the situation of Head ministerial officer, or what confidence could be placed in a person labouring under such unfortunate habits, Mr. Walker left for superior judgment and authority to decide.

Mr. Walker did his duty by immediately applying to Mr. Tucker, the local Commissioner, stating to him at the same time, the whole of the circumstances. Mr. Tucker, however, deferred passing any immediate order in the case, but wrote him, stating he would, upon his arrival at the station on Circuit, personally investigate the circumstances.

In May or June following, Mr. Commissioner Tucker, on his arrival at Mymensing, entered into the investigation, and after personally satisfying himself with every local information, immediately reduced Gopal Chunder to his former birth, approving at the same time the nomination of Raj Kissen Rai.

During the time Raj Kissen held the situation of sherishtadar, he, according to Mr. Walker's humble ideas, fully proved himself an efficient officer in as much as he was the cause of bringing to light and subsequently recovering for Government several thousands of rupees interest and penalty, &c. arrears that had occurred near three years prior to either Mr. Walker's own, or Raj Kissen's appointment in the district, and which no other servant of Government for 3 continued years had either found out or paid the slightest attention to.

In the year 1832, during the absence of Raj Kissen on account of the Dusserah holidays, Mr. Walker was informed that Raj Kissen had spread a report at the station that Mr. Walker was in his debt, and he being then absent and in Calcutta, no steps were immediately taken. On his return, however, to the station (6th February) he was questioned by the Collector regarding the reports, when he immediately denied them by stating he never mentioned any thing of the kind, and as the report was a mere hearsay report, the Collector could not with any degree of justice to Raj Kissen hold any investigation, but still could not remove from his mind a suspicion which caused a coolness on the part of the Collector, and it was not improbable that from such coolness Raj Kissen applied for leave of absence on the plea of sickness on the 23d February, and which the Collector granted, little suspecting any trickery. There, however, was an understanding that he was not to leave for a day or two to enable him to deliver over charge, but in consequence of his leaving the station the same day and being informed of this, it brought back to Mr. Walker's mind the suspicion he had on Raj Kissen, regarding the report, it was alleged he had been the author of, and which caused his roobakarree of the 24th of the same month (February). The whole of this explanation, however, would be found in his letter to the Special Commissioners appointed by Government under Regulation XVII of 1813 to try his case, and when they were ordered by the Sudder Board of Revenue to investigate Raj Kissen's case of appeal against the local Commissioner and in Mr. Walker's subsequent appeal and explanation against the Special Commissioners to the Sudder Board themselves.

It was in the Collector's roobakarree of the 24th February, that he first declared Raj Kissen unfit for the situation. Prior to submitting the circumstances, however, for the consideration of the local Commissioner, Raj Kissen; it appeared, had appealed to that officer against the roobakarree in question, submitting at the same time, a sick certificate of his European Doctor, and which was transmitted to the Collector by the local Commissioner himself. Pending his decision on the appeal all further proceedings became for a time suspended in the Collector's office, but finding afterwards Raj Kissen had not proceeded in his appeal, or made

any further representation relative to an intended return, Mr. Walker was ultimately compelled for official regularity to bring the circumstance to the Commissioner's notice, who, in September 1832, from information he had already received, and which he stated in his letter to the Board dated 22d July 1833, passed an order for his removal, and which of course was duly carried into effect.

After the petition had been presented by Mr. Good in Mr. Walker's case, and during the special investigation under the provisions of Regulation XXII, of 1813, Mr. Walker became informed, and which he believed to be the case, that the report had been spread by some of Raj Kissen's enemies, and Mr. Walker had not the least doubt, but Poneet Loll had been the instrumental person, as would also appear in his reply to the Special Commissioners, and subsequent appeal to the Sudder Board, on the representation made by Raj Kissen.

It appeared, however, that the papers connected with Raj Kissen's case, had not by some mistake, or oversight, been forwarded to Government with the rest of the papers of his case.—Mr. Walker had to request, they should be forwarded with this explanation, not only as containing a full and detailed explanation of the man's case, but had they been before Government: they would, in all probability, have precluded the necessity of the present correspondence by putting the Government in possession of the whole information required.

With respect to the drafts, Mr. Walker was unable to enter into any explanation beyond what already appears in the papers furnished to him by the Board. By the depositions of Messrs. Hughes and Raj Kissen, it appeared very clearly that the drafts were the property of one Sheopurshad, who sold them to Mr. Hughes on a discount, and that Mr. Hughes made them over to Raj Kissen partly in payment of a debt existing between themselves and the rest to be cashed for Mr. Hughes.

The Board in their report to Government, were pleased to state as "*remarkable*", that the records of the Collectors' Treasury did not tally with the drafts in regard to the name of the party by whom some of them were purchased." In reply to that part, Mr. Walker begged to state, that neither the Collector, nor the records of his office had any thing to do with purchasers; all drafts being negotiable instruments. The expressions made use of by the Board were therefore irreconcilable; and Mr. Hughes stated before the Board that he purchased them at a discount from a person by name Sheopurshad; he again passed some of the same drafts to his own creditor Raj Kissen, who again went, and got the rest cashed for Mr. Hughes upon his own responsibility: or he might again have gone and sold them in the bazar—in that case they must have obtained 50 purchasers. Yet the records of a Collector's office we supposed totally with all the purchasers in their different transfers.

Again, Mr. Walker observed, that the Board were pleased to state—"other obvious reasons must suggest themselves to his Lordship in Council, as they do the Board, &c., &c., that Raj Kissen who had quitted the district in February 1832, voluntarily chose the Collector's Treasury as a medium for remitting money which could scarcely have been honestly acquired." Raj Kissen never did so at all, as he denied the drafts being his property, but clearly stated before the Board, that he received them from Mr. Hughes as payment of a debt, and who bought them from another person, and which the Board also admitted in their subsequent paragraph.

With reference to the alleged misconduct of the sheristadar not being reported to the Commissioner till September, Mr. Walker observed that the reasons would fully appear both in the present, and in his separate reply to the Special Commissioners appointed under Regulation XXII. of 1813 to try his case, as also in his appeal

against their decision to the Sudder Board, and to which Mr. Walker humbly begged the attention of Government.—*Hurkaru*, March 15.

CONSULTATION,—TUESDAY, MARCH 7, 1837.

POWER OF COLLECTORS IN APPEAL CASES.

Mr. G. F. Shakespeare, Commissioner of the Sunderbuns, on the 12th of February last, addressed Mr. Commissioner Pigou, regarding clause 3, section 4, regulation in 1828, in which it is provided, that in cases appealed to the Special Commissioner it shall be competent to that authority to stay execution of the Collector's decree, and to cause the attachment of the land decreed to be suspended, or withdrawn on due security being tendered by the applicant for the payment of the revenue which may ultimately be assessed on the land.

Mr. Shakespeare wished to be informed, whether the rule could be constructed as precluding a Collector or Officer invested with the powers of a Collector from measuring and forming a settlement of decreed land for which an appellant may have furnished security, and obtained its release from attachment during the time that the land so held released, and the appeal for it, is still pending, or if such rule is only to be understood as preventing the attachment of land for which security may have been furnished, till the result of the appeals made can be ascertained.

Mr. Shakespeare was led to ask Mr. Pigou's opinion in regard to the meaning of the above clause of the enactment, as in his own mind he has doubts as to what may be signified by the words "*to stay execution of the Collector's Decree*", and after a reference to the records of his office he was unable to discover one instance where previous to the decision of the Special Commissioner, decreed land held by an appellant on security had been settled, yet the purport of the clause in question appeared to him to be somewhat vague, and its provisions did not in express terms prohibit, what Mr. Shakespeare was desirous of effecting during the present season, namely, the formation and settlement of these Estates named *Kumarcule*, *Zeeldangu* and *Beestopore*, the attachment of which appeals having been preferred and security provided, has been suspended. Mr. Shakespeare was therefore anxious to learn, the feasibility or otherwise under the existing laws of forming settlements of land circumstanced as those above mentioned.

Mr. Pigou submitted the query to the Board with his opinion, that with a *Mehal* circumstanced as those above described, a Collector has no power of interference until the decree in favor of Government shall have been upheld in the appeal.

The Board fully concurred with Mr. Pigou and have informed him accordingly.—*Hurkaru*, March 16.

CHARGES AGAINST MR. R. WALKER, CONCLUDED.

The Government observed that the Special Commissioners appointed to conduct the enquiry regarding Mr. Walker, recorded in the first instance, the following opinion on his case generally in their report of the 30th May 1833.

"The Board having required from Government the decided expression of their opinion with respect of Mr. Walker, Government declared that in their judgment, in the absence of all proof of guilty, he is, on every principle of justice, entitled to a general verdict of acquittal, and to restoration to office."

The result of their further investigation of Mr. Walker's proceedings in the case of *Rajkissen Rai*, the late

sherishtader of the Mymensing collectorship, was, however, thus stated in the concluding part of their subsequent report of the 25th of July, 1833.

"With respect to Mr. Walker, we have now to declare, that in our judgment his conduct in the case of Rajkissen Rai was quite unjustifiable, and we must add that it has left on our minds, an impression with respect to his official character in general by no means favorable."

In their address of the 20th of September last, the Board had detailed at length the sentiments formed by them on a review of the circumstances attending the nomination, appointment and removal of the individual referred to, and of those connected with the suspicious character of several drafts drawn from the Mymensing Collectorship on the General Treasury, and traced to that person and to Mr. Hughes, by whom Rajkissen Rai was originally recommended to Mr. Walker's patronage, and who avows himself to have acted on several occasions as Mr. Walker's attorney. Copies of those parts of the Board's address, had been communicated to Mr. Walker, and a full opportunity had been afforded him of laying any facts for consideration by which the unfavorable impressions expressed in them, could be removed. The Government entirely concurs in the opinion intimated by the Board in the letter from Mr. Mangles, under acknowledgment, the explanations which have been offered by Mr. Walker on these points, are quite insufficient and unsatisfactory.

The Board desired to signify their final concurrence recorded in the general remarks by them on this part of the investigation in para. 11, of the letter of September 21, 1833.

"On the whole, the Board are of opinion that the facts should, in regard to Rajkissen Rai's leave of absence in February 1832, to the charge of corruption adduced against him by the Collector, and never at all followed up, and to the length of time during which the alleged misconduct of the sherishtadar was kept from the knowledge of the Commissioner, are very discreditable to Mr. Walker's official character, which, with the circumstances connected with the drafts as above detailed, lay open Mr. Walker to the still greater suspicion, upon strong presumptive evidence, of having been indebted to his sherishtadar."

Under these circumstances, and with advertence to the observations in paras. 12 to 16 of the letter of September 20, the Government consider it proper to resolve that Mr. Walker be finally removed from the Collectorship of Mymensing, and placed from the date of his suspension from that office on the allowances of a Civil Servant out of employ, until the pleasure of the Hon'ble the Court of Directors (to whom a separate report of the case will immediately be made) can be ascertained, with regard to his future disposal.

The Board informed Government that no proceedings were held subsequent to the examination of Rajkissen Rai in the month of July 1833, and that Rajkissen did not then hold any office under Government.

MEMORANDUM.

Rajkissen Rai attended on the 11th of February 1837 at the Board, and being asked if he was able to give any information on the subject of the draft transactions alluded to by the Hon'ble Court in their despatch of the 23d March 1836, paragraph 37, declared that he was unable to give any information on the subject beyond what he had already furnished in his deposition before the Board of July 12th 1833, forwarded to Government with Mr. Mangles's letter; but that he was willing, if called upon, to explain fully the nature of his own pecuniary transactions with Mr. Hughes, with which Mr. Walker had and has no concern. — *Hurkaru, March 17.*

FRIDAY, 17TH MARCH, 1837.

Mr. C. Tucker had the usual oath administered to him this day, after which he took his seat as a Member of the Board.

CONSULTATION.—TUESDAY, MARCH 7, 1837.

ANNEXATION OF THE JYNTEAH TERRITORY TO SYLHET.

Mr. Secretary Mangles informed to the Sudder Board on the 28th ultimo, that the sanction of Government had been solicited to the annexation of the Jynteah Territory to Sylhet, and directed that immediate measures should be taken for placing the survey, &c., of that Territory under the general control of Mr. Collector Mytton.

Orders will also hereafter be communicated to the Board in regard to investiture of Lieutenant Thuillier with the powers of a Deputy Collector under Regulation IX: of 1833.

The Commissioner of Dacca has been instructed accordingly. — *Hurkaru, March 18.*

PRESIDENCY, FRIDAY, MARCH 17, 1837.

Present—James Pattie, Henry Walters, and Charles Tuckers, Esqrs., Members, and F. J. Halliday, Esq., Secretary.

The Secretary brought the undermentioned cases before the Members for discussion:—

Division or Office.	Subject.	Member by whom proposed for discussion.
Commissioner of Bhaugulpore.	Requests information as to whether the services of Mr. Hamilton are considered by the Board to be unnecessary or not in Peigh, Amerittoo to be surveyed by Lieut. Ellis.	Senior Member.
Jessore.	Application from Resumption Deputy Collector of Jessore for an allowance of 600 rupees for the purchase of an office tent.	Ditto.
Bauleah. Mr. R. Barlow's private note.	Regarding Mr. Hawkins's illness.	Ditto.
Bauleah.	Regarding the heavy balances due by the farmer of Peigunah Beharbund, property of the Minor Kishennuth Rai.	Ditto.
Government.	Forwarding for disposal petition of Dyal Chand Muter of Jav-nuggur Zillah, 24-Per-nahs.	Ditto.
Chittagong.	Relative to the return of a certain portion of the surplus proceeds of the estate Tairuff Radhamohun Bonnerjea to Rajkissen Bonnerjea.	Ditto.
Acct. Revenue Department.	Relative to the recording of Estates in Bhaugulpore.	Ditto.
Jessore.	Regarding neglect of the Collector of Backergunge in furnishing report of Bis-henpore purree.	Ditto.
Petition of Syed Nader Allee, late Deputy Collector in Behar.	Alleges against his dismissal from the Deputy Collectorship of Behar.	Junior Member.

Statement of Hal and Bukya Demands and Collections of Bengal, Bahar and Orissa, from 1820-21 and 1835-36, and also of Collections from Lands liable to assessment, but not registered on the Rent-roll of these years.

1 Years.	2 Hal Demand.	3 Bukya Demand.	4 Total Demand.	5 Current or Hal Collections.	6 Bukya Collections.	7 Collections from Lands not on Rent-roll.	8 Total Collections.	
1820-21	2,93,91,423	78,03,319	3,71,94,742	2,70,43,514	18,16,650	2,69,367	2,91,29,531	
1821-22	2,94,64,100	80,61,817	3,75,25,917	2,74,13,748	21,04,020	2,12,593	2,97,30,361	
1822-23	2,94,97,604	78,20,794	3,73,18,398	2,74,71,365	18,09,047	2,98,661	2,95,79,073	
1823-24	2,95,25,308	76,56,030	3,71,81,338	2,69,46,803	17,87,037	4,28,253	2,91,62,093	
1824-25	2,95,59,887	82,73,321	3,78,33,208	2,71,83,055	22,88,366	3,91,879	2,98,63,300	
1825-26	2,96,13,752	80,85,758	3,76,99,510	2,67,38,755	19,91,875	3,79,407	2,91,10,037	
1826-27	2,97,54,480	80,02,063	3,85,56,543	2,64,77,630	25,73,094	3,36,495	2,93,87,219	
1827-28	2,99,50,319	93,18,744	3,92,69,063	2,66,02,534	29,77,484	4,80,785	3,00,60,803	
1828-29	3,01,25,318	93,68,468	3,94,93,786	2,66,05,715	29,49,358	4,37,406	2,99,92,479	
1829-30	2,99,46,333	95,65,784	3,95,12,117	2,63,26,818	31,64,538	4,61,383	2,99,52,739	
1830-31	2,99,75,506	97,91,807	3,96,67,312	2,60,30,054	32,90,266	3,55,871	2,96,76,191	
1831-32	3,00,06,697	1,00,88,999	4,00,95,696	2,43,95,461	35,80,629	4,46,583	2,84,22,673	
1832-33	2,00,22,473	1,01,33,123	4,01,55,596	2,37,76,057	47,88,676	6,17,310	2,91,82,043	
1833-34	3,00,92,204	1,00,53,578	4,11,45,782	2,25,44,685	52,27,369	3,62,776	2,81,34,830	
Probable actual } Estimated }	1834-35	3,01,64,962	1,25,86,469	4,27,51,431	2,25,75,674	60,14,331	4,13,900	2,90,03,905
	1835-36	3,01,64,962	1,27,68,000	4,29,32,962	2,25,76,442	60,14,000	4,15,000	2,90,05,442
Total.....	47,72,55,327	15,11,78,074	62,84,33,401	41,07,08,310	5,23,76,740	63,07,669	46,93,92,719	
Deduct Bukyah Demand.....			15,11,78,074	Deduct Collections from lands not on Rent-roll.....			63,07,669	
Total actual Current Demand.....			47,72,55,327	Total actual Current and Bukyah Collections.....			46,30,85,050	
Difference between actual Current Demand and Current and Bukyah Collections.....							1,41,70,277	

OPINION OF THE SENIOR MEMBER.

The statement annexed, prepared by the Revenue Accountant of hal and bukya demands and collections of Bengal, Bahar and Orissa, from 1820-21 to 1835-36, and also collections from lands liable to assessment, but not registered on the rent-roll of those years, seems to me so extraordinary, and to exhibit so very unfavorable a result for the last eight years, that is, since the revenue Commissioners were established, that considering it in connection with other important evidences of admitted failure in the revenue administration during the same period, I am apprehensive I might be justly accused of a great dereliction of my duty, were I not to attempt to

obtain some explanation in detail of the causes of the very manifest deterioration exhibited in this statement. It shews, that the hal demand or jumma has been in the permanently settled provinces, merely stationary since 1828-1829, since their has been no increase worth noticing. Explanation is, nevertheless, necessary to shew, how it happens that the new estates added to the rent-roll by the recent activity given to the process of lakheraj resumption, has not produced a more perceptible effect on the general land revenue demand. There is, it is true, a separate head for collections from lands not on the rent-roll, and most of the resumptions will have appeared probably on this list; but even here no

increase is to be found. On the contrary, the separate in head of these collections shews a total sum realized during the years 1827-1828 and 1828-1829, considerably in excess of the collections during the three last years (realized or estimated,) of this portion of the statement.

With reference, therefore, to this unexpected result, I propose, that the revenue accountant be called upon to furnish so much analysis of heads, Nos. 1 and 7, as shall enable the board to see. First, how much of the hal demand or jumma of 1828-1829 is identical with that of 1834-1835, that is, of the same demand, and levied from the same estates, during the two periods. Secondly, how much has been, wholly through estates been forthcoming to be delivered over into possession, it has been necessary to abandon the revenue demand. Thirdly, how much has been absolutely remitted in perpetuity by authority of Government, on account of deluvian or other similar causes. Fourthly, what further losses of jumma have occurred, and from what causes. Again, of jumma placed afresh on the rent-roll; that is of the portion of that of 1834-1835, which is new, and was not on the books in 1828-1829? First, what amount is ascribable to lapsed farms or jagheers, which have fallen under assessment in ordinary course. Secondly, what amount has been derived from the assessment of new lands brought on the rent-roll, either by the resumption of lakheraj or through the occupation of alluvial or jungle lands, under the provisions of Reg. III., of 1828.

2. The office of the revenue accountant at the presidency ought to have such registers of the land revenue of the different districts and of mutations in the jumma in particular, as should enable him to prepare the above explanatory statements without much additional trouble. But if it be more convenient for him to make them up for other years than those above indicated, I have no objection, as my desire is to have before the board some distinct exhibition of the decrease of hal demand or jumma on one side, of its growth where it has increased on the other. I would wish to have it for the whole of the permanently-settled territory, but if that be not attainable in consequence of the labor of preparation, the Board must then be content with a few districts to be selected by the accountant, with reference to the variations, apparent extreme cases being of course preferred.

3. With respect to the annually increasing unrealized balance, it appears, that the current collections upon the same hal demand or jumma, are between thirty and forty lakhs less than heretofore; and, although the bukya collections have increased necessarily with the balance overdue, the increase does not quite correspond with the amount of balance; so much so, otherwise, that in the total sum annually realized, there is a deficit of no less than ten lakhs in the collections of 1834-35, contrasted with those of 1827-28. This is not ascribable to any failure of crops or temporary or local causes, for, in the years 1834-35, all circumstances were favorable, and, still more so, in 1835-36. In the year preceeding, viz: 1833-34, when there was a partial failure, the deficit was more remarkable, being upwards of nineteen lakhs.

The statement annexed, sufficiently shews, that the revenue is not so punctually paid or so regularly realized under the system of commissioners and collectors, having judicial and police duties, as well as fiscal to perform, as it was under the system in force, prior 1829-30. The outstanding balances of the hal demand amounted at the close of 1828-29 only to 35,19,603, whilst at the close of 1834-35, the outstanding balances of the hal demand for that year amounted to 75,88,520, being 40,68,917 in excess of the balances outstanding at the close of 1828-29.

Viz. Hal Demand Current or Hal Balances of Hal collections. Demand

1828-29 ..	301,25,318 ..	266,05,715, ..	35,19,603
1834-35 ..	301,64,962 ..	225,76,442, ..	75,88,520

Excess of Balances of 1828-29.

4. With the view of having this singular defalcation in the receipts, I would wish the revenue accountant to be called upon to furnish an analysis of the 127,68,000, alleged bukya demand, shewing how much is of the year last past, and how much of old standing, that is, of 1,2,3,4, or 5 years, and is still unrecovered. I presume, that no interest demand is included in this statement. If there be, its amount should be separately and distinctly exhibited, for its forming any part of it, will make the deficit of collections still more extraordinary, for, of course, the amount, if not in it, ought to correspond with the bukya demand. I should much like also to see in the analyzed statement of balances a separate head of those due upon estates, that have been sold in liquidation of arrears of revenue, shewing the amount unrealized by the rate proceeds on the one hand, and the amount due from the purchaser since the sale. This information, however, I fear, the accountant will not be able to supply for us, and without sending a special officer to make the enquiry, it would be hopeless to call for it from the commissioners or the district collectors. This statement must ultimately form the subject of a reference to the Government for we have more than we are here called upon to explain the ill success of late years in the realization of the revenue, but, it appears to me, we should be premature in addressing Government, until we sought for, and obtained all the information that can be procured through our accountant.

5. I solicit the third member's consideration of this question and his assistance in perfecting the enquiry, which are to me of great importance, and therefore needing to be made with as much attention to accuracy and perfection, as may be consistent with other obligations of duty. I hope the apprehensions I entertain of the imperfections of our system of revenue accounts, generally may prove to be ill founded.

(Signed) J. PATTLE.

23d January, 1837.

P. S. The Board have sent a copy of the Senior Member's minute to the Accountant of the Revenue Department, requesting him to furnish the required information at his earliest convenience.

CONSULTATION,—TUESDAY, MARCH 14, 1837.

INTEREST ON ARREARS OF REVENUE, ASSAM—DISCONTINUED.

Mr. Secretary Mangles, on the 7th instant, informed the Board (in reply to their letter of 6th ultimo,) that on the grounds urged by them, and by the local authorities, and with reference to the circumstance that the Land Revenue of Assam has been progressively increasing, the Right Hon'ble the Governor of Bengal has been pleased to authorize discontinuance in that province, except in cases of wilful default, of the demand of interest upon arrears of Revenue.

And as it appeared desirable that the Revenue officers should be empowered to inflict a penalty upon wilful default, the Board have been requested to direct the attention of the Commissioner to Section VI. Regulation X. of 1818, desiring that Law should be acted upon at the discretion of the local authorities, whenever the payment of the public due is fraudulently withheld.

The Board have furnished the Commissioner of Assam with a copy of the above orders, calling his attention to the 2d paragraph in regard to the law to be exercised for the future.—*Hurkaru*, 21.

CONSULTATION, — TUESDAY, MARCH 14, 1837.]

CONSOLIDATION OF MIDNAPORE WITH HIDGEELEE.

Mr. Secretary Mangles, on the 28th ultimo, forwarded a Resolution passed by His Lordship uniting Midnapore and Hidgelee as one district, and entrusting the magistracy and collectorship to separate officers. The Commissioner of the Cuttack division has been requested to take the necessary measures for carrying the plan into effect, and Mr. A. F. Donnelly has been appointed to be Collector of Midnapore and Hidgelee.

RESOLUTION.

The vacation by Mr. Samsforth of the office of magistrate and collector of Midnapore, affords the Governor of Bengal an opportunity for placing the Police and the Revenue administration of that district, and of the adjacent jurisdiction of Hidgelee, upon a new, and as His Lordship trusts, an improved footing.

Up to the date of Mr. William Alexander's recent departure for England, the Police and Revenue of Midnapore and Hidgelee have been administered (since the abolition of the separate magistracy and collectorship of the latter district) by the officers specified in the

Magistrate & Collector of Midnapore Co's	
Rs.....	26,000
Joint Magistrate and Deputy Collector of Midnapore.....	12,000
Ditto ditto of Hidgelee.....	12,000
Total charge, Co's	
Rs.....	50,000

* This is the average between rupees 24,000 and Rs 28,000, the salaries of the lower and higher grades of magistrates and collectors respectively.

much disorder; and as regards Hidgelee, though the Governor believes that the present officiating Magistrate and Collector, Mr. Gilmore, is entitled to much credit for his strenuous exertions to re-organize both the departments under his charge, much remains to be done in that quarter also, before the effects of visitations of the nature above alluded to can be repaired.

On a full consideration of all the circumstances of the case, after consulting the local officers, and, personally, the members of the Sudder Board, His Lordship has come to the conclusion that the plan which holds out the best prospects of present efficiency and permanent improvement, is this, to wit, the junction of Midnapore and Hidgelee as one district, the Magistracy and the Collectorship being entrusted to separate officers, the hands of the Collector being strengthened, if necessary, by the appointment of an additional Deputy Collector under Regulation IX. of 1833, to be ordinarily employed in Hidgelee, should the magistrate require assistance. In consequence of the remoteness of the southern and south-eastern thannahs from Midnapore, the Governor will be prepared to consider whether it would not be expedient to entrust the immediate management of the executive agents of the Police in that direction to an officer of superior rank to the darogahs, whose proceedings he would superintend, reporting himself to the Magistrate, a scheme of administration proposed for discussion in the printed Circular requisition of the 29th of September last. It may be added that the abolition of the Joint Magistracy and Deputy

Collectorate of Hidgelee will but slightly effect the inhabitants of that district, in regard to the difficulty of resort to the chief local authority in either department, as owing to its unhealthiness that officer has been necessarily permitted to reside, during the greater part of the year at Midnapore; and under the present plan, the magistrate having the Police alone to attend to, will be required to visit the more distant thannahs every cold season:

Collector of Midnapore and Hidgelee,	
rupees.....	23,000*
Magistrate of Do. do.	15,000†

The aggregate of the new arrangement will be rupees 38,000, or rupees 12,000, less than that hitherto incurred as noted opposite to paragraph 2, of this Resolution; which saving will abundantly suffice to provide the subordinate officers referred to in the foregoing paragraph, should their employment be found to be indispensable to the efficiency of either department.

Total 38,000

* The average between rupees 21,000 and rupees 25,000, the salaries of the lower and higher grades of Collectors respectively.

† Ditto ditto between rupees 12,000 and Rs 18,000, the salaries of the lower and higher grades of Magistrates respectively.

The objection to the junction of Hidgelee with Midnapore, urged by Mr. Commissioner Ricketts in the passage quoted on the *margin from his letter of the 10th

inst., has been entirely obviated by the recent appointment of Mr. J. H. Crawford as special Deputy Collector to investigate the titles of parties claiming to hold lands free of assessment in the united districts, with a particular provision for his residence during a portion of each year in Hidgelee.

In order to relieve both the Collector and the Magistrate of Midnapore, but especially the former officer, his Lordship has been pleased to resolve that Mahabatt Mahals Bogtue, Kumardachore, and Shakabundee, be separated from that zillah and attached to Ballasore to the Sudder station of which district, they are understood to be much nearer than to Midnapore.

Ordered, that Mr. A. F. Donnelly be appointed Collector of Midnapore and Hidgelee with the salary of the lower grade viz. rupees 21,000 per annum, and that Mr. M. S. Gilmore be appointed Magistrate of the same jurisdiction on the salary of the lower grades, viz. rupees 12,000 per annum — *Hurkaru*, March 22.

ASSESSMENT OF ASSETS ON SALT — CUTTACK.

The Board of Revenue, on the 12th of December last, forwarded a letter from the Commissioner of Cuttack to the Board of Customs, relative to an arrangement the Commissioner proposed to make for the more efficient collection of the revenue on lands occupied by the salt department. The Commissioner stated, that the average revenue paid for the last ten years, had been rupees 30,204, which being correct, the arrangement now proposed would in the Commissioner's opinion, be worth 10,000 rupees per annum to the state.

It further stated, that the case was about being submitted to Government, but that the Board were undecided as to the propriety of recommending the Commissioner's propositions for adoption in an unqualified form. The Board were of opinion that it would afford greater facility for the collection of this land revenue, if the payment were made by transfer from the salt to the revenue department, so as to give the zemindar credit to his

land revenue account for the amount of one half the sum payable for his salt allowance at the rate suggested of two annas per maund. On the practicability of the latter arrangements as well as on the expediency of the proposal generally, the Sudder Board requested to be favored with the Board of Customs' opinion.

The Board of Customs felt some diffidence in forming their opinion, and as certain of the questions placed before them by the Sudder Board were intimately connected with land revenue management. They believed, however, that at present no deduction whatever is made from the $1\frac{1}{2}$ annas per maund, allowed to the Cuttack zemindars, and paid by the customs department for all salt produced in their zemindaries, and delivered to Government, and that the asset alluded to has not been subjected to any assessment in the land revenue department. The Board could do no more than conjecture why the zemindars were ready to relinquish a third of the compensation received from the salt department; it was sufficient for the present purpose, that they were thus ready, but it occurred to the Board, that if this amount be taken from them, the effect will be a proportionate reduction at the time of settlement in the land revenue since a case is now before the Customs Board, in which the Zemindars of Cuttack declare that they are greatly, almost mainly, dependent upon the $1\frac{1}{2}$ annas per maund received from the salt department for the means of meeting the claims of Government for land revenue.

There was another point which concerned the interests of the Customs department, that the arrangement proposed by the Commissioner would entail an additional charge upon the Cuttack manufacture of about 10,000 rupees per annum in exchange for which no advantage appears to be contemplated. That though true that the charge of 10,000 rupees would be nominal, so far as the general expenditure of the presidency is concerned, yet the Board of Customs did not clearly comprehend why a charge should appear against the salt department which would derive no benefit from the arrangement. It seemed to them to be precisely the same to the zemindar (although the zemindars appear to have originated the scheme now in contemplation) whether he relinquishes one-third of the $1\frac{1}{2}$ annas per maund now granted, or one-half the 2 annas per maund, which he appears prepared to give up. The difference to the state would be, that in the first case $1\frac{1}{2}$ annas will be clear gain to the land revenue without any additional charge upon salt. In the second case, while the clear gain to the land revenue will be only half an anna, the salt revenue has an increased charge debited to it of half an anna per maund more than the present cost of salt in Cuttack.

The Commissioner stated; first, "That the long agitated question of the liability of salt Revenue to Land Tax will be finally settled." The Board of Customs thought it would be equally settled, as the Zemindar is prepared to admit the liability of the asset to assessment, by taking a real third of what the zemindar now receives, as by taking a nominal half as proposed.

Second. "That no embarrassment can ever be occasioned by the Zemindars at a settlement being concluded, making exorbitant demands on the salt office." The Board of Customs did not exactly follow the argument. It appeared to them that the zemindar will make his future settlement (as far as the manufacture is concerned) with reference to the clear net sum he is himself able to obtain for each maund of salt, and not with reference to that portion of the sum which is to be claimed from him as land revenue upon the asset; as for instance, if a zemindar finds it his interest and has the power to drive a bargain with the salt office, and in his own mind fixes

Note. The Board are not aware how far the provisions of section X. Regulation I of 1824 are applicable in Cuttack.

the profit he should receive per maund of salt at four annas, (which would be exorbitant) he would of course, under the arrangement contemplated by the Commissioner, demand eight annas, half of which would be a land tax, and the whole be chargeable to the salt department. The same rule would, no doubt, hold if the third only was taken by the land revenue, after being paid by the salt officer. The only remedy in either case would be not to make salt on those lands, for which too high a rate was demanded. The Board of Customs wished to shew that fixing a nominal rate of two annas per maund payable by the salt department (one anna resumable for land revenue) affords no greater protection against exorbitant demands, if the agencies were obliged to submit to such a demand, than if the salt department paid one anna and a half per maund, half an anna being resumable for land revenue.

Third. "That a fair increased price for the use of their (the zemindars' land is granted: if the Commissioner adverts to zemindars who now receive the one anna and a half per maund, it is not obvious how any increased price is granted. They will in either case be left in possession of one anna for each maund of salt manufactured in their zemindaries; and regarding the last proposition of the Commissioner, which was "that one half of what may be paid is secured to the revenues of the state," the Board of Customs, still adverting to the zemindars who are willing to receive under the proposed arrangement two annas per maund; the gain to the state is, to the extent of 50 per cent. and such gain would be altogether nominal.

The Board of Customs concluded by observing, that in the event of Government ultimately approving of the Cuttack zemindars being awarded 2 annas instead of $1\frac{1}{2}$ annas per maund on the salt manufactured, (one anna being resumable as land revenue,) that the payment be made by transfer from the salt to the revenue department, as in numerous other instances, giving the zemindar, as contemplated, credit in his land revenue account for a moiety of the salt allowance. It appeared also that the proposal of a nominal 2 annas instead of $1\frac{1}{2}$ per maund, with the condition of paying what they have never yet paid, viz. a land tax upon their salt receipts, originated with the zemindars, and that the object which could influence them thus to come forward, is the temptation, which few of the improvidentatives of this presidency can resist of obtaining the use of a sum of ready money beyond what they have hitherto received, although perfectly aware that they will be ultimately held accountable for a moiety of the amount by Government; whether the Cuttack zemindars were or were not moved by this consideration usually so influential, will be put to the test when they are apprized that the adjustment will be made in account between the salt and land revenue department.

The Sudder Board will, we believe, pass their final orders in this case in a few days.—*Hurkaru, March 29.*

CONSULTATION, —27th March, 1837.

GOVERNOR-GENERAL'S AGENT HAZAREEBAUG—STATE
BAUGMONDIE.

We give this report in full, having published the proceedings of the Board in this case at great length, as far as it had then proceeded.

To CAPTAIN T. WILKINSON,

Governor-General's Agent, Kishenpore.

Sir,—I have read in the public prints a notice of the Proceedings of the Sudder Board of Revenue, dated the

7th instant, which induces me to address you without loss of time respecting the affairs of Purgunnah Bag moondee.

From the date of the Agency being established, viz the 15th January 1834, the general account of the Purgunnah may be traced as follows.

Balance due as transferred from zillah				
Jungle Mohale 15th Jan. 1834 Sa. Rs.	6547	4	10	0
Demand till end of 1240 B. S.	1202	0	0	0

Total	7749	4	10	0
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Deduct collections	929	12	9	2
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Balance due ending 1240 B. S.	6819	8	0	2
Add Farming Jumma for 1241 B. S.	5501	0	0	0

Total	12,320	8	0	2
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Deduct remission ..	3589	15	0	2
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„ Moshaira ..	3229	9	0	0
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„ Collections ..	1508	0	0	0
	8327	8	0	2

Balance due ending 1241 B. S.	3993	0	0	0
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At this point I pause to remark that the balance here shown (Sa. Rs. 3,995) accrued long previous to my appointment, so far, therefore, I trust, I shall be considered blameless.

I received charge of this office on the 6th of August 1835, and found that during the four months of 1242 B. S. then elapsed, only Sa. Rs. 38 had been collected, but I will admit my responsibility for the whole of that year.

The account now proceeds.

Balance due ending 1241 B. S. as above	3993			
Add Farming Jumma for 1242 B. S.	5501			

Total	9494			
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Deduct Collections	5498	12	13	1
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Balance due ending 1242 B. S.	3995	3	6	3
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or Co's. Rs.	4262	8	6	0
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Add proportion of Farming Jumma				
5867 11 9 till Pooos, 1248 B. S.				

(Cos. Rs.)	4585	9	8	0
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Total	8848	2	2	0
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Deduct Collections	3565	6	4	0
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Balance due ending Pooos 1243 B. S.	5282	11	10	
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Deduct Moshaira Nowdur to the				
Ranee from Pooos 1242 B. S. till Pooos				
1243 B. S. inclusive	1619	7	6	

Actual Balance due ending Pooos				
1243 B. S.	3663	4	4	

Recurring hence to the Balance due at the end of 1244 B. S., it is evident that at this period it has diminished from Sa. Rs. 3993 Co's Rs. 4259' 3 2 to Co's Rs. 3563 15-4, or in other words, that Co's Rs. 596 3 10 of that Balance has been realized,

The account may be conjecturally brought up to the end of the current year 1243 B. S. thus actual.

Actual balance now due	Co's R. 3663	4	4
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Add balance of Farming Jumma	1282	2	1
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Total ..	4945	6	5
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Deduct probable (I believe certain) collec-			
tions including Moshaira	1537	6	5

Probable balance ending 1243 B. S.	Ra. 3408	0	0
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which will be less than I found it by Co's Rs. 850, and it is needless to add that every effort will be used to effect its entire liquidation.

On the foregoing statement I leave you (who are intimately acquainted with the district and its capabilities) to decide how far I have been negligent or am blameable in this particular instance.

I proceed to another point on which I have some (not perhaps very powerful) defence to offer. I allude to my having accepted the security of Sagurnarain Sing, without its having had your sanction. I deeply regret that mistake: how far it was excusable, you shall judge.

I am again forced to refer to periods anterior to my own appointment.

On the 26th of September 1834, the Jhulda Rajah being considered insufficient, the Ranee farmer was warned by the then assistant to provide other security. But she was not at the same time prohibited from making collections; so far to the contrary, that when a Suzawal was deputed on the 2d December 1834, he was instructed to assist the Ranee. The Seezawal was also called upon to give security, but it was never furnished.

On the 25th March 1835, the Ranee gave notice that Sagurnarain Sing would become her security. The Assistant (not the former Officer) ordered the personal attendance of Sagurnarain Sing, who did not however attend.

On the 27th July 1835, the assistant (a third Officer) directed inquiry to be made, respecting the competency of the proposed security.

On the 6th of August 1835, I received charge of this Division, and on the 23d of September following I (being then unused to Civil business and unaware of the objection to Jungle Estates, or of my own incompetency to approve in any case) confirmed the security on its being reported valid. I also permitted the Ranee to continue the exercise of her farming powers; it had (as remarked above) never been suspended; and through mere ignorance I omitted to report my proceedings to you. For this latter omission I am much concerned, as it precluded your having cognizance of a transaction, that (as I am now aware) you could not have approved, and has partially involved you in an affair where I alone am to blame.

I beg pardon for the length of the foregoing exculpation, but to a public servant, public character is all important, and on the present occasion it would be affectation to say that unmentioned blame gives me no pain. I may toil for years in obscurity and gain no reward so public as in this instance my reproach has been. I fondly believe that I have not deserved censure so severe, but I am not so sanguine as to hope that the Sudder Board will qualify, or retract it.

It may be advisable to annex in this place some further details, to place you in complete possession of the affairs of Bugmoondee up to the present date.

Immediately on the demise of Sagurnarain Sing, I placed the pergunnah under sequestration, and made strenuous efforts to procure a competent Suyawal, but without success. The only eligible person who offered was one Gopal Mookerjee, a native of the place. He could not give sufficient security, though himself wealthy. (The reason appears to be, that the operation of the resumption laws in the neighbouring zillahs, renders the landholders unwilling to subject their tenures to any scrutiny, and he declined to place even rupees 3,000 in deposit, on that condition being offered to him.)

Failing to procure a Suyawal, I proceeded to Bugmoondee in December last, for the purpose of collecting the rents. I found that prior to the sequestration a considerable portion, about Sa. Rs. 1,108, had been taken up by the Ranee's Dewan Chenebas Putnaile, who

asserted, that he had done so with the Ranees's permission, partly to meet your demand in April last, and partly for the Ranees's house expenses. This the Ranees denied; but as her Moshairah had not been drawn for above a year, it was manifest that at last some part of the amount had probably been expended for her use. So I made Chenebas give up his accounts, and as they involved details of miscellaneous household expenditure for several years, I committed them for examination to a responsible Panchayet. A few days afterwards, by a strange fatality, Chenebas died. On hearing of that event I instantly directed his property to be sequestered pending the settlement of his accounts. There is not, I think, any probability of loss as the property of Chenebas and the Moshaira of the Ranees are accountable, more especially the latter, because the accounts of the Dewan seem to have been unchecked from the year 1237 B. S. until now, and the Ranees is fairly responsible for her own neglect.

In conclusion, I beg to remark, that having carefully inspected the accounts of the Mofussil Jumma in Purgannah Bagmoondie, I am confidently of opinion, that the farming Jumma has been fixed too high, that the estate does not in fact yield so much, and that the farming Jumma should not exceed Rs. 4,800, or say Co.'s Rs. 5,100. This I look upon as the principle source of the arrears, and I would be glad for the people's sake that you should take that subject into consideration.

Over assessment is a confessed evil, and it has the minor effect of rendering difficult farming arrangements, which are always more in the prospect of gain. Bagmoondie holds forth no such prospect, while the climate is considered so unwholesome that persons who have actually lodged securities for Suyawalships, decline taking employment in that quarter.

I have, &c.

(Signed) J. HANNINGTON, Asst. Govr. Genl. Agent
Manbhooon Division, Assistant's
Office, the 24th February 1837.

(True copy.)

(Signed) J. WILKINSON, A. G. G.

Mr. Wilkinson, the Governor-General's agent, forwarded to the Board a second communication from his assistant, Lieutenant Hannington, for their information.

Lieutenant Hannington stated that the Mofussil rental of Purgannah Bagmoondie, was understood by the Board to be about Rs. 4,870, and inferred to be greater because the Ranees could not otherwise have afforded to take the farm at a rent of Rs. 5,501, besides paying up outstanding balances. With much deference to the Board, Lieutenant Hannington could not from those premises draw the same conclusion. To him it seemed probable, that under the advice of interested individuals, desirous to open for themselves sources of speculation, and in the natural feeling of pride that would render her averse to the intrusion of strangers, the Ranees closed with the offered terms, ignorant or careless whether it were possible to fulfil them. In a former letter of his, Lieutenant Hannington stated his belief that the proceeds of the Estate are not much above Rs. 4,800, in proof of which he would forward copies of papers on which his opinion was founded. He was tolerably assured of their correctness, for the Purgannah is too small to admit of any serious concealment. If it really yields Rs. 5,500, that sum includes every species of undue exaction, and it did not appear to have been ever paid into the Government

The Board in their letter, took exception to the circumstance of Captain Wilkinson's having credited as collections the maintenance allowance of the minor. It was not incumbent upon him, Lieutenant Hannington observed, to notice the exception further than as being his own practice in all the farms under his charge and that by desire of the farmers themselves, who prefer it to the more regular method of paying in, and receiving it back. The prohibition of this custom would materially enhance the difficulty of making collections.

Lieutenant Hannington has directed the issue of notices inviting farming tenders; but does not expect an offer at the present rent; but in the meantime holds the estate under his personal management, which he finds to be the most expert and effective mode. Should it be found necessary or desirable to continue this system for any length of time, he did not object to being held responsible, so far as Rs. 4,800 per annum; but could not undertake to collect the greater sum (Rs. 5,501) without respectfully stating his conviction that its realization is impossible: he therefore desired Captain Wilkinson's strict examination into the rent roll, and requested his instructions thereupon; for if no farmer comes forward it will be expedient to make ryotwarre arrangements at the commencement of the ensuing year, 1244 B. S., and if the full farming jumma of rupees 5,501 be insisted upon, the authorities could only obtain it by new engagements with the tenantry.

In concluding, Lieutenant Hannington reverted to his error in having accepted the security of Sangurnam Singh, and omitting to report the same. For this he had already expressed his regret, and in the censure of the Board he felt himself severely punished. He has endeavoured to shew that it did not altogether proceed from laxity or deficient judgment. It was needless to repeat what he had before urged, but he trusted that Captain Wilkinson, and through him the Board, would acquit him of negligence, though he should be considered to have acted without due caution.

The Board, in acknowledging the receipt of the above communication stated, that Lieutenant Hannington has succeeded in shewing that a great portion of the arrears alluded to is of a period antecedent to his administration. He has also shewn that his exertions to make collections have been more successful than those of his predecessors; the prospective balance (by estimate) being less by rupees 850 than the balance due at the time he took charge.

In explanation of the balances generally, the Board observed that Lieutenant Hannington declares his belief that the farming jumma has been fixed too high, and he states his reasons for this opinion for the Agent's consideration and orders. He evidently wrote from a full conviction of the correctness of his views and the Board will therefore be glad to receive the Agent's opinion and suggestion on the subject. Should it appear on careful investigation that the jumma is really too high, the yearly balances will be in a great measure accounted for.

With respect to Lieutenant Hannington's second letter, the Board did not entirely follow the argument by which that officer supported the expediency of crediting a farmer of a ward estate, with the ellorhain payable to the minor and his family. In cases of rare occurrence, when the farmer is a near relative, or guardian of the minor, such a measure might be extenuated though even then hardly, the Board thought, with success. But where the farmer is a stranger to the minor or ward and in no degree connected with him, or his interests, the Board could not see how such a step could operate safely for the interests of the parties concerned. But it was possible that the Board misconceived Lieutenant Hannington on this point, and have requested further explanation.

Collections.	1239 B. S.	Rs. 3,104	treasury, his own collections during the past two
	1240 "	3,559	years, though beyond any
	1241 "	1,508	former precedent to which
	1242 "	5,498	he could refer, fell at present
	1243 till poss.	3,343	short of it.

The Board have observed with satisfaction the clear, candid and judicious manner in which Lieutenant Hannington has met, and in a considerable degree answered their objections to his proceedings. They derived from

this exhibition of his capacity for public business great confidence in his exertions to remedy whatever may be wrong in the management of the Pergunnah under consideration.—*Hurkaru, March 30.*

MISCELLANEOUS.

CALCUTTA.

CRICKET.—On the 25th of February a very spirited cricket match was played on the Parade Ground at Barrackpore, between eight members of the Calcutta-Club, aided by three other gentlemen, and eleven of the Barrackpore officers. The match was not concluded. The Calcutta folks scored in two innings 232, and the officers 159 with two wickets down in their second innings.

IMPROPER ENTRIES OF ESTATES ON RENT ROLLS—BHAUGULPORE.—The Sudder Board have transmitted to the Accountant of the Revenue Department, a statement forwarded by the Commissioner of Bhagulpoore, in which it appears, that no less than 26 estates have been improperly brought on the rent roll of the district of Bhagulpoore. The object of the Board is to ascertain the accuracy of the statement furnished by the Collector, and also, if any checks and of what kind exist, in the Accountant's Office, to prevent the irregular abstraction from or insertion in the towjees of a district of estates bearing a sudder jumma, and whether Collectors can and do at their pleasure, increase or decrease the number of estates and sudder jummas in their towjees.

OSBORNE V. STOCQUELER.—In consequence of an offensive paragraph in the *Oriental Observer* of the 25th ultimo, of which Mr. Stocqueler admitted himself to be the author to Mr. Osborne, that gentleman sent his friend Mr. Barwell, the Barrister, to demand satisfaction. This was declined by Mr. Stocqueler, on the ground that he had not exceeded that license which the freedom of criticism allowed; but having also resorted to language, in regard to Mr. Osborne, which Mr. Barwell considered in-culting to himself, as bearing the message of his friend, that gentleman, after informing Mr. Stocqueler that he must be prepared for personal chastisement from Mr. Osborne, sent his own friend, Mr. Maurice Fitzgerald Sandes, to demand satisfaction for the insult to himself. This was also refused, and it appears that Mr. Stocqueler immediately applied to the Chief Magistrate for protection. Mr. Osborne was arrested near the *Englishman* Office with a horsewhip in his hand, but having pledged his honor to Mr. McFarlan that the matter should stop there and that he would appear at the Police Office, he was set at liberty. Messrs. Osborne, Barwell and Sandes, have since been bound over to keep the peace.

ORIENTAL SEMINARY.—The seventh annual examination of the pupils of the Oriental Seminary, took place at the Town Hall on the 24th ultimo. Several gentlemen, both European and native, were present on the occasion. The examination commenced a little after eleven o'clock, and continued till a late hour in the evening. The mode of reading English poetry and the quickness with which the pupils answered questions connected with their respective studies, generally speaking, was creditable both to themselves and their teachers. Recitations intervened in the course of the examination of the several classes, and the deliveries were good. At the conclusion of the examination, a number of prize books, furnished by

Bahoo Gourmohun Andy, the proprietor of the institution, were distributed amongst the successful candidates.

ARTILLERY REVIEW AT DUM-DUM.—The review at Dum-Dum on the 27th ultimo, was a very brilliant spectacle, the whole of the manoeuvres being performed in the most beautiful manner imaginable. Brigadier Penny, commanding the Barrackpore Infantry Brigade, and at this time temporarily in command of the Presidency Division, was the reviewing officer, Lord Auckland attending, not in his capacity of Governor of the Garrison of Fort William (of which the troops at Dum-Dum and Barrackpore form a part) but on horse-back as a simple spectator, to enjoy the pleasure of witnessing a spectacle somewhat out of the common routine of inspections and reviews. After the horse and foot had marched round, His Lordship and Miss Eden, mounted one of the state elephants, the better to see the practice and manoeuvring. After the practice, the interest of which was a good deal injured early in the evening, by the very first shell fired chocking wilfully to ignite the mine and blow up the flag staff, the Government House party and Staff, adjourned to the quarters of the Commandant of Artillery, Brigadier Faithfull, to dress and refresh, after the two or three hours exposure to smoke and dust, on an unusually warm evening; thence, at 8 o'clock to the Mess House, where a large party of guests was assembled in the Library and a grand dinner of 150 covers laid out under the Governor-General's Durbar tents. The dinner was followed by a brilliant display of fireworks and these by a ball, which lasted till long past midnight. Both the roads leading to Dum-Dum, were covered with foot passengers and vehicles of all descriptions, enveloped in an unceasing cloud of dust. Nothing could be more beautiful than the whole sight. The Horse Artillery, as usual, attracted the largest share of attention, and it was impossible not to admire the high order of the whole, and in particular the fine condition of the horses.

MR. DYCE SOMBRE.—A writ was executed at a late hour on the 25th ultimo, upon Mr. Dyce Sombre, at the suit of his father Colonel Dyce, for some twenty lakhs of rupees and upwards; but notwithstanding the largeness of the amount and the inconvenient time at which the arrest took place, Mr. Sombre was enabled to put in bail, having then at the Treasury Company's paper to the amount of nearly forty lakhs of rupees.

MEETING OF THE CHAMBER OF COMMERCE.—There was a meeting at the Chamber of Commerce on the 7th instant. A resolution by Mr. Syers, advocating the introduction of a Bank, for discounts, not to engage in foreign-exchange operations, was negatived by a considerable majority; and another resolution for the formation of a committee, to report upon the bearings of such an institution as the India Bank, was carried, with instructions to prepare the same in the course of a week, for the decision of the Chamber. The tone of the meeting was more decidedly averse to the India Bank, than the first one.

BOTANICAL LECTURES.—Dr. Wallich has, for some time past, been giving a series of Botanical Lectures at the Medical College.

THE LORD BISHOP OF CALCUTTA.—The Lord Bishop of Calcutta, returned to the Presidency on the 15th instant.

KYAN'S PATENT FOR PRESERVING TIMBER, &c.—Captain Sime, has expressed his readiness to undertake the seasoning, for house-builders and others, of timber or canvass, with Kyan's specific, by which seasoning they will be rendered invulnerable to white-ants or mildew. Captain Sime has vats prepared at Howrah for the purpose.

FRAUD.—A rich baboo of this city, celebrated for his amorous disposition, has recently had two successful frauds practised on him, by which he has been made to pay rather dearly for his partiality for the sex. In one instance a fair one of surprising beauty, called on the baboo and induced him to send home with her, several silver trays filled with sweetmeats, with which she decamped. In the other case, a woman, *no better than she should be*, passed herself off in the dark, as a respectable widow with whom the amorous baboo had fallen deeply in love; and while she was conversing with the baboo in a private apartment, her accomplice made off with all the silver and gold paraphernalia of the baboo's *boigcannah*. These losses, have worked such a change to the baboo's disposition, that he says that he would defy Venus herself now to delude him with her fascinations.

MILITARY ORPHAN INSTITUTION.—The following are the votes in favor of and against Dr. Corbyn's proposal respecting the Orphan Institution:—

Stations.	For	Against.
Dum-Dum.....	10	15
Calcutta.....	5	8
Barrackpore.....	56	6
Fort William.....	7	7
Cuttack.....	10	6
Bethampore.....	17	0
Dinapore.....	38	7
Benares.....	48	8
Cawnpore.....	141	11
Dacca.....	52	3
Total.....	304	11

THE PSEUDO RAJAH OF BURDWAN.—The supporters of the pretender to the guddee of Burdwan, are again bestirring themselves actively in his behalf. One of these gentry, under the anonymous signature of JUSTITIA, has been stating in the *Hurkaru*, that the person representing himself to be Partaub Chund of Burdwan, is the actual *simon peur*, and not a pretender. But of course no credence can be given to the assertion of an anonymous writer.

THE SERAMPORE MISSION.—The Serampore Mission, once the terror of many good people, is now in a tottering condition. Several of its missionaries in different parts of the country, have been discharged for want of means to support them; and the European missionaries in Serampore, have returned to England with their families, with the exception of Dr. Marshman.

MR. CHINNERY.—Mr. Henry Chinnery, the East Indian, who was sent home with presents from the Nawab of Moorshedabad, to the King of England, has returned in the *Colombo*, and brings with him some valuable presents from His Majesty to the Nawab.

THE UNCOVENANTED SERVICE WIDOWS' FUND.—It is stated that about a hundred and fifty members of the uncovenanted service, having signified their willingness

to become subscribers to the proposed Uncovenanted Assistants' Widows' Pension Fund, measures are about being taken to bring the plan into operation by the 1st of May next.

MILITARY ORPHAN SOCIETY.—The papers have been teeming with discussions respecting the expulsion of Mr. McQueen from the office of Secretary to the Military Orphan Society. The Managers of the institution have published an explanation in exculpation of Mr. McQueen's conduct respecting Miss Polhill; but the question of excluding the Secretary has not yet been decided, though the general feeling of the Army, as far as it has been manifested, is against him.

BANK OF INDIA.—A numerously attended meeting of the Chamber of Commerce took place on the 20th instant, for the purpose of considering the report of a Committee, appointed to draw up the resolutions, respecting the establishment of the proposed "Indian Bank" based on those submitted by Messrs. Harding and Hurry.

The Committee prepared at some length the reasons, which were opposed to an institution embracing, in their opinion, objects unconnected with legitimate banking and involving, if not aiming at, privileges and functions of a monopolising and dangerous tendency.

Mr. Spier moved, seconded by Mr. Montefiori Joseph, that the Report be received and approved; upon which an amendment was moved by Mr. Bruce, seconded by Mr. W. F. Ferguson, that it be rejected.

On a shew of hands the amendment was lost, and Mr. Spier's Resolution was carried.

STEAM TUG ASSOCIATION MEETING.—The first annual meeting of the Steam Tug Association, took place at the office of Messrs. Carr, Tagore and Co. on the 20th instant. The last half year's profits, amounted to fifteen and a half per centum on the subscribed capital; but it was determined to make a dividend of only seven per cent. or seventy Company's rupees per share, and to apply the rest towards procuring one or more new boats to supply the increasing demands of the shipping in this port, and also to enable the Association, with its increased means of meeting the demand, to effect an object it has from the first desired to accomplish, namely, to lower the rates charged for tugging vessels.

The following are the resolutions adopted by the meeting:

1st.—That the report and accounts be approved and recorded accordingly.

2d.—That the arrangement regarding Capts. Peat and Boothby be approved and that Capt. Peat be invited to qualify himself by taking 10 shares in the association.

3d.—That a dividend be declared of 70 Co.'s rs. per share, and that the access of earnings be carried to credit of a reserved fund for the purpose of increasing the number of tugging boats.

4th.—That an application be made to Government to ascertain if they will part with the *Irrawaddy* upon a fair valuation.

5th.—That the Committee and Secretaries for the past year be re-elected.

6th.—That the thanks of the Meeting be voted to the chair.

UNION BANK. A meeting of the directors of the Union Bank, was held on the 21st instant, at which it was determined to call a general meeting for the purpose of augmenting the capital stock of the Bank by 600 additional shares of 1,000 Co.'s Rs. each besides filling up original bank shares of 2,700 Co.'s Rs. to Co.'s Rs. 3,000 and the supplementary shares of 900 to 1,000 Co.'s Rs., which will give, in the whole, an addition to the capital stock of about eight lakhs of rupees. All the shares are to be equalized, or rather split into shares of 1,000 each, with a vote attached. •

PALAMO COAL FIELDS.—It is said that Government have deputed Mr. Hornfray to examine the coal fields of the Palamo district, in conjunction with Captain Sage, and to report upon the best means of communicating with them.

GOVERNMENT ECONOMY.—A general order has been issued by the head uncovenanted assistant in the Accountant-General's office, to all the writers and duffooties under him, to deposit in certain chests purchased for the purpose, every description of waste papers including covers on letters received, that when they have accumulated to a large quantity, they might be sold off to the highest bidder and the proceeds handed over to the Sub-treasurer for the benefit of the East India Company.

MADILLE LEMERY.—The public is, it appears, about to lose Madille Léméry. She returns to the Mauritius, to a better engagement than she left to come here. Her friends will, of course, rejoice in the cause of her departure, though they must lament the fact itself.

FIRE.—A fire broke out at Shaum Bazar on the night of the 4th instant, in the house of one Ramtonoo, and destroyed about a dozen or sixteen huts.

On the night of the 10th instant, between the hours of ten and eleven, some twenty or twenty-two houses, both tiled and straw, were destroyed by fire, at Jackson's Ghaut, just opposite that splendid newly built building, the screw house of Baboo Moteelaal Seal. It is stated to have broken out in the shop of a Moody, while he was cooking his victuals. Property to a considerable amount, consisting of tar, oil, planks, &c., were consumed.

About two o'clock on the afternoon of the 12th instant, a dreadful fire happened in Nimtullah Street, within the Hautcolah Division. It broke out in the shop of one Buddun, and the wind being somewhat high at the time, a large cluster of houses, both tiled and straw, about seventy or eighty in number, together with the movables of the inmates, the latter having gone to work, were consumed. The engines attended by the fire sergeant, as also two of the town sergeants, O'Brien and Garvey, arrived, when more than half the houses were consumed.

A very great conflagration occurred on the 21st instant. It commenced at Jora Talao and was extinguished at Jaun Bazaar, after doing very much damage.

About a quarter to four in the afternoon of the 22nd instant, was experienced a very plentiful shower of hail, which lasted about twenty minutes. The weather had been rather cloudy in the morning, but for about ten minutes before the hail was showered down, a bright sun was shining, and the sky was perfectly clear, with the exception of a small opaque cloud, which sailed slowly across the sun's disk. All of a sudden, preceded by a few drops of rain, the hail came pattering down on all sides, with a rapidity seldom equalled, and in a few minutes the ground, was literally rendered white by the

hail that had been strewed upon it. Several of the crystals of ice, were nearly of the size of pigeons' eggs and of a solid globular formation. The descent of considerably larger masses of hail has been witnessed in Calcutta, but never a more plentiful shower in so short a time.

THE MURDERERS OF RADHA BEBER.—Some weeks since, notice was taken of a murder of a Hindoo courtizan, named Radha Beber, in Churruck-Dangah. The servants of the deceased having disappeared simultaneously with the event, strong suspicions were entertained against them, and these suspicions appear now to be in manner confirmed by the circumstance of one of them being apprehended and brought down to Calcutta; by one of the many burkundauzes who had been sent in several directions, with a part of the gold ornaments and cash in his possession. The case is now in the hands of the Chief Magistrate.

MURDER.—Jhubu Khan, Foondhun Khan, Mohim Sheik, Dhonaee Moosulman, Gol Mahommed and Kadeem, were tried before E. R. Barwell, Esq., for the wilful murder of Gour Sirdar. The Court found the prisoners Foondhun Khan, and Mohim Sheik, guilty of the wilful murder of the deceased Gour Sirdar on violent presumption, the prisoner Jhubu Khan, of giving aiders for the commission of the crime, and the prisoners Dhonaee Moosulman, Gol Mahommed, and Kadeem, of being accomplices in the same, on full legal proof; and declared them liable to discretionary punishment by akoolut proportioned to their different degrees of guilt. The case has been referred for the final orders of the Nizamut authorities.

ATTEMPT TO MURDER.—A woman of the name of Jaun Beber, residing in the house of Khyroo coachman, at Short's Bazar, was about 3 o'clock on the morning of the 16th instant, wounded with a knife in the throat by her husband, who was led to the commission of the act, by jealousy. The Police of the division is looking out for the man. The woman's wound was examined by Mr. O'Brien of the Native Hospital, who pronounced her to be out of danger.

YELLOW DYE.—Dr. Burt, of Berhampore, has lately discovered a valuable yellow dye in the leaves of the teak tree. The dye is obtained by boiling the leaves for upwards of an hour in an earthen or copper vessel; but steeping in cold water will also extract it. Dr. Burt has yet only tried the dye on silk cloth, using mordants of alum and acetate of iron; the former produces a bright yellow, the latter an olive green; both fixed permanent colors, which can be varied from the most delicate straw to the brightest yellow and olive green. Some idea of the quantity of dye contained in the leaves may be formed from boiling 4 ounces of the dried leaves slowly in 3 or 4 quarts of water; when the liquor is strained there will be a sufficient quantity to dye several square yards of silk cloth.

CHRISTIAN THE SWINDLER.—One of the two individuals named Christian, generally spoken of as "the Russian spies," has been sent to jail, pending a further examination into the charge laid against him by Mr. Walker, for obtaining large sums of money under false pretences.

EXECUTION AT TALLYGUNGEE.—Ramnarain Poorkyte, convicted of the murder of Ramdhone Doss, was executed at 7 o'clock A. M. of the 17th instant, on the other side of the bridge leading to Tallygunge. Ramnarain's fellow prisoner and accomplice, Roopchand Mundul, has been sentenced to imprisonment, with labor in irons, for life.

AN EXTRAORDINARY THEFT.—A few days ago a vander of scents entered a sweet-meat seller's shop in Collootollah-street with the ostensible intention of selling some *itter*. While the shop-keeper was alone in his shop, the scent vander presented a phial of *itter*, which being rejected, he showed another, which on being smelt served to render the shopkeeper perfectly senseless. The man then made away with all his brass chattels and sweetmeats, together with some rupees and pice, and has made his escape.

DARING ROBBERY.—A daring robbery was committed on the premises of Baboo Rajendra Mullick, at Chorbagan, on the night of the 3d instant, and property, consisting chiefly of gold and silver ornaments, to a considerable amount, carried away. Some of the offenders have been apprehended by the police, with a portion of the stolen property in their possession.

HIGHWAY ROBBERY.—On the 19th instant, about nine o'clock, as a Baboo of the name of Hurroonath Roy, residing at *Ariadu*, in the Bariackpore road, was returning home from Calcutta in a palanquin carriage, he was attacked by four Europeans near Rajah Cullian Sing's garden, Chitpore. The Baboo was pulled out of the carriage and told that unless he gave up every thing he had about him, he would be shot dead: One of the men had a pistol at the time in his hand, which he held to the head of the Baboo. The Baboo had nothing to give them, as he had been in town merely on a visit to the family of the late Rajah Gopee Mohun. Every bit of clothes he had on his person was forced from him so as to leave him naked, when finding an opportunity he was glad to escape with life. The syce was thrashed, and so was the coachman; the latter was knocked off the coach box, and one of the Europeans got on it, and the rest inside the carriage, and drove away. It is stated that the offenders are private soldiers belonging to the Artillery regiment at Dum-Dum, two of whom were apprehended the same night by the Police constables in town: on one of them was found a pistol, and subsequently the palanquin carriage was recovered.

AFFRAY.—A serious affray occurred on the 16th instant, in the Durrumtollah Bazaar. The shopkeepers, on one of their body being struck by a Mr. Daws, rose *en masse*, shut the gates of the Bazaar, and commenced a most violent assault on all the Christian gentlemen who had visited the Bazaar; and the assaulted, could not for a long time be rescued from them.

DEFALCATION IN THE POLICE OFFICE.—The Sherishtadar of the Police Office, was brought before the Chief Magistrate on an alleged charge of defalcation in his cash returns to the amount of seventy thousand rupees. Being unable to find bail, he was committed and ordered to be brought up again on the 27th instant for trial.

COUNTERFEIT COIN.—A Brahmin of a notoriously bad character, and two others, were apprehended by the Police on the 4th instant for making counterfeit coin. A number of false rupees were found on the men.

THE COPPER CURRENCY.—The scarcity of copper money in circulation, has induced the shroffs again to extort six pice for exchanging each rupee. A few shops for exchanging money are still kept up by Government; but the pice procurable in them at sixty-four for the rupee, are all defaced—of the same kind which Government brought up some time since at sixty-eight for the rupee,—and will not in consequence pass current in the market. How long are the poor wretches, who earn from three to seven rupees a month, to be subjected to this serious loss, from the inability or unwillingness of

Government to relieve them by a plentiful supply of the coin?

Money changers give now only fourteen gundas and three pice for the new rupee, and propose giving during the Dole Jatra and Mohorum festivals, &c., &c., only fourteen gundas and two pice. This is *batta* with a vengeance.

MQFUSSIL.

AGRA.—The Secretaryship to the Government of Agra, is about to become vacant by the departure of Mr. Bushby to England, in consequence of the regretted indisposition of his family. Messrs. Scott and Thomson, are spoken of as his successors.

New mines of coal have just been discovered at Hazareebaug and Bidjegur, in the south-eastern corner of Mirzapore district. The coal is said to be superior to that of Burdwan, and offers have been made to supply it to Government at five or six maunds per rupee.

MEERUT.—In consequence of defalcations which have occurred in the pay office, the Deputy Paymaster has prosecuted the firm of Hurput Rao and Narian Doss, who were sureties for some Bengally clerks in the Pay Office, for the sum of 9,713 rupees, in the civil Court of Meerut.

CANPORK.—Mr. Adam Maxwell, of the late house of Maxwell, Burnett and Co., and his accomplice, Oomrao Alli, having been tried before the Sessions court of Cawnpore for swindling 11,500 rupees, from the Paishwah at Bithoor, the former has been sentenced to six months imprisonment in the jail of Cawnpore and to pay a fine to Government of 1,000 rupees, or in default, to three months' further imprisonment, and to the latter five months' imprisonment has been awarded.

The small pox is raging at Cawnpore, and several individuals of H. M. 16th foot, have taken the infection.

DELHI.—Major-General the Honorable John Ramsay, Commanding the Meerut Division of the Army, quitted Delhi on the 17th ult. en route to Bareilly, for the purpose of inspecting the troops at that station. From Bareilly, the General will proceed to Moradabad, and thence return to Meerut.

The Pallee Plague has now extended its ravages over nearly the whole of Marwar.

Mr. T. Metcalf and Mr. R. N. C. Hamilton have been appointed a Commission to adjust the affairs and claims connected with the estate of the late Shumshooddeen Khan of Ferozepore.

The Lieutenant-Governor has extended the revised merit-fostering system to the North Western Provinces.

Mr. Clerk, Political Agent at Umbalah, joined the Camp of His Excellency the Commander-in-Chief on the 17th ultimo, and pointed out the utter impossibility of going across the country *direct* to Hurreek, to meet Runjeet's mission. His Excellency must now proceed by Loodianaah, and as the marriage of New Nehal Sing is positively fixed for the 6th proximo, it is very probable the ceremony will be concluded ere Sir Henry Fane reaches Umritsir!

Serious injury has resulted to the crops from a severe hail storm experienced on the 9th instant. The genial showers which fell a few days previous to it, promised a rich crop and plentiful harvest, but these bright illusions have entirely vanished in the hail storm.

LIEUT. BURNES.—The arrival of Lieut. Burnes and party, in two vessels at Hyderabad, has excited great curiosity on the part of the natives, some of whom main

tain that they are come to settle the affairs of Kabul and others that they are proceeding to Iran.

MURDER.—A woman of the name of Aludny, was convicted by the Magistrate, on the 3d instant, of the murder of Puddomony Dossee, a young woman of about thirteen years of age, for the sake of her ornaments. The horrible deed, was perpetrated with a bamboo, with which the murderers beat out the brains of the poor girl. The case has been handed up to the sessions judge.

Mr. John Brodrick, an indigo planter, having proved an assault of an aggravated nature, to have been committed on him and others by Mohindronauth Mitter and others, at the instigation of Moteelal Roy and Sibehunder Roy, Mohindronauth Mitter was sentenced to be imprisoned for six months, and to pay a fine of 100 rupees, and unless paid within seven days, to be kept to hard labour during the imprisonment; and in default of the fine the term of imprisonment to be enlarged to nine months. Orders were then given that the rest of the defendants, including Moteelal Roy and Sibehunder Roy, should be in attendance in the court within five days.

DINAPORE.—A treasure party from the force at this station, in charge of two lakhs of rupees, had lately three picquets killed near Dungaee, by a party of thieves. The alarm, however, having been given, the thieves made off without a further attempt on the money.

POISONING.—On the 1st of March, the darogah of Hurrpaul, forwarded to the court two dead bodies, and four men in a senseless state, apparently natives of the upper provinces. From the examination of the bodies, it appears, that they had been poisoned, and the four men who were insensible having come to their senses, had stated, that they were men in the employ of Gopee Chunder Oswall, of Burra Bazar, Calcutta; that their names were Roopram, Mosooram, Heralaul and Connyelaul; and that they had with them five purses of gold-mohurs and goldingots to the amount of 16,000 Rs. It is supposed, that the modes at whose house they slept, poisoned them, with the intention of robbing their money, and the man has been taken up in consequence.

NATIVE STATES.

RAJPOOTANA.—The Jhodpore Legion arrived at Kankrolee in Meywar, on the 9th January, where Colouel Spiers, Political Agent of Neemuch, joined this corps. From Kankrolee they crossed the hills and after descending the Ghanora Ghaut arrived in seven marches at Burrong in the Sirohee territory, in the neighbourhood of which place the new cantonment for the Jhodpore Legion is marked out. sanguine expectations are entertained of the restoration of peace and good order in this long disturbed country, and the natives are loud in their praises of the wisdom and policy of the British Government in having adopted so humane a measure. The Plague seems to be spreading all over Marwar. It has broken out in several of the villages in the neighbourhood of Burgong. It is a difficult matter to prevent buncas and traders from infected places in Marwar entering the camp, as they invariably conceal the circumstance from a desire to effect the sale of their goods.

SEWDANDUR.—The Ameers of Scind sent a detachment of troops for the protection of their territories in Sewdandur, and while they were encamped on the frontiers, the son of Mahraub Khan, the chief of Bilocheestan, with a view to surprize them, attacked them in the dead of night; but the attempt failed of the desired effect, and the Scindians having been on their guard at the time, a skirmish ensued between the parties, in

which and the Scindians succeeded in putting the Bilochees to rout. A number of lives were lost on the occasion.

BOKHARAH.—The chief of Bokharah turning apathetic in regard to the interests of his subjects, and negligent to keep his troops in order, and supply them with military stores, the empire is threatened with much jeopardy. The inhabitants of certain districts have already placed themselves under the Government of Iran; and it is stated that the King of this latter place is ambitious to make himself master of Bolakh, Bokhara and Kerman. But Mirza Hosen Ali, the Governor of Serauz, a relation of His Majesty, does not approve of the measure, it not being consonant to his feeling that the chief of Iran should be hurled from the throne. He is trying, accordingly, to dissuade His Majesty from the purpose in question, and also from retaining in his possession, the district above alluded to.

From recent arrivals from this place, it has been ascertained, that this state is torn asunder by anarchy and misrule of every kind: the cultivator is oppressed by the soldier, and the soldier is in his turn, dissatisfied with the government. The land lies untilld, and all things are in disorder. The inhabitants of many of the frontier towns, disgusted with the supineness of the Bokhara Government, have transferred their allegiance to the Persian Government in the usual style; namely, that of introducing the Persian thannuhs into and expelling those of Bokhara out of their towns.

CANDAHAR.—The reported invasion of Shikarpore by the Sikhs, has alarmed the Mountain Chiefs of Candahar, two of whom, supposing that there is some other ulterior object in view, have assembled a body of 20,000 men with which they propose to watch the movements of the Sikhs, and when they find them fairly in possession of Shikarpore, to return to, and protect their mountain fastnesses.

HYDERABAD.—A report prevails at this place, that two large boats, with a war-ship, containing British troops, have come by way of the sea up the Indus, cast anchor, and disembarked the troops below Hyderabad. This intelligence has struck a great panic into the Scindians who are speculating upon the object of this display, and who begin to be alarmed for themselves, particularly as it is now confidently rumoured that these ships and troops are to be immediately followed by numerous others from Bombay.

LAHORE.—While the Maha Rajah was holding a durbar, a petition from Hurry Sing Nelwa was read, stating that the zemindars of the tribe called Afridy, in the neighbourhood of the fortress of Shaikh Imaun-oollah Hosen, having formed a gang had commenced a regular system of depredations, on itinerant merchants and travellers, who happened to fall into their clutches. To this His Highness was pleased to answer that the petitioner should leave nothing untried to eradicate the evil complained of.

A petition was received from Sirdar Juggut Sing Antari-walla, setting forth that a number of zemindars of Aysee having assembled together, had put the thanadar of the place to death; and that there were fifteen Seikhs among the offenders. His Highness turned to his courtiers and said, that after the marriage of Now Nehal Sing, he would chastize the wicked fellows in such a manner, that they would learn how to behave better in future.

Hakeem Auzeer-oodeen represented, that the Ameers of Scind, who bore the yoke of subjugation to the Nauzim of Hyderabad formerly, having of late rebelled against him, have made themselves masters of that country.

Cauzee Hosen Bux, the vakeel, of Hurry Sing Nelwa, represented that the zemindars of zillah

Koh-Khybur, having turned rebellious, a skirmish ensued between them and his master, in which no less than twenty-five men were slain on each side; when unable to continue further resistance, they took to their heels and effected their escape to the mountains.

His Highness having enquired what the present brought out by General Allard from France consisted of, it was represented that it was composed of one thousand and eight hundred guns and five hundred pistols. His highness ordered the pistols to be distributed amongst the cavalry men.

MADRAS.

MILITARY RETIRING FUND.—The following resolutions for the establishment of a Military Retiring Fund, were adopted at a meeting held at the College Hall on the 11th ultimo :—

1st. Shall a retiring Fund be established for the infantry of the Madras army? Unanimously carried.

2d. Shall it be by bonus, not annuity. Unanimously carried.

3d. Shall the principle of a retiring fund which has been proposed in Bombay form the basis of the Madras Retiring Fund? Carried with one dissenting voice.

4th. Shall a general committee of officers be named to embody the foregoing resolutions, prepare scale of subscriptions and other necessary information for approval of a general meeting to be convened hereafter? Unanimously carried.

5th.—That a Committee of 13 be elected with power to complete their number in case of vacancies.

The following officers are accordingly requested to form the Committee.—Col. Evans, C. B.; Lieut. Cols. Cleaveland and James; Majors Fryer, Bradford and Vivian; Captains Moberly, Dodds, Macdonald and Mackenzie; Lieuts. Snow, Houlderson and Haines.

6th.—That the thanks of the meeting be offered to Capt. Moberly for the public spirit he has evinced and the trouble he has taken in forwarding the object in view—as well as for his consideration in offering accommodation at the Military Fund Office for the meetings of the Committee. Carried unanimously.

7th.—That the proceedings of this meeting be published in the different newspapers of the Presidency. Carried.

8th. That the thanks of the meeting be offered to Colonel Evans, C. B., for his conduct in the chair. Carried unanimously.

GOOMSOOR.—The Goomsoor war is at last at an end, without the capture or giving up of the chief rebel; the force has been broken up and Mr. Russell is on his way to Madras, to resume his seat in the Council Chamber, and was expected to arrive on the 23rd ult. Bolir Singh and another rebel have been hanged. Boliar was hung from the branch of a tree which shadows the graves of the young officers who were killed last year at the Durgaprasad Pass. Two of our detachments are withdrawn and Gully Kullada was soon to follow. A company of the 43d was to go to relieve the detachment at Aska held by the 60th who were to proceed immediately to Vizianagram. A Court-martial was to assemble for the trial of some of the rebels, after which there was to be a general move."

SIR F. ADAM.—It is said Sir F. Adam will proceed to England in the *Java*.

MR. RUSSELL.—Mr. Russell arrived at Madras on the 23rd of February, and resumed his seat in council on the next day.

MASONIC PROSPECTS.—LORD ELPHINSTONE, who is about to proceed to Madras as Governor, having been raised to the degree of Master Mason in the Lodge of "Friendship" No. 6, has given great earnest of Masonic promise; and will, we are confident, use the means of promulgating our tenets in that extensive scene over which he is called upon to preside. We congratulate the Madras Masons and the community on the appointment of this distinguished nobleman.

CAPT. MACNEILL.—Capt. Macneill, one of the Madras Police Magistrates, has been appointed to be Joint Remount Agent, which situation had become vacant by the death of Captain Hunter, of the Bombay Cavalry, and Capt. Pitt Macdonald will succeed to the Magistrateship.

MADRAS CLUB.—The following office bearers of the Madras Club, were elected at a meeting held on the 1st instant.

Col. Waugh, C. B., *President*. Mr. M. Donell, *Vice President*, *Members of the Committee*—Mr. Pugh; Mr. O. Viveash; Mr. H. Viveash, Capt. Forster, Major Kerr, Mr. Acworth, Mr. Key, Col. Logan, Mr. A. D. Campbell, Major Limond, Captain Underwood, General Doveton, Mr. McTaggart, Capt. Maitland, Captain Shaw, and Mr. Turabull.

GOLCONDA.—The insurrection in Golconda, near Samulcottah, has been suppressed.

LORD ELPHINSTONE AND SIR F. ADAM.—On the 5th instant, the royal yacht *Prince Regent*, Capt. R. Cogan, from Plymouth the 27th October, Rio Janeiro 12th December, and the Cape of Good Hope 17th January, arrived at Madras, having on board, the Right Hon'ble Lord Elphinstone and Walter Elliot, Esq., Private Secy. The *Java*, with Sir Frederick Adam on board, sailed the same morning, a few hours before the signal of the yacht was made out. Lord Elphinstone no sooner learned that the *Java*, having on board Sir Frederick Adam, was scarcely out of sight of the roads, than he directed the *Prince Regent* to be put to sea again, in order that he might communicated with the Ex-Governor. The *Prince Regent* accordingly left the roads in pursuit of the *Java*, communicate with the Governor, and returned the next day, when Lord Elphinstone disembarked.

DACOITY.—Letters from Secunderabad, dated the 3d instant, state, that a most daring attack was made on the house of a native banker at Bolarum, on the night of the 28th ultimo, attended with serious loss of life and property. It appears that the house of the banker, named Surrupook, was attacked about 7 o'clock on the evening of the 28th of February, by a gang of about 50 dacoits who killed the sentry at the gate; a man and a female servant who came before them were also killed, and a relative of the banker wounded. The banker himself took the precaution of not appearing whilst the dacoits plundered him in money and jewels to the amount of about 45,000 rupees; the banker's house was situate in the general bazar, at Bolarum, were His Highness the Nizam's troops are stationed. The dacoits made their escape, as is unfortunately usual with them, without being apprehended.

BOMBAY.

JAHEER OF GOVIND ROW NANA SHAHEH.—The jagheer of Govind Row Nana Shahab, has reverted to the Honorable Company.

DESTRUCTIVE FIRE.—A fire took place at Surat on the 3rd of February, and 500 houses, chiefly huts of poor people, were consumed by the flames.

DESTRUCTION OF VESSELS BY FIRE.—Information from Cochla intimates, that a few days after the launch of the *Sham Allen*, a large ship intended for the cotton trade to China, a fire broke out near the ship she had left, which destroyed several smaller vessels on the stocks and a considerable quantity of naval stores.

DEATH OF SUEHEEVA PUNT.—The *Sueheva Punt* of His Highness the Raja of Sattara, died at Bhoré, the seat of his jagheer, about a week or ten days ago. This young man was the adopted son of the late Punt, and had just arrived at an age fit for managing his own affairs. He has left no male issue behind him; but it is said, he was induced to adopt a child the day before he died, which probably will be recognized by the Raja of Sattara on payment of the usual Muzzur. His jagheer yields a revenue of 3 lakhs of rupees every year.

POONAH SANSKRIT COLLEGE.—The Poonah Sanskrit College, is not to be abolished.

ARCHDEACON CARR.—Archdeacon Carr has actually been appointed Bishop of Bombay. The Bishopric is to commence in July 1837.

MEMORIAL AGAINST IDOLATRY.—The minister of the Gospel at Bombay and several of their congregation, have memorialized the Government against countenancing idolatry in any way.

Native report affirms that a committee, consisting of three or four gentlemen, have been deputed in the Southern Marathes Country, to investigate some important charges against the establishment of a public functionary.

MURDER AND EXECUTION.—Two koonbees, who were convicted of the murder of a banyan in a village in the talooka of Jonnier, were hanged on the morning of the 3d instant, before the Poona jail. It seems, that the koonbees owed a sum of money to the banyan, whom they had desired to be present at the time when their grain would be thrashed. The banyan went there unattended, and entangled himself in a quarrel with the koonbees of whom there were four. One of them got hold of him, strangled him with a kumurbund, and interred his body in a neighbouring spot. The traces of the murder were discovered by the assistance of the villagers. One of the perpetrators escaped, but the two other two were seized, convicted and executed under the sanction of the Government.

GOA.

Accounts have just been received of a fourth revolution in Goa, and of a fourth and more formidable dynasty being established. The late Military Governor, who had usurped the Government in Senhor Peres's time, has in his turn been dethroned, arrested and imprisoned, by those very troops who bore him in triumph to the seat of power, in the fort of Agoada, where not long since the victims to his own ambition had suffered; A new Government has been nominated by the troops, consisting of five members, in which number two of the Military Governor's colleagues are included. The dislike would thus appear to have been to the Governor himself and not to his Government. Many officers and others who had declared for the Military Governor have also been arrested, and every exertion is being used to extinguish his party. There are now three distinct parties in the field, each endeavoring to gain the ascendancy, while the inhabitants in general are in a state of the greatest anxiety and alarm,

BURMAH.

MOULMEIN.—Letters from Moulmein mention, that an extensive conflagration in that town, occurred on the 18th ult. It commenced in a small house at midnight and speedily communicated to all the adjacent structures;

which being of wood and thatched with straw and bamboos, fed luxuriantly the devouring flames for a space of six hours. The sight is described as having been awfully grand—500 houses, mostly large ones, blazing in the middle of the night, and covering with the volumes of flames three quarters of a mile of ground. The destruction of property has been very great; the whole of these houses were totally destroyed, and the morning dawned upon the blackened ruins which marked near a mile's space of desolation in the town.

SUMATRA.

We stated some time since, that the Dutch had nearly driven the Bonjalites to desperation, and had forced them to evacuate the town of Boonjal and a fly to the mountains. We now learn, that a recent attempt of the Dutch forces under General Clarens, on the mountain fort of Boonjal, had been successfully repelled by the Padries. The whole of the European and native forces before the place, were led up to an assault, after a practicable breach had been effected in the walls; but the enemy within were bent on a resolute resistance. They permitted the Dutch troops to enter through the breach into the fort, when they opened a most destructive fire, and drove them back. The most undaunted exertions on the part of their officers were unavailing to induce the men to renew the attempt—of whom it is reported that a good many were in their flight cut down by their own officers, who themselves fell in numbers under the sabres and shots of the *Padries*, while standing in the breach and urging and exciting their men to the assault. By the Dutch report there are 150 rank and file, and 11 officers killed in this attack. They retreated on their own position, and General Clarens sent down an officer to explain their situation to Government; from which it may be concluded it was sufficiently perilous.

JAVA.

BATAVIA.—MURDER OF A POLISH OFFICER.—A Polish officer in the Dutch army in Java, was lately shot at Batavia by sentence of a court-martial under the following circumstances. He had represented to his Colonel that the latter was mistaken about something which he had advanced respecting soldier parade. This representation was resented in the most haughty manner, and with expressions of the most brutal insolence, conveyed in gestures as well as language, which excited the Pole to such a degree, that he threw his cap in the Colonel's face. At the court-martial which ensued, he is reported to have said in reply to a suggestion, that "it was possibly accidental," humanely thrown out by one of his brother officers who was sitting in judgment on him, "that it was purposely done to shew his contempt for a man who did not deserve to be respected." He was brought out to be shot in front of the Palace at Batavia, and went through the fatal scene with the greatest firmness, taking a kind leave of his brother officers on the spot where he fell. This butchery, reflects additional disgrace on the Dutch.

PENANG.

Penang journals to the 25th of February, intimate the establishment of a Chamber of Commerce in that island, an account of a daring robbery committed on the Commissariat Treasury by the sepoys appointed to guard it, and the arrival of H. M. Ship *Andromache* and the steamer *Diana* at Penang.

SINGAPORE.

DAMAGES TO SHIPPING.—On the 2nd ultimo, the brig *Cecilia*, Capt. Peter Roy, which sailed for China on the 21st January, put back to Singapore in a leaky state.

Her cargo was discharged, and found to be almost all damaged. The French Bark *Polonais* put back to Singapore on the 25th of January, having struck on a rock near the Bolabac Shoal and carried away her rudder. The *Victory*, Capt. Christopher Biden, met with bad weather at sea; sprung a leak, had her cotton wetted, which ignited in consequence and set the ship on fire. She reached Manila with great difficulty, nearly water logged, where she discharged her cargo. The *Arctasser* returned to Singapore on the 31st of January, having, struck on the 30th on a coral rock of Bintang, in a place where nine fathoms water are marked in the chart.

LOSS OF THE BANNERMAN.—The fate of the Bombay ship *John Bannerman*, Capt. Wilson, for whose safety fears have for some time past been entertained, is at last put beyond a doubt. The second and third officers, and forty three lascars, belonging to that unfortunate vessel, arrived here by the Cochin Chinese ship *Lingfong*, from *Quin-Hone*, bringing accounts, we are sorry to state, of the loss of the *Bannerman* on the night of the 18th Decr. on the *North Shoal* of the *Paracets* in the China Sea. The whole of the crew, with the exception of the chief officer and four lascars reached *Quin-Hone* in safety in the boats, where they were nearly five weeks, and Capt. Wilson, the fourth officer and the remainder of the crew are hourly expected here in another Cochin Chinese vessel.

CHINA.

Letters and papers have been received from China to the 20th of February.

The opium speculators had again been led to hope, that the trade would ere long be legalized, as it was stated that an edict for its admission for one year, had been received at Canton. The brokers had gone about a great deal since the edict was reported to have appeared and it was said that a real advance had taken place of 15 or 30 dollars a chest,—but sales could only be effected in very small quantities.

The Governor of Canton had petitioned the Emperor, that the English foreigner *E. Elliot* be permitted to reside at Canton, and that he, the Governor, be permitted to send him a red permit.

Some hopes of the capture of the seacunes who cut off the brig *Fairy* were entertained, as pieces of gold marked similarly to that which was shipped as her cargo, have been seen in the possession of two or three Manill. men.

PERSIA.

Letters from Bushire of the 9th January mention, that the Shah of Persia had returned to Tehran, leaving his army on the frontiers of *Khorrassan*. His Majesty is busily occupied in raising fresh troops for his expedition against *Heraut* and *Khiva*, which, it is said, he intends to prosecute with vigor in the spring. The British Ambassador had not joined the Shah.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, March 25.)

INDIGO.—We have nothing to report in addition to the last notice respecting this produce. Accounts from the interior are much the same as mentioned in our last.

RAW SILK.—Very little doing at present; and some of the assortments are quoted at a further decline on previous prices.

SILK PIECE GOODS.—A purchase of 250 pieces *Radnagore Choppahs* for shipment to America is the only transaction reported with the occurrences of the week. We have no change in prices to notice.

COTTON.—The market remains inactive,* and prices without alteration.

SALTPETRE.—The purchases reported during the week are chiefly for shipment to America. The Stock in the market is large, and under the suspended shipment at present to England, the prices are necessarily expected to fall.

SUGAR.—The market continues inactive in respect to demand, and the prices remain as in our last. The few purchases reported are for shipments to Rangoon and Moulmein.

SHELL LAC.—A few purchases are reported for the American market at unaltered prices.

LAC DYE.—A purchase of 350 maunds *Mirzapore Dye* is the only transaction since our last reported for the English market at our quotation.

TURMERIC.—A purchase of 100 maunds for shipment to England is the only transaction of this produce reported with the occurrences of the week, at our last week's price.

GRAIN. Shipments of *Mooghy Rice* to the Mauritius and Bourbon are in progress; but we have no change in prices to notice.

OPPIUM.—The market continues dull, and prices are inclined to give way, owing to the latest gloomy accounts from China.

TIN. We quote a further slight improvement on the prices of this metal.

PEPPER.—Has also advanced in price.

MACE AND NUTMEGS.—Without report of transaction, and the former is quoted a shade below last week's price.

ALUM AND CAMPHOR.—Have slightly improved in prices.

CASSIA.—Remains at last week's quotation

CLOVES.—Have been sold below last week's prices.

CUBBS.—Without sale, and remain as last quoted.

MULE TWIST.—Has been in better enquiry than in the past week, but without any change in prices

TURKEY RED AND ORANGE YARNS.—Have slightly declined in prices.

CHINTZES.—The market continues inactive.

A few sales of single, Coler Sets and Neutral Stripes have been effected at last week's prices.

WHITE COTTONS.—The market remains as last reported, viz. inactive, and we have no change in prices to notice.

WOOLLENS.—The market is also inactive, and we have heard of no sales since our last.

COPPER.—The sales during the week show a shade of decline on the prices of Braziers and Tile, and a small improvement on old and South American.

The market as regards demand may be reported as in our last.

IRON.—Without report of sale, and the assortments remain as last quoted

STEEL.—A sale of Swedish has been effected at a slight reduction in price.

LEAD.—Without sale, and without alteration in prices.

SPELTER.—Sales have been effected at a shade of decline in price.

TIN PLATES AND QUICKSILVER.—Without transaction, and remain as last quoted.

THEATRICALS.

ZAMPA.

This Opera was presented on Friday evening, 1st, we regretted to observe, but an ill attended house. Of the plot of this pretty composition, we gave a sketch a day or two back the story is in many of its incidents, particularly in the concluding disappearance of Zampa in the arms of the marble Bride, somewhat similar to that of our old friend Don Giovanni, "sent to the Devil somewhat ere his time." It is, however, if not *infacciamiento*, our very skilfully and agreeably concerted, and the music, which we are told is in the accompaniments very scientific, is just of a character to become exceedingly popular, in any community in which the cultivation of the divine science is, among the masses, but in its infancy. The music of this Opera is, therefore, we think, calculated to become a very popular in this country. It is simple in its character both as to the melodies, and most of the concerted pieces, and although we are told that they are scientific, the accompaniments appear to require no very great degree of skill or musical accomplishments to execute them. There are several airs which are of such simple construction, and at the same time are such pretty melodies, that they require only to be heard to be liked, and at once impress themselves on the memory. The opening air and Cavatina sung by Léméry is very pretty, commencing, *à ce bonheur suprême, je n'ose ajouter* for this piece of music was correctly and brilliantly executed by the Prima Donna, it was, however, in some parts, capable of bearing more expression than she bestowed upon it. The chorus here although weak, was correct and animated, and Monsieur Bonniol sustained his share of the music creditably. The next pleasing feature in the Opera was the complaint, executed by Madame Léméry—too coldly but withal with considerable effect. The air of the two first stanzas of this piece, is exceedingly moving, the change in the expression of the music in the last stanza, struck us as very fine—

Hélas! sur ce Rivage,
Alice vint mourir,
Et cette froide image
Semble toujours gémir!
Quand la nuit, on l'assure,
Le vent gronde, en fureur,
Ce maigre encre murmure,
Et nomme le Flémureur.

These lines, and fine music composed for them, were very forcibly and effectively sung by Camilla, and the whole piece will, if known, become very generally popular here, as it did immediately on being heard at home. Whether it be original or not, we have our doubts, it is however a very clever plagiarism, if plagiarism it should happen to be. The Trio between Rita, (de Ligny) Dandolo, (Fradin) and Camilla (Léméry) was very good, and the quartet between these three, and Zampa, very fine. In the Scene in which is introduced the chorus of Pirates,

Au plaisir à la folie,
Coassacrou tous nos instans,

the composer appears to have been most successful. It appeared to us in every respect a magnificent piece of composition; and as far as numbers and strength would admit of it, was done ample justice to by Zampa, (Fleury) Daniel (Welter) and the chorus. The complete (drinking stanzas), were sung with great spirit by Fleury. This gentleman was not in good voice, but he went through the arduous part of Zampa,—and

a terrific part it is to undertake,—with great ability his two dresses were models of good taste.

In the second act, the opening song of Zampa, and the duet between Rita (Mad de Ligny) and Daniel (Welter), are the two finest things. The merit, musically speaking, of the composition of the duet, is, we understand, very great, certain are we that it is very pretty. The last scene, between Zampa and Camilla, is also, in a musical point of view, very grand, but has not, we think, those taking qualities, the public considered, which the other pieces we have mentioned present.

The finale to the first act, of which we have already spoken, we should say, the finest *morceau* in this opera. We have omitted to mention a beautiful prayer (chorus), at the commencement of the second act, and which is sung off the stage, we remember nothing better of its kind. The striking musical beauties of this opera, at least all those of which we took cognizance, we have now pointed out of the scope given by the opera for the exhibition of the acting capabilities, and quibbling of the artistes; than this opera of Zampa, no one they have as yet played, affords greater scope. There was an evident want of rehearsals, notwithstanding which Madame de Ligny, as Rita, well dressed, as she ever is, was vastly amusing. The dialogue assigned to her, to Daniel, and to Dandolo, is exceedingly good, and diverting in the extreme. Daniel, (Welter) acted as well as he sung, and Dandolo (the very facetious Fradin) made another of those hits, which is ever the consequence of the appearance of this accomplished actor, in any part which affords the slightest opening, for the display of comic power, fun, or humour. We have now we believe, noticed the several efforts of all the principal characters in the opera, the Marble Bride excepted. The Lord preserve us from such a bride: there never was so shapeless a block of marble, her drapery looked like a bed-gown. In size, shape and feature she was not unlike Mr Baron Bayley in his Robes on the first day of term, no eye has seen such a scare crow, and it was really pitiable to behold poor Zampi, in his exquisite dress of black velvet and gold, leaping into the lower regions clasped in the arms of this horrible

The scenery, properties, and all that sort of thing, were as bad as *bauf* could be, but this Opera, with a brace of rehearsals, a lady or two more in the chorus, a little point, and touching up of the scenery,—something like common care in the business, and new dresses for the Pirate Chorus, which were entirely out of character, and of a different age, from the costumes worn by the Principal Characters,—with the very slight care and attention demanded in those accessories, we think Zampa might be given once or twice more, to the great advantage of the artistes. We understand Robert le Diable is in a state of preparation. These two Operas might, if at all carefully gotten up, carry the Artistes through the series, and for the benefit, any thing really good in itself, well and carefully got up, and above all well advertised and duly placarded, is sure to draw a house, at least if we may judge from the results exhibited by the two soirees given by Mrs. Leach at the Town-hall, and by one or two entertainments given since at Chowringhee.—Hartaru, April, 8.

MR HANMER'S NIGHT

The entertainment for this evening was very well selected, and the public in consequence flocked to the

Theatre. Mr. Hamerton had one of the best houses of the season. In point of numbers he fell but little short of the Secretary. The first act of the *Wreck Ashore* was really very well acted, and so good were the situations, so funny the dialogue, and so well sustained were the principal characters, that notwithstanding several most awkward events in the second act, the curtain fell amidst rounds of applause. There were obstinate doors which would not open, guns which would not go off at the proper time, tardy thunder and lightning *mà propos*. Then there was a very reprehensible sulkiness in some of the drop scenes which would not be persuaded to fall, and an apparent feeling of diffidence in the chairs, tables, and what are called in phrase theatrical, the properties, they would not throughout the second act present themselves to the audience, when and where they ought, and were on all occasions dragged on reluctant, and reluctant. Notwithstanding, however, this spirit of insubordination, so evinced as above, by these naughty properties, the audience retained their good humour unabated. We never remember to have seen a play go off apparently so to the satisfaction of an audience, and the *Wreck Ashore*, and the *Irish Tutor*, have positively elicited more applause, than all the other plays of the season hitherto put together. This we must take as a criterion of merit of some sort or other. Either the acting was good or the pieces went well without much acting. *Magnus*, was an imitation, the part was written for Kieve, a very popular London artist, with a peculiarity of voice and manner, given to no other mortal. The Secretary was, we thought, most happy in his imitations, and the audience appeared to think so too—this part was very successful throughout the play. The same may be said of *Jemmy Starling*. Both characters were exceedingly well dressed, and as the brunt of the comic business, which is the taking part of the play, fell upon these two, and *Nella* (Mrs. Chester), it will be readily supposed, that this part of the Drama went off very well. Mrs. Chester acted and sang greatly to the taste of the audience, and was applauded till the Welkin roared again.

The affecting and pathetic portions of the *Wreck Ashore* were assigned to Miss Francis, *Miles Grampus* and *Walter*. Miss Francis wanted power, but she played correctly, *Miles* was cold we thought, and played as if he did not much like his part, which made the good nature he exhibited in coming forward the more amiable, the part however, was a very efficient part and was correctly enough given. *Walter Barnard* was in good hands, but another Rehearsal would have done him no harm. *Grampus* was well personated and dressed and elicited much applause. His acting was good and he introduced the Corsair's song from Lord Byron's poem, which he sung with great taste and effect. This play would, we think, bear another representation under improved management. There was one very pretty scene, a representation of the marshes in Essex, but with this exception the scenery was indifferent, it was in south exceeding poor and beggarly, and the general effect was greatly marred by the want of a little paint. Indeed the unrehearsed stage effects obtruded themselves very disagreeably on the attention and perceptions of the audience. These matters should be looked to by some one. Half the amateur plays, indeed all that we remember this season, have been remarkable for negligence in this most important point. There appears to be no fixed manager, no one to look after the properties, and no one with an imperious *sic volo*, to order what is called the business, and while this want of method is permitted to last, so long will the amateur plays be obnoxious to such remarks as those we now make. There is, however, one comfort in the reflexion, that of late the artistes have exhibited the same sort of defects. It is quite clear that the establishment at the

Theatre wants some one controlling head, and that that head should contain something in the shape of brains.

The *Irish Tutor*, is a jewel of a farce, and Mr. O'Malley, and the Secretary were exceedingly amusing. The house was in a roar from the drawing up to the dropping of the curtain. Mrs. Chester was encored in the beautiful Irish melody *Savourneen Deelish*, which she sang with much taste and expression. It is quite clear that this lady's accomplishments are properly appreciated by the public, and the oftener she appears, the greater favourite will she become.

The music in the *Wreck Ashore*, was very pretty, it was we learn, with the exception of a song by Mrs. Chester, and the glee in the second part, the composition of Mr. Hamerton—it does him great credit. The orchestra, led by Mr. P. Delmar, was in very good order, and they played the overture to *William Tell* magnificently. Madame Scheroni and Monsieur Welter, sang between the acts of the *Wreck Ashore*, in their usual style of excellence, but with all deference, this part of the evening's entertainment should have been postponed till the *Wreck Ashore* was over—it should have been introduced between the two pieces—and not between the two acts of the first piece.—*Hurkaru*, April 5.

LA DAME BLANCHE

The Artistes presented the subscribers with *La Dame Blanche*, on Wednesday evening last. We were sorry to observe, that very few persons were present. The music of this opera improves greatly upon acquaintance. It was very well done, and the little audience present appeared to be highly gratified. Monsieur Welter was in splendid voice. The bass part in this production is very fine and was done ample justice to by the able artist we have just named. We have already, on a former occasion, noticed the talent exhibited by the several performers in this opera—not to repeat our selves, we will observe generally that they exerted themselves as much, if not more than on the previous occasion, and their efforts were completely successful. With the conclusion of the series, we shall lose Monsieur Welter, Madlle Lénicy and Monsieur Ladin. Welter and Lénicy return unto the sea from whence they came, with good engagements at the Mauritius. Monsieur Maure, whose place, *à prima vista*, Monsieur Welter will supply is not, we are informed equal at all to Welter, and it really is a matter of surprise to us that this excellent singer should ever have been allowed to leave the Mauritius. Here it is different. The want of knowledge of the language is the grand stumbling block to the success of the French Company, with society in general—and a previously formed taste for Italian music, in the upper classes has tended to militate against their popularity in that quarter, these difficulties considered, we really think that the artistes have done wonders, in maintaining the position they now fill. *Radna* has an engagement at Batavia, whither, we understand, he shortly goes, joy and laughter go with him. There will, however, as far as we are at present informed, remain Messrs. Bonnel, Fleury and Charles, and Mesdames de Ligny, Thonon, Fleury, Charles, and Floréal. Whether or not any thing will be undertaken by them, in a dramatic point of view, we know not; but from an advertisement in the *Englishman*, we should infer, that nothing of the sort is at present contemplated, as Mad. de Ligny, and Mad. Thonon announce it is their intention to enter into business. However, *l'un s'empêche pas l'autre*, we presume, and mantua making and millinery in the morning, are not incompatible, or incompatible, with vaudeville, and the other amiable and gentle vanities in the evening. French opera in Calcutta is on the eve of dissolution, like unto the beauteous

* See Johnson.

Armed, she is about to warble forth her last lays ; let them, Vaudeville, a bright gallant and sympathetic, step forward, and comfort the expiring enchantress —

Ella cadea, quasi fior merda inerte
Piegnando il lento collo, o la sostenne
Il fe' d'un braccio, e il bel fianco colosse,
E quanto al sen, le Rakinto' la gonna
E' l'ha' volto e l' bel seno alla mechina
Bagnò d'alcuna lagrima pietosa.

[Ibid, April 7]

THE MACHINIST'S NIGHT.

A great deal of care, and labour, and we should think no small portion of cash, expended by Mr. Mansell, the machinist, in getting up the diablerie of the Wood Demon, was, we were sorry to see, rewarded by a house, which, in theatrical phrase, did not seem sufficient to pay itself! The spectacle of the Wood Demon seems invented for the purpose of developing every species of flap, fly, drop, trap, slip, flit, wig, wood, and fly, which the inventory of theatrical technicalities (so rich in euphonious monosyllables) can, by any possibility supply. The brain of Monk Lewis has devised a great assemblage of horrors for it, and a slight infusion of diabolism, several ponderous sentiments, some songs, and a very sufficient tyrant fill up the piece. This is the first regular attempt in India at spectacle on such a grand scale and the ingenuity of the machinist deserves a better recompense. We have heard that Mr. Mansell is an enthusiast in his art, and that his object in getting up this excessively expensive and difficult melodrama was not so much even to repay himself for the outlay incurred, as to show what he could achieve in the mysticisms of stage effect and wondrous transformations. It is a great pity that enthusiasm of any sort should be so poorly rewarded as his has been, and should he endeavour to reject the play in order to reimburse himself we trust the sympathies of the public will work in his favour. So the curious in many coloured fires and the mechanism of trap-doors, the Wood Demon must be deeply interesting. Many of the effects were excessively good, and the difficult and complicated descents in clouds, &c. &c. were managed without check or accident. The music which was, we understand, by Mr. Linton pleased us much,—in particular a gipsy chorus in the first scene.

The acting in such pieces as the Wood Demon is always a matter of secondary consideration and knowledge of stage business is more valuable on these occasions than positive histrionic talent. The performance was very respectable, and, in two instances, above the common. The one was the Secretary, whose play in the low comedy part of a half-witted coxcomb was extremely good. His oration was very amusingly given, and there was a well studied air of manner kept up with happy effect, and good unity of execution throughout the part. The two first acts were much indebted to him for getting them through smoothly. The other unqualified success of the evening was achieved by Mademoiselle Nina Nouveau, who very much surprised us by the intelligence and precision with which she went through the intricate business of a four act melodrama. The grace and expression of this little creature in the character of a dumb boy, were singular in the extreme.

The farce of *Blue Devils* which preceded the melodrama, brought out the Secretary as *Megrim*, a whimsical, but ill-imagined character, the doleful pleasantries of which have made the interlude a stock piece for many years. The part requires a considerable degree of power in the performer to make it tell, and a sort of quiet, reserved humor which is not often met with. The personation of it on Wednesday night is, we think, as decided a hit as the Secretary has made on these boards, and the

task was no easy one before an audience which has not ordinarily any very ready perception of the fun of slight but homotous merriment. Voice, dress and manner were all in keeping, and the gradual relaxation of the melancholy man under the influence of the tender passion into lugubrious ecstasy very happily and naturally given. When the Secretary will only take the trouble to succeed, his success in comedy is certain. One or two of the other performers were somewhat at a loss for words, but the principal characters, *Annette* and *Megrim* were, in spite of what some dramatic critics assert of our performers, perfect.

Mrs. Chester was in excellent voice, and both singing and acting was warmly applauded, bearing us off in our opinion as to her becoming rapidly (and deservedly) a public favorite.—*Englishman*, April 14.

ZAMPA

On Friday evening, the artistes presented *Zampa*, to another badly attended house. Philosophy, it is said, consoles people under disappointment, although Shakespeare announces that it is no cure for the tooth-ache, and upon this principle it is, we suppose, that the artistes, drawing upon their philosophy, never appear to greater advantage, than when fortune is niggard of her gifts, and when a perverse public, afraid of the heat, in absolute defiance of the strictures of the *Englishman*, (and by way of tacit reproach, to the hanging Committee of Managers, who apparently contempt, and too long suspend, the suspension of *punkahs*) punishes itself by staying away. After this, it is needless to say that the second representation of *Zampa* was very well given.

The far famed chef d'œuvre of Mayerbeer is announced for Friday. This is the most magnificent of modern Operas. As a musical composition, it is one scene of splendid efforts, from overture to finale. As a lyric drama, it is one of the most interesting ever produced. Reasons of state prevent our going into particulars at present. We believe, but we do not give this as from authority, that this opera will positively electrify all beholders. It made Paris run mad, frightened Bordeaux and Marseilles out of all commercial propriety and made the aristocratic, enlightened, fashionable and fastidious, audience of the King's Theatre, Flammaret, a convert to the beauties and excellencies of the French school, developed in this glorious Opera by the talents of Conti, their husband Damoiseaux, Adolphe Nourit Le Viseur, Mademoiselle Schneider and though not the least, the inimitable Perrot. What effect, it may have wrought at Berlin, Vienna, etc. etc., we are not informed, at Calcutta, we are quite certain, it will do wonders. But, we may not say more at present. It will, we hope, be played frequently as the talented artistes cannot have a better vehicle, for making their adieu to the public here, and we have heard that on one or two of their benefits, this splendid work will be presented.—*Hitharu*, April 17.

MRS ATKINSON'S BENEFIT

On Monday evening, the entertainment given for the benefit of Mrs. Atkinson, drew what may be called, (the general run of attendances at the Theatre considered) an immense house. We with much pleasure congratulate this accomplished vocalist on her success, and on the very general popularity she has evidently acquired. The amusements of the evening were various, and they went off very successfully. Guy Mannering was very effectively represented, and, strange to say, two of the pieces of music were encored. The same distinguished honour was conferred upon a highland reel danced *en costume*, by some very accomplished individuals belonging to his Majesty's 26th Regiment. The Pipers created quite a

renovation. We have not leisure to say all that we could wish of the several clever personations of the characters in this drama of Guy Mannering—Mrs. Atkinson, Mrs. Chester, Gilbert Glavin, the Domine and and Sebastian were apparently the cream of the entertainment; other parts were very filled, and the whole thing, went off with great spirit, and the exertions made were rewarded with tremendous applause. But a small portion of the usual play-going public was present—and those who did attend, had left behind them much of that fastidiousness, which the constant habit of looking on, at these sort of exhibitions, is apt to generate—and which feeling is very apt point to be misconstrued into disapprobation, when it, in point of fact, ought only to be attributed to weariness, satiety, and the absence of all powers of excitability unless under very peculiar circumstances indeed. As we observed nothing of this fastidiousness on Monday evening, we shall assume that it did not exist, and that, consequently, the degree of attraction presented by Guy Mannering, was of that peculiar nature, that it succeeded in amusing those who, like Lions the fourteenth, under the dynasty of Made. de Maintenon, are on most occasions of this sort, no longer amiable.

Mrs. Chester sang a song about Scotland, which was encored; the same honour was extended to the Chough and Crow; and in both these instances, the compliment to Mrs. Chester in the song, and to herself, Mrs. Atkinson, my Lord Lovel, and the chorus in the Chough, was the greater in as much the music of either piece had certainly not the merit of novelty to recommend it, and to so generally fastidious an audience, but for the fact of their having in this instance left fastidiousness at home, we suspect neither piece of music would, under ordinary circumstances, present much attraction. Between the Opera and the Farce, Madame Schiaroni and Mrs. Atkinson sang some pretty Italian music, which was, we understood, expressly composed for the occasion, by the Minstrel who delighted the audience in the second piece. The story of the wandering Minstrel was, as far we could make it out, very effecting. The opening of the piece presents this interesting individual on a sort of musical pilgrimage through England for the purpose, apparently, of expiating his past offences, and of picking up shillings. His appearance with his clarionet, put us in mind of Goldsmith and his Flageolet; the circumstances of the two illustrious men in this particular phasis of their eventful fortunes, appeared to jump—they were wandering, and both piping and they both appeared to have found some amiable scions of humanity to pay the piper. *Jem Bags* was peculiar in his costume and somewhat eccentric in his manner, there was that *je ne scai quoi* sort of grace in all he did and said, that carried one away with him in spite of one's self. Every body laughed—every one sympathised, and yet it would, we suspect, be impossible, if we were put to an analysis of our impressions, to say what it was that wrought upon us, in favour of wandering *Jemmy*. We give it up, therefore, and shall content ourselves with recording it as our general impression derived from what we saw and heard on Monday evening, that Mr. *Jem Bags* is a very facetious sort of a fellow, and that we never remember to have seen a better representation of one of that numerous and industrious body of individuals, described in the police reports of the metropolis, as adepts at irregular appropriation.

We think, we may congratulate Mrs. Atkinson, on having had the best house of the season.—*Harkara*, April 19.

FRENCH OPERA.

The curtain dropped on Friday evening, on the last of the series of French operas. Never do we remember to have heard *Lémery* to greater advantage, never has she had finer, or to our ear more exquisite music to sing.

The first and second acts of *Robert le Diable*, have now been presented, and from the rapturous applause with which they were received by a fashionable audience, we augur good things for the fair benefactress. Every piece of music was well given, and kindly received; and when we pledge ourselves,—and all who know this opera, will, we are assured, countenance our assertion—that what is to come, is yet more attractive, and meritorious, than that with which the last audience is now acquainted, we cannot permit ourselves to doubt for a moment, that the next representation of this opera, will attract to it, all those who wish to hear Mayerbeer's master work of composition, and who wish to see the singular adventures of the eccentric chevalier, whose career is the subject of this opera. To us it appeared, on Friday evening, that the artistes were determined to give to Calcutta this, the pride of the Lyric Drama, as well as well could be. The accessories were very carefully attended to; but we will venture to observe, that in the gambling scene, the table had better be placed *sideways*, and not across the front of the stage. The costumes were magnificent. *Lémery* was dressed to admiration; but in our estimation, the most successful and the best conceived piece of costume, both in point of dress, and of appearance generally, was that of *Welter*: he looked all that a Demon could wish to appear—not a gentleman in black, switching his tail,

“As a gentleman switches his cane,”

but, a beautiful and gorgeous creature with a mantle of red velvet and gold, which would have tempted Adam himself; phiz Mephistophelian, mystic, mystifying, of about the complexion of a watch spring heated to a white heat, with horrid hair, and evil eye. Not one of your melodramatic Demons, who come on, ushered by clouds which descend to slow music, but an active, busy, everyday life-sort of fiend, with an occasional gleam of hatred passing over his pallid features, of that intensity that when it appeared,

“Hope withering fled, and mercy sighed farewell.”

Bertram (the fiend) had not half so much to sing in the two acts given on Friday, as will fall to his lot on the 1st of May, and from the specimen he has given us, we are prepared to experience unalloyed horror, and consequently ravishing delight from his performance of this role. Bonniol was less magnificently dressed, than we have been in the habit of seeing this part elsewhere; but his costume was chaste and appropriate. He gave the pretty air, beginning

“Où fortune a ton caprice
Je viens livrer mon destin,”

with considerable effect. The duet with *Lémery* was also very effective; and the couplets sung by *Fleury* as *Rimbaud* were exceedingly well given.

As we have already said, we never heard *Mademoiselle Lémery* to such advantage. *Madame Nouveau* will make her last appearance on the next performance of this opera. We have on a former occasion given to our readers a sketch of the plot, and incidents of this opera. We will merely observe now as to how far the action of the piece progresses at the close of the second act.

Robert having, under the infernal guidance of his fiendish mentor, lost his all, is spirited away by a challenge from the Prince of Grenada, whom he is to meet in single combat in order to decide their respective pretensions to the hand of the Princess (*Lémery*); the knight of Grenada is a mere fiction,—a demoniacal hallucination conjured up by *Bertram* in order to get *Robert* away from Palermo, and so get him more into his fiendish power.

The place of battle is a forest hard by, at a short distance from the city, even such a forest, as the magic arts

of the Saracen king of Jerusalem had created, to entrap and alarm the bold Crusaders of Godfrey of Bouillon; ghosts, spirits and demons, make it their midnight haunt, a little after the fashion of the Witches' Sabbath in the German, and the heart of the true believer is frozen with horror; the pastor drives his flock away from it, and the wanderer from afar off, points to it with the finger of warning.

Sorge non lunge alle Cristiane tendè,
Tra solitarie valli, alta foresta,
Foliosissima di piante antiche orrende,
Che spargon d'ogni intorno ombra funesta.
Qui nell'ora che 'l sol più chiaro splende,
E luce incerta e scolorita e mesta;
Quale in nubilo ciel dubbias si vede
Se 'l di alla notte, o s' ella a lui succede.

Ma quando parte il sol, qui tosto adombra
Notte, nube, coligine ed orrore,
Che rassembra infernal, che gli occhi ingombra
D'incertità, ch'empie di tana il core.

Nè qui gregge od ormenti a' paschi, all' ombra
Guida bifolco mai, guida pastore;
Nè v' entra peregrin, se non smarrito;
Ma lunge passa, e la dimostra a dito.

Such is the description of forest, into which, at the close of the second act, the gallant Robert is about to penetrate: his adventures therein and what befalls him afterwards, are yet a sealed book to the public; if it should feel but a tithe of the curiosity, which we are disposed to entertain, albeit we have some floating reminiscences on the matter, the public will assuredly gratify this amiable feeling on the 1st of May next, when the sealed book will be opened by the magic touch of Mousar. Thonou's coup d'archet. We hope, in the mean time, that the livre de souscriptions of Mademoiselle Léméry, will not remain a sealed book to her patrons and admirers, and that they will certify under their respective sign manuals, their appreciation of the varied accomplishments and high qualifications of the Princesse Isabella of Robert le Diable, and Phillis of the Rossignol.—*Ibid*, April 24.

PUNCH HOUSES.

We understand that the Bench of Magistrates have, after being strongly urged by one of their own body, come to the unanimous determination to put in force the regulation of 1818, whereby it is enacted that no tavern, or punch-house, or house of public entertainment of similar description, shall be opened without a license previously obtained, signed by two of the magistrates. This license is to be granted free of any charge or expense; but it will be given only to parties of known good character, and upon recognizances, the conditions of which are, that the party obtaining the license, will prevent riot, drunkenness and disorder, and give information to the police of

any deserters or other bad characters that may harbour in the house for which the license is obtained, and moreover make a daily report in writing of the names and qualities of the inmates of such place of public reception. We are astonished that so salutary an enactment should so long have been allowed to remain in abeyance; the rigid exaction of its provisions will tend to correct many and very serious evils, and go nigh to convert the punch-house and arrack-shop, into the much sought for desideratum—a Sailor's home,—decent, quiet, and regular, instead of continuing to be the scene of his destruction.—*Hurkaru*, April 4.

THE HINDU BENEVOLENT INSTITUTION.

This Institution is a morning Free School, founded in the month of March 1831, at Shampuker, by Babu Sharadaprasad Basu, with the liberal contribution obtained from Maharajah Kalikrishna Bahadur, C. M. R. A. S., &c.

Babu Sharadaprasad Basu, the proprietor of the School, has always, with the co-operation of some of his friends and colleagues, gratuitously conducted it since May last; but when he was appointed to the Rajshahi Government School, he committed the whole charge of the Institution to my sole care and management, with instructions to take wholesome advice and able assistance for furtherance of that praiseworthy object from the Rev. J. Bateman, M. A., the Domestic Chaplain to the Right Rev. the Lord Bishop of Calcutta, and C. E. Trevelyan, Esq., Deputy Secretary to the Secret and

Political Department of the Bengal Government, the Honorary Visitors, and from the Maharajah Kalikrishna Bahadur, the Visitor.

A little while after, although some of the Subscribers have withdrawn their names and suspended their payment, I have, as far as my individual labour extends, superintended and kept it up to this period; which therefore emboldens me to embrace the present opportunity of laying this my short Report for the information of the public and friends to Native improvement, earnestly looking at the same time to crave their generous support to such a laudable undertaking, which not only will tend to meliorate the degraded condition of the Hindu population, and to cultivate the juvenile minds of our countrymen by the bestowal of useful literature; but will enable me to enlarge the establishment and to receive new Scholars, who often apply for admittance.

This School, on the footing it is now, it grieves me to represent, cannot further stand in existence without the monthly allowance of Company's rupees (50) fifty, the most part whereof is supplied by the Rajah.

The Annual Examination is generally attended with the expense of Company's rupees (200) two hundred, or thereabouts, for the purpose of purchasing Prize Books, &c., out of that sum, Babu Sharadaprasad Basu and some of the friends of Education have contributed (100) one hundred rupees, and cash received by Annual Subscription and Donation amounting Company's rupees (735) seven hundred and thirty-five, up to the March last.

I further beg to add, that this School affords instruction to upwards of one hundred students, who are divided into seven classes, under the tuition of five remunerated Instructors, viz., Babu Kaleedass Palit, the Head Teacher, charged with the following books:—History of Greece, No. 6 Reader, Gay's Fables, Natural Philosophy, Goldsmith's Geography, Murray's Grammar, Geometry, Algebra, &c. The second with Babu Dur-gacharan Banerjee and these books:—Brief Survey of History, Clift's Geography, Abridgement of Grammar, Arithmetic, &c. The third with Babu Madhusudan Sircar and these books:—No. 3 Reader, Abridgement of Grammar, Clift's Geography, No. 2 Spelling, Arithmetic, &c. The fourth with Babu Kashinath Ghosh

and these books:—No 1 Reader, Elements of Grammar, No 2 Spelling, Arithmetic, &c. The fifth, sixth and seventh with Babu Shreenath Biswas and the book:—Murray's Spelling.

Not to trespass more upon the valuable and useful time of those, before whom this brief but feeble account of our institution is presented, permit me to say, that the yearly examination, with the exhibitions and distribution of Prizes of the above School, was held at the Episcopal Palace on the 6th of April, when the Pupils acquitted themselves very satisfactorily before the most respectable and numerous audience.

KRISHNAHARI BASU,

Genl. Supdt. of the H. B. I.

The 11th April, 1837.

Babu Krishnahari Basu, General Superintendent of the Hindu Benevolent Institution, is certainly entitled to every commendation for his gratuitous zeal and indefatigable labour in the promotion of our School, and I can only say, that his report is worthy of consideration and support.

KALIKRISHNA, Visitor.

Calcutta, Courier April 14]

REPORTS ON THE PLAGUE.

TO W. PANTON, Esq, Sup.-Surg. West. Divi.

SIR,—In compliance with your instructions forwarded to me from Bheelwara, I beg to state that on my route through this part of the country, via Gungapore, I visited the village of Lakola for the purpose of making inquiry into the nature of the sickness said to prevail there. The village of Lakola is about two coss from Gungapore and has a large "tulao" or tank, immediately adjoining. The inhabitants are chiefly Jauts and Bunerahs, and, previous to the late mortality, were stated to amount to between six and seven hundred. The houses are of the meanest description, and a great proportion of them in a ruinous condition. I was informed that upwards of 200 persons had died in the village within the period of three months; but that the disease which had committed these ravages had disappeared fifteen days before the time of my visit. There was evidence to the truth of this statement in the deserted appearance of the place. On traversing along the dirty streets, I passed very few dwellings the doors of which were not secured and plastered with clay—showing that the occupiers were dead or had fled; I was told that the number who had abandoned their homes amounted to about 250, and that they had not returned. The population was reduced to the lowest ebb, and certainly the residents who remained did not amount to above eighty or ninety—if so many. The disease which had been so active, corresponded, so far as I could learn, in every essential particular with that described by Doctor Maclean in his report on the Palee sickness. Fever accompanied by headache, a great degree of prostration of strength, and generally on the third day, swellings on the neck, or in the axilla or groin. A few cases had been observed unmarked by any

swellings whatever but among these an equal fatality had occurred. In the greater number of instances death took place on the third day subsequent to the attack; sometimes on the fourth, and the few who survived this period for the most part recovered. The number of these survivors was calculated to be about thirty, I saw only one, and that an unfortunate woman who had lost her husband and children, six in all. In regard to treatment, the villagers had nothing to oppose to a disease so new and formidable, and on its invasion all hope seems to have been abandoned. There had been an importation of "golies" or pills of some description from Oodypore, sent I believe by the Rajah, but their utter inefficacy being seen, their use was speedily given up. The only criterion that could be considered favourable, and to warrant a hope of recovery, was the circumstance of the swellings proceeding to the suppurative stage, which they did in most of the fortunate instances.

Two neighbouring villages were pointed out to me by the Thannadar or headman of Lakola as being still the seat of the disease in question—Korah and Sukhmuneawass. I proceeded to Korah the same evening, and examined the sick of the village or hamlet, two in number—one of them was a rather old man suffering from slight fever and a good deal debilitated. He had been ill seven or eight days and was evidently recovering. A small hard swelling on the right groin was the only suspicious symptom I could discover, and which he said had appeared during the course of the febrile attack: he informed me that three persons had lately died in the house in which he lived, and that their illness had been similar to his except in regard to the swellings which were larger. The other sick person was a young man; he suffered from acute fever with furred tongue, but his

case was distinguished by no other unusual symptom. From these equivocal instances it was impossible to conclude that the Lakola and Palee disease had been imported into this place, although, one might be led to suppose that it had, if confidence is due to what the inhabitants related.

My visit to Sukhmunawass was made on the following morning. It is situated about a coss to the eastward of Lakola and is a small and wretched place with a population of about a hundred. I was told that fourteen of the inhabitants had died within the last two months, and that the disease which carried them off was exactly similar to that which had so lately prevailed at Lakola—a good many persons were said still to labour under this disease, and these I accordingly examined, being one male and five females. The man had been ill several days, he had fever but no distinct swellings in any part of his body, his tongue was moist, and whatever had been his complaint he seemed to be doing well; among the women only one of the cases was recent. She was labouring under febrile symptoms, which had commenced three days before; there did not appear to be any very great prostration of strength, but three or four swellings about the size of a walnut had made their appearance on the left side of the neck; immediately under the ear these swellings were hard and painful to the touch and had not been observed on the day before. It was clear that this was an example of the disease, but an instance in which it was characterized by unusual mildness. In the other cases the more active symptoms had abated, but in two of them there remained evidence to shew that the disease had occurred in the usual way: one of the women had a swelling in the axilla which had burst and was discharging pus. In the other instance, there was a considerable swelling of the right groin, but which I was not permitted to examine particularly: another woman had fever, with bloody expectoration, but no swellings; she was old as well as the other alluded to, and her appearance, as well as theirs, indicated a great degree of debility. My conclusion from these cases and the report of the inhabitants, was that the Lakola disease had visited this place but that its violence and activity had in a great degree abated. This abatement we might expect to occur in the natural course of things; the state of the weather would no doubt contribute to it, as well as the alarm of the inhabitants causing them to avoid contact with the sick.

In regard to restrictive measures they seem to be hardly required in a part of the country where the alarm of all is so great. It was with the greatest difficulty that I could procure a guide to shew me the road from Gungapore to Lakola, and I succeeded only by agreeing to the necessary stipulation—which was that he should not be obliged to enter the latter village. I was surrounded “en masse” by the inhabitants of one small village near to Sukhmunawass. I found on inquiry that no sickness had occurred amongst them; they had flocked out merely to learn what measures they should have recourse to, in case sickness did occur, and such as suggested themselves to me, at the moment I endeavoured to explain.

I have, &c.

A. KERN, M. D.,

Asst. Surg. Jodhpoor Legion.

Kankrolee, 11th Jan. 1837.

TO COLONEL ALVES,

Agent, Governor-General and Commissioner of Rajpootana.

SIR,—I have the honour to inform you, that in obedience to your instructions, I proceeded on the afternoon of the 21st instant, into the town of Jalia, to examine into the accuracy of the Native rumour, of the Plague

or Murree having been prevalent among the inhabitants for some days previously; I then examined about fifty cases of disease, which in symptoms precisely resembled the description of distemper, that occasioned so great a mortality at Palee on its first breaking out, and subsequently spreading throughout Marwar and Meywar, has carried off numbers of the inhabitants.

2. I have since the 2nd instant been daily occupied, for a period of from three to four hours, in visiting the sick in Jalia, and on each occasion have generally seen the whole of the infected. I have studied a number of cases, from the first attack to the fatal termination in three days: and many patients whose disorder had existed for three or four days previously to my arrival, I have attended subsequently throughout, to the period of recovery or death. From this experience, I have no hesitation in defining the present disease, as the true plague; that is, a very malignant fever of a putrid and contagious nature; characterized chiefly by buboes, and its contagion appearing of a specific nature, and particularly affecting the nervous and glandular systems. The plague of Jalia is distinguishable into three varieties, similar to the plagues of Malta and Egypt, in the mildest form the fever is intermittent, in the severer remittent, and in the severest continued, and accompanied by typhomania towards the termination in death.

3. These cannot, however, be considered distinct species, as the milder often verges towards or is commuted into the more severe, the symptoms changing accordingly. I believe the difference to depend on the patient's greater or less susceptibility to the influence of the contagion when at first attacked. In the worst cases, the buboes appear, coexistaneously with the primary accession of the disorder, and are hard and indolent: in the milder form, buboes are often first perceived; but, when the milder is about to change into the more severe then the glandular affection is sure to accompany the transition. The disease is ushered in by rigors, which are more severe in the worst form, a succeeding burning fever with muttering delirium ensues, the conjunctiva of the eyes is injected or bloodshot of a lake colour, the eye is glassy and like that of a drunken man: the state of the tongue varies; but, it is always foul, white towards the edges, and brownish posteriorly; but in the worst cases the tongue is covered by a tough, thick coating of brownish white sordes, no red point appears, and it is perfectly dry. The pulse varies and is full and strong, and about 110 at the commencement: towards the termination it becomes very rapid, thready and about 140; till at last the fluttering and rapid pulsations are not easily counted: dry skin, most excruciating head-ache, and great thirst accompany the disorder. Absolute prostration of strength, inability to raise even a finger, always accompanies the worst forms: and in one case hemorrhage from the lungs occurred, some hours before dissolution.

4. The plague at Jalia differs from that of Egypt, in appearing to select women and children as its objects, in preference to robust men.

5. The buboes appear irregularly among the inguinal glands, or those of the axilla, the submaxillary, the lymphatics of the thigh or in in the occipital region, behind the head. Where the buboes came to a head, the suppuration proved critical, and on lancing the tumour the patient recovered.

6. To instance the varieties of the disorder and the vacillation from milder to severe, I will shortly glance at two cases. Shabaz Khan, Chuprasee, a stout man, about 28 years old, was attacked by rigors on the morning of the 2d instant; these were succeeded by violent fever and delirium: when I saw him in the evening his skin was burning hot and dry, his pulse 100 and full, his tongue very foul, his eyes blood-shot and glassy; he was muttering deliriously; his strength was completely

gone; a large hard bubo was observed among the lymphatics of the left thigh: he had been spontaneously purged many times, each time passing much bile.—I had him lifted and bled him, in the sitting posture, to about fourteen ounces; he became sensible, and sweated freely; I gave him 5 grains of calomel, and 4 grains of opium, (he was an uphamee,) and ordered him to drink freely of imlee sherbet: on the morning of the 3d he was almost free of fever and sitting up on his charpoy: his tongue was cleaner at the edges, he only complained of the bubo; the bubo was leached and a hot poultice of pounded neem leaves and ajwain seed applied; and with the view of restoring the secretions to a healthy state, calomel with opium was given, he continued doing well all the 3d. On the 4th at noon he had more fever; he looked wild and drunken; his tongue was covered with sordes; he soon became delirious, muttering and rolling about; he fell and cut himself severely over the face, but the flow of blood from the wound did him no good; he died in the evening.—This is a case of the worst form. A respectable buneea's son was attacked by quotidian intermittent fever on the 1st of the month; the fever persevered in the form up to the 4th, when it ceased to intermit, the head-ache became excruciating, and complete prostration of strength came on; in the evening I observed a large bubo in the left groin; his tongue became completely furred and dry; he died on the night of the 5th March.—This is a case of transition from the milder to the severe variety.

7. I would, with all deference, recommend the following treatment. On the first attack, the more robust men should be bled from the arm in the sitting posture, to a moderate extent, till perspiration appears on the forehead and the head-ache is diminished, an emetic should then be given; after which, if the patient has not been spontaneously purged, a dose of calomel, followed some hours after by a moderate laxative, should be administered. The weaker men, women, and children should have leeches applied to the temples, in proportion to the ages and severities of head-aches, after which similar treatment of an emetic and mild purge. The patients should be separated from the healthy: their bodies sponged repeatedly with cold-water, and the head kept cool and moist; calomel and antimonials, with camphor and opium, should then be exhibited in regulated divided doses, at intervals, to act on the system and restore the secretions; the buboes should have stimulating poultices applied; acidulated drinks and rice congee may be given ad libitum. So soon as a considerable remission or complete intermission occurs, cinchona bark, quinine, mineral acids, wine and nutritious diet should be freely given, to restore the strength and prevent a relapse. But as these remedies are not procurable for the use of the infected villages, (the villages are without any sufficient supply of the most common native remedies,) a tolerable substitute will be found in the administration to the convalescent of pills of kaikarunja seed made up with camphor and carminatives, and given with decoction of cheereya; at the same time the most nutritious diet being observed.

8. The healthy portion, of the inhabitants of Jalia, were entreated to leave their houses for a time, and encamp round the walls, until the plague should entirely subside; the sick alone to remain, to whom I offered to attend; all filth and dirt was directed to be collected and burnt; all the apparel was ordered to be washed; and the houses to be new "leped" with cow-dung, in the absence of white-wash. The apathy of the Natives has occasioned these instructions to be altogether evaded, or only ineffectually performed. The dirt and filth of the town still remains and the inhabitants' clothes are still unwashed; the old dunghills outside of the town were set fire to; and on the 5th about 200 frightened at the mortality left the town to encamp near the river; but took their sick along with them who will be likely still to

spread the disease among the healthy. Up to the 7th March, more than 1,000 having left the town, and have obstinately gone into neighbouring villages, where I fear the contagion will spread, and in some of which it has already appeared. The healthy in Jalia now keep aloof from the sick; so, the disease is mostly confined to houses before infected; but, at any time, when fear is removed, subsequent communication may restore the extension. On this date, 7th March, there are very few new cases: many have died; many have recovered or are convalescing.

9. The houses of those ill of the plague, are many of them half full of cotton lying loose; the sick are covered with quilts: the doors are shut: and the relations sitting close around. All the clothes of the dead, though recommended to be, have not been burnt. These will spread the contagion, as also may the cotton when sent and sold elsewhere.

10. The population of Jalia was rated between four and five thousand. Of those sick of the plague treated by me, five have quite recovered, one of them by only lancing the bubo: about twenty-five others are convalescent and may recover completely; a good many of these have gone out of the town. On the 6th March, (yesterday,) about thirty altogether were badly infected in the town. The disease is extremely fatal. On the evening of the 3d, I counted fifty-nine "cheeras" of recently burned bodies, (and some few had also been buried); eight died from the morning of the 3d to the morning of the 4th March; seven died from the morning of the 4th to the morning of the 5th; and from the morning of the 5th to the morning of the 6th, fifteen died in the town and two out of it: from the morning of the 6th to the morning of the 7th, seven died: making a total of ninety-eight deaths in about eleven days. Two "tailies" or oilmen died of the plague. The daily increase of cases has been hitherto about ten. To-day the 7th, there are fewer.

11. I may now proceed to trace the course of the contagion. About eighteen days since, a Burrat left Budnawr (where the plague has been raging for more than a month) for Jalia. On arriving at Jalia, the party put up at a mahajan's house; in the vicinity of that house, the plague appeared at a Buneea's day or two subsequently; some of the Burrat party became sick on arrival at Jalia, and left it and went to Seonagur, on the 26th February, where they staid two days. On the 28th they left Seonagur and went to Untalee, where two died of the plague on the 4th March; on the 3d March a man died of the plague at Seonagur. The course of the propagation of the contagion to Jalia seems clear enough.

12. The disease is eminently contagious at Jalia. I will instance a few cases. In a Brahmin's family, six members have died, within seven days, all lived and slept altogether. Another Brahmin woman was attacked, she recovered; her son was taken ill during her recovery; then her grand daughter; both the latter are dangerously ill (or dead); they all slept close together in the same room. A buneea constantly nursed his son (twelve years old) in his arms, till the boy died; the father was then attacked, and is likely to die; and many similar cases.

13. In case of the plague attacking a village, I am of opinion, that in order to arrest the progress of the scourge, all the uninfected should be caused to leave their houses, and encamp outside the walls, they being also prohibited from holding intercourse of any kind with other villages, and vice versa the sick should remain in the villages, and be properly attended to by a Bued or Hakeem; as soon as any sick recovered, they should be thoroughly cleansed in person and garments, and sent out of the village also. The dead should be immediately burnt, with all bedding and clothes. The sick of the

village should be kept in the cool air, and their bodies occasionally laved or spoiled with cold water; a ha-keem should be sent, provided with a lancet, leeches, calomel, opium, camphor, jumalgota seeds, katkarunja seed, and chereyta; he might pursue the plan above pointed out by me, as to medicinal and dietetic regimen, as well as the other precautions advised, with (I believe) favourable results; and the method is economical and easily practicable.

14. To prevent the plague spreading to Ajmeer or elsewhere, parties of troops or police had better be stationed on all the roads that might give access from infected places; with which, as far as possible, an absolute introduction of intercourse should be observed. The travellers and merchants and merchandise, arrested at the different posts, should be suspected by a responsible person; those who are perfectly healthy should be caused to ablutionise freely, and air and wash every part of their clothing; they then might be permitted to proceed with a certificate. Raw wool and cotton from infected places should be turned back. Piece goods and other articles should be opened and well aired, and if possible exposed

to a temperature of 140 degrees, after which the goods might be passed. Letters may be disinfected by exposure to the vapour of burning sulphur and nitre, without any difficulty.

15. The great danger of the plague spreading into our populous provinces is obvious.

16. I believe that the hot winds will greatly abate, if not annihilate, the contagion of the plague; but it may remain in the insidious shape of common fever, as it has been known to do in Egypt, and again break out into its usual virulent form, on the occurrence of a temperature more conducive to its production.

17. At present, the early interference of the strong arm of the Government, may prevent entirely any subsequent danger to be apprehended from the continued presence of this pestilence.

Camp Jalia,
March 7th, 1837.

I have, &c.

R. H. IRVINE.

Asst. Surg. to Agent. Gov. Gen. and Commr. Rajpootana.

[Hurkaru, 19 April, 1837.]

REPORT OF THE DISTRICT CHARITABLE SOCIETY.

The Proceedings of the District Charitable Society, during the past year, present few particular occurrences to be brought to the notice of Subscribers, in the pages of an Annual Report. The system of the Society has long been organized in a way so well adapted to the efficiency of its operations, that those who are charged with the conduct of its details humbly hope that their united endeavors are rightly directed, and that the urgent claims of the poor are sufficiently (as they certainly are warmly and earnestly) cared for and acknowledged.

Towards the close of the Report last published, it was mentioned that a Sub-Committee appointed to revise the Lists of Pensioners in the several Districts had effected considerable good, and that a similar revision should take place annually.

In April last it was suggested that the same Sub-Committee might with advantage consider and report upon the Office Establishments kept up by the Central and District Committees. This was done; and the whole having been carefully inspected, the Sub-Committee reported that in the offices of the central, the St. James's, and the Native Committees, no change appeared to be required, but that in those of the Old Church and Cathedral Committees a little modification of expenditure was desirable. The Old Church Committee subsequently made it satisfactorily appear, that their existing Office Establishment was actually required to do the work of their very large District; but in the Cathedral District the suggestions of the Central Committee are still not finally disposed of.

The Report of the Annual Sub-Committee, which has just closed its inspections, will be inserted at the end of this Report.

The Society have, during the past year, had the satisfaction of successfully recommending a very few persons to situations. It has been before mentioned, and particularly in the last Report, that the Society cannot undertake to procure situations for any one; but it is satisfactory to find that even in a very few instances the industrious poor have been provided with the means of livelihood, either temporary or permanent. The subject is alluded to on the present occasion, not with a view to excite hope, nor to make it appear by any means either

that much exertion has been used or that much success has followed, but the rather in order to correct a misapprehension which has prevailed, regarding the persons from among whom servants of various descriptions are obtainable on recommendations from this Society. It is understood to have been to some extent a prevalent opinion, that the sole object of the Society in recommending poor people for employment, is to relieve the Charitable Fund from the burthen of supporting them, without any reference to the fitness or the character of the individuals recommended, who are supposed to be mere beggars, and not likely without the Society's help, to be employed by respectable persons.

It is undoubtedly an object of importance with the Society to diminish any demand upon their funds which may be otherwise honestly satisfied; and accordingly no able-bodied person is retained on the public alms who declines to accept employment. But when it is recollected that character is an essential requisite to admission on the lists, and that a recommendation given by this Society must necessarily certify the goodness of the character of the person recommended, it is hoped little more needs be said to show how erroneous is the impression adverted to. The Society from their organized system of inspection, have the means of ascertaining with considerable precision, the characters and habits of individuals, and no one has been hitherto, nor can never be knowingly recommended for employment, who is not vouched for on a full enquiry into particulars, because no person of known doubtful character is admitted or kept upon the lists.

If the observations which have been made refer only to the fact that persons recommended by this Society do not always prove grateful or good servants, that is a fact as much to be lamented as it is undeniable. Any further recommendation than arises from a knowledge of the poverty of the individual, his private character, and his readiness to earn a livelihood, is frequently not to be obtained from the Society; for it does and will happen that persons obtain relief who have never before been reduced to serve, and who having no Certificates from former employers, can only profess their desire to work industriously for their bread. Ignorant as they are of forms or requisitions of service, and apt to compare

their former comfortable circumstances with their present depressed condition, such persons have a strong claim to the compassionate feelings of the public. It is indispensible that the species of benevolence which will take in hand a poor and willing but wholly inexperienced servant, and will overlook many defects for a time for the sake of the distressful condition of the individual, is a charity of the most burdensome and irksome kind. But it is a genuine spirit of beneficence which will thus exercise itself; and the good that might be effected in this manner among the many families known to this Society, is incalculable. The very peculiar relations of one class to another in our Indian communities, and the powerful influence which those relations have on the unregulated minds of the mass of the poor, many of whom are wholly uneducated, and many laboring under unaccustomed poverty, present very serious difficulties, and obstacles in some instances insuperable, to any multiplied or extended effort to do good—and while enlarging upon the subject, the District Charitable Society would not be understood as venturing to dictate to the feelings of any one, or as indulging themselves in remarks on any person or body of persons. Having merely attracted attention to the subject, they leave it to its own free course and natural effect.

It has been found necessary to strike off several Pensioners who have refused to take service or respectable employment, during the past year. These are all females; and how much the Society feel the invidiousness of this part of their duty, the welfare of the Institution at large imperatively calls for this measure, though it is ever most unwillingly resorted to.

During the year the Society have had the advantage of the assistance of the Hon'ble Sir B. H. Malkin and Mr. Cameron, as Vice President. Towards its close, Mr. T. C. Robertson's departure from Calcutta, caused the discontinuance of his valuable services in the same capacity.

The expenditure of the Society in all its Districts has been economical, without curtailing unnecessarily the relief given to the deserving poor. The rate of regular disbursements from the Central to the District Committees has been lessened in some degree, and in consequence the Society have had the means of supplying the increased demands for the Native Committee, the Leper Asylum, and the Work-house under the Superintendence of the Ladies' Committee.

Nine hundred blankets have been distributed to the poor on the Society's Lists during this cold season, in addition to a supply of flannel jackets to the inmates of the Leper Asylum.

The Funds continue to flourish, and as in the last Report the increasing notice and support of the Public was very thankfully acknowledged, so on this occasion also the Society cannot but express a most lively sense of the encouragement and assistance they derive from the means placed at their disposal. With every augmentation of their Funds, and with every fresh year's experience, the Society anxiously feel their responsibility more and more increased:—and under this feeling it is that they renew their earnest request to all who take an interest in the welfare of the poor, that a more active co-operation may be afforded to them at the periodical meetings of all their Committees, than has hitherto been generally considered necessary by supporters of the Society. By no existing Institution would the favor of a minute inspection of their proceedings be more thankfully received than by this Society; and in no Institution is it less desirable or less desired that the administration of its rules and principles should be left continually in the hands of a few, and the same individuals

As a testimony of confidence in those individuals, it is not unsatisfactory; but approbation and confidence won from actual observation of what is done, are greatly more to be prized than when they proceed from a mere belief that all is likely to go on well. The business at the Meetings of the Central Committee, is ordinarily such as occupies no great length of time; and the attendance of gentlemen who support the Institution would be very acceptable, especially on the last Monday in the month.

In the course of five years, from 1831 to 1835 inclusive, this Society has disbursed, chiefly in monthly pensions to the poor of Calcutta, the sum of rupees 2,53,300, as shewn by the printed Annual Reports; giving an average of Rs. 50,460 annually and exhibiting a most gratifying proof of the liberality of Government and the bounty of the Supporters of the Society, among whom the Governor-General has ever been most conspicuous.

It will be seen on reference to the Appendix, that the Society at present maintains about 560 Christian Pensioners, principally Indian Portuguese widows, or orphans, and a few indigent Europeans and East Indians; besides upwards of 440 Hindoos and Mahomedans, blind, lame, or infirm, and all unable to do any thing for their own support:—in addition to which, from fifty to one hundred rupees are distributed monthly in donations of one rupee each to Native paupers, Hindoos and Mahomedans, until they can be brought upon the regular pension.

In the year 1835, the Receipts were sicca rupees 54,592-0-5, and the Disbursements Sa. Rs. 52,008-2-1. The balance in hand on the 1st of January 1836, was Sa. Rs. 13,122-7-4.

During the last year the total receipts have been Company's rupees 57,403-13-10, and the total Disbursements Company's rupees 46,640-0-3, leaving a balance in favor of the Society on the 1st of January 1837, of Company's rupees 15,361-2-0.

The Society have great satisfaction in making it known, that Baboo Dwarkanauth Tagore has, with his accustomed liberality, and in addition to his regular Annual Subscription, just presented 500 rupees as a Donation to the Funds;—and that a Donation of the same amount was received a few days before from the bounty of Mr. —, of Calcutta.

LADIES' COMMITTEE.

The Establishment of a Committee of Ladies in connection with the Society, was noticed in the last Report.

In May last the following representation was made to the Central Committee:

Report.—The Ladies Committee of the District Charitable Society, having been formed in compliance with the Resolutions of the Central Committee, assembled for the first time on the 27th of February 1836.

Several preliminary Meetings having been held to ascertain the capabilities and circumstances of the different pensioners, and to determine on the best mode of conducting their proceedings, at a Meeting held on the 24th of March, the following Resolutions were agreed to by the Committee.

That there should be a Secretary and Deputy Secretary appointed. (In pursuance whereof Lady Malkin and Mrs. Trevelyan were appointed Secretaries.)

That there should be a Meeting of the Committee held on the Third Tuesday of every month.

That the females, whether adult or children, supported by the Funds of the District Charitable Society, by

assembled at a room provided for the purpose, to perform needle-work, if competent to do so, under the superintendence of a person engaged for that object, and if unable to work to receive instruction in the same from the same person.

That the Ladies of the Committee may, in all cases where it would be undesirable on account of distance, health, or family circumstances, to require the attendance of particular Pensioners or children, dispense with such attendance and may also direct the Superintendent to furnish work to be done by such persons at their own houses, in cases where this appears expedient.

That the Superintendent of the Work-room be required, in addition to the charge of the working establishment, to give instruction in reading, to read for two hours in the day to such of the children as are unable to read, and also to such of the adults as being unable are willing to be instructed.

That a writer shall be employed; and for the present one was engaged at 10 rupees a month.

On the 1st of April a house, No. 121, Chitpore Road, was hired for 3 months at a Rent of 20 rupees a month for the purpose of assembling the Pensioners, and the Work-house opened on the 6th of April. Mrs. Collins, one of the Pensioners, was chosen to superintend it, on a Salary of 10 Rs. a month, being an increase of 3 Rs. on her former allowance. A considerable number of the Pensioners attend on this occasion: several were ordered to come daily to the Work-room and others were allowed to take work home to whom it seemed expedient to extend this indulgence:—all evinced more or less willingness to be employed. Those who have since attended have done so cheerfully, and the Committee are inclined to hope that their number will increase rather than diminish. Several Ladies of the Committee have taken it in turns to visit the Work-room daily by way of check upon the Superintendent and pensioners at the opening of a New Establishment.

After a good deal of consideration the Committee have determined on submitting the following plan to the Central Committee as a scale of prices for the work done and as a sufficient remuneration to the workers.

1. That the workers receive the rates fixed by the Madras Society, for the work done by them: that the amount of their earnings be computed accordingly, up to the last Saturday in each month, and that two-thirds of the amount be deducted from the allowance to be paid by the Charitable Society for the ensuing month.

2. That the rates of the Madras Society appearing to be low, when compared with those ordinarily paid in Calcutta, the customer shall pay four annas in the rupee above the amount paid to the worker.

3. "That at any time when their is not work enough fully to employ all the workers, it be distributed so as to relieve the funds of the Society as far as possible; so that a person who has done work enough in the early part of a month to relieve the Society from the payment of any allowance for the following month, should not receive any more work that month if there were others competent to the performance who had not yet earned enough to cover their allowances in the same manner.

4. "That the names of any persons who refuse to work or who absent themselves habitually from the Work-room without showing sufficient cause, shall be reported to the Committee, who relieve them; for enquiry as to the reason of their absence or refusal.

"To these propositions, at the earnest recommendation of all the Ladies, a fifth is added; that in case of any deficiency of work occurring, the Central Committee be

requested to allow of an application of their funds to a certain extent for the purchase of materials, to be made up by the women into such articles of clothing as shall appear most saleable, for the purpose of preventing any of the Pensioner from remaining unemployed and thus bringing the 3rd proposition into operation. The article thus manufactured to be sold for the benefit of the Society.

"The expenses attending the Establishment of the Work-house, such as procuring a small quantity of necessary furniture, &c. have been kept within the narrowest possible limits, and amount, in all to Rs. 53-15-6.

"The current expenses likewise, the Committee hope, will be considered as small as can well be expected, as they amount to rupees 79-14-2 during the two months in which it has existed, viz. rupees 38-4-8 in April, and rupees 41-9-6 in May.

"The sum earned by the workers since the establishment of the Institution as yet amounts to rupees 46-14-3½, but the Committee have good reason to believe that when the plan of remuneration is once understood, the number of their hands will increase, and that many women who now avail themselves of any excuse they may have for staying away, and others who are ready to make excuses on trivial grounds, will come in, either to employ themselves at the Work-house or to take work home, as they may be permitted.

"They also hope that the experiment of employing this women hitherto supported in idleness, will be considered to have so far succeeded that they may look forward to the continuance and eventual perfecting of a system which shall improve the moral condition, while it relieves the bodily wants of the poor who come within its influence."

On this occasion the Central Committee passed the subjoined Resolution.

"That the warmest thanks of the Society are due to the Ladies forming the Committee for the trouble they have taken, and that the Report now read be approved, but that the rates for the work be fixed by the Ladies' Committee as they may deem proper. The Central Committee, however, do not adopt proposition No. 2 of the Report."

It was further determined to advertize in the public prints that needle work would be taken in at the Society's Work-house. But it was soon found that in an establishment so recently formed the undertakings must at first be of a very moderate kind, and work enough was in general supplied without the aid of continued public advertisement.

In July last the Ladies' Committee submitted an account of their expenditure of the sum of 200 rupees granted to them in March; and an estimate of the rate of their monthly expenditure to be incurred at the Work-house, amounting to 40 rupees per month, to be drawn and accounted for regularly as is customary in the District Committees. A grant of 40 rupees a month was accordingly passed, but the Ladies' Committee have not found occasion to draw that sum in more than three months.

In September the Committee represented that it appeared desirable to entertain a Superintendent able to undertake cutting out, and otherwise well qualified, and that they believe such a person might be procured for a salary of 20 or 30 Rs. a month. An additional grant of 30 Rs. a month was accordingly requested, on an understanding that it was by no means intended or attempted to fix a certain additional burthen on the Society's Funds to the amount now solicited, but that while every exertion would be made to disburse the Society's grants economically, there was reason to hope that ultimately and at no long date, the Work-house would defray its own

expenses, or very nearly so, even if it should not be the means of some small saving to the Society. The grant, therefore, was only asked for temporarily to enable the experimental institution of a Work-house to be effectually carried on for some months, till it should be found to answer the purposes of its establishment or its abandonment be proved to be necessary.

This grant was accordingly made for three months, by the end of which time the Committee were requested to report on the state and prospect of the Work-house. Circumstances, however, arose to make it unnecessary or impracticable, to make the contemplated change, and the Committee did not avail themselves of any part of the additional grant.

In December last it was resolved to procure some better place for the Work-house, and a Superintendent of the requisite qualifications having been found, in the person of Mrs. Price, she was entertained from the 1st of January 1837, at the salary of 20 Rs. a month, and the Work-house was removed from the same date from Chitpore Road to No. 140, Dhurrumtollah, towards the rent of which the Society pay 25 rupees a month. Arrangements have also been made to discontinue the expense of the writer; and the stated outlay of 40 Rs. a month, (to which little contingencies, such as the purchase of thread and needles, &c, should be added,) is all that the Society have to provide; that amount being in some part reimbursed to the Fund by the Society's proportion of the earnings of the workers, or, which is the same thing, the pensions being in such proportion reduced.

Under many discouraging circumstances, among which are several instances of the Pensioners either determining not to work at the Committee's house, or declining to take service offered to them elsewhere, and being consequently subjected to the penalty of exclusion from the Society's Lists,—the experiment of a work-house has proved hitherto by no means unsuccessful. The average monthly number of persons attending it up to the 1st of January is 14, of whom 9 are young girls. Their earnings altogether have averaged rupees 22-12-1 a month, and the Society's outlay on this account 38 rupees a month. It is however hoped, that during the present year some progress will be made towards rendering this new institution as extensively beneficial as the sanguine wishes of the Society would desire to see it.

The Committee has undergone some change, and has increased in number, and the Society feel no doubt that to the Ladies who compose it, the supporters of the Society and the public will very confidently entrust the interests of an institution so well calculated to excite their benevolent exertions, and so likely to prosper under their kind and able management.

NATIVE COMMITTEE.

In June 1836, it was represented to the Central Committee, that there were a number of natives apparently real objects of charity, who had been registered for succession when lapses should occur among the permanent Pensioners; but that as these do not often take place, the persons alluded to suffered much distress, which might be considerably alleviated by occasional small donations.

It was accordingly resolved in consideration of the state of the Funds, that in addition to the regular monthly grant of 700 Rs. already made to the Committee, a sum of 500 Rs. should be placed at the disposal of Mr. Phipps, Secretary to the Native Committee, to be drawn for in such portions as he might require for the purpose specified.

This additional grant was paid in sums of 50 rupees a month, for five months, and 100 rupees in two following months, leaving yet a surplus available of 50 Rs.

The relief of the native Poor is a subject of considerable anxiety to the Society. It is quite impossible to obtain any thing like adequate contributions from the Native Gentry of Calcutta; and although the District Charitable Society is established for the relief of all classes and discriptions of poor, yet while so very little aided by the Native benevolence, and so much thwarted in their objects by the inconsiderate conduct of Native Gentlemen which has repeatedly been adverted to in former Reports of the Society it is unavoidably necessary to keep within reasonable limits the assistance given to the native Poor. If all who can afford it would contribute to the Funds of this Society, there should in a very short time be not a single Native Beggar to be found in the street of this Town, nor a Leper unprovided with a comfortable residence. But while circumstances continue as they are, the very dearest objects of the Society are rendered unattainable, and neither can the wants of the poor, nor the charitable intentions of those who support this Society, be adequately attended to or fulfilled.

LEPER ASYLUM.

Considerable expense has been incurred during the past year at the Leper Asylum; but the Society have heartily contributed all that has been laid out on that most interesting Institution.

In May last, Dr. Stuart favored the Central Committee with a very satisfactory report of the result of his exhibition of iodine in three cases of lepers. The account of these cases was at the time generally made known by means of the public prints, and is therefore not inserted here. The Society have observed with much gratification the unwearied and (as far as they can judge) the successful endeavors of Dr. Stuart to ameliorate the sad condition of the poor objects under his charge; and they feel sure that the public will join them in particularly appreciating that Gentleman's exertions, when it is recollected that they are wholly gratuitous and made at not a little personal inconvenience.

With regard to certain mistaken notions which are abroad, the Society take this opportunity to state, that the subject of giving the Patients a small daily gratuity has repeatedly occupied the attention of those Members of the Society under whose particular charge the Asylum has from time to time been placed; and that it is only because the Patients are irresistibly disposed to spend any little money they obtain in fruit and other little luxuries hurtful to them as Lepers, and calculated to obstruct and disappoint the efforts of their medical attendant, that they are not permitted to have the uncontrolled disposal of their daily allowance. Were the Leper Asylum a mere place of residence for its pitiable inmates, it would be a very questionable kindness to put it in their power to purchase little temporary gratifications of their appetite at the expense of much permanent additional suffering. But when it is remembered, that every possible exertion is being made to effect some change for the better in their dreadful disease by medical treatment, especially by the use of such powerful and peculiar remedies as are found to be applicable to their cases, it will perhaps be admitted by all considerate persons, that it would be folly and unkindness indeed to permit the patients in the Leper Asylum to indulge themselves in the way suggested.

And with reference to the Asylum itself, the Society invite all who are interested in the welfare of the poor Leper to visit the Asylum, and to form an opinion from personal inquiry as to the arrangements there made and the system there observed. The Society will ever thankfully receive any suggestions for the improvement of that or any other institution under their charge; only they trust such suggestions will be made after full consideration and inquiry. But as little comparatively can be effected while their means are circumscribed, (with

reference, that is, to the great number of Lepers in Calcutta,) and as the peculiar character of the Leper Asylum, as both a charitable Institution and a Hospital at the same time, brings its only to a certain extent within the legitimate objects of this Society; the public attention is earnestly solicited towards some united and effectual plan of providing for the poor objects in question, the most grievously afflicted perhaps of any human beings in the world.

The Society have great pleasure in announcing, that upon a representation by Dr. Stuart, Lord Auckland has been pleased to contribute 80Rs. a month, for six months, (after which period a Report of what may be effected is to be made to His Lordship,) for the express purpose of enabling Dr. Stuart to follow up his experiment of exhibiting Iodine in the cases of Lepers. A plan for erecting Hot-baths at the Asylum, is also now under the consideration of His Lordship.

The past year has been on the whole a very interesting one, though not one in which much has actually been effected. In closing their Annual Report, the Society cannot do better than remind all their supporters, that the ends of their institution cannot be realized by any mere human efforts however diligently applied; and that in whatever good we may effect, we shall then alone feel aright when, looking beyond our mere selves, we recognize the aid and the guidance of that Being, who only can direct and prosper the humble instrumentality of man.

Report of the Sub-Committee of the District Charitable Society, appointed on the 26th December, 1836.

In the performance of the duty delegated to us by the Central Committee of the District Charitable Society, we have the pleasure to report, that we visited the Parishes of St. James, of the Old Church, and of the Cathedral, on separate days, and saw all the persons now receiving relief with a very few exceptions. Some of those few were persons who were known to be bed-ridden, or too ill to leave their houses, and who had been lately visited at their homes by persons connected with the Local Committees. In all cases where the absence was not satisfactorily accounted for in this manner, the allowance has been suspended until those receiving it shall personally appear before the District Committee, and the case be re-investigation by them. We also saw at the Town Hall all the Pensioners on the list of the Central Committee.

2. In the Cathedral District we have recommended the cases of four persons to be referred to the Central Committee, and have suggested the expediency of two widows who are residing at Chundernagore, being transferred on the first opportunity, to the Martine or Western Charity merely on account of their present residence, which is much more convenient for them, but which in strictness excludes them from the limits of our Society. We have also suggested, that one Pensioner (a respectable widow with 6 children,) should have her pension raised from 8 rupees to 16 and that two other Pensioners now receiving, 2-8 and 4 Rupees, a month; but whose case appeared to be similar, should both receive 8 rupees. One case appeared to require to be re-investigated by the Local Committee.

3. In the Old Church District we resolved that the allowance of one blind man raised from 3 to 6 rupees, and that of another person from 4 to 6 rupees, and that one Pensioner should be sent to the Alms-house also that two should be sent to the General Hospital, and that the cases of six should be further inquired into by the Local

Committee, chiefly with a view to ascertain by Medical examination, whether their diseases could be cured or relieved by medical or surgical treatment.

4. In the Saint James's District we found a greater number of Native Poor, and the Funds at the disposal of the Committee had been dispensed with such strict economy, that we thought it necessary in the case of eight persons, to direct their allowance to be increased from 2 to 3 rupees, in two others from 3 to 4 rupees, and in one case from 2 to 4 rupees. In one case only we directed a reduction to be made from 3 to 2 rupees a month. Two other cases were recommended to the District Committee for re-consideration, with a view to a small increase of the allowance, and we requested them to institute further enquiry into four others.

5. There cases (Nos. 172, 217 and 191,) we agreed should be referred to the Central Committee with a view to the children of these Pensioners being provided with some honest employment if possible.

6. We have not found a single case among those who are on the list of the Central Committee, in which we could recommend either the withdrawal of the allowance, or any reduction of the amount, and we had great satisfaction in remarking that the arrangements made by the Ladies' Committee for providing work for those females who are able to work with their needle, appear to be attended with great good effect.

7. From the details into which we have entered, the Central Committee will have perceived that we have in two or three instances only seen reason to advise a trifling reduction, while in many we have seen the strongest reasons to recommend an increase. The general examination of all doubtful cases which took place last year, has been attended with a permanent good effect; and the several District Committees appear to have zealously and steadily pursued a course during the past year, which has ensured a careful and judicious distribution of the Charitable Funds placed at their disposal. We have not found one instance of a pension that we could consider objectionable while the whole of our examination has impressed us with a very high opinion of the conscientiousness and judgment which is displayed by those persons who take an active part in managing the distribution of the Funds into whose expenditure we have examined.

8. There is one circumstance which has frequently occurred to us during these reviews of the Calcutta Poor, or seeing many of them attended by fine stout and healthy but idle and ignorant boys, and that is the great want of a place where these lads could be instructed in some trade, by which they might be able to earn their own livelihood when they grew up to manhood. Many of them cannot procure education; the Free School being already full to overflowing, but we refer more to the want of some establishment, where they could acquire habits of industry and some manual skill, instead of growing up as they do now in ignorance and idleness. Mr. Phipps has drawn up a plan of this nature, which appears highly deserving of attention, and whatever alterations might be suggested in the details, we are desirous to bring to the notice of the Central Committee that such a School of Industry is very much required in Calcutta, and would be of great practical benefit if it could be established.

W. S. BEATSON,

Chairman of the Sub-Committee.

[Hurkuru, April 4.

BORING EXPERIMENT IN FORT WILLIAM.

The immediate superintendence of the Boring Experiment having, in consequence of my removal from Fort William, passed into other hands, I think it necessary to acquaint the Society with the progress that has been made since I had the honor to submit to them a note on the subject in June 1842.

At that time a depth of 175 feet had been attained by the borer, which then worked in a coarse sharp sand mixed with pieces of quartz and felspar, and from the little progress made, it was supposed a bed of gravel or shingle had been reached. This supposition, however, proved erroneous; for after some delay the work advanced, until the borer having gained 178½ feet, and the tubes being forced down to 180½ feet, they were observed soon after to have sunk by their own weight, and thenceforward up to the present time they have continued so to sink, maintaining a depth generally a few feet in advance of the auger.

It is remarkable that, although it was frequently tried, it was seldom found practicable to force the tubes down more than an inch or two at a time; yet, shortly after the removal of the pressure, amounting, possibly, to twenty tons, they would sometimes descend six inches or even a foot by their own gravity.

With a trifling variation in the color and fineness of the sand the stratum remained the same, until clay was found at 198½ feet, but this stratum was not more than five feet in thickness; five feet of sand then occurred, and after it another layer of clay. At 212 feet a bed of sand was entered, which has been penetrated to a depth of 131 feet, without reaching its termination.

Long ere this the work would have been carried to the utmost depth for which tubing of the diameter in use has been provided, had it not been for two accidents, each of which was of so serious a character as threatened to put a final stop to the work. The first was occasioned by the separation of a part of the borer containing a valve, when at the bottom of the well; and the second by the auger becoming jammed with a brazen plumb which had been lost in the bore sometime before, in such a way that the application of no force that the rods could sustain sufficed to move the implement in any direction. The force that was applied may be conceived when it is stated that it was sufficient to raise the whole line of tubing bodily in the bore.

Keeping the tubes in the position, the rods, by the application of a screw, were at length forcibly torn from the auger a little below the screw which joined them; after which, as in the former case, the valve worm auger was broken off by the jumper, and the instrument brought up by the catting in the socket.

The success in overcoming these disasters must be mainly attributed to the zeal and perseverance of the sappers employed on the work: in the latter, however, they were guided by the able instructions of Captain J. Thompson, who suggested the measures to be adopted, and supplied from his own stores some of the machinery to carry them into effect.

To guard as far as possible against breaking the rods by the force applied to extract them, Capt. T. connected his screw with the rod-head, through the intervention of a rod of somewhat smaller section which would consequently give way before any injury could happen to the borer.—Ed.

When my superintendence ceased, (10th March,) the tubes had sunk to the depth of 343 feet, and the borer penetrated to 336 feet. The sand still continued to rise in the manner described in my former paper. It varies occasionally in color and substance, and latterly some pieces of felspar and lumps of indurated clay or sand have been picked out of the sand brought up. Specimens accompany this paper.

The supply of English tubing of the requisite character is very nearly exhausted, but an attempt will be made to cast some in Calcutta: if it fails, the experiment must necessarily be suspended until and inasmuch that has been sent home be answered.

Note by the Secretary.

As a postscript to the above Report, I have now to announce a most curious and unexpected discovery, communicated to me this very morning by Colonel Macleod, the Engineer officer, who has succeeded to the charge of the experiment hitherto so successfully conducted by Major Taylor.

On a former occasion the Society was shewn metallic iron reduced from ore extracted from a depth of 150 feet and sharp angular quartz and felspar from 175 feet; but here is something which will excite much more surprise—a fossil bone brought up by the auger from a depth of 350 feet below the surface of Calcutta!

When it is considered how many million chances there were against an auger only a few inches in diameter, impinging upon the precise spot where a bone lay in the understratum,—the risk, too, of such a fragile object being ground to atoms by the tool, or pushed aside, and missed, it may be regarded as the most extraordinary good fortune that the relic should not only have been met with but brought up entangled in the valve of the scoop without the slightest injury! The bone is the fractured lower half of a humerus of some small animal like a dog: it resembles the drawing of the corresponding bone of the hyena in Cuvier, but it is impossible precisely to identify it for want of skeletons for comparison.

The interior is filled with the micaceous sand in which it was unbedded, and scales of the same adhere to the exterior surface, as shewn in the accompanying sketch. The bone is not thoroughly fossilized, for when heated by the blow-pipe it becomes slightly changed and emits a perceptible odour;—but the animal matter left is exceedingly small, and the whole loss on heating a portion to a white heat was only 7 per cent, the greater part being moisture from the hydrate of iron with which it is impregnated. The greater part of the phosphate of lime remains with a proportion of carbonate: the specific gravity is 2.63, just the same as that a fine specimen of polished ferruginous *odontopterus* from the *Himalaya*: it requires the heat of an oxygen blow-pipe to fuse a fragment per se on platinum foil.

Of the relative age of this deposit, compared with that of *Sivalik* and *Nerbudda* fossils, it is impossible to form any exact conclusions, but it is worth while to recapitulate briefly the conditions under which each are found.

The continuous stratum of lower sand in which our bone was buried at a depth of a hundred and fifty feet, may be regarded as the gradual deposit at the mouth of a primeval river: the excess of mica contained in it would seem to indicate its derivation from a gneiss or schistose source, such, indeed, as the present *Himalayan* or

Pindyan range might still furnish. It was evidently anterior to the general and extensive alluvial deposits of the yellow *kankary* clay which entirely cover, or rather form the Gangetic plain, and which the auger in Fort William had passed through before it attained the depth of 100 feet. Now the fossil bones of the *Jumna* were also found under the *kankar* clays of the *Doab*, 150 feet below the surface, so that in this respect the situation of the two is similar enough. The calcareous infiltration which has consolidated the sand and gravel of the *Sawnlik* and *Nerbudda* matrix has been wanting here, and perhaps from its greater distance from the hills along the sand here is in a much more comminuted state. Geologically speaking, however, the whole of the fossils may belong to the same period of alluvial deposit—or, in other words, to an indefinitely distant epoch of the present system of quiescent operations in land and flood, whose gradual action has subsequently accumulated the superjacent beds of clay, abounding in minute fresh-water shells, extending for thousands of square miles—and again over them towards the delta of the *Ganges*, other more recent and extensive beds of blue clays, colored with vegetable debris and containing imbedded pearl and wood, by which they are identified with the existing soil of the *Sunderbun* forests. The mind is lost in contemplating the immense periods which such a deposit would demand at the hardly visible rate of present accumulation:—yet there are other causes of wonder in the several beds of coarse granitic angular gravel and

nodular or pea iron ore which have been traversed by the auger before reaching the fluvial sand beneath. These may indicate the volcanic upheavement and subsequently gradual decay of granitic and ferruginous hills, pending the progressive deposit of the alluvium, concerning which, however, we can know nothing certain, and need not therefore lose ourselves in conjectures. In like manner it might be advanced that the whole of the clayey strata were deposited in fresh water as the saliferous sand and sandstone of upper India has been in salt water—and that the animals whose remains are now brought to light at so many points, were the inhabitants of the borders of a prodigious basin. In the upper beds of blue clay penetrated in digging tanks and canals, bones have occasionally been met with, but unfortunately none have been preserved. The occurrence of the remains of quadrupeds at one or two distant points of the region is sufficient to establish the conclusion that their existence has been coeval with the whole deposit; while the sharp, unworn angles of the fort bone prove, that the animal to which it belonged had lived and died in its immediate neighbourhood.

In the accompanying sketch I have attempted to delineate in full size, Colonel Macleod's fossil bone, which may be designated without hesitation one of the most precious rarities ever deposited in the Museum of the Asiatic Society.

J. P.

[*Asiatic Journal* for March.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held in the Town-Hall this morning, Wednesday, the 12th April, 1837.

PRESENT.

The Hon'ble Sir E. Ryan, in the Chair.

The Hon. Col. Rehling,
Dr. Wallich,
M. Staunton, Esq.,
A. Grant, Esq.,
H. Walters, Esq.,
J. W. Masters, Esq.,
J. C. Wilson, Esq.,
Colonel Caulfield,

W. Storm, Esq.,
G. T. F. Speed, Esq.,
D. W. Speed, Esq.,
Rev. Mr. Boaz,
A. Dobbs, Esq.,
C. K. Robinson, Esq.,
G. A. Prinsap, Esq.,
John Bell, Esq.,

VISITOR

C. Brownlow, Esq.

The proceedings of the last meeting were read and confirmed.

The following gentleman proposed at the last meeting, were duly elected ordinary members by ballot, viz.,

His Excellency Mons. Badier, Governor of Chandernagore.

Captain Carter—W. Jackson, Esq.—D. Pringle, Esq.—A. Grote, Esq.—Dr. Farnall—J. H. Crawford, Esq.—George Taylor, Esq.—J. W. Yule, Esq.—W. Hickey, Esq.—W. T. Fraser, Esq.—T. A. Pitkin, Esq.—R. S. Crawford, Esq.—Kenneth McKenzie, Esq.—T. H. Gardener, Esq.—C. Brownlow, Esq.—A. Harries, Esq.—A. C. Bidwell, Esq.—Dr. Drummond—W. Ainslie, Esq.—the Rev. James Charles—Charles Dearie, Esq.—W. W. Kettlewell, Esq.

The proposal of the Secretary, to elect Colonel Colvin an honorary Member of this society, which produced so much discussion at the last meeting, was again brought forward and the question being put to the vote

(only one member present, Mr. J. W. Masters, objecting) the original motion was carried.

HONORARY MEMBER.

Lieutenant-Colonel John Colvin.

The following gentleman were proposed—viz. Col. D. Macleod, (Engineers) proposed by the Secretary, seconded by C. K. Robinson.

M. M. Manuk, Esq., proposed by the Secretary, seconded by Dr. Wallich.

Major J. A. Moore, (Hyderabad) proposed by the President, seconded by Dr. Wallich.

J. M. Hill, Esq., (Tirhoot) proposed by John Allan, Esq., seconded by W. Storm, Esq.

D. Gibson, Esq., (Malta) proposed by W. Storm, Esq., seconded by John Allan, Esq.

Proposed by H. Walters, Esq., seconded by the Secretary.

J. P. Wise, and G. D. Glass, Esqrs. (Dacca)—James Grant, Esq., C. S.—T. Young, Esq., C. S.—J. W. Alexander, Esq., C. S.—Kazee Mahomed Alee, Principal Sudder Ameen, Tippera.

The President proceeded to business by reading a report of the Committee of Papers, which embraced a parcel connected with the subject of the re-electing members who had failed to pay up their arrears of subscription to the society.

Resolved—That no member who shall hereafter be struck off the list of the Society for the non-payment of arrears of subscription, shall be elected until such arrears of subscription are discharged.

The subject of the motions brought forward by the Revd. Mr. Boaz, at the meeting in February, and which had been reported on by the Committee of

Papers last month, and ordered to lay on the table until this morning, was again brought forward.

Mr. Boaz animadverted at length on the style of this report, which he thought couched in terms uncalled for in reference to the nature of the proposition, and objected to such report, as conveying the sentiments of the society at large, and criticized the objections taken to his motion by the committee, and their remarks generally, in a style not very complimentary to the President and Members of the Committee.

Mr. Walters, following on the same side, thought the report an exceedingly ingenious document; and after some further remarks and one of the speakers having been called to order, the President drew attention to the tone of Mr. Boaz's criticism, considering it uncalled for towards gentlemen who had taken the trouble to draw out a report upon the subject.

After much discussion, Mr. Walters proposed an amendment to the 1st proposition, which will appear in the next month's proceedings.

The next point which engaged the attention of the meeting had reference to the award of gold and silver medals annually for the best samples of staple products.

It was accordingly proposed by H. Walters, Esq., seconded by Sir E. Ryan, that a committee be appointed for the arrangement of the details involved, and that the following gentlemen be appointed.—

G. A. Prinsep, Esq.—H. Walters, Esq.—and C. K. Robison, Esq.

The Secretary read a report on a former motion of W. Storm, Esq., on the practicability of improving the cattle and sheep of India, by importing foreign stocks.

Resolved—That the report be laid on the table for the consideration and suggestions of members.

From Mr J. W. Grant, a small specimen of the "Nurma or Chunders" cotton, from a plant of the second year's standing.

From C. R. Bell, a small sample of cotton and seed, as plucked from the plant in the original wild state, growing on the island of Orestonga (one of the South Sea islands) by the 1st Lieut. of H. M.'s Brig *Zebra*, who presented it to Captain Symers of the *Caledonia*.

From Mr. R. Homfray, two apricots from his garden at Barripore.

From the same, a dried specimen of what he terms the "Cappilaire" plant.

From the Hon'ble Mr. Melville, a box of seed of the Teak Tree for distribution.

From Major Moore, of Hyderabad, a tin box containing samples of the potatoes grown there, presented by Sir E. Ryan.

From Colonel Beatson, a sample of coffee grown in his garden, and "a complete treatise on the culture of tobacco."

From Mr. R. Lowther, two pint bottles of Sandoway tobacco seed, produced in his garden at Allahabad for distribution.

From the Secretary 10 quart bottles of tobacco seed, part of the produce, of a very small supply sent round in a letter to Dr. Wallich, by Dr. Wight of Madras, and grown in Mr. Bell's Garden.

Dr. Wight does not know the name of this tobacco; but describes it, as very superior. It was sown by Mr. B. when presented to him by Dr. Wallich in October last, and the plants are still in full blossom, averaging four feet in height. The quantity of seed now presented to the society, is not above one-fourth of what they may be expected, when the pods have all ripened. This

affords an opportunity to parties to provide themselves amply with fresh tobacco seed of a superior kind.

A plant in full bearing was submitted for the inspection of members.

From Mr. J. J. Darwell, of Boston, dated 19th November, 1836, in accordance with a request from the Secretary, encloses bill of lading for a barrel and a box of American Maize in husk, the first containing the large "Canada kind," the latter containing the "common yellow" kind.

Mr. Darwell promises to send a further supply of two more varieties by the next opportunity and to follow these by regular annual shipments, until this superior corn has taken root in India.

From Mr. D. W. H. Speed.

2 picked samples of maize from Jainpoor seed.

2 Ditto Red Dese, Ditto.

2 Ditto yellow ditto, ditto, all grown at his garden at Allipore.

Memo.—Members and others interested in the progress of this society, are solicited to favour the Secretary with samples of the different products of India, which will be carefully preserved.

From Mr. Vaupell, Secretary to the Bombay Society, dated 28th February, acknowledging the receipt of Mr. Bell's letter of the 22d January, and of the cotton seed therein referred to.

Stating that the Pernambuco cotton seed had proved a failure, but that a plantation of the Egyptian at Ahmednuggur is flourishing.

Forwards a pamphlet issued by the sub Committee, in reference to furthering the objects of the Committee of Agriculture and Trade, recently formed as a distinct Branch of the Royal Asiatic Society of Great Britain.

Mentions his retirement from the office of Secretary to the Bombay Society.

From Capt. R. Jenkins, dated Assam, 12th March, requesting a supply of the New Holland brown corn, and recommending that various experiments be made with the indigenous cottons, which are in his opinion susceptible of very great improvement.

From Mr. C. Lyall, dated 30th March, enclosing extract of a letter to the address of Messrs. Lyall, Matheson and Co., from Mr. A. H. Palmer, of New York, dated 27th October 1836, respecting the manufacture of oil from cotton seed, which had been turned to good account in America, and had attracted the notice of the Pasha of Egypt, who had sent an order to the states to have some oil made and forwarded to his dominions.

From Mr. C. P. Hallowsay, of Singapore, dated 15th February, forwarding a specimen of Pernambuco cotton cultivated in his grounds in that Island.

From Mr. Secretary W. H. Macnaghten, dated 20th February, forwarding by desire of the Governor-General in Council, a paper drawn up by Dr. A. Campbell, on the Agriculture of Nepal.

Memo. This paper has been forwarded to the Press for publication, by directions from the Committee of papers.

* Produced somewhere in the Middle States of the Union.

† Cultivated in the vicinity of Boston.

‡ Not Pernambuco but Peruvian, vide Secretary's letter of 12th August, 1836.

From R. Lowther, Esq., dated 14th March, requesting a further supply of cotton seed to meet fresh applications. Intimates his appointment as Commissioner of Revenue at Allahabad, and offers a continuation of his assistance.

Memo. The Secretary had despatched a supply of cotton seed accordingly.

From Mr. W. Lillie, Secretary to the Madras Society, dated 9th March, acknowledging the receipt of cotton seed forwarded by the Secretary on the "Thetis." Advises having purchased Capt. Dalrymple's Plough for this Society.

States that he had received some potatoes grown at Vellore equal to any reared above the ghats, and encloses a paper on the mode of cultivating them, by Capt. Awdry. Returns thanks for the Patna vegetable seeds furnished through this Society, by Mr. Duhon, which had proved very bad.

From Dr. Davenport, dated Comillah, 23rd March, intimating the formation of a Branch Agricultural Society at that station, and requesting a supply of seeds, &c.

From Mr. H. H. Mathews, of Dearie, dated 26th March, received through Mr. Secretary Pitts, enclosing a list of replies (with reference to the District of Shahabad,) to the queries contained in the Society's circular of the 8th February last.

From Rajah Kalikrishna, dated 25th March, proffering his services as the medium of communication between this Society, and the Committee of agriculture and trade in Great Britain.

From Lieut. C. Brown, dated Jubbulpore 9th March, in reply to the Secretary's letter of the 24th February. He states that a quantity of Otaheite sugar-cane was forwarded in December last, to the Collector of Ahmednugur on account of the Bombay Government, and in reply to the solicitation of the Secretary, in behalf of this Society, to have a supply for the Calcutta Nursery, expresses his willingness to meet the request, in the ensuing season.

From Mr. F. Campbell, of Midnapore, acknowledging the receipt of cotton and tobacco seed and asking for sugar-cane.

From Mr. R. J. Homfray, dated Burripor, 6th March, furnishing a short account of the wild silk worm, or "Tusuck Pokah."

From the Hon'ble Mr. Melville, suggesting (in reference to the teak seed presented) that the offer of a medal be made to the person who may plant the greatest number of trees in one year. Alludes to the discovery by Dr. Burt of a fine and permanent yellow dye from the teak tree leaf.

From Dr. Burt, dated 9th April, enclosing copy of a communication to the Secretary to the Asiatic Society, on further experiments made on the dyeing properties of the teak leaf.

From H. Walters, Esq., dated 10th April, presenting on the part of Lieut. Rainer, junior assistant in Arracan, two rice husking machines, one made of bamboo basket-work, the other of wood, together with a buffaloe plough, also specimens of Arracan black and red rice.

From J. R. Colvin, Esq., dated 20th and 21st March, forwarding the 2nd last part of Dr. McClelland's Report in Assam, with coloured sketches.

Memo. These have since passed through the Committee of papers and are now in the Press.

From Joseph Wallis, Esq., dated 11th April, reporting upon two specimens of cotton, presented by Mr. Crane at the last meeting, grown at Singapore from seed originally Pernambuco and Bourbon.

The Pernambuco kind is described by Mr. Wallis, as "decidedly of most inferior quality, being coarse, harsh, short in staple and very weak."

Of the Bourbon, Mr. Wallis speaks more favourably. "It is fine and silky, and of pretty good strength of staple; yet not quite so strong, as it ought to be, its complexion is good also." Mr. Wallis values this cotton, with reference to the latest advices from Liverpool, at about 9d. per lb. The seed is represented to be smaller than usual in this description of cotton, but does not consider this as an unvariable criterion, in contrasting the quality of the wool, and very appositely asks, "how it is that we some times find the fibre and other fruits improve in either the flavour or the volume of pulpy and fibrous matter, when the seed itself becomes much diminished under improved cultivation."

From the Secretary, presenting some Guinea grass seed and brown corn, also several sorts of peas and beans all from Cape seed, and gleaned after having plentifully supplied the table.

Memo. It is probable that in a short time, the Society may render itself independent of foreign aid, by raising in its Nursery supplies of all sorts of garden seeds, at one third the expense at which they are now imported.

From Capt. Stacy, dated Allyghur 2nd March, with a sample of Pernambuco cotton.

From Dr. Helfer to Sir E. Ryan, dated Moulmein 1st March, giving a very favourable report in the experiments now making by Mr. Bell in Pernambuco cotton, and requesting to be supplied with good tobacco seed, which Dr. Helfer thinks will answer admirably.

From W. Blundell, Esq., to Sir E. Ryan, dated 28th February, stating that the American cotton seed sent from the Society had failed.

Memo. All the same seed tried here has vegetated most freely. Dr. Helfer has discovered that a caterpillar abounds in the cashoonut trees, which yields a good strong description of silk.

From Dr. Helfer to Dr. Wallich, soliciting a supply of tobacco seed.

The thanks of the Society were ordered for the above contributions and communications.

Town Hall, Calcutta,

12th April, 1837.

JOHN BELL,

Secy. Agri. Hort. Socy.

[Harkara, April 15.

The following resolutions, passed at a General Meeting, on Wednesday the 12th April 1837, were not inserted in the general notice of proceedings, as the drafts required revision.

Premiums for Treatises on Agriculture and Horticulture.

Proposed by Mr. Walters (as an amendment to the motion brought forward by the Revd. Mr. Dox in February last,) seconded by Mr. Robinson, and

Resolved—1st. That a premium of two thousand rupees be offered for the best work on *Indian Agriculture* in all its branches, founded on experience in the country, to be presented to the Society on or before the 1st May 1840.

Resolved—2nd. That a premium of one thousand rupees be offered for the best work on the *Horticulture of Bengal*, to be presented to the Society on or before the 1st of May 1840.

Resolved—3d. That the premium of one thousand rupees be offered for the best work on the *Horticulture of the Western Provinces*, to be presented to the Society on or before the 1st of May 1840.

Resolved—4th. That the Society reserve to itself the right of refusing to grant any of the above premiums, if the works on the above subject are not such as it approves.

Resolved—5th. That the Secretary do invest in Government Securities the sum of four thousand rupees for the payment of the above premiums.

Resolved—6th. That the authors who may receive any of the above premiums, shall, within six months after the receipt thereof publish the treatises to which such premiums shall have been awarded, or the Society shall have the option of publishing, in case the Authors shall neglect to do so within the time above prescribed.

Resolved 7th. That the Secretary do advertise in all the public journals four times in each year the proposed premiums.

Gold and Silver Medals to be awarded annually for the best samples of Staple products.

Proposed by Mr. Walters, seconded by Sir E. Ryan, and

Resolved—That Gold and Silver Medals be awarded annually to be producers of the best samples of the Staple Products of British India, under such conditions and arrangements as may be determined on by a Committee appointed for that purpose.

Notice of Motion to be given on all questions relating to Finance.

Propositions submitted by the Committee of Papers and carried nem con.

Resolved—1st. That notice of motion be given on all questions relating to Finance, at a General Meeting preceding that on which the subject is to be disposed of, in order that members who take an interest in the question, may have an opportunity of signifying their assent or objection either verbally or in writing, and that all such notices be recorded in the journals along with the other proceedings.

Resolved 2nd. That motion of which previous notice has been given, take precedence of all others.

Resolved—3rd. That the same rules are applicable to all motion involving points of importance, and that no resolution be passed at the same time that it is brought forward, unless the case be urgent.

Resolved 4th. That the above resolutions be added to the Standing Rules of the Society.

Rules of the Society to be revised.

Resolved, that the Rules of the Society be revised by the Committee of Papers, and brought forward, in an amended form, at the next General Meeting to be confirmed.

JOHN BELL, Secretary.

Agricultural and Horticultural Society of India.
Town Hall, Calcutta, 17th April 1837.

[Calcutta Courier, April 17.]

MEETING OF THE MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, on the 1st of April, 1837

A letter was read from A. Gilmore, Esq., Assistant Garrison Surgeon, requesting that his name might be withdrawn from the Society.

The following communications were then read and discussed.

Mr. Downes's case of injury of the Knee-joint.

Mr. Young's account of the employment of Veratrum, Intestinal Worms and Hospital Gangrene.

Mr. Downes's patient was a young man, who fell from a peepul tree, a height of about 15 yards. In his descent he struck his knee so violently, that a piece of wood penetrated the joint and at the same time his chest and abdomen were seriously injured. Upon examination an extensive wound of an irregular ragged appearance presented itself upon the front of the knee, communicating with the interior of the capsular ligament; the patella was found to be fractured, and a portion of the bone projecting through the wound. The joint was frightfully swollen, and the patient appeared to be in a state of collapse. The wound was dressed, the leg and thigh supported by a splint and placed in as easy position. At the first, the injuries of the thorax and abdomen threatened to be serious, but active treatment soon removed all troublesome symptoms from these parts. Profuse suppuration in the joint ensued and pus together with large quantities of synovial matter were discharged by the wound subsequently an abscess formed in the upper part of the knee, and this was opened and discharged pus and syphilis. The inflammation was subdued by appropriate remedies, and after it had somewhat subsided, Mr. Downes approximated the broken ends of the bone by the application of broad straps of adhesive plaster, supported by roller; after a time slight motion was employed and the patient,

when Mr. Downes left him, bid fair to possess a very useful joint. The paper was accompanied by a drawing of the parts. The author remarks upon the interesting nature of the case as shewing the extent to which in important joint like the knee may be injured and yet recover.

Mr. Young states, that he has received some Veratrum from London and that he has made use of it in 3 cases of the dolorous and 2 anomalous cases of nervous pains in the arm. The employment of the drug was attended by the most marked success fully equal to the accounts stated by Mr. Turnbull in his work. It appears to Mr. Young, that local pains if not always relieved always may be removed by rubbing the part affected with an ointment composed of lard one oz. Veratrum 15 grains.

Mr. Young's second communication was a case of death, produced by inflammation of the Heum caused by an immense collection of large worms, (Lumbrici,) some 30 or 40 in number, which were contained in the intestine period. Mr. Young believes this man's life might have been saved, if the nature of the disease had been known during life, and turpentine employed to remove the worms.

The reports upon Hospital Gangrene contained an account of the progress and destructive character of that disease in the 7th and 8th Regiments of Nizam's Infantry, where it appears to have been raging in February, 1835. None of the cases had a fatal termination, though many of the ulcers were of a horrible extent. Every boil, burn or scratch, became tainted during the continuance of the disease. The persons chiefly attacked were Hindoos of the most sordid habits who to save their allowance, subsisted entirely upon parched gram, and watery vegetables, without any admixture of animal food. Only two Mahometans suffered, and the exemption of this class is attributed to the more nourishing system of diet which they indulge in. The

treatment consisted chiefly in improving and supporting the constitution of the patients by bark, wine, &c., and the sores were dressed with ointments composed chiefly of turpentine, Myrrh, opium, cinchona and zinc, and with lotions of myrrh, opium and sulphur of copper, afterwards when the sloughs came away, they were dressed with sticking plaster and bandages.

Mr. O'Shaughnessy then submitted to the Society some observations upon the construction of an extensive Galvanic Battery, which he is about to manufacture. He stated, that

It is proposed to construct at the Medical College in Calcutta, a Galvanic Battery of 1000 cups on Mullin's principle, for the purpose of exhibiting the extraordinary experiments recently described by Mr. Crove and others, and for carrying on original researches in Electro-magnetism and Galvanism.

The leading object of the proposal is to ascertain the extent of the diurnal variations in Electro-Galvanic intensity, so remarkable in Mr. Crove's experiments, to trace if possible, the effect of our tropical position on the amount of their intensity and to compare its variations with the diurnal barometric changes.

He has calculated that a sum of 2,000 rupees will enable him to construct the apparatus required, but as he cannot have recourse to the Government to do this, in connection with the Medical College, the expense of an experimental investigation, he proposes to collect the sum required by a subscription. As a return to the subscribers he undertakes on the completion of the apparatus, to give a course of lectures at the Medical College on Voltaic Electricity and Electro-magnetism, but he wishes it to be distinctly understood, that the battery is to be considered the property of the Medical College.

The Professor proceeded to exhibit to the Meeting the effect of a small Battery, which he had constructed up in this principle. It contained only 12 cups, but its action was extremely powerful. It decomposed water with astonishing rapidity, and then exploded

the resulting mixed gases. Platinum and iron wires were instantly melted at its poles. Muriatic acid was readily resolved into its elements, so that the liberated Chlorine in a short time bleached a solution of sulphate of Indigo, with which had been previously mixed, and decomposed a solution of iodine of Potassium, enabling the fluid to turn to color a solution of starch, and performed some other very interesting experiments connected with the Magnetic action of the apparatus.

Upon witnessing the effects of the Battery a discussion arose amongst the Members, with regard to the propriety of contributing a portion of the Society's funds towards the promotion of such an important scientific object, as that proposed by Dr. O'Shaughnessy.

The state of the Treasury has been enquired into, and was found that the funds never before were in such flourishing condition, there was a balance of between five and six thousand rupees in the Union Bank, nearly the whole of last year's subscription being still due and it was stated, that the present yearly receipts exceeded the estimated outlay by upwards of a thousand rupees.

It was then proposed by Mr. Egerton, seconded by Dr. Corbyn, that the Society should head Dr. O'Shaughnessy's subscription by a donation of five hundred rupees, as it was the undoubted province of the Society to promote scientific enquiries amongst other objects of its constitution, and no more fitting or legitimate occasion for so doing than the present one could offer itself to their notice, since the scheme contemplated by Dr. O'Shaughnessy, embraced the consideration of some of the most important questions in Physical Science.

This was unanimously agreed to by the Meeting.

H. H. GOODEVE, M. D.,

Secy. Med. and Phys. Society.

Hurkuru, April 8]

BIENGL MEDICAL RETIRING FUND.

A Quarterly General Meeting of Subscribers to the Bengal Medical Retiring Fund, was held on Monday the 10th Instant. On Mr Surgeon James Ranken being called to the Chair, the following Report was read:

"At the last Quarterly Meeting the Committee of Management had the pleasure to announce that three annuities offered, and that the funds were such as to enable them to offer two others in addition and also, that one of the former had been accepted by Mr. Superintendent Surgeon Walter Arkell Venour. At the period fixed for opening the letters in reply to the offer of the above mentioned three annuities, only eight besides that of Mr Venour had arrived, and the writers all declined accepting them for the present year. Upon this the Committee were enabled to offer one to Mr. Surgeon Neil Maxwell, who thereupon paid up the sum stipulated in the Fund table, and retired from the service.

"Thus three annuities were still remaining at the disposal of the Fund, and to prevent loss of time, every Subscriber who had been 17 years in the service was written to, to offer him the Annuity in case it should come to his turn; and it was requested that the replies

be sent so as to reach the Committee on, or before the present date.

"There have been eight admissions to the Fund since the last Meeting viz Surgeon James Ronald, and Assistant Surgeons Henry Sill, John Colpoys Smith, William M Buchanan, J. H. W. Waugh, Frederick Lunnell, Edward W. Larnibutt and John McCosh. Of these Messrs. Lunnell and Larnibutt returned from Luugh, and Mr McCosh was absent on sick leave and did not return until after the period for joining the Fund had expired, but he was entitled to admission under Article III of the Fund Deed. And the other five gentlemen were enabled to offer such reasons for their not having joined before, as to satisfy the Committee of the propriety of admitting them.

"Mr. Assistant-Surgeon Thomas Sibbald has stated that he does not consider himself a Subscriber to the Fund, although he had previously requested his name to be enrolled on the List of Subscribers, and had actually given his vote on the election of the Secretary: besides which, the Committee have reason to think a clause rendering it compulsory for him to join the Fund, may have been inserted in his Covenant. Under these circumstances the Committee have been forced to submit

the correspondence for the consideration of the Right Honourable the Governor-General in Council, and to report his Lordship's decision on the case.

A special Meeting of Subscribers, in accordance with Article 15 of the Fund Deed, was held on Saturday the 4th of February last, to elect a manager in the room of Mr. Assistant Surgeon M. J. Bramley deceased; when Mr. Assistant Surgeon E. W. W. Raleigh was duly elected.

"As the proposition by Messrs. Raleigh and Hope on the question of altering the Articles of the Fund Deed, which limit the time of retirement upon the Annuity to 17 years, to the shorter time which may be fixed by the Hon'ble Court of Directors as the period of service; and the proposition of the Medical Officers of the Sirhind Division, to alter Article 32 of the Deed, relating to the terms upon which the Annuity is granted to the Members of the Medical Board, or before the Subscribers, it is unnecessary to do more than merely refer to them here. The votes of Subscribers are daily arriving and the result will be daily notified in the usual manner.

"Another question referred to the Subscribers is the payment of arrears of salary of the last Secretary.

"At the request of Mr. Assistant, Surgeon G. N. Cheek, documents have been furnished him, relating to his exclusion from the Fund, in order to enable him to appeal his case to the Hon. Court of Directors.

"In consequence of the great difficulty they have experienced in procuring accurate accounts of their Funds, a request has been made to the Government by the Committee, that Pay-masters shall remit the amount of their collections in a monthly bill in favor of the Secretary, who will endorse it over to the Sub-Treasurer, and accompany each such remittance with a descriptive roll of the Officers paying the amount, time of payment, and for what month paid. This request has been acceded to, and a Treasury note for the aggregate of the

sums so received, will be issued by the Sub-Treasurer in favor of the Committee of Management, bearing interest at 5 per cent. per annum from the 1st of the month, in which the subscriptions were received. By this plan, which will come into operation on the 1st May next, the Committee will be enabled to ascertain at any time the amount of their Funds, and to call upon any Subscriber who allows his subscription to fall in arrears, for payment.

"The accounts of receipts during the Quarter have not yet been rendered, the expenditure has been as follows :

Advertising.....	4 8 0
Office Establishment and Salary of Secretary,	750 0 0
Refund to Mrs. Burnard of the amount of subscription of the late Surgeon R. N. Burnard, (this Officer having died before the Fund came into operation,).....	443 1 10

Total Company's Rs. 1,198 3 9

The total Funds in the hands of the Sub-Treasurer are as follows :

Appropriated Funds Sa. Rs. 86,340 or Co.'s Rs. 92,096.

Unappropriated Do. Sa. Rs. 75,503-4-3—or do. 80,536-13-0.

Proposed by Dr. Bryce, seconded by Dr. Innis, and carried unanimously, "that the Report now read, be confirmed and adopted."

Proposed by Dr. A. R. Jackson, seconded by Dr. D. Stewart, and carried unanimously, "that the thanks of this Meeting be given to the Chairman."

J. T. PEARSON, Secretary.

Calcutta, Medl. Retg. Fund Office, 11th April, 1837. Hurkaru, April 15.

MADRAS CHAMBER OF COMMERCE—TRANSIT AND TOWN DUTIES.

The Government of Bombay, the resources of which have been largely benefited by commerce, is unable from the humiliating position in which it is placed with regard to the management of its own funds, to contribute in an efficient manner towards such public improvement as would relieve that commerce from the serious obstructions and inconveniences which now stand in its way. Works of great public utility, and those in the immediate vicinity of the seat of Government, have to be carried through in part, and in some instances entirely, by private subscriptions. A few familiar instances will serve to show how the hands of Government are fettered in this respect from doing good, and display, in a striking point of view, the niggard policy, which placed the administration of our affairs under the supervision of the Supreme Council, not a single member of which is qualified from personal knowledge, to legislate disinterestedly for the advantage of the subordinate presidencies. In the first place we have the bridge at Thanaah for the purpose of connecting the Islands of Bombay and Salsette with the mainland of India. This public work, the expense of which would be a mere trifle to the Government treasury, must be undertaken at the cost, principally—perhaps for aught yet known, entirely, of private individuals. The commodities which would be

carried along such a bridge would pay a revenue to Government, and for the improvement of that revenue the expenditure of a sum, insignificant in the extreme when the benefits to be attained are taken into consideration, is forbidden by the anomalous laws which at present regulate the destinies of India. The Apollo Pier next comes under the review. The increasing importations of cotton and wool have made it necessary that more extended accommodations should be provided for their being landed. One would think that out of the enhanced duties levied upon these commodities in consequence, a small sum—for a large one would certainly not be required, might be spared for enlarging the Pier at which the boats from all parts of the Coast discharge their cargoes; but no; Government is compelled in its necessity to accept, in the most gracious manner possible, the assistance of its subjects, (who have contributed largely to the object,) and the Apollo Pier will be widened at the joint expense of Government and private traders. We may advert also to the manner in which the alterations at the Church and Bazar Gates, so essential to the public convenience, must be carried on. Government will not open its coffers to meet all the expenses which are to be incurred, on this head, but generously affords, as in the above instances, the people of the Presidency an opportunity

of maintaining their maintenance by contributing towards the completion of these improvements. But the evils of that system, which has so completely placed the Governments of Bombay and Madras in leading strings, do not end in the enumeration of instances such as the above,—they extend over the whole of India, and are experienced in every branch of the public service. The pressure of taxation is unequal, and the very reasons which ought to operate against the continuance of oppressive imposts are brought forward in their defence; provisions are cheap in the Bengal provinces owing to the inequality of taxation; and public burdens are, generally speaking, more vexatious both in themselves and in the modes of their collection in the minor presidencies, than in that which has benefited so much from Mr. Macaulay's legislative wisdom. The scales of pay and allowances in the three armies of India are far from being uniform and in this respect more resemble the forces of three distinct powers than the collective military strength of one great empire. More we might say, but we should have so much to fill with that time and space would fail us for the purpose.

We refer our readers to a copy of the resolutions passed at a meeting of the Chamber of Commerce on Thursday last. From these they will perceive that that body is determined to agitate the matter of the Transit and Town duties, and as a first step have resolved to petition the Governor-General in Council on the subject. Let us advise the whole body of the people strenuously to support them in this appeal to the supreme power. We do not think that such a petition, so supported, could possibly be heard in vain; but should such be the case, let the appeal be made to higher authority—to authority before which even Lord Auckland in the plenitude of his power must bow. Let the indignation of both Western and Eastern India be proclaimed throughout the British Empire, and redress will speedily be obtained. *Bombay Gazette, March 25.*

At a Special General Meeting of the Chamber of Commerce, held on Thursday the 23d instant, the following resolutions were severally proposed and passed:

1st.—Resolved, that a petition to the Right Hon'ble the Governor-General of India in Council be prepared, setting forth the impediments to the Commerce of Bombay from the vexatious and oppressive Transit and Town Duties now levied, and urging the policy and expediency of immediately abolishing them in this presidency, and on the same terms as has already been done in Bengal and Agra.

2d.—Resolved, that as the trade throughout the interior of this presidency is entirely dependent on roads, the abolition of the Transit and Town Duties on this side of India is not likely to produce all the benefit which ought to result from such a measure, owing to the want of roads in many places where they are required, and the wretched and unserviceable condition of those which now exist.

That although the Bombay Government has shewn the great interest it takes in improving the internal communication of the presidency by introducing a department for this particular duty, yet the limit placed on the amount this Government can sanction, forms an insurmountable obstacle to the introduction of any extensive measures for the public advantage, and the reference it is perpetually called upon to make to the Supreme Government, retard improvement and prevent the development of the resources of the country so rapidly as would otherwise be the case.

3d. Resolved, therefore, that the Supreme Government be petitioned to set apart annually an adequate sum from the revenues for improving the internal communication throughout this presidency.

4th.—Resolved, that the Managing Committee of the Chamber be authorized to frame the petition, and when prepared, to submit the same for the approval and signatures of the members, and that an advertisement be published in the newspapers, soliciting the support and signatures of all who feel interested in the subject.

5th.—Resolved, that the foregoing resolutions be published in the Bombay newspapers.

W. McCALLUM, *Officiating Secy.*

Bombay, 23d March, 1837.

[Bombay Gazette, March 25.]

BOMBAY CHAMBER OF COMMERCE.

The first half yearly Report of the *Madras Chamber of Commerce* will be found in another page. It is a very interesting document and bears abundant evidence of the value of such an institution not to the Mercantile Community only but to the public in general. Nor do we believe that the advantages of the Chamber are confined even to the governed, for we look upon the exertions of a Society, constituted as that is, of perhaps still greater benefit to the authorities, by pointing out to them some of the more glaring evils of the Government, and offering the honest advice of parties whose interests, notwithstanding the ancient prejudice, to the contrary, are and must be indissolubly connected with their own.

If we have any fault to find with the half yearly report it is at finding it so short, serving rather as an index to the proceedings of the Chamber of Commerce than an account of what they have accomplished. It would be impossible perhaps to enter into further particulars without making a half yearly report inconveniently long; and on this account we cannot help regretting that they should have determined on giving an account of their stewardship every six months instead of every quarter. But perhaps the laws of the Chamber are not like those of the Medes and Persians; in which case we may yet hope for a Quarterly Report.

Nearly all the questions in the Report have been frequently discussed in our own columns and in those of our contemporaries; it will be unnecessary therefore to notice them generally; but we cannot help directing particular attention to the mails alluded to under the *Head Post Office arrangements*. The charge of 4 Annas on Ship letters is very properly remonstrated against; but even this tax is not so bad as the practice of charging double postage, and so in proportion, on letters exceeding 3 rupees. We can easily understand the reason of taxing letters by weight when they have to be taken on men's shoulders; but there certainly ought to be no restriction of that sort on ship-letters; or, at all events, the limit should be extended to *one ounce*, the weight at which any single letter may be sent through the Post Office at home bearing single postage. The hardship of this regulation respecting the weight of ship-letters is the more felt by people in England frequently write on thick fool-cap which generally exceeds the weight of 3 rupees a sheet. We have often received half a dozen single English ship-letters at a time all bearing double postage in Madras.

We observe that the Chamber have determined on taking a part of the Old Court House which is now undergoing a thorough repair. Attention is made also of a Resolution by which parties desiring to be *Visiting Members* may become so on the introduction of a Member of the Committee—but it is not said on what terms they are to be admitted. We would again urge upon the Chamber to take up the subject which we have once or twice alluded to, of converting the centre room of the Court House into a public room—keeping their own Chamber to themselves. We are persuaded that this matter only remains to be taken in hand by one or two of the Committee of the Chamber of Commerce to be carried into immediate effect. Twenty rupees per

among the Voting Members resident in Madras; and the rupees from Non-Residents would, we should imagine, raise a sum enough for all the purposes required.

REPORT OF THE COMMITTEE OF THE CHAMBER OF COMMERCE

At the First Quarterly Meeting of the Chamber of Commerce the proceedings of the Committee were submitted and approved. It now appears to them better both for the sake of record and for the information of the Chamber that their proceedings from the commencement should be condensed into a Report, and that hereafter a similar report should be submitted half yearly.

OPENING OF THE COMMITTEE'S PROCEEDINGS.—COMMUNICATION WITH GOVERNMENT, AND WITH MERCHANTILE BODIES CONNECTED WITH INDIAN TRADE.

The first care of the Committee, after they had entered upon their Office, was to solicit for the objects of the Institution the countenance and support of the Madras Government with permission to correspond with the public departments for the purpose of obtaining such information as might be necessary to facilitate the Committee's inquiries. The approbation and concurrence of the Right Honorable the Governor in Council in the objects of the Chamber was readily expressed and a promise given that every information that could be obtained from Government or their Officers, should be afforded to the Committee. Letters were at the same time addressed to the East India and China Association in London, and to the Chamber of Commerce in Bengal. From the former of course no reply has yet been received. With the latter the Committee have been in frequent communication on subjects of mutual interest to the two Presidencies. From the Bombay Chamber of Commerce a communication was subsequently received, in which occasion was taken to proffer the assistance and co-operation of that Chamber, on all subjects on which it could be useful, and the office was readily accepted and reciprocated.

INDIA SUGAR BILL.

Communications having thus been opened with the principle bodies connected with Indian Trade, and the countenance of Government having been obtained, the first general question that occupied your Committee's attention was the New India Sugar Bill; which, although it had not at that time been officially promulgated in this Country, was known to have passed the two Houses of Parliament. It was understood that the benefits of that measure had been withheld from the Presidencies of Madras and Bombay, under the impression that those two Presidencies were almost entirely dependent on Foreign sugar for their Home Consumption. Under the conviction that this impression was erroneous, the Committee applied for and were obligingly furnished with a statement of the quantity of Sugar imported into Madras during the official years 1835-36 from which it appeared, that of 238 tons imported 222 were the produce of Bengal, a little more than one ton imported from England, and only 15 tons of which a large portion was sugar-candy imported from Foreign Settlements. Having thus practically satisfied themselves that the supposed grounds for the exclusion of Madras from the benefits of the measure were mistaken, the Committee were prepared, when the bill was promulgated, to submit to the Chamber, for their adoption to the House of Commons, praying for a participation in the advantages of the bill; which Petition was adopted and signed by all the Members of the Chamber and forwarded to the East India and China Association to be presented in the manner that might seem most expedient to them. A copy was also transmitted through the Madras Government to

the Court of Directors with the favorable recommendation of the Right Honorable the Governor in Council. In forwarding the original Petition to the East India Association, the Committee took occasion to notice to that body the fact, that this Presidency was the only one that had received no relief from the burthen of Transit Duties (Bombay having been partially relieved by their abolition in some district) and that this circumstance arose solely from the impossibility of raising an equal amount of Revenue from other sources of taxation, so the surest method of enlarging the sources of Revenue was to raise the prosperity of the people by encouraging the cultivation of valuable productions of the soil by which it was intended to be inferred that if the prayer of the Petition were granted the double object would be attained of relieving the petitioners from an invidious exclusion from privileges to which they had an equal claim with the Merchants in Bengal and of furnishing the means of relieving the Commerce of Madras from the still more injurious burthen of Transit Duties. If this fact is sufficiently urged, as no doubt it will be, the Committee are sanguine that backed by the considerations noticed in the Petition by the support that it has received from Madras Government and will doubtless receive from the Court of Directors as well as by the obvious justice of the case the prayer will eventually be conceded.

BULLION OFFICE.

The next question to which your Committee's attention was directed was the Establishment at Madras by Government in the absence of a Mint, of an Office for the purchase of bullion, a subject on which it will be remembered the Mercantile community of this Presidency addressed the Government before the institution of the Chamber but without success. The grounds on which the Supreme Government had declined acceding to the former request of the Merchants which were not made known at the time, were communicated to your Committee for their information and replied to by them. It will not be necessary that they should detain you by detailing the arguments brought forward on either side since they have the satisfaction of being able to state that they have been informed (in a letter from Government dated 25th March) that "the Supreme Government have sanctioned the establishment of a depot at Madras for the purchase of bullion at the ordinary mint rate, that is, with a seigniorage of 2 per cent."

OPUM.

At an early period after the formation of the Chamber, your Committee felt themselves called upon to resume the consideration of the exclusion of Madras from the benefits of the Opium Trade, and a letter on the subject was addressed to Government. The arguments on which that conclusion and the refusal of the Supreme Government to accede to the former application of the Mercantile Community rested. The admission that the only reason for allowing Bombay to share in the Trade was the impossibility of preventing the practice of smuggling the Drug in that Presidency and the necessity of providing by means of a Deputy upon Pa-sea for the direct route to Bombay "an equivalent for the charges of the circuitous and more dangerous routes by which the article was before" (under the smuggling system) "conveyed for export," the implied admission that the object sought was to obtain for the Revenues of Bengal the sole benefit of the Trade—the certainty that the withdrawal of the restriction would lead to an increase of the Revenues of Madras thereby compensating any possible diminution of the Revenues of Bengal. The obvious impropriety of placing as it were a premium upon smuggling by making that the ground of extending to Bombay privileges not allowed to Madras the fallacy of the opinion that the local situation of this Port was a natural impediment to its profiting by the export

of opium manufactured in the Northern Provinces and the propriety at any rate of leaving this matter to be decided by experience—all these points were briefly reviewed; and finally the rights which the merchants of Madras placed under a common government with the rest of India had to look to that Government for an equal share of support and encouragement with the other Provinces, was strongly but respectfully urged. The Committee have received a reply to their communication conveying, they regret to say, an unfavorable decision on the part of the Supreme Government. The following extract will inform you of the grounds on which that decision has been come to. "His Lordship, in Council adheres to the opinion that it would be extremely injudicious and very injurious to the Revenue at present derived by the Government of India from opium, to allow of any measures calculated to extend the production of the drug on the continent of India and to create further competition in the markets of China." That the arguments with which the Committee respectfully urged their just request are not met by the above grounds of refusal must be sufficiently apparent to the Chamber—and it now remains for them to decide upon the course most fitting to be adopted for the attainment of the object sought for in vain, by the application to the Supreme Government. A strong and energetic remonstrance addressed to the Court of Directors through the Madras Government, in which the arguments that have already been used in favor of the removal of the restrictions upon the Trade in opium should be repeated, and any arguments that might occur should be respectfully urged, will probably suggest itself as the most fitting and effectual course that under present circumstances can be adopted. The Committee cannot but believe that such an appeal having for its object the removal of restrictions operating injuriously upon the Commercial prosperity of Madras and compromising the independence of this Presidency will receive the strong support of the Madras Government, and it may well be hoped that the partial considerations upon which the Government of India have acted will not meet with the concurrence of the Home Authorities when placed in contrast with the arguments which will be brought forward in favor of the concession they have refused.

TRANSIT DUTIES.

To enable them to adopt some definite course in the important question of the Transit Duties, the Committee applied to Government to be furnished with statements showing the past collections of these duties and other information which was essentially required before they could come to any conclusion or offer any suggestions that they could hope would be effectual on the subject. It was not found convenient to furnish these statements, but the Chamber will learn with satisfaction that the Board of Revenue are engaged in enquiries having the same tendency as those on which it was the intention of the Committee to enter, and that that board have expressed their intention to communicate with the Committee as soon as they have sufficiently considered the subject.

WAREHOUSING ACT.

Shortly after the publication of the Act authorizing the Governments of the three Presidencies to declare any Port within their Territories a Warehousing Port, the Committee requested to be informed of the intentions of the Madras Government in respect to the Establishment of the system at this Port, and they have received the satisfactory assurance that the Government have authorized the introduction of the system at Madras and that the Board of Revenue are now making the preliminary arrangements to bring it into operation. The Committee were obligingly furnished with a copy of the Act by the Collector of Sea Customs and their opinion was asked and given upon certain subsidiary Rules

proposed for adoption on the final introduction of the system. Subsequently, however, they became informed that the construction placed upon the Act by the Collector of Sea Customs was such as to limit its operation in a manner that would render it almost if not quite nugatory. By the 10th Clause it is provided as follows— "and it is hereby enacted that upon the re-exportation by Sea of goods imported and Warehoused under Bond for the duty, as provided in this Act, within the period during which such goods are by this Act permitted to continue in warehouse and upon payment of all reserved duty which may be due on account of such goods, and of any charges or penalties that may have been incurred on account of the goods, the Bond executed at the time of lodging the goods in Warehouse shall be deemed to have been discharged and be cancelled accordingly." It was understood that the construction put upon the above Clause by the Collector of Sea Customs was to the effect that the full benefits of a free Bonding system, which exempt from the payment either of Import or Export Duty, all goods imported on Bond for the purpose of re-exportation were not to be granted and that the only convenience to be derived from the proposed Act was the remission of that portion of the Import Duty which is now returned in the shape of Drawback and that the suspension of the remaining duty until the time of Export which intended accommodation it was clear would seldom be availed of as in fact it would amount to no accommodation at all to the large body of the Mercantile Community, to whom the additional expense of go-down rent would be a greater consideration than the interest of the money paid as Import duty and recovered as Drawback. As soon as they were informed of the construction thus put upon the Act, the Committee addressed a letter to the Collector of Sea Customs, noticing the extreme disappointment which would be experienced by the Mercantile Community if the Law were thus limited in its operation and pointing out the benefits of a free Bonding system as practised in Europe and the advantages that would attend its introduction on a similar footing at Madras. The Collector was requested in the event of the Committee having been correctly informed as to his interpretation of the Act, to represent the matter to Government with a view to the earnest application of the Mercantile Community being forwarded if necessary to the Supreme Government for a revision of the Act so as to admit of the Establishment of the system at Madras on the same footing as it is established in England. To this communication no reply has yet been received.

CAPTAIN CHADWICK.

The Resolution, of the Special General Meeting of the Chamber, expressive of their thanks to Captain Chadwick of His Majesty's Ship "*Andromache*," and to his officers and men for their exertions in the suppression of Piracy in the Straits of Malacca, were conveyed by the Chairman to that Officer, who in reply expressed the highest gratification at the compliment paid him by the Chamber.

POST OFFICE ARRANGEMENTS.

Several points connected with the arrangements of the Post Office, have come under your Committee's consideration, and it was considered necessary to address the Post Office Committee in Calcutta respecting the charge levied upon ship letters amounting to 4 annas upon a single letter and a proportionately higher sum upon larger packets. The effect of this new tax, viz. the practice almost universally resorted to on the part of the Public of transmitting their letters in packets opened at the Houses of Agency, by which practice, the object of the tax was almost entirely defeated, was pointed out to that Board. At the same time it was stated as the Committee's impression that the Mercantile Community and the Public at large would not object to a

moderate charge upon ship letters in consideration of the greater security afforded by the Post Office to Correspondence forwarded through that Department; and it was proposed that as in London 2½ was charged for every packet not exceeding three ounces, so at Madras 2 annas should be levied upon every packet of moderate size and weight, the trouble of registering double or single letters being the same and no additional expense being incurred in transmitting double letters by sea. Another point was noticed in the same letter to the Post Office Committee, viz. the irregularity in the delivery of ship letters, some Commanders having kept their packets on board for several days after their arrival, and others carrying them on to Calcutta without delivering them at all. This inconvenience as well as the practice of dividing packets at the General Post Office when above the average weight of the clark, and forwarding one portion one day and one another, formed the subject of a communication received from the Bombay Chamber of Commerce, who requested the co-operation of the Madras Committee in endeavouring to obtain a remedy for these evils. The reply of the Post Office Committee was to the effect that these subjects had all been under their consideration, and that in their Report already sent into Government, such remedies had been recommended in each separate case as had appeared most conducive to the united interests of Government and the Public. Before leaving this subject it will be as well to mention that the Committee have had under their consideration the means of expediting the clark, between Calcutta and Madras, a matter of much importance to the Mercantile Correspondence between this place and the Metropolis. Before they could come to any conclusion, however, on the subject, they required information on certain points particularly as to the expense of a mounted clark compared with runners and the local facilities for maintaining horses, &c. in the districts through which the tappal runs, and on those points information has been requested from Government.

SCALE RATES OF AGENCY AND COMMISSION AND GODOWN RENT.

The Chamber will not require to be reminded, that at their first Quarterly meeting a Scale of Rates of Commission and Agency and Godown Rent were submitted by the Committee and approved by the Chamber, that scale has since been invariably in force.

SALES OF GOODS IN ENGLISH CURRENCY, CONVERSION AT 25. PER RUPEE INSTEAD OF 8. PER PAGODA.

Another proposal emanating from the Committee has been approved of by the Chamber, viz. that sales effected upon invoices in currency the amount should hereafter be converted into the Currency of India at the rate of 2 shillings per rupee instead of 8 shillings per pagoda. The Resolution of the Chamber to adopt this course for the future was made known by an advertisement published in all the papers at the Presidency.

SEA CUSTOMS' TARIFF.

At the commencement of the present year the Collector of Sea Customs furnished the Committee with a copy of the Tariff proposed for 1837, with a view to their suggesting any alterations that might occur to them. A few suggestions were offered, but whether they have been adopted the Committee are not informed.

DISPATCH OF THE HUGH LINDSAY.

In December last the Committee received a Communication from the Chamber of Bombay requesting their co-operation in an address to the Supreme Government, expressing a strong wish that the *Hugh Lindsay* might be despatched to Suva in January, and that Mr. Lindsay was accordingly addressed by the Committee to that effect. The Secretary to the Government of India upon the

subject the reply they received was that the despatch of the *Hugh Lindsay* had been ordered by the Supreme Government previous to the receipt of their letter.

RAIL ROAD ON THE BEACH.

In January the Committee received a letter from the Secretary to Government, stating that it was in contemplation to lay down a Rail Road along the face of the bulwark and requesting them to give their opinion as to the best mode of making such a work most extensively useful. It did not appear to the Committee that there would be any means of rendering a Rail Road on the Beach generally useful to the Merchants of Madras unless branch Roads extending into Black Town to the neighbourhood of the principal Warehouses could be established at the same time. They therefore suggested to the Government, that in order to make the proposed Road available for the Merchants whose Warehouses were situated in Black Town, certain branch Roads should be laid down, the direction of which was pointed out in communication with Captain Cotton of the Engineers. From communication subsequently held with Captain Underwood, the Superintending Engineer, there appears to be some apprehension that the width of the streets through which it was proposed the branch Roads should run, will not admit of their being laid down, and there the matter at present rests.

SICCA RUPEES.

One of the latest subjects to which your Committee's attention has been directed, is the inconvenience arising from the partial introduction of the Company's rupee into the accounts between the Presidencies of Bengal and Madras and the expediency of establishing an universal currency in the accounts of the three Presidencies. In connection with this matter, they have addressed the Bombay and Bengal Chambers desiring their co-operation, in an address to the Supreme Government, requesting them as far as practicable to recall their Bonds at present outstanding in sicca rupees for the purpose of renewing them into Company's rupees, and as belonging to the same subject the Accountant-General was written to respecting fees levied on the renewal of Bonds in his Office. It was requested that the fees which are now demanded in sicca rupees, (one rupee on each Bond renewed) should hereafter be charged in Company's rupees as already obtained in Calcutta. This latter subject, as regards the promissory notes of the Company's loans, has been referred to the Accountant-General in Bengal; to whose Province it appears to belong, but the application has been readily acceded to in the case of Tmjore Bonds by the Accountant-General here, with whom the renewal of these Securities solely rests. No reply has yet been received from the Chambers of Calcutta and Bombay.

APARTMENTS FOR THE CHAMBER.

No permanent arrangement has yet been made respecting a room for the Meetings of the Chamber; it is in contemplation to take a portion of the old Court House which is now undergoing thorough repair. As soon as it is ready a part of the building will be taken and fitted up. The committee passed a resolution at one of their late Meetings, to the effect that parties wishing to become visiting Members of the Chamber, might become so on the introduction of any member of the Committee, and that one or two of the Madras, Bombay and Bengal papers should be taken in together with the Price Currents of each Presidency, for the convenience of Members. A very useful set of charts has been kindly presented to the Chamber by Government and had been bound up. These charts will always be available for reference together with the Committees Books of correspondence, and their proceedings to Members visiting the Chamber.

APPOINTMENT OF A SECRETARY.

It only remains to be mentioned that on the resignation of the late Honorary Secretary Mr. Hart, whose valuable services were justly appreciated by the Chamber and were recorded by a vote of thanks at the last Quarterly Meeting, Mr. Arthur Maclean was appointed Secretary to the Chamber on a salary of 200 rupees per mensem.

CONCLUSION.

Your Committee have thus laid before you as briefly as possible the whole of their proceedings and of the proceedings of the Chamber from its Institution to the present period. The Sugar, Honding, Opium, and Mint questions, all of them involving very deeply the Mercantile interest of this Presidency, have all come

under your Committee's review, suggested naturally by circumstances which have arisen since the formation of the Chamber, and the Committee cannot but consider it most fortunate that the Chamber has been formed in time to meet these large and important questions as they successively arose. The successful result of one of their representations has been noticed in this Report and (notwithstanding the unfavourable reply that has recently been received from the Supreme Government on the Opium question,) your Committee indulge a well grounded hope that the equally strong representations that have been made upon the other subjects noticed above, as well as the future representations of the Chamber, will be productive of results equally beneficial to the Commercial interests of Madras.—*Madras Spectator*, April 15.

UNCOVENANTED SERVANT WIDOWS' FUND.

Pursuant to public notice, a meeting of Uncovenanted Servants took place in the Town Hall yesterday at 9 o'clock A. M., for the purpose of taking the requisite steps for the commencement, from the 1st of May next, of a Fund to provide for the Widows and Children of members of that body. There were about forty-five persons present, and the proceedings were characterised by unanimity and attention to the business brought before them.

Mr. Robert Leslie was called to the chair.

After which a Report was read detailing the steps which have been taken since the last Meeting in October 1836 for giving effect to the resolution entered into at that time. These chiefly consist in having circulated to the various public departments in the Upper and Lower Provinces and at the Presidency, a blank form accompanied by a pamphlet containing the rules and rates of subscription to the Fund, together with queries as to the willingness of parties to subscribe. Returns to these have been received from the majority of the offices, and the result is that one hundred and fifty-seven persons have expressed their readiness to join the fund, while a good many of those who, from being unmarried, or from other circumstances, do not at present require the assistance which it proffers, have testified their satisfaction with the objects, which it contemplates, and have offered their good wishes for the success of the plan.

The Committee have provided for the maintenance of children by requiring a subscription of 4 Rs. for each, which will secure them a pension in event of the decease of their parents, of 16 Rs. per mensem; boys till sixteen years of age, and girls till married, or settled in life.

The Meeting then proceeded to the election of Directors, when Messrs. R. Kerr, N. Campbell, J. B. Plumb, C. Francis, A. Heberlet, W. Ryland, H. Martindell, R. Smith, E. Wilkinson, M. Johnston, W. Byrn and R. Leslie were appointed, and at the recommendation of the former Committee, Mr. D. Clark was confirmed in the Office of Secretary and Accountant to the Fund. Before breaking up, the Meeting rescinded a former vote on the subject; and it is now provided that the re-marriage of Widows shall be no bar to their again enjoying the benefits of the Fund, in case of the decease of their second husbands. Some opposition was made to this clause, but many persons seeming to consider it equitable, and tending to relieve the fund of incumbents, it was carried by a large majority.

Circulars are to be forthwith sent to all the Government offices, in order that those who intend to subscribe may state the amount of pension they are desirous of

securing to their families, the age of their children and such other information as may be requisite. Parties at the outset of the fund are to have the option of paying six months' subscription in advance, or by monthly instalments; but if they elect the latter, in case of their not surviving the six months, their widows will not be entitled to any pension, but the amount subscribed will be returned to their representatives. After the six months, the subscriptions will be payable monthly.

This is an outline of the proceedings, but an authenticated Report will be published general information, which may be expected either to-day, or in to-morrow's paper.—*Scott's Compendium*, April 12.

At the last general meeting held at the Town Hall on the 10th October, 1836, it was determined, that the Uncovenanted Servants' Widows' Pension Fund should be established on the 1st of January 1837, subject to such modifications as might hereafter appear expedient, consequent on the circulation of the pamphlet which was ordered to be printed explanatory of the principles of calculation observed in drawing up the scheme especially with the view of making the fund compulsory on all persons in the service.

In pursuance of this determination, your Committee published a report 80 copies of which have been distributed among the offices at the presidency and 168 copies in the lower and western provinces; the circulation of which your committee were enabled to effect without any expence, through the liberality of government, which allowed them to be forwarded free of postage. Most of the circulars thus conveyed have been acknowledged, and from the replies which have been received, the prospects of a speedy accomplishment of the desirable object in view, has appeared to afford very great satisfaction, and the expression of this feeling has induced the Committee to convene this meeting for the purpose of immediately opening the proposed pension fund.

The following statement will serve to shew the number of persons who have signified their willingness to subscribe, as well as the number of persons who have declined to support the fund.

Willing to subscribe	157
Unwilling, being bachelors	38
Ditto no reason assigned or opposed to the principles of annuities	74
For making the fund compulsory chiefly in regard to married men	104
Against compulsion	61

A majority, it will be perceived, is in favor of the fund being made compulsory on all persons, under the idea, perhaps, of such being indispensable to the stability of the fund, but which notion arises from a misconception of the principles upon which the fund is based. These principles have already been explained, as being analogous to those of annuity societies, than which nothing can be more equitable, more safe, more free from speculative considerations and less liable to be affected by adventitious circumstances. That a sufficient number of lives is necessary to constitute a fund of this description is readily admitted, but the number of those who have already expressed their willingness to support our fund, is sufficient to ensure to its success and permanency, even if no further additions were made to it. But your Committee confidently expect that additional support will be extended to the fund as persons become familiarized with its principles, and are by the Government referred to it for a provision for their families. Besides the circumstances of the uncovenanted servants generally are such, as to render compulsion altogether impracticable, your Committee are firmly convinced that to have recommended a scheme on any other principles would have been only to mislead their constituents, and would have met with a denial of assistance from the Government.

With advertence to the earnestness displayed at the last general meeting, for a provision for children, your Committee, previous to publishing their printed report, after deliberate consideration, recommended to their constituents a scheme, distinct from the Widows' Fund, the features of which are as follows:—A subscription of 4 rupees per month for each child will entitle it to receive, on being left an orphan, 16 rupees per month, if a boy till he attains the age of 16, if a girl until married or settled in life. In the absence of a table or disbursements for children in this country, which it would take years to construct, but which must necessarily precede the formation of a matured scheme on actual data and absolute experience, your Committee cannot do better than recommend the plan they have submitted.

Having performed what was expected from them, particularly in regard to the establishment of a fund, which will provide for the destitute widows and fatherless children, your Committee resign their trust into your hands, but the Committee cannot conclude, without the expression of their acknowledgements to their Secretary, Mr. David Clark, for the assiduity and attention with which the business connected with the pension fund has been performed by him. From the manner in which the Secretary has discharged the duties that have devolved upon him, the Committee are led to think that Mr. C. would prove a very useful secretary to the Fund, and they would beg to take the liberty of recommending him to the notice of the service for that office.

It now devolves upon this meeting to proceed to the election of an executive committee of direction for the management of the affairs of the Fund for the first year of its existence, selecting the officers from the list of intending subscribers now lying on the table, who in communication with, and with the concurrence of the Government officers, will frame such rules as may be thought necessary for the realization of the monthly subscriptions and the management of the fund generally.

Your Committee, in conclusion, would advert to the debt which has been incurred by them in consequence of your resolution of the 10th October last in publishing the printed report as follows:—

Printer's bill Co.'s Re.....	170	0	0
Amount balance due to the Committee as per the printed report.....	160	4	0
Expense same incurred.....	106	0	0
	436	4	0

Deduct donations received Co.'s Re..... 96 10 0

Balance due..... 337 10 4

This sum your Committee has every confidence you will aid them in liquidating, or authorize them, as the amount is trifling, to discharge from the first money which may be realized at the formation of the fund.—
Harkn, April 15.

A special general Meeting of the Uncovenanted assistants of Government was held at the Town Hall on Tuesday, the 11th instant.

R. Leslie, Esq., being called to the chair, the following report was read, moved by Mr. M. Cockburn and seconded by Mr. C. Lindstedt.

(The Report was published in Saturday's paper.)

Resolved 1. That the report just read be published in the newspapers for general information.

Moved by Mr. Geo. Hill, seconded by Mr. P. Sutherland, and carried nem. con.

Resolved 2 That the undermentioned gentlemen be the Committee of Directors for the first year with power to fill up vacancies.

N. Campbell, J. B. Plumb, E. Wilkinson, R. Smith, R. Kerr, A. Heberlet, C. Francis, H. Martindell, R. Byrn, M. Johnston, R. Leslie and W. Ryland.

Moved by Mr. W. Byrn, seconded by Mr. C. Kerr, and carried nem. con.

Resolved 3.—That the Directors immediately open the fund by sending circulars to those wishing to subscribe; calling upon them to state the monthly sum they desire to secure for their families for an anticipated declaration as to their ages; the number of children, and such other information as may be necessary.

Moved by Mr. G. Hill seconded by Mr. G. Poole.

Resolved 4.—That with reference to the recommendation of the Committee just read, Mr. David Clark be permanently appointed accountant to the fund, but that hereafter, the officers of the fund shall be appointed by the Directors.

Proposed by Mr. R. Campbell and second by Mr. G. Hart.

Resolved 5.—That the thanks of this meeting be rendered to Messrs. J. B. Plumb, R. Smith, and R. Kerr for the very essential assistance rendered by them in maturing this scheme.

Proposed by Mr. W. Byrn, seconded by Mr. N. Campbell.

Resolved 6. That subscriptions to the fund be paid month by month, and not for six months in advance, as is contemplated by the present tables; but that, with the view of imparting stability to the fund, no benefit shall accrue from the fund to any party till after the expiration of six months from the date of the establishment of the fund; such individual, however, who pays up his six months' subscription may derive immediate benefit.

Proposed by Mr. W. Byrn, seconded by Mr. W. Balston.

Resolved 7.—That all persons now in the service of Government, who may hereafter subscribe, must pay up the subscription from the date of the establishment of the fund.

Proposed by Mr. W. Wilkinson and seconded by Mr. G. Hornett.

Resolved 9.—That a subscription be immediately set on foot for the purpose of paying off the expenses incurred for printing the pamphlet, and such other sums as

are mentioned in the report, and that the secretary take measures for accomplishing this object.

Proposed by Mr. W. Byrn, seconded by Mr. C. Lindstedt, and carried nem. con.

Resolved 8.—That a widow on re-marriage is not deprived of her right to pecuniary support from the fund, should she become a widow again.

Proposed by Mr. P. Sutherland, seconded by Mr. G. Lindstedt.

Resolved 10.—That the thanks of this meeting be given to the chairman for his conduct in the chair.

The meeting then closed.

(Signed) R. LESLIE, *Chairman.*
[Harkaru, April 17.]

ARMY RETIRING FUND.

At a Meeting held at Agra, on the 22d of March 1837, for the purpose of considering the propriety of taking prompt measures with regard to the establishing of a Retiring Fund for the Indian Army.

Lieut. Col. Roberts having been requested to take the chair—Captain Boulton, 47th Regt. N. I., addressed the Meeting as follows:—

GENTLEMEN,—Previously to our commencing the business for which we have this day assembled, I should wish, with your leave, to offer a few observations, to which I entreat your kind and patient attention. Nobody, I believe, doubts the necessity for a Retiring Fund on a large and liberal footing, that shall embrace the two grand objects—of a competent provision for those who may be willing but unable with their own means alone to avail themselves of it, and the removal from the Army of the higher grades of officers,—for on the removal of these, and of these alone, depends that fair, general and permanent acceleration to promotion to which we all look. By the late revised and enlarged System of retiring pensions granted by our Hon'ble Masters, and for which, as in duty bound, we are all duly grateful, a partial and temporary impetus has indeed been given to promotion—but this is all. It is by no means what is really wanted, affects only the juniors, inasmuch as none of the Colonels and Lieutenant-Colonels are ever likely to avail themselves of it, and is, after all, but temporary. It is therefore of the utmost consequence to us, that we should have some Retiring Fund, which by tempting the higher ranks to retire will give more general promotion, and that the plan of it shall be such as to secure a continuance of this happy result, otherwise after a short run, which would merely benefit a few, we should again be brought to a standstill. The Court of Directors have told us that they will sanction such a scheme when all, that is to say the armies of the three Presidencies, shall be unanimous; and here, Gentlemen, perhaps, lies the greatest difficulty, for it must ever be extremely difficult to obtain unanimity in a large and divided body. That the Indian Army, therefore, divided as it is into three distinct Presidencies should be long in coming to an unanimous decision on this, or indeed on any point, is only what might be expected. Each individual has probably, as is natural, his own particular ideas on this long agitated and much needed Retiring Fund scheme, but as our masters have acquainted us that they will not sanction one unless unanimity prevails regarding it, it is obviously absolutely requisite that not only individuals but that very many should concede their own opinions for the general benefit. Now, gentlemen, submit, that no plan that has yet been promulgated unites the grand advantages of competent provision, general and above all permanent acceleration to promotion by the removal of Colonels and Lieutenant-Colonels, and last and best of all general unanimity of approbation in so high a degree as Mr. Curnin's. To those who, like myself, do not understand the mathematical calculations on which it is founded, it may be sufficient to remark that they have been tested by three of the first calculators in London and proved to be good;

we must therefore take them as we do the tables of an Insurance Office, to which we subscribe without thoroughly comprehending or even investigating them, on credit. To the projector, Mr. Curnin, the Army are, as I think, under very considerable obligations, to his efforts I believe are the revised Retiring Pensions recently published mainly attributable, and from his further labours much may yet I think be hoped. But, Gentlemen, is it altogether equitable (it is assuredly not handsome) to allow this humble individual, this poor man, this uncovenanted servant with a very large family dependant on him, to remain without any solid mark of our approbation? To the munificent generosity of an eminent individual now here, he, or rather we—for it was altogether for our sakes he went, was obliged for the very means of going to England. Ought we not, however, to do something ourselves and thereby prove that this Army is neither insensible to nor disinclined to reward the services of those who deserve well of it? Were it only for the purpose of encouraging others to exert themselves in our behalf, I should say we ought, and a small sum, a mere trifle from each of us would answer the purpose. It should be borne in mind the very great difficulties a man circumstanced as Mr. Curnin was, had to contend with in England, which may be unlearned from those experienced by Colonel Baker as set forth in the papers lately published in his defence. It should likewise be remembered, that Mr. Curnin (although through the kindness of the same eminent individual to whom he was indebted for pecuniary means his appointment was kept open for him) lost all the allowances of his situation during his absence on our affairs and for which, the paltry—the trifling subscriptions made for his family, which he left behind) to subsidize, by no means compensated. He has, therefore, besides running great risks of incurring the censure of the Home Authorities and undergoing great personal labour and anxiety, actually been a pecuniary sufferer on our account,—shall we, Gentlemen, allow this to continue? So, me have, I believe, an apprehension that this Fund would not be safe, but of this there can surely be no reasonable cause for fear; for if sanctioned the Court become its guarantee and will consequently of course ascertain its safety beforehand.

In conclusion, Gentlemen, I would just observe, that any prospect of promotion by an increase to the Army, seems now highly improbable. Government may possibly, if requisite, give us back our two companies and increase the numerical strength of troops and companies. If more is needed may not the plan now contemplated for an increase to our Cavalry to be by the transfer of Regiments from Madras, be acted on with regard to our Infantry also? May not many stations to the eastward and southward at least be garrisoned by Madras and Bombay troops—and thereby any increase to our Army rendered unnecessary? We should do well in my humble opinion to consider all this, and reflect on the consequent absolute and immediate necessity for a Retiring Fund; and as the advocacy of an active and intelligent person on the spot must prove highly beneficial

I would also advise that we should, if possible, secure it. An officer of rank, friendly to our interests, and who from the situation he has lately held would be likely to be listened to by the Hon'ble Court, is just now going home, and could be persuaded no doubt to undertake the advocacy of our cause. Recollect, Gentlemen, that this Fund will not in any way interfere with the purchase of Regimental steps, but that it is to a Retiring Fund alone that we can look for general and above all permanent acceleration to promotion; because, exclusive of all other causes, officers are not always to be found at the head of Regiments willing to sell out, and if found Regiments may not at all times be able to furnish the means required for the continued purchase of such costly steps. The Madras and Bombay Armies have already set us the example of petitioning, and as yet this good example has only been followed by two Regiments in our Army. This is a large station and should not, and I sincerely hope will not, be behind-hand in following up such good examples. The Propositions I intend laying before you, Gentlemen, are based on the resolutions of a meeting of the officers of the 68th N. I., held at Jummalpoore, on the 11th ultimo, and are as follow: viz.

Proposition 1st—by Captain Boulton, seconded by Lieutenant-Colonel Roberts,—That this meeting coincides in and approves of the resolutions passed at a meeting of officers held at Jummalpoore, on the 11th February 1837, viz.

1st. That this meeting being deeply impressed with the services rendered by Mr. Curnin to the Indian Army, are desirous of evincing their sense of his merit and exertions on their behalf, by something more substantial than mere thanks.

2d. That this meeting submit to their brother officers of the armies of the three presidencies that a subscription of four per cent, on personal allowances for one month, would raise a sum not unworthy of Mr. Curnin's acceptance.

3d. That Commanding officers of corps be solicited to collect the amount in their respective regiment, and lodge the same in the Union Bank, staff officers making their own arrangements in their respective departments.

4th. That this meeting cannot omit the opportunity thus offered them, of expressing their grateful sense of the liberality evinced towards Mr. Curnin by an eminent individual, whom they consider it unnecessary to name.

5th. That the Secretary to the Union Bank be requested to pay the amount collected to Mr. Curnin, at the expiration of the commercial year, by which time, it is hoped the whole will be collected.

6th. That this meeting, while they gratefully acknowledge the liberal conduct of the Hon'ble the Court of Directors in revising the Retiring Regulation, and granting pensions for length of service, beg respectfully to submit, that, the length of years and rates of pension for prolonged service, are not such as to induce field officers generally to avail themselves of the boon, and retire from the service; and as the object of the army has invariably been directed to the means of obtaining retirements amongst the higher grades as may enable them to enjoy in Europe, those comforts which they abandon in this country by relinquishing the service, they consider that this object can only be obtained by Mr. Curnin's Fund or some modification of it.

7th. That this meeting approve of a respectful memorial being drawn up, and submitted through the regular channel, to the Hon'ble the Court of Directors, praying their reconsideration of Mr. Curnin's Fund, or to grant to the Indian army such other fund as may be acceptable to the army and calculated to obtain the

object in view.—Which was carried with only two dissentient voices.

Proposition 2nd—by Captain Boulton, seconded by Major Herring,—That one officer from each corps or otherwise, as it may be thought fit, be requested to form a Committee to draw up a memorial, based on the above resolution, to the Hon'ble Court of Directors.—Carried with one dissentient voice.

Proposition 3rd—by Captain Boulton, seconded by Capt. Douglas,—That the officers of such detached corps as may not feel disposed to draw up a memorial of their own be invited to subscribe to the above.—Carried with one dissentient voice.

Proposition 4th—by Capt. Boulton, seconded by Major Burroughs,—That the chairman be requested to write in the name and behalf of this Meeting to Colonel Craigie to request him to advocate the matter of our memorial with the Hon'ble the Court of Directors on his arrival in London.—Carried unanimously.

Proposition 5th—by Captain the Hon'ble H. Dalzell, seconded by Major Burroughs,—That Colonel Swiney be also requested to join himself with Colonel Craigie for the abovementioned purpose.—Carried nem. con.

Proposition 6th—by Captain Boulton, seconded by Major Godby, that each officer be requested to affix his signature, and also that of any others by whom he may be so authorized—that a copy of these proceedings be sent to the Agra Ukhbar and Englishman for publication.—Carried.

Proposition 7th—by Lieutenant Curtis, seconded by Captain Douglas—That subscriptions from each Regiment shall be collected when the opinions of the Bengal Army on the subject of remunerating Mr. Curnin are ascertained.—Carried.

The Meeting then elected the undermentioned officers as their Committee:

Lieut.-Col. Roberts, Eur.	Captain Douglas, 14th Regt.
Regt.	Hon'ble Captain Dalzell,
Major Herring, 37th Regt.	Artillery.
Captain Boulton, 47th Regt.	

A vote of thanks was then passed to Colonel Roberts, the Chairman, for the ability and zeal with which he conducted the business of the Meeting.

A similar vote was also passed in favour of Captain Boulton for his zealous and indefatigable exertions in forwarding the cause.

Names of Subscribers:

A. Roberts, Lieut.-Colonel.	W. Hollings, Lieut.
C. Godby, Major.	J. Abercrombie, Lieut.
J. Herring, Major.	P. Innes, Lieut.
W. Burroughs, Major.	J. Hamilton, Lieut.
W. Prole, Captain.	W. Loveday, Lieut.
C. Douglas, Capt.	J. Gerrard, Lieut.
O. Baker, Capt.	W. L. Hall, Lieut.
T. Boulton, Capt.	C. U. Tripp, Lieut.
W. Terraneau, Capt.	C. Carlyon, Lieut.
G. Chapman, Capt.	J. Curtis, Lieut.
H. B. Dalzell, Capt.	F. A. Carleton, Ensign.
H. Kaban, Capt.	J. D. P. Ferguson, Ens.
H. Lloyd, Capt.	R. Inglis, Ens.
R. Thorpe, Capt.	J. Lauder, Ens.
T. Flewmying, Lieut.	S. Faddy, Ens.
D. Ramsay, Lieut.	

(Signed) A. ROBERTS, Lieut.-Col., Chairman.

J. D. P. FERGUSON, Ensign, Secretary.

Cal. Cour., April 5.]

At meeting held at Nussersabad on the 12th April, 1837, for the purpose of taking into consideration the propriety of adopting measures with reference to the establishment of a Retiring Fund for the Indian army.

Colonel J. F. Dunlop, of the Artillery, being requested to take the chair, and having kindly complied, proceeded to address the meeting as follows:—

Gentlemen,—The subject to which our attention is now called, namely, the Retiring Fund proposed by Mr. Curnin, has already been so much discussed, that, perhaps little remains to be said thereon, or done by those who are not great financiers or much versed in the abstruse calculations which Mr. Curnin's plan involves, further than, reiterating in a memorial to the Court of Directors, their approval of the general principles on which Mr. Curnin's plan is based, expressing their anxious hope that the court will give the subject the further consideration that the combined interests of the East India Company and their army must justify, and that the present condition of the army loudly calls for; as well as their perfect confidence that the court of Directors will, after mature reflection, be satisfied of Mr. Curnin's plan bearing the character of stability, and that they will decide upon adopting it; either as it now stands, or with such modification as may be found necessary: and that in whatever shape they may put the plan into operation, they will firmly guarantee to the officers of their army the results held out to them by it in its present form: thus leaving detail to others better qualified for the task. And beyond this, gentlemen, I see not what we have to do, but to offer our sincere and hearty thanks to Mr. Curnin for the kind zeal and talent with which he continues to exert himself in our cause; and express to him our most sanguine hopes that his unremitting labors thereon may be crowned with success.

The chairman having closed his address, Captain Talbot, of the 8th Regiment N. I., next rose and spoke as follows:—

Gentlemen,—Before proceeding with the business on account of which we have just assembled, I beg your attention to such remarks on the subject as I have now to offer for your consideration, and request your patient attention for the few minutes which they will occupy. I believe I may assume that not an individual amongst us questions the necessity of such a Retiring Fund being established in our service as shall embrace the two-fold object of ensuring the permanent acceleration of promotion on a fair and general footing by enabling officers in our higher grades to avail themselves of its provisions for supplying a competency with their own means on which to retire from the army. It must be evident to all that promotion can alone be permanently and generally accelerated in our army, by the retirement of the seniors of its grades. We have every reason to be grateful for the revised system of retirement lately granted by our honorable employers, and which has indeed already given some impetus to promotion, though such as must necessarily be of a very partial and temporary description, affecting the juniors only. This, however, after all, is but of a limited kind, and by no means such as can ever meet the general wants of our army, for where are the Colonels or Lieut.-Colonels who are ever likely to avail themselves of it? The Court of Directors have intimated their readiness to sanction a retiring scheme, when the armies of all the presidencies shall have reached unanimity on the plan of such. Herein perhaps lies the greatest difficulty in the way of our success, unless we can again severally agree for the general benefit of the service to merge our individual partialities for our particular ideas and wishes on this point. We are already agreed that some fund of this kind is most requisite now perhaps, a married man may prefer a bonus fund, another some different plan, but with respect to the one I am about to refer to, we have already mostly agreed. The Government

in this country has once recommended it, and Mr. Curnin, its originator, has been home, and has explained its principles for us, it consequently has this advantage in favor of unanimity over all others, viz. that it has already run the gauntlet of the three presidencies, and has gained its way over all the other schemes, and opinions with which we were lately inundated, so that we need for the most part only now remain consistent with ourselves and adhere to our already expressed wishes. To insure ourselves from a great loss of time in agitating others upon which we have no prospect of obtaining a *tithes* of such unanimity, and without this requisite unanimity we cannot look for any immediate sanction from the home authorities, or even the chance of its reconsideration by them. Our success, therefore, would appear to be certain, if individuals would but again concede their own opinions for the general benefit, and in urging you, gentlemen, to do so, I submit, that no other plan has been yet promulgated which so well unites the sound and two-fold objects embraced in this one, viz. competent provision, and the general and above all the continued, the permanent acceleration of promotion by the removal of Colonels and Lieutenant-Colonels.

The calculations upon which Mr. Curnin founds his plan have been tested for us by those who should be competent to understand such, and have been proved to be good, and by three of the first actuaries in London. We may consequently take them for granted (although we may not individually comprehend their data) in the same manner as we should those of insurances, or the like matters, of which we had not ourselves the means of investigating their grounds. I mean upon credit, and I conceive this remark may be sufficient to dispose of any necessity on our part for now entering into any examination of those details themselves; for my own part I acknowledge myself incompetent to do so. It appears to me, that the plan has earned for itself sufficient examination and ample test, and as such is fully worthy of our approbation. On this head, therefore, unanimity need not be defeated for want of ability on our parts to scrutinize the mere details. Gentlemen, it is the plan itself, the adoption of some one scheme for our general benefit, that now demands our unanimity in order to ensure the promised concurrence and sanction of our employers, and to that necessary feeling would I now solicit your attention. Without this fund, or one of a similar tendency, what prospects have we of any permanent and sufficient degree of promotion? What prospects have we now of any such material increase to the army as shall insure to us any thing like a general promotion? No; it is to such a fund as this only to which we can now look with any confidence of ensuring ourselves a general and permanent rise in our service.

Before concluding these observations permit me to explain why I have now refrained from alluding to two subjects which so just claim the gratitude of the Indian Army. I allude 1st to our undoubted obligations to Mr. Curnin, the projector of this fund, whose past efforts in India and at home have been unwearied on our behalf, and whose willing and consistent labours in our cause have not flagged, but are now as ready for our help as ever; and 2dly, to the disinterested generosity and liberality of the high minded and truly eminent individual to whom we are so deeply indebted for the real and lively interest he has throughout evinced for our undertaking. Gentlemen, my reason for not enlarging on these two subjects is—that the propositions I am prepared to lay before you, will, if carried, embrace a far more appropriate notice of such than any personal recommendation or exclusive opinion of mine could ensure; to both we deeply owe our public acknowledgments and thanks, and in respect of one of them *bare equity* alone, demands of us that our thanks should be embodied in a more solid and substantial manner than our mere approbation and

thankfulness could convey to him; for these reasons, therefore, and not from any backwardness to enlarge on such upon my own part, I have here refrained from more particular allusion to those points in order that this meeting should have the opportunity of embodying and conveying for itself its own sense of them, which it will doubtless do more fully as well as more fitly and publicly, than any single expression of mine could prompt it to adopt. These propositions which I have to lay before you, are grounded on those expressed in a meeting of the officers of the 58th Regt. N. I., at Jumalpoore on the 11th of February last, and are as follows:

Proposition 1. By Captain Talbot, seconded by Captain Jones, Deputy Pay Master.

That this meeting coincides in and approves of the resolutions passed at Jumalpoore on the 11th February 1837, at a meeting of officers held there to the following purport.

1. That being deeply impressed with the services rendered by Mr. Curnin to the Indian Army, this meeting are desirous to evince their sense of the merits and exertions of that gentleman on their behalf by something more expressive than bare thanks, and beg to submit to their brother officers in the armies of the three presidencies, that a subscription of four per cent. on personal allowances for one month, might raise an offering not undeserving the acceptance of that gentleman, and the officers commanding corps, posts, &c., be requested to collect and deposit the same in the Union Bank, and that the secretary thereof be requested to pay the amount collected to Mr. Curnin, at the co-operation of the commercial year.

2. That this meeting cannot permit the opportunity now offered to pass without most cordially availing themselves of it, to express their warrant and grateful sense of the generosity and disinterested liberality evinced towards Mr. Curnin, by the eminently distinguished personage whom it cannot be necessary to particularize by name.

3. That this meeting, with the readiest and most grateful acknowledgments of the liberal conduct of the Hon'ble Court of Directors, in revising the retiring regulations and granting pensions upon length of servitude, beg, nevertheless, respectfully to submit that neither the years nor the rates of pensioning upon prolonged service, are such, as to induce field officers generally to avail themselves of that boon for retiring from the service, and as the invaluable object of the army has been directed to the obtaining of means for insuring retirement among the higher grades of it, of a nature competent to secure their enjoyment in Europe of the comforts abandoned in this country by their relinquishment of the service, they conceive that object can only be adequately obtained through Mr. Curnin's fund, or some modification of such.

4. That this meeting approve of a respectful memorial being drawn up, and submitted through the usual channel to the Hon'ble Court of Directors, praying their

reconsideration of the above fund, or that they will grant to the Indian Army, such other fund as may be acceptable to it from being calculated to ensure the object in view. This, gentlemen, contains the substance of my 1st proposition.

Carried unanimously.

Proposition 2. By Captain Talbot, seconded by Captain P. Latauche, Major of Brigade.

That an officer from each corps (or otherwise), be requested to form a committee to draw up a memorial to the Hon'ble Court of Directors founded upon a preceeding resolution; that officers of detached corps, who are not disposed to draw up a separate memorial of their own, be invited to subscribe to it; and that each officer be requested to affix his signature, and also that of any others by whom he may be so authorized.

Carried unanimously.

By Captain Talbot, and seconded by Captain Farquharson, 8th Regt. N. I.

Proposition 3. That the Chairman be requested to write in the name and on behalf of this meeting, to Colonels Craigie, Swiney, and Frith, begging them on arrival in London to advocate the matter of the memorial with the Hon'ble Court of Directors.

Lost by a majority, as the sense of the meeting approved that the matter should be left solely to the Hon'ble Court's recommendation and treatment.

By Captain Talbot, seconded by Captain Jones, Deputy Pay Master.

Proposition 4. That a copy of these proceedings be sent to the Agra Ukhbar and Calcutta papers for publication.

Carried unanimously.

The meeting then proceeded to the selection of the committee for preparing the memorial, but the formation of such was postponed until to-morrow.

A vote of thanks was next passed to the chairman, Colonel Dundas, Artillery, after which the meeting adjourned.

The names of the officers present at the meeting at Nussacerabad.

Col. Dundas.	Lieut.-Col. M'Pherson.
Lieut.-Col. Oliver.	" Grant.
" O'Donel.	" Muford.
" Hicks.	" Harriett.
" Jones.	" M'Culloch.
" Templer.	" M'Kenzie.
" R. B. Brittridge	" J. Hall.
" Talbot.	" G. Hicks.
" Edwards.	" Travers.
" Commerline.	" Mayhew.
" Day.	" Baldwin, Artillery.
" Latouche.	" Butler.
" Naylor.	" Bruere.
" N. P. Jones,	" White.
" F. Baker.	Capt. Bruere.

And some others who appear to have come to an understanding to subscribe to the Agra memorial.—*Englishman*, 27.

UNION BANK MEETING.

In pursuance of the notice issued by the Directors of the "Union Bank," a numerous and respectable meeting of the proprietors took place yesterday (4th April) for the purpose of considering the expediency of increasing the capital of that establishment.

Captain Vint was requested to take the chair, when the business commenced by Mr. Bruce (Chairman of the Directors) reading the following Address:—

GENTLEMEN,—As Chairman of your Directors, I have to inform you, that we have called the present *Special*

General Meeting in order to recommend to you an addition to the Capital Stock of the Bank. This, if approved by the major 'v, will then be submitted (agreeably to rule) to a second *General Meeting specially called*, after one month's notice; by which it will have to be confirmed, before it is finally adopted.

The alterations which we contemplate, will be now laid before you in a series of propositions from your Directors, upon which you will express your sentiments.

In the mean time, I may shortly state their substance as follows.

The present Capital of the Bank (*all paid up*) consists of 600 shares of Co.'s Rs- 2,700, each, or..... 16,20,000
To each of these was added, a supplementary third, of 900 Co's Rs- making, for 600,.. 5,40,000

Total actual Capital 21,60,000

We now propose to fill up each share of 2,700 to an even sum of 3,000, which by the additional 300 will give..... 1,80,000

And to fill up each of the supplementary thirds of 900 to the even sum of 1,000, which, by adding 100, gives..... 60,000

Making the total new Stock thus added.... 2,40,000

Added..... 2,40,000

And which swells the capital from 21,60,000 to 24,00,000

Finally we propose to give each holder of the 600 original shares of 2,700, on his paying up the differences as above on all his *old* stock, an additional share of 1,000 Rs- new stock, which on 600 shares will give..... 6,00,000

and increase the total Capital of the Bank to 30,00,000

I may remind you in conclusion, that the Original Scheme of this Bank, was 50 lakhs of *Sicca Rs* equal to Co.'s Rupees 53,33 333-5 4, so that even with this addition we shall still be short of that mark, considered expedient ten years ago, by *Sicca Rs*. 20 lakhs.

After this arrangement shall be carried into complete effect, all the shares of the bank will consist of 1,000 Rs. each, with votes to all in proportion to stock held, which we consider will be much more convenient than the present uneven and unequal sums, besides affording greater facilities to transfers, and to small capitalists seeking for investment. I shall now direct the Secretary to read to you the proceedings of a special meeting of your directors, held on the 21st ultimo, at which we came to the unanimous resolution of recommending to you the above addition of capital, in the series of propositions which are now submitted for your approval and confirmation.

Proposition 1st.—That the present six hundred full shares of Company's Rupees 2,700 be increased to 3,000, each, and that the present six hundred supplementary shares be increased from 900 to 1,000 Company's Rupees each.

Proposition 2nd.—That upon these subscriptions being paid up, the old full shares shall be divided into three new shares of 1,000 each, making the whole number of these 1,800; which together with the 600 supplementary shares, will make in all 2,400 shares of 1,000 Rupees each or 24 Lakhs of Rupees.

Proposition 3rd.—That to the above 1,800 shall be added 600 new shares of 1,000 Company's Rupees or 6 Lakhs; making a grand total of 3,000 shares of 1,000 each or Company's Rupees Thirty Lakhs.

Proposition 4th.—That the 600 additional shares of 1,000 each now be created, shall in the first instance be offered at par to such Proprietors of the old full shares

as agree to their increase from 2,700 to 3,000, that is, to say that one of the new shares shall be offered to the holder of every original share, who pays up the increase on or before the 30th June, 1837. After that date, any shares not taken up as above, to be offered to public competition and the premium placed to account of profits.

Proposition 5th.—That on the additional 100 Co.'s Rs- being paid by the holder of each supplementary share, the holder of such shares to be entitled to vote, and be considered in all respects, as if he were the holder of one of the new shares of 1,000 Rs-.

Proposition 6th.—That the following be the scale for voting in future, considering each share of 1,000 Rs., as conferring a single vote; 3 new shares or 3,000 Rs- stock 2 votes; 6 ditto or 6,000 Rs- stock 3 votes; 10 ditto or 10,000 Rs- stock 4 votes; 15 ditto or 15,000 Rs- stock 5 votes; 20 ditto or 20,000 Rs- stock 6 votes; 25 ditto or 25,000 Rs- stock 7 votes; 30 ditto or 30,000 Rs- stock 8 votes; 40 ditto or 40,000 Rs- stock 9 votes; 50 ditto or 50,000 Rs- stock 10 votes and upwards.

Proposition 7th.—That the greatest number of shares to be held by any Proprietor, which is now fixed at 50 of the old 2,700 Co.'s Rs- stock or equal to Co.'s Rs- 1,35,000, be hereafter fixed at 150 of the new 1,000 Co.'s Rs- stock or Co.'s Rs- 1,50,000.

Proposition 8th.—That the period within which absentee Proprietors must pay up their additional stock, be for those in Europe, the 30th June 1838, and for those at the Cape, China, &c., the 31st December 1837. But any absentee Proprietor returning to India before those dates, shall be required to pay up within one month after his arrival.

After some desultory conversation on the character of the recommendations, it was moved by Mr. H. M. Parker, seconded by Mr. W. R. Young, and carried:—

Resolution.—That the propositions for increasing the Capital Stock of the Bank, as recommended by the Directors, are hereby approved by this meeting, and that they be laid before a second Special Meeting of Proprietors in due course, for final confirmation and adoption.

But it appearing that some gentlemen who had voted for it, had applied the resolution strictly to the expediency of increasing the capital of the Bank, without reference to the particular mode suggested by the Directors, it was again put from the chair and adopted.

At this stage of the proceedings, however, and on more close attention to the bearings of the propositions on the interests of the supplementary share-holders, as pointed out by several gentlemen present, a disposition was evinced to modify Mr. Parker's resolution, so as to place both classes of Proprietors on the same footing.

With this view, an amendment was moved by Mr. Udney and seconded by Mr. Cragg, which on a show of hands was lost. As far as we were enabled to understand this amendment, and as it was generally understood by others at the time, its tendency was calculated to place the supplementary share-holders in a better position than the original Proprietors; but there was so much confusion and "buzzing" of voices [a custom at our public meetings, we respectfully submit, which would be more honoured in the breach than in the observance] and consequent difficulty, in following Mr. Udney's explanation, that we scarcely are competent to define its real object.

A suggestion was subsequently made and embodied in a resolution, moved by Mr. Dick, seconded by Mr. McKilligan:—

"That the Capital be still further increased 2 lakhs, i. e. from 30 to 32 lakhs, and every holder of 3

supplementary shares be also entitled, after paying up his difference in all his stock, to the offer of a fresh 1,000 Rs. share, and that proposition 4th, be modified accordingly, by excluding that part of it which refers to supplementary share-holders.

This went to meet the views of those who considered the interests of the supplementary share-holders in some measures injuriously affected by the propositions of the Directors.

This Resolution was carried, and a corresponding alteration made in the original offer.

The effect of the proceedings is an increase to the Capital of the Union Bank "of upwards of ten lakhs of rupees, or about 33 per cent. on its present amount."

Proposed by Captain Spence, seconded by Mr. Dickens.

Resolution.—That the Directors' nomination, pending the confirmation of the Proprietors, of Mr. William Frederick Fergusson to act as a Director in the absence at Sea of Mr. James Fergusson, is hereby confirmed.

The thanks of the meeting being unanimously voted to the chairman, the meeting broke up, apparently well satisfied in having occupied some portion of the ground for Banking operations, alleged by the Projectors of the Bank of India, to be so extensively vacant. — *Hurkaru, April 5.*

AGRA BANK MEETING.

At a General Meeting of the Share-holders of the Agra Bank, held at the office of the Bank on this day, conformably to the 9th Article of the Abstract of the Rules, and pursuant to notice duly published in the *Agra Ukhbar*.

Resolution 1st.—Proposed by Mr. J. O'B. Saunders, and seconded by Mr. Clarke, — that the 26th Article of the Rules which provides that the Bank shall have no paper currency of its own be annulled. Carried nem. con.

Resolution 2d.—Proposed by Mr. H. H. Bell, and seconded by Captain Baker, — that the capital stock of the Bank be doubled. Carried nem. con.

Resolution 3d.—Proposed by Mr. Boldero, and seconded by Mr. Mansel, — that subscriptions shall be opened for new shares from the date at which the foregoing Resolution shall be eventually confirmed by a second general meeting of Proprietors. The sums so paid in, to bear 6 per cent. interest till 1st January 1838, when the certificates of the Stock so increased shall be dated, and that with reference to Rule 5th, such portion of the new Stock as shall remain undisposed of in consequence of the Share-holders not availing themselves before that date of the option therein provided, shall be disposed of by the Bank on account of

those Shareholders, at such price as may be obtainable not below par. Carried nem. con.

Resolution 4th.—Proposed by Dr. Clarke, and seconded by Mr. H. Tandy, — that in the eventual confirmation of the foregoing resolutions by a second General Meeting of proprietors, holders of five hundred rupees of stock shall on and after the 1st of January 1838 be considered as the holder of one share that a holder of Rupees 250 of stock shall be considered as a holder of one half share, and that no half shall hereafter be disposed of by the Bank; and that the old outstanding certificates shall be called in to be consolidated accordingly. Carried nem. con.

Resolution 5th.—Proposed by Mr. Stowel, and seconded by Lieut. Innes, — that a special general meeting of the Proprietors be called for the 1st of June next at 11 A. M., to take the foregoing Resolutions into consideration, for confirmation or otherwise. Carried nem. con.

Resolution 6th.—Proposed by Mr. Towel, and seconded Dr. Duncan, — that the thanks of the Meeting be given to Mr. Mansel for his able and impartial conduct in the chair. Carried nem. con.

(Signed) G. J. GORDON, Secy.

[Agra Ukhbar, April 15.]

THE PUBLIC LIBRARY.

At a Meeting of the Proprietors, and Subscribers of the Calcutta Public Library, held on the 1st April, 1837.

W. P. Grant, Esq., in the Chair.

Present.—J. Bell, Esq.; J. S. Pearson, Esq.; J. F. Leith, Esq.; T. H. Gardiner, Esq.; J. Beardsmore, Esq.; Capt. Marshall, and W. H. Speed, Esq.

Proposed by Dr. Pearson, seconded by Capt. Marshall, and unanimously carried, that Dr. Jackson be elected a Curator, in the room of Col. Beatson, gone to Europe.

And the following new subscribers:—

E. M. Gordon Esq. J. H. Dennison, Esq.
W. Pinsep, Esq. W. Thomson, Esq.
Rev. W. O. Ru-pini, F. Millet, Esq.
F. S. Head, Esq.

And the following gentlemen have left on account of unavoidable circumstances:—

C. Udny, Esq. Dr. McCosh.

And the following contributions in aid of the Vested Fund.

Worthy Sir B. Malkin, Kt.	100
Rustomjee Cowasjee, Esq.	100
T. H. Gardiner, Esq.	80
Rev. W. Forbes.	20
J. F. Leith, Esq.	16
Previously contributed,	1,750

C's Rs. 2,016

Calcutta Public Library, April 1, 1837,

[Hurkaru, April 4.]

THE INFANT SCHOOL AND SOCIETY.

On Thursday last, a meeting of the Infant School Society took place at the Town Hall. The Lord Bishop of Calcutta was in the chair. Sir Edward and Lady Ryan, Sir Benjamin Malkin, Archdeacon Dealtry, the Reverend Mr. Mill, and many other friends of education, of both sexes, were present on the occasion. The report of the transactions of the society being read, certain resolutions were passed. The thanks of the meeting were voted to the Lord Bishop, for his praiseworthy conduct in the chair. At the conclusion of the proceedings of the meeting, Baboo Goumohun Addy, the proprietor of the Oriental Seminary, being pointed out as the gentleman who allowed the free use of an apartment of his premises for the accommodation of the native infant school, and who otherwise took great interest in the welfare of the Institution, His Lordship drew the notice of the meeting to the Baboo, in a handsome manner, adding that he was entitled to the thanks of both the European and native gentlemen present, for his benevolent conduct and zeal in the cause of native education. His Lordship expressed a hope that the Baboo's countrymen would follow the example set by him.

The boys of the native infant school were then ushered

in. They were about a hundred in number, and almost every one dressed in a different style: they were under six years of age, and some scarcely above three or four. They were seated on tiers of benches, about half a dozen together, raised consecutively one over the other, and their position had a very pleasant effect. The examination commenced about half past 10 o'clock. The postures the boys put themselves into, at the command of their master, were very pretty and amusing. They sung several amusing English infantile songs, to which they kept clapping time with their tiny hands, in very good order. They astonished the audience by the expertness with which they answered questions put to them, connected with what they had learnt, such as the table of currency of the country, numeration and addition of numbers, &c. &c. All this was done in English, by Hindoo children, who had acquired this knowledge within the short period of four months! the institution being founded about the latter end of the last year. The audience seemed to be much gratified at the progress the children had made. The Lord Bishop took particular notice of the correctness of the pronunciation of the boys, which he highly eulogised. — *Hurkaru*, April 15.

REVENUE AND ZEMINDARY MATTERS.

In another part we have given insertion to a very important and interesting document as regards the landed interests of the permanently settled provinces. It is the answer of Mr. Secretary Holt Mackenzie to certain zemindars, who, on the re-establishment of the Canaugues, and reform of the office of Putwaries, presented a petition under the alarm which was created by these Government officers demanding the accounts and papers, between ryots and their zemindars. The character of Mr. H. Mackenzie, being that of the best Secretary Government ever had for the defence, and promotion of its interests in territorial and Revenue matters, adds to the weight of this document, addressed as it is to the parties directly. Under these circumstances it is gratifying to find in this document a tone of liberality and justice, and a confirmation of the pledge given by Government in the permanent settlement, which cannot but be regarded by the land proprietors of the country as of the highest importance to their interests.

In the first paragraph of Mr. Mackenzie's reply, the reader will observe a readiness on the part of Government to attend to the complaints of the zemindars, which ought to inspire in the members of that class, a confident reliance on the good will of Government towards them. Mr. Mackenzie then proceeds to explain the object of Government in having required the information in question, which is to prevent litigation, and facilitate Butwara, and thus improve, and render certain, the value of the various estates. These measures, it is asserted, will prevent the breach of "good faith" on the part of zemindars towards their under tenants, and an assurance is given in the 10th paragraph that "notwithstanding any errors or abuses that may now be discovered to have been practised, and although the profits of any one from his estate should be many lakhs and his jumma only a few rupees, the Government will on no pretence break its engagement." The only lands which are excluded from this pledge of interference on

the part of Government, are noted in the quotation made in the 10th paragraph, viz. "lands expressly excluded from the operation of the settlement, such as *lakheraj* and *Thandary* lands. But what above all confirms, and clearly lays down the pledge of Government not to interfere with the settled zemindaries, is the case of the Rajah of Bubbhoom, quoted in the 12th paragraph, as an instance of the conduct of Government. Here it is stated that all lands, which had been considered by the Revenue officers as *Towfees*, and proposed to be settled afresh, were given up to the Rajah rent-free, and the Government officers forbidden to interfere, because it appeared that the engagements into which the Rajah had entered at the decennial settlement, were a composition for the whole of the Government dues upon every description of land at that time composing his Raj." It is then asserted that the same principle universally influences the determination of Government."

The natural conclusion to which the above remarks, based on the reply of Mr. Mackenzie, leads, is that there cannot now be any interference with such permanently settled estates, as that of the Rajah of Bubbhoom. Now although at present Bengal is divided into many hundreds of estates, at the time of the permanent settlement such was not the case; for the settlement was then concluded with the Rajahs of Bubbhoom, Burdwan, Kishnagur, Jessore, Rajeshahy, Dinagapore, Purneah, and a few others. If the holders of these large estates, as it is clear from the document before us, received the most unequivocal pledge of non-interference from the Government, what becomes of the resumption operations that have been carried on since 1819; but more vigorously since 1818? What ground can the pamphlet we lately reviewed point out for the doctrines it lays down for the adoption of the Deputy Collectors? If these officers had no right to interfere with any land in the Bubbhoom and other estates which then existed, what right can they now assert to interfere with such lands in

the estates which now exist and which had formed part and parcels of those great estates? Surely the accidental divisions subsequently made in consequence of public sales for arrears of revenue and under the pledge that the purchaser had the rights of the seller transferred to him, cannot alter the principles of the settlement, nor can such accidents change any land from unresumable to resumable. The attempt on the part of Government officers to resume lands in Bengal and Behar, which have been permanently settled by such solemn and clear declarations on the part of the Government is, to say the least of it, a breach of pledge unworthy of that high character for justice and good faith which the British nation enjoys.

The Marquess of Cornwallis, who made the permanent settlement and must therefore be supposed to know more of its principles than any other statesman, thus lays down, in his minute written on that settlement, dated the 18th September, 1789, the law regarding the rights of interference with possessions which have long been held undisturbed :—

“As to the question of right, I cannot conceive that any Government in their senses would ever have delegated an authorized right to any of their subjects, to impose arbitrary taxes on the internal commerce of the country. It certainly has been an abuse that has crept in, either through the negligence of the Mogul governors, who were careless and ignorant of all matters of trade; or, what is more probable, connivance of the Mussulman Amul, who tolerated the extortion of the zemindar, that he might again plunder him in his turn.

But be that as it may, the right has been too long established or tolerated, to allow a just government to take it away, without indemnifying the proprietor from any loss; and I never heard that, in the most free state, if an individual possessed a right that was incompatible with the public welfare, the legislature made any scruple of taking it from him, provided they gave him a fair equivalent. The case of the late Duke of Athol, who, a few years ago, parted very unwillingly with the sovereignty of the Isle of Man, appears to me to be exactly in point.”

The Isle of Man had long been the resort of smugglers and profitable to the Duke; and therefore injurious to Commerce. Government, however, could not enforce any laws there, but was obliged to purchase the Island, and thus compensate the Duke of Athol for his loss. - This case being similar to that of the zemindars and land holders in Bengal, the latter ought to be dealt with in the same manner.

We shall make but one more quotation from the minute just adverted to :—

“The court of directors have given us a general idea of the amount of the land revenue from Bengal and Behar, with which they will be satisfied; if we honestly and faithfully make a settlement equal, and even beyond their expectations in point of revenue, and at the same time calculated in its outlines to promote the prosperity, happiness, and wealth of their subjects, what reason can we have to apprehend that they will not declare its permanency?”

The inutility of disturbing the settled districts is here clearly pointed out; and it is declared that the Court of Directors will be satisfied with the revenue derived from the permanent settlement. The work of resumption is, therefore, quite supererogatory. The Government having at once settled the whole of Bengal, after a full conviction that all that was to have been derived from it had been secured, and the Court of Directors having been satisfied with the settlement and confirmed it, we really cannot discover with what justice these provinces can now be disturbed by the Government Officers. If there is any land which does not belong to

one zemindar it must to his neighbour, with whom he may settle the matter; but Government can surely have no just right to take possession of the disputed spot, and declare it to be theirs, setting aside both the disputing parties.—*Reformer*, April 23.

REVENUE AND ZEMINDARY.

TO RAJA RAJKISHEN AND OTHER ZEMINDARS.

Territorial Department—Revenue.—The petition which was presented on your behalf by Prawkishen Biswa and Ishurchunder Paul Chowdry, has been read by the Governor-General in Council, and its contents duly considered. His Lordship in Council, is always well pleased to receive from the subjects of this government an explanation of their notions on any points affecting their individual interests, because it is especially the principle of the English Government to leave all persons in the free enjoyment of their estates with no further restrictions than are necessary for the general good; and still more, anxiously to maintain all engagements into which it has entered.

2nd.—In the present case it would appear that you had been led to indulge very unfounded apprehensions from an entire misconception of the intentions of Government in passing the late regulations for the re-establishment of canoongoes, and for the reform of the office of Patwaries, and as many others may probably have fallen into a similar mistake, the Governor-General in Council has commanded me to explain the matter, so that your fears and those of all other persons concerned may be removed, and that fully comprehending the real object of Government in enacting the said regulations, you may not be misled by the statements of persons who either misunderstand, or wilfully misrepresent their intent and meaning.

3rd.—It is well known to all Zemindars, that the suits relating to land and rents are very numerous and important, and it is plain, therefore, that the interests both of Zemindars and ryots will be promoted by any measure that shall afford the means of quick and just decision and the instant execution of decrees when passed. Nor is it less an object of importance to the proprietors of land, that putwarahs should be made without delay or difficulty. In fact, unless these affairs can easily be settled, land can never have its just value, because the proprietors of it can neither manage nor dispose of it without much trouble and annoyance, nor at any time be sure that they will draw from it their due profit.

4th.—It is chiefly with the view of affording to the Adawlut the means of ascertaining all matters connected with land, that the seristah of the canoongoes has been re-established, and that the new rules regarding the office of Patwarry have been passed. By these means it may be hoped that all local custom and the rights and privileges of all classes connected with the land being recorded before any disputes arise, there may be no difficulty in getting at the truth when differences occur, and that all suits regarding rent, property or possession of land may easily and speedily be settled. In many respects, therefore, the regulation will be of great advantage to the Zemindars. If, indeed, there be any Zemindars who are desirous of acting wrongfully to their neighbours, of oppressing their ryots and under tenants, of exacting from them more than is just, or of depriving them of their hereditary prescriptive rights, such persons may naturally be grieved at the appointment of canoongoes, and the alteration which is to be made in the office of Patwarry; such persons, however, do not understand their own interests, which are always best consulted by an adherence to the maxims of good faith, and they can on no account receive any consideration or favor from Government.

5th.—At the period, indeed, of establishing the permanent settlement, it was distinctly declared by Lord Cornwallis, (whom you justly consider a very wise and good man) that it being the duty of the ruling power to protect all classes of people, and particularly those who, from their situation, are most helpless, Government would, however it might deem it proper, enact such regulations as it might think necessary for the protection and welfare of the dependant Talookdars, ryots and other cultivators of the soil.

6th.—The same Governor-General prescribed various rules in regulation VIII. 1793 for the appointment of Patwaris in each village, and plainly intended that those persons should be maintained as in old times for the purpose of keeping and preserving the accounts of the ryots, not as the private servants of the Zemindars for the mere purpose of making their collections.

7th.—The new rules, therefore, are in fact designed only to secure that which the rules for the permanent settlement were intended to accomplish, and the Governor-General in Council expects that the Zemindars, grateful for the advantages which that settlement has given them, will readily acknowledge the justice of the laws enacted for the protection of the inferior tenantry.

8th. It is, indeed, intended that the canoongoes should assist the officers of Government, in asserting its rights to the Revenue of lands which may be held free of assessment under invalid tenures or which may not have been included within the limits of estates for which a permanent settlement was concluded.

9th.—But it is the firm determination of Government to maintain inviolate the rights and privileges bestowed on the Zemindars by that settlement, notwithstanding any errors or abuses that may now be discovered to have been practised, and although the profits of any one from his estates should be many lacs and his jumma only a few rupees, yet Government will on no pretence break its engagement.

10th.—This you may hold certain, and for your further satisfaction, I shall here refer you to the declaration contained in regulation II of the present year, which is in the following terms.

XXXI. "First, nothing in the present regulation shall be considered to affect the right of the proprietors of estates, for which a permanent settlement has been concluded, to the full benefit of all waste lands, included within the ascertained boundaries of such estates respectively at the period of decennial settlement, and which have since been or may hereafter be reduced to cultivation. The exclusive advantages resulting from the improvement of all such lands were guaranteed to the Proprietors by the conditions of that settlement, and it being left to the courts of judicature to decide on all contested cases, whether lands assessed under the provisions of this regulation were included at the period of the decennial settlement within the limits of estates for which a settlement has been concluded in perpetuity, and to reverse the decision of the revenue authorities in any case in which it shall appear, that lands which actually formed at the period in question a component part of such an estate, to have been unjustly subjected to assessment under

the provisions of this regulation, the Zemindars and other proprietors of lands will be enabled, by an application to the courts, to obtain immediate redress in any case in which the revenue authorities shall violate or encroach on the rights secured to them by the permanent settlement."

Second. "It is further hereby declared and enacted, that all claims by the revenue authorities on behalf of Government to additional revenue from lands, which were at the period of the decennial settlement included within the limits of estates for which a permanent settlement has been concluded, whether on the plea of error or fraud or any pretext whatever, saving of course the case of lands expressly excluded from the operation of the settlement such as *Lachheraj* and *Thanadary lands* shall be and be considered wholly illegal and invalid.

11th. The principle of the above rule has been universally acted upon.

12th.—Thus, in the case of the Rajah of Beerbhoom, although the jumma of Government was allotted wholly upon certain villages, and there were severally sold after being so assessed in liquidation of arrears on the entire estate, leaving to all appearance the remainder of the uncultivated lands without any assessment of the public dues, nevertheless when it was proposed to Government to resume and make a fresh settlement of these last mentioned lands after much of these had been brought under cultivation upon the plea of their being *towfee* land, not included in the perpetual settlement, the revenue authorities were specially forbidden by Government to interfere because it appeared that the engagements into which the Rajah had entered at the decennial settlement were a composition for the whole of the Government dues upon every description of land at that time composing his Raj. In this manner Government preferred to leave the Rajah in the rent free enjoyment of *Malgozarea* lands, rather than infringe in the smallest degree the engagements it had made with him at the perpetual settlement. The same principles will be found to have universally influenced the determination of Government whenever similar claims have been brought forward by the revenue officers.

13th.—With respect to what you have represented in regard to the conduct of the canoongoes, those particulars should have been stated in the petition addressed to the Board of Revenue, who would have duly inquired and considered the subject, and who being authorized by clause 5th Section 4th Regulation I. of the present year, to make such alteration in the duties to be performed by the canoongoes, as local circumstances shall suggest, will doubtless arrange matters as may be best for all parties, and though on their first appointment some of the Canoongoes may perhaps from ignorance have acted improperly, yet Government do not the less indulge a confident expectation of great advantage to the country from the re-establishment of the office.

14th.—I annex a translation of this paper for your better information and that of all other persons whom it may concern.

(Signed) HOLT MACKENZIE, Sec. to Govt.

Territorial Department, the 22d April, 1819.

CIVIL FUND.

At a Quarterly General Meeting of the Subscribers to the Civil Fund, holden at the Town Hall, on Monday, the 24th April, 1837.—

PASSEY.

G. A. BUSHBY, Esq., Chairman.

J. Franch, H. T. Prinsep, H. Walters, F. Millett, William Crocroft, D. McFarlan, F. C. Smith, J. A. Dorin, R. Houston, J. F. M. Reid, and F. J. Halliday, Esqrs.

The Managers lay before the Meeting a letter received from the Secretary to the Government of Bengal, with the accompanying copy of a dispatch from the Hon'ble the Court of Directors, to the address of the Governor-General of India in Council, in the Financial Department, dated the 28th September last, with copy of its enclosures from Mr. C. B. Elliott, late of the Bengal Civil Service, regarding his claim of the Civil Fund.

Mr. Crocroft proposes that the following draft of letters in reply to Mr. Secretary Prinsep's communication be adopted by this General Meeting.

Mr. F. C. Smith, seconds—unanimously adopted.

That the thanks of the Meeting, voted to Mr. Bushby for his conduct in the chair.

(Signed) G. A. BUSHBY, Chairman.

TO THE MANAGERS OF THE CIVIL FUND.

FINANCIAL } GENTLEMEN—I am directed by the
DEPARTMENT } Right Hon'ble the Governor of Bengal,
to transmit to you for consideration and report the accompanying copy of a dispatch from the Hon'ble the Court of Directors to the address of the Governor-General of India in Council, in the Financial Department, dated the 28th September last, with copy of its enclosure from Mr. C. B. Elliott, late of the Bengal Civil Service, regarding his claim on the Civil Fund.

I have the honor to be, Gentlemen,

Your most obedient Servant,

(Signed) H. T. PRINSEP,

Secy. to the Govt. of Bengal.

Fort William, the 15th Feb. 1837.

FINANCIAL DEPARTMENT.

No. 12 of 1836.

Our Governor-General of India in Council.

PARA. 1. We have received from Mr. C. Boileau Elliott, late of the Bengal Civil Service, a letter dated the 1st September 1836, submitting to our notice, and requesting the expression of our opinion upon a statement of facts connected with the contingent claim of his family upon the Civil Fund of that Presidency.

2. From Mr. Elliott's representation it would appear that his claim, having been substantiated by the required payment on his part, recognized by the constituted Agents of the Fund in London, ratified by the Managers in Calcutta, and thereupon declared to Mr. Elliott by

the Agents in London to be valid, has been lately impugned, and after an interval of nearly three years, entirely annulled.

3. We forward herewith a copy of Mr. Elliott's letter, which we desire may be brought to the notice of the Managers and Trustees of the Civil Fund at Calcutta, with a view to the reconsideration of the case. We shall only remark that, from the statement before us, Mr. Elliott would seem to have been subjected to an unlooked for disappointment in the reversal, after a considerable interval, of a decision deliberately pronounced and officially communicated.

4. You will require the Managers to communicate to you the result of such proceedings as may be adopted on this occasion with which result you will make us acquainted.

We are, &c.

(Signed) J. R. Carnac, John Loch, John Morris, H. Lushington, J. Petty Muspratt, J. Warden, J. D. Alexander, John Shepheril, H. Alexander, John Cotton, George Lyall, and C. Mills.

London, the 28th September, 1836.

To J. C. MELVILL, Esq.,

Secretary to the Honorable Court of Directors of the East India Company.

SIR,—I beg the favor of you to lay before the Honorable Court of Directors the accompanying statement of facts connected with my contingent claim on the Bengal Civil Fund, and to solicit on my behalf the expression of their opinion on the subject to the Bengal Government. The merits of the case are so clear that I am inclined to believe the statement of them needs only to be read to carry to every mind a conviction that the Members of the Civil Service who voted in January 1836, for my dismissal from the Fund, were acting on an uncontradicted misrepresentation of facts, and I venture to hope that the expression of the opinion of the Honorable Court will lead to an immediate correction of an error, which if once permitted to pass unnoticed, involves principles as injurious to the interests of the Service as they are opposed to equity and to the whole tenor of the Regulations of the Civil Fund.

2. I left India in December 1827, on sick leave, intending to return to the country within the allotted term of five years. From the date of my arriving in, to that of quitting India, I had subscribed to the Civil Fund; anxiously awaiting an improved state of health, I was unwilling to give up the hope of returning till the expiration of that latest period allowed, and consequently, I remained a member of the Bengal Civil Service till 17th December, 1832. Some considerable time previous to this month, I enquired of Messrs. Cockerell and Co., the authorized Agents of the Civil Fund residing in London, whether in the event of my desiring to pay up the balances between my Indian subscriptions and the sum of 5,000 rupees, required by Article XXXV. to entitle my family to the benefits of the Fund, they were authorized to receive the same; acting upon their assurance that they were so, and still indulging a hope that my health might improve, I considered it unnecessary to remit the balance in question to India in the month of August, so as to ensure its arrival in Calcutta in December 1832; but in November of the same year, while I was yet a Member of the Bengal Civil Service, I paid into the hands of Messrs. Cockerell and Co. in London the sum of £480, which they carried to the credit of the Fund and

* This will be inserted hereafter.—Ed.

communicated with the Managers in India, whose instructions they received and complied with, to inform me of the due admission, according to the rules of the Fund, of my family to its contingent benefits. The account between myself and the Fund was finally adjusted in 1833 by Messrs. Cockrell and Co. restoring to me the sum of £98 placed in their hands by me over and above what was necessary to make up the sum of 5,000 rupees, the fixed payment required from every Civilian who retires from the Service.

3. In October 1835, that is three years subsequent to my last payment to the Fund, and two and a half years subsequent to the decision of the Committee of Managers placing my family on the list of its contingent Claimants, ("the rules of the Fund," to use their own expression, "deciding the question clearly of their admission,") some Gentlemen at Allahabad, acting doubtless on a misapprehension of the facts, addressed a letter to the Secretary of the Civil Fund, which, being circulated, through the Service unaccompanied by any counter statement, led to a decision in January 1836, that the act of the Managers in 1833 should be annulled, and thus a family admitted to the benefits of the Fund by the fulfilment of its conditions in 1832, was in 1836 declared ineligible. In other words, an *ex post facto* law was made on an *ex parte* statement. Had there been any person on the spot to state the case simply and fairly, is it hardly possible that the sophistry which issued from Allahabad should have proved successful; nor it is probable, even under existing circumstances, that it would have been so, had not the case been mixed up with one to which it bore neither affinity nor resemblance; viz. that of a gentleman who, having been ten or more years out of the Service, wished for permission to make up his payments and place his family contingently on the Fund.

4. The arguments by which a majority of the Subscribers to the Civil Fund have been misled into a decision contrary to that of their Committee of Managers, with the simple answers to them, are as follows:

The writers from Allahabad state on the 20th April 1833, ("five years and a half after he had quitted India") the Managers in Fort William received an application from Elliott to be allowed to pay up the difference between the sum subscribed by him and 5,000 rupees, which application the Managers, after some debate, complied with, stating their compliance to be unavoidable under Act XXXV of the Rules."

The fact is, not that the Managers received that application for permission, as alleged, six months after the expiration of Mr. Elliott's prescribed term of absence and consequent retirement from the Service, but that four months after that limit they received information, dated five months previously, from their accredited Agents in London, that Mr. Elliott had, one month previous to that limit, and while he was yet in the Service, in conformity with the regulations, paid the balance due, which payment entitled his family, *ipso facto*, to the benefits of the Fund in the event of his demise. The Managers therefore justly felt "their compliance to be unavoidable under Article XXXV. of the Rules," and at this decision they arrived, it appears, not hastily and unadvisedly, but in the exercise of their dispassionate judgements, after mature deliberation and "some debate."

5. In order to make out a case which the facts do not warrant, the writers from Allahabad descent almost to ridicule, advancing an hypothetical case which they would identify with the totally different one under consideration. Article XXXV. "then," they continue, "ought to have run thus: That a gentleman, after however a short period of service, having been five

years absent from India, after having ceased to subscribe and thereby abandoned his connection with the Fund, and after having resolved to pursue his fortune in a totally different line of life, may at any time, by a payment of the amount by which his Subscription shall have fallen short of 5,000 rupees, obtain the full advantage of the mutual assurance of the Service.

6. The period of service has, by the rules of the Fund, no connection whatever with the assistance afforded to its Members, but any one reading this hypothetical case might suppose that I had been only a few months in the service. I belonged to it more than eleven years, of which more than six were actually passed in India in the laborious discharge of duties: duties whose weight undermined my health, while the assiduity displayed in their fulfilment was such as to call forth a remark from the *Sudder Dewannee Adawlut* that in the year 1823, the second of my service, I have decided more causes, as Register of Chuprah, than any other judicial Officer under their authority, nor was this the only instance by many, in which I was honored with the approbation of Government.

7. The second clause implies that I had voluntarily "ceased" to subscribe, and thereby abandoned my connection with the the Fund. The 34 Art. of the Regulations of the Fund declares that the contribution of every Subscriber shall cease upon his leaving India to return to Europe. "He does not there abandon his connection with the Fund," for if so, every Civilian returning to England on furlough or sick leave abandons his connection with the Fund; whereas, on the contrary, the same article provides that if he "die during his temporary absence from India, his family shall be entitled to the benefits of the Fund." How then is it possible that his connection with the Fund should be regarded as abandoned.

8. The words "at any time" in the last clause of the hypothetical paragraph of the writers from Allahabad, imply what is more distinctly stated in their preceding paragraph, and has already been satisfactorily contradicted; namely that the balance of my subscription to the Fund was not paid during the time that I was, *bona fide*, a Member of the Civil Service. The balance was paid to their authorized Agents in London within the period of five years from my leaving India, and as such acknowledged by the Managers of the Fund in Calcutta.

9th. In the 6th and 8th paragraphs the writers from Allahabad say—"It seems to us that the two expressions in Article XXXV., viz. retiring from the service to "return to Europe, and on his quitting the service are "tautologous. We judge that the intent of the rule "was that a person who had not paid to the amount of "5,000 rupees, but should, to secure himself against "the vicissitudes of human affairs, pay up the difference "previous to quitting India to retire, should possess the "same advantage" as one whose regular subscriptions paid monthly in the ordinary course had amounted to 5,000 rupees. "If Mr. Elliott on quitting India intended to retire, he should in our opinion, have paid up "his quota before he left; and if not, and he desired to "continue a Member of the Mutual Assurance Fund of "the Service, he should have returned." In other words, unless a Civilian pay 5,000 rupees whilst actually in India, he is to be considered as having abandoned the Fund.

10. Whatever the writers from Allahabad may urge, or whatever rules they may wish to make for the future regulation of the Fund, this is not the rule as it now stands. The words are "If a subscriber on quitting the "service shall pay to the Fund what may be wanting "to complete his contribution to that amount (viz. 5,000 "Rs.) such contribution shall entitle the family of Subscriber, on his demise, to the benefits of the institution." With these conditions, I strictly complied, having paid to the accredited Agents and Bankers of the Fund

what was wanting to complete my contribution of 5,000 rupees. This I might have deferred according to the letter of the regulations till the very day of my quitting the service, or the expiration of five years from the date of my leaving India, for the expression is "on quitting the service:" but I had paid it one month before, and thus assuredly fulfilled the very letter of the Article.

11. Again, that it was not the intention of the framers of the Regulations to place on the words the construction wrung from them by the writers from Allahabad, is evident from the following sentence of the same Article—"the family of any Subscriber who may die during his temporary absence from India, for the recovery of his health, shall also be considered entitled to the benefits of the Fund under the existing rules of it, whether such Subscriber may have contributed more or less than 5,000 Rs." If then I had died the day that I paid the balance of my subscription to the Agents of the Fund in England, without paying that balance, my family would have been entitled to all its benefits, since my case would have been that expressly provided for of a "subscriber dying during his temporary absence from India for the recovery of his health." Is it possible that the fact of paying up a balance of £381 should disentitle a man to that to which he would have been entitled if dying without such payment made, or that contrary to the case of many Civilian, especially from Madras, who being in holy orders are still on the Fund, a change of profession, in my case alone, subsequent to quitting the service, should affect interests established and secured to by me in perpetuity while I remained in the service; or lastly, is it possible that one clause of the Regulations should provide for a Subscriber dying during his temporary absence from India without having paid up the full amount of 5,000 rupees, and that another clause of the very same article should admit the construction placed on it by the writer from Allahabad, which would compel a subscriber to pay up the full sum before quitting India, unless he would resign all claim to the benefits of the Fund. To this misconstruction of the Article I particularly solicit attention, as on it turns the merits of the case.

12. The writers from Allahabad state—"The case of Mr. Elliot appear entirely unprovided for by the existing rules of the Fund. Two clauses of cases only would seem to be provided for, viz. the case of those who quit to retire, and the case of those who quit to return. Mr. Elliot's case is neither that one nor the other.

No reasoning can be more erroneous than this; and no inferences more contrary to the whole spirit of the Regulations of the Fund, or more injurious to the interests of the service, than those to which the admission of this statement necessarily leads. I quitted India, as every invalid does, who has not resolved to resign the service, with the full intention of returning, and accordingly left my property behind, my subscription to the Fund continued to the last day of residence in the country, ceased only in conformity with the Regulations of the Fund, to be renewed on my return. Providence interdicted that return by continued illness, but within the prescribed period, while I was yet a Member of the Civil Service, and had not been absent from India five years, (which even according to the interpretation of the writers from Allahabad, is essential to "a virtual resignation of the service") I paid to the authorized Agents of the Fund the balance due from me according to the regulations. Is it possible that such a case should remain unprovided for by a Fund expressly intended to meet the cases of invalids, or if unprovided for, am I, who have done every thing suggested by the regulations, to suffer for an omission over which I had no control?

13. If the interpretation urged by the objectors to my claim be admitted, the following consequences ensue:

1st. No Civilian dying while absent on sick leave, without having paid 5,000 rupees can henceforth receive the benefits of the Fund in the persons of his widow and children, as expressly ordered in Article XXXV.; for it is desired to exclude me though I have actually paid the amount whilst in the service; a fortiori, had I tried the day on which payment was made, and whilst yet in the service, but without making that payment, I must, according to the construction of the objectors, have been excluded; therefore, henceforth, for the consistency's sake, every other Civilian dying while absent on temporary leave, who has not paid 5,000 rupees must be excluded, notwithstanding that such exclusion is contrary to the letter of the article expressly providing for such a case. 2dly.—Every Civilian who quits India, either on furlough or sick leave, will henceforth be obliged (however resolved he be to return to India if life be spared) to pay up the amount of 5,000 rupees, borrowing probably from his Agents at a high rate of interest at a moment when his allowance are ceasing and many expenses pressing heavily upon him; or in failure of such payment he will forfeit all claim on the Fund. 3dly. The Fund must pledge itself to act henceforth in a manner unprecedented in the transactions of Honorable individuals or Corporations; namely, to deny for the future the acts of its accredited Agents, such denial begun in this case, and which, for consistency's sake, must be acted upon, is the sole ground on which my exclusion from the Fund can rest, for no one denies that my money was paid into the hands of Messrs. Cockerell and Co., while I was actually a member of the service, that is, within the period of 5 years from my departure from India. To say that what was paid to them, and by them carried to the credit of the Fund, was not paid to the Fund, is to urge that money placed to the account of an individual in his Banker's hands, is not bona fide paid to him, a position which it is presumed the objectors themselves will not maintain; or which, if maintained, must annul the office of accredited Agents.

14. Before this question be finally settled, the Members of the Civil Service will do well to consider the three necessary consequences involved in the decision of my exclusion unwarily wrung from them. If these inferences seem monstrous and contrary to the whole tenor of the regulations, and the objects of the Fund, they will not fail to perceive the fallacy of the sophistry which has led them to a decision involving in itself such monstrous, but necessary consequences.

15. Whatever their decision may be as to the future, I would submit that it is not just to act on an *ex post facto* law, and that, according to the plain interpretation of the existing regulations, I am entitled to the benefits of the Fund, having paid to their authorized Agent the balance of 5,000 rupees while I was yet in the service having received the assurance of the Managers that I had fulfilled all necessary conditions and was to consider myself as fully accepted by them, and having actually remained with that assurance for three whole years; and here I would repeat that, even admitting the unfounded allegation contained in the second paragraph of the writers from Allahabad, viz. that my case appear "entirely unprovided for by the existing rules;" justice forbids that I should without any crime, be dismissed from a Fund owing to an alleged omission in the very rules under which I was three years before admitted by the Managers, who stated, "their complacence" with my request for admission "to be unavoidable under Article XXXV. It is not a case of exclusion of a candidate, but a case of dismissal of an unoffending member in direct opposition to the regulations.

16. I am not aware of the precise extent of the authority which the Court of Directors exercises over the

Civil Fund, nor would I now solicit at their hands a positive command reversing on order of its member; but I feel assured that nothing more is required than a strong expression of their opinion, to ensure a revision of the unjust sentence of dismissal pronounced against me in consequence of an unfounded misrepresentation of the circumstances of the case, which owing to the absence of myself and friends, remained uncontradicted till the vote was passed.

I have the honor, to be, &c.
(Signed) C. HOLLAND ELLIOTT.
Late of the Bengal Civil Service.
47, Portland Place, 1st September, 1836.

(True Copies)
(Sd.) H. T. PRINSEP, Secy. to Govt. of Bengal.
(True Copy)
R. B. FITZGERALD, Secy Civil Fund.

UNION ASSEMBLY'S CONCERT.

The UNION ASSEMBLY'S CONCERT at the TOWN HALL on Wednesday evening, was well attended and "came off," as "our friend" would say, most brilliantly. It was certainly the best arranged and best conducted Concert we remember. It does great credit to Messrs. Hamerton and Delmar, and to the ladies and gentlemen who assisted.

The selection of pieces was excellent and calculated to suit every taste. Many of the compositions were quite new to a Calcutta audience. The Overture to *Guillaume Tell* was admirably performed. The air from the opera of *Chalet* was a good composition of rather an original style—in which Welter's fine voice had full scope. Stevenson's animated Glee and Chorus *Welcome Sons of Harmony* was very effectively sung by Mesdames Atkinson, Chester, and a strong band of amateurs, who acquitted themselves admirably. Fleury sung well, but in his upper notes appeared rather weak. Lemery had a cold but sung brilliantly. Mrs. Atkinson sung *Non Pareuter*, a rather florid song, but which displays the compass and power of her fine soprano. Mrs. Chester's *Hours of Rapture*, an air in the bravura style, affording two very pleasing movements, was delightfully sung. Mademoiselle Lemery and Messrs. Welter and Fleury gave a scena from *La Gazza Ladra*, in good style, but the wind instruments would, we think, have been all the better for another rehearsal.

In the second part, after the Overture to *Anacreon*, which was well performed, Mrs. Atkinson sung an *Echo song*, with a flute accompaniment by Mr. P. Delmar—an air better adapted to her beautiful voice, we think, than *Non Pareuter*. Mons. Delmar's flute added to Mrs. Atkinson's voice appeared to delight the audience. Purcel's fine air and chorus, from the Opera of King Arthur, *Come if you dare*, was very good, but we think it a mistake to suppose, that the audience are gratified by the use of excessive nobilishment or the ability to sing extremely high notes. We fancied, that in these respects there was some slight appearance of rivalry between the two ladies who took the lead on this occasion. We are sorry to see this. They have both of them delightful voices, though of different qualities—both are

sweet-singers, and great favorites with the public: but those who love and respect Purcel do not like to see, even ladies, taking liberties with his compositions. There was some difficulty about Tulou's *Fantasia* for the flute, which we understand was caused by the piano-forte being so much below the pitch of Mr. Delmar's flute, that the brilliancy of the latter instrument was much diminished. Considering this circumstance, and that Mr. Delmar had, during a long and sultry evening, performed all the arduous duties of leader of the Orchestra, we are somewhat surprised that even his good nature was equal to the exertion of affording the audience a treat, which many professors would have declined under similar circumstances. Then followed *Unavoca poco fa* in its English dress of *Tyrant soon I'll burst thy chain*, admirably sung by Mrs. Chester. The concluding piece was the splendid finale to the 1st. Act of *Don Giovanni*, *Venite pur avanti*. This is generally considered the best piece of the best Opera of Mozart, and was well performed and well received, but not so well as it deserved.

The arrangements for the evening did great credit to the Stewards of the Union Assemblies. The weather was warm, but the punkahs were well manned—and Mr. Spence's ices and other refreshments, in the verandah, abated this evil as much as possible. There was positively no delay between the different pieces and very little between the two parts of the Concert, which consisted of fourteen pieces, but was over before $\frac{1}{2}$ past 11 o'clock! We think this the best got up and most successful Concert of the season. No expense was spared, and almost all the available talent at the presidency, vocal and instrumental—amateur and professional, was engaged. No patronage was solicited, for the funds granted by the Union Assembly subscribers, together with the proceeds of tickets sold to those who asked for them—were ample, as it was expected they would be. There were some of the *elite* of Calcutta amongst the audience, but the Concert was gotten up principally by and for the middle or trading class of society. We are happy to see them employing their leisure time, and spare funds, in patronizing the musical profession.—*Hurkaru*, April 28.

SUPREME COURT.

APRIL 12, 1837.

The second sessions of Oyer and Terminer for 1837, commences this morning. The judges take their seats at 12 o'clock precisely. The calendar is a meagre one only 9 cases, and not one of them of any importance. The following is a list, viz. —

1st. Ramzaun on the complaint of Fayzoo, for larceny.

2d. Byleenoth Paramanick, for larceny in the house of Seeboo Raur.

3d. Boedoo, Mudhoo Pandah, and Pooraun Kistoo Doss, Moothedars, for larceny, on the complaint of Mudon Mohun Goosaul.

4th. The same defendants for larceny in the house of Rajchunder Mullick.

6th. Buddon Doss and Fremchund Doss, on the complaint of Thomas Pigg.

8th. Bhyaro for larceny, also in the premises of Rhamutella.

7th. The same prisoner for burglary in the house of Hossain Bux.

8th. Nubee Bux on the complaint of Doctor H. P. Bell, for assault and larceny.

9th. Charles Dawson for murder. This case was sent from the Mofussil.

Total 6 cases of larceny, one of assault and larceny, and one of burglary.—*Englishman*, April 13.

SECOND SESSION. — APRIL 12, 1837.

Before a full Bench.

NAMES OF THE GRAND JURYMEN.

FOREMAN—W. R. YOUNG, ESQ.

Messrs. J. P. McKilligah,	Messrs. A. Frazer,
R. W. G. Frith,	J. Hunter,
E. W. Brightman,	E. White,
J. Allan,	D. Ross,
W. T. Fraser,	J. Portman,
J. Stewart,	H. Ford,
L. Carmichael,	J. P. Sukies,
J. M. Seppings,	W. Storm,
A. Beattie,	Baboo Aushood Day,
J. B. Bis,	Proschokumar Tagore and
J. Gilmore,	Radakissee Mitter,

The presiding Judge, Sir J. P. Grant, in his address to the Grand Jury, informed them, that he was happy to say the calendar of this session was very light, and most of the cases with the exception of one of homicide were of burglary, &c. In this case of homicide, it appears that 2 persons entered a house, and one of them struck the other with a stick on the head, of which blow the assailed party died. The Judge then dwelt on the different points of law, which constituted the distinction between murder and manslaughter. He said that if any person entered an house either private or public, with malice aforethought, and there assaulted another, and caused his death, the crime would be murder; but if they entered the house with intentions to rescue any party in the house, without any intention to kill, and a scuffle ensued in which life was lost, it would only constitute the crime of manslaughter; he indeed, by saying, that if the Jury, from the evidence before them, considered the prisoner guilty of manslaughter, then they could throw out the present bills and order one of manslaughter to be preferred against one prisoner; but if they had any doubt as to the nature of the bills, they should return them: they had better find a bill of murder; and if the evidence showed the crime amounted to only manslaughter, the Court would, in that case, on his acquittal of the capital charge, have a fresh indictment preferred against him for manslaughter. After these remarks he dismissed the Jury.

Whilst the Jury retired, Mr. Leith, in behalf of Eahrukha Komar Swamy, in the case of the said Swamy v. Putta Oberam, who was found guilty during the last session for the crime of embezzlement, moved for restitution. The Judge said that the counsel must first file the record of conviction, and then the Judge would give his order.—*Hurkaru*, April 13.

APRIL 12, 1837.

Sir J. P. Grant on the Bench.

THE KING v. RAMJAIN INDICTED FOR LARCENY.

The particulars of this case are that about twelve months since, the prisoner and Fyzoo, the prosecutor, being on terms of great intimacy, the former called on and invited the latter and his family to his house. The invitation to the prosecutor and his wife was for a future day with proposition that in the mean time their child, called Suckens, a girl nine years of age, be permitted to go to the prisoner's house to play with his, the prisoner's children. On this occasion, the prisoner brought with him some mangoes and sweatmeats, as a present for the prosecutor, and his family, of which they partook, and became instantly speechless, but retained their vision and senses. The prisoner then took the child by the hand, brought her to Calcutta, and on the Fort plain, took away her jewels, without using any violence. He then left the girl in a Bazar, and absconded.

The girl was subsequently taken charge of by the police authorities, and her parents were traced, to whom she was restored at Howrah, but nothing could be heard of the prisoner until now. These facts being proved, the prisoner was found guilty, and sentenced to 7 years transportation.—*Hurkaru*, April 18.

APRIL 13, 1837.

Bhyroo, a peon in the employ of the Secretary to the Military Board, was tried on two distinct charges laid against him by two indictments of theft—the property lost having been found in his house. The charges not having at all been proved against him, and he having brought forward witnesses to speak to his character, all of whom spoke well of him, particularly the gentleman under whom he is more immediately employed, Mr Patrick Sutherland, the Registrar of the Military Board, the prisoner was discharged on both the indictments, after being cautioned by the Bench as to his future conduct and the company he kept. — *Courier*, April 13.

APRIL 15, 1837.

THE KING versus CHARLES DAWSON.

Charge.—That on the 9th of March the prisoner struck one Edward Thomas, since deceased, on the head, with a bamboo, which caused his death. The indictment was for manslaughter, and the prisoner pleaded not guilty.

Charles Hanon sworn, saith, that on the 9th of March last, witness, being called by Charles Heathe, went to a house in Cairo Metter's Lane, together with the deceased, Hy. Johnson, and others. There they saw James Mason lying intoxicated on the ground. Witness lifted him up, washed his face, after which Mason counted out his money, and put it in his pocket, which, he on being asked, admitted to be correct, except that he had lost a few coppers. In this interval the prisoner came in, followed by 3 or 4 others, armed with sticks, and witness observed a cross his shoulder, a blow inflicted on the deceased, who fell on the ground; but he cannot say who struck the blow, yet verily believes the prisoner to have done it, from the positions in which the prisoner and the deceased stood at that time; witness also received a blow from an unknown hand which broke his left arm. After this, witness left the place. The witness being cross-examined by Mr Osborne, Counsel for the prisoner, it appeared that he had been turned out of the ship in which he came out from Liverpool, for being concerned in a mutiny on board of her, and he admitted that the evening in question he and

3 others had been drinking a bottle of gin, adding, "what is a bottle of gin amongst four of us?"

In the course of further cross-examination, as to the identity of the prisoner, and as to the witness having been partially intoxicated at the time when he went to the house alluded to, the following replies were made by this witness. "I am not an admirer of drunkenness. I may know a person by sight but not personally; that is when I have seen a person in the streets, with my eyes, whom I do not speak to, I call that knowing a person by sight." He concluded by stating that his party were not armed, and that there was light enough in the house to discern what occurred in it.

John Jeffreys, proved that he saw the prisoner strike the deceased a blow on the head with a bamboo, on receiving which the deceased fell on the ground: and that witness saw the deceased subsequently at the General Hospital, where he died.

The cross-examination of this witness went to shew, that the prisoner had been the means of witness being turned out of a punch-house, and the prisoner's counsel argued, that an ill feeling existed between them, wherefore, his evidence ought to be received with great doubt.

Henry Johnson was next called, whose evidence tended chiefly to corroborate Hanson's statement, with some trifling discrepancies, and in reply to a question regarding his means of livelihood, he said, "I follow the seas?"

The discrepancies were, that when he, together with the deceased and others, arrived at the house where this affray occurred, he saw Mason and Featherstone: he observed Featherstone run out of the house on seeing them, and that Mason was not lying on the ground when they entered the house, but that he rolled out of a bed subsequently; shortly after which the prisoner entered the house with some armed men who attacked the deceased and his party.

Charles Henthe said, that previous to his having called the deceased and his party, he was at the house where the deceased was struck, where Mason charged one of its inmates with having stolen his pocket handkerchief; this she denied, and he gave her a slap on the face: seeing this, the mistress of the house asked witness to get her some aid, to quell the disturbance; this request induced witness to call the deceased, and others, from the punch-house. The rest of this witness's deposition, is the same as that of Hanson and Johnson, with a very slight difference.

Dr. Raleigh proved the death of Edward Thomas at the General Hospital on the 27th of March last, where he had been admitted after 4 days previous treatment at the Native Hospital. In the Doctor's opinion the deceased came by his death from a blow on his head, inflicted seemingly by some rounded weapon. Death generally is not the result of similar wounds, yet often, even under the best treatment, such injuries have terminated fatally.

The prisoner attempted, ineffectually, in cross-examining the Doctor, to shew, that death was hastened in consequence of the deceased having received a previous injury with a tobacco-pipe on the part where the blow was struck.

W. C. Blacquiere, Esq., put in the desposition taken by him of the deceased on oath, in the presence of the prisoner, who had cross-examined him.

Mr. Osborne, Counsel for the defendant, quoted some authorities, and objected to the deposition being taken in evidence, upon the ground, that only in cases of murder, declaration of dying men are admitted as evidence.

Sir J. P. Grant overruled this objection, upon the authority of Phillipps's Law on evidence; observing that his Lordship thought very little difference existed between a case of murder, and that of manslaughter; the former evincing malice aforethought, and the latter being an act of the moment, the result of both being homicide. Mr. Osborne then raised the question as to the deposition not having been taken in the presence of two Magistrates. His Lordship replied that that was not necessary in this country.

The depositions were read. Their purport was the same as the witnesses for the prosecution had sworn to, with the addition that the deceased positively charged the prisoner with having struck the blow.

The prisoner, on being called on for his defence, said that Mason, Featherstone and others, who were his friends and fellow lodgers, after taking a few glasses of gin with him, went out. Shortly afterwards, Featherstone returned, saying, that he had been maltreated in a house in Calcutta Metter's lane, where Mason was being murdered. Hearing this, the prisoner and some friends who were in the house at the time, went to Mason's assistance: on entering the house, prisoner perceived some person rifling Mason's pocket. Mason, on being asked by the prisoner, replied, he could not say who particularly had maltreated him, but that he had been ill-treated generally; after which Featherstone struck one of the men who had previously ill-treated him, and an affray ensued. The prisoner said he could prove that Featherstone, who is now gone to England, and not he, struck the deceased the blow on the head.

James Mason, and 3 or 4 witnesses who were examined for the defence, all clearly proved the defendant's statement.

Featherstone and Mainsbury, 2 witnesses for the defence, being absent, Mr. Osborne offered in evidence their depositions, which had been taken before the Magistrate. To this his Lordship objected, unless it could be proved, that these witnesses were out of the reach of the process of this Court; and it being proved that they were beyond the seas on a voyage to Europe, their depositions were read, and they corroborated the defence, and the evidence for the defence.

Sir John Grant then addressed the Jury, detailing the evidence and commenting on the same, together with the law on the case: he left the jury to form their decision on it.

The Jury returned a verdict of not guilty, and the prisoner was released.—HURKARU, April 19.

MONDAY, APRIL 17.

THE LIBEL CASE.

A motion was, this morning, made by the Advocate-General on behalf of Mr. Thomas Ferguson against whom the Grand Jury have found a true bill for Libel, that he (Mr. Ferguson) be granted leave to come in and enter his plea of Not Guilty, and that the case be traversed to the next Sessions, on his own recognisance to the extent of 1,000 Rs., when he will appear and defend the action—consent having been obtained from the opposite party.

The motion was granted, and the case has therefore been put off till the July Sessions.

There are not more than four or five cases now remaining to be disposed of, amongst which the interesting ones are those of the assault said to have been committed by one C. F. Lopes and one F. Porroux, and the Porroux laid to the charge of one Bykant.—Calcutta Courier, April 17.

TERM.—APRIL 3, 1837.

The Court gave judgment in *AMELIA DENT v. Deffenza and others*; that is they ordered the cause to stand over for want of Mr. Henry Alexander, and Josiah Dupre Alexander, surviving executors of the will of John Blythe, deceased, being parties to the suit before the Court. The Court stated they could make no decree until these gentlemen either appeared or gave powers of attorney to some one to appear for them. The probability is, therefore, that there will never be any decree in this cause, which has now lasted about 12 years, and it is a beautiful thing to see with what care justice is administered in this world.

Grignat v. Brillard.

The Court ordered a reference to the master.
—*Hurkaru*, April 4.

Roots v. Cockerell.

The court gave their decision in the motion and cross-motion in this cause, agreeing in all but one point, on which Mr. Justice Malkin differed. His lordship was clearly of opinion, that the agreement between Mr. Roots and Cockerell and Co. gave the former possession for one year, and that defendants could not remove him for mismanagement; an intermediate construction, however, might be put on the agreement, viz. that though Cockerell and Co. could not remove plaintiff for mismanagement, they were not, by the agreement, precluded from removing him for misconduct. The learned judge did not say that the misapplication of indigo seed was misconduct, but it was for Roots to show the contrary, and, under the circumstances, he was of opinion that a new trial ought to be granted. The motion for a new trial on the ground of the mortgage being satisfied could not be sustained; and, as to the second ground of the motion, the value of the indigo, Cockerell and Co. may be compelled to set it off in account, the decision in the present proceedings not being prejudicial to the plaintiff's claim to the value of the indigo.

The Chief Justice and Mr. Justice Grant agreed with Mr. Justice Malkin on all but the one point above mentioned. Their lordships thought that the agreement gave Roots possession against all the world for one year, and that misconduct would not put an end to the contract. As to the other motion, their lordships were quite clear that it could not be sustained; the question was not whether the mortgage was satisfied, but whether the debt was extinguished; and it was beyond a doubt that plaintiff remained indebted to Cockerell and Co. The indigo, by the agreement, was to go to Cockerell and Co. and plaintiff by the decision of the court, was not precluded from bringing his action to recover back its value.—*Both rules discharged, each party to pay their own costs.*—*Englishman*, April 4.

APRIL, 12, 1837.

The Supreme Court were engaged yesterday in the argument in *Pollock v. Robertson*, but the arrival of European news prevented our reporter attending in time to hear the commencement of the proceedings. We understand the case is of much interest, and we will endeavor to give the particulars in a day or two.

APRIL 25, 1837.

IN CHAMBERS.

George Pollock v. Thomas Robertson and Jane Butler.

On the 11th of the present month, this cause was argued by Mr. Prinsep and Mr. Cookrane for the complainant, and by Mr. Laish and Mr. Grant for the defendant, the Reverend Mr. Robertson. The bill was taken *pro confesso* against Mrs. Butler.

The court took time to consider, and to-day delivered judgment in chambers.

The Chief Justice stated that this was a suit brought by one executor, who had under another decree at the suit of infant legatees been obliged to pay the whole amount of their legacies lost in the failure of Messrs. Alexander and Co., for contribution against his co-executors, and to compel them to pay to the complainant their shares of the amount so paid by him. As to the executrix and defendant Mrs. Butler, the court were clearly of opinion that she was liable to contribution as she had given an express direction and consent as to the disposal of the trust funds. But as to Mr. Robertson, the case differed, the principle which decided cases of this nature was laid down expressly in the case of *Lingard v. Bromley*. 1 Vesey and Beames's R. p. 117, which was cited in the argument by the counsel on both sides; that principle is that persons may be all liable severally as well as jointly to indemnify a third party; and yet ought not in equity to bear the burthen equally among themselves.

In the first suit we thought Robertson clearly, jointly with his co-executors, Pollock and Mrs. Butler, liable to the third parties therein the *cestui qui trusts*, the infant legatees; and this chiefly upon Robertson's letters of 8th November, 1820, and 11th January 1821, addressed to Alexander and Co. By those it appeared he gave his consent to appointing Alexander and Co. as agents to act for the executors, and to get in the monies of the estate; this he had a right legally to do during the first years of the executorship. There were two other letters written by him to Mrs. Butler in 1826, from which we thought that he must have previously obtained information as to the state of investment of the trust funds, and that as to third parties he was bound to act in securing those funds. It is, however, quite clear from the whole of the evidence in this case, which the court has most carefully perused, that Pollock was the acting and managing party in the affairs of this estate, and that too from the beginning to the end. He took upon himself, the sole and entire disposal of the property, and Robertson took no charge, was never referred to, and gave no directions.

When the first year of the executorship was about to expire, Pollock wrote a letter to Alexander and Co., which is most important. In that letter, which is dated July 1821, he gives Alexander and Co. full power of authority to invest the trust funds in whatever way they might think proper. They place it in the hands of the firm as a permanent cash balance, and in August of the same year they render Pollock an account current shewing that it was so invested. Then in August 1826, he wrote another letter giving them full power to act in all matters relating to the estate in such manner as they thought best "without reference." Nothing is said in any of his correspondence of his co-executor, but every thing done by him as if he had none, was solely acting and disposing of the money, and directing the affairs of the estate. When Robertson was applied to in 1826, by Mr. Bracken as to the disposal of the commission, his answer expressly states that he never had acted in the concern, and was ignorant of all that had been done, and every thing shews that he in fact never did act after his leaving India in 1821, but that Pollock did every thing, corresponded with Alexander and Co., gave directions, received alone the accounts current, and was treated by Alexander and Co., as the sole executor; even down to within a few days of the failure we find Pollock acting as if he were sole executor, in a letter written to Moran, one of the infant legatees, seeking from him and the other legatees indemnity against him (Pollock's) own responsibility in placing the money in the hands of Alexander and Co., he never once refers to his co-executor Robertson or to his sharing his responsibility.

Pollock must in this suit stand upon his own equities. Is it equitable that such an executor, who has assumed sole power and control, who has managed and disposed of the estate as he thought proper, and acted independently of, and never even consulted with his co-executor, that he should recover against that co-executor who has never acted, the monies which he has lost by his own imprudent acts? We think not, and that Robertson is not liable to contribution. But under the peculiar circumstances of the case we will not give

Robertson his costs of this suit. The complainant's bill must be dismissed as against Robertson without costs, but Mrs. Butler must contribute her share of the loss, and pay costs.

Mr. Justice Grant and Mr. Justice Malkin, fully concurred in the present decision, and in the propriety of the former decision, stating their reasons at considerable length, which we unfortunately have not room to report.—*Englishman*, April 27.

INSOLVENT COURT.

APRIL 8, 1837.

The Insolvent Court was crowded on Saturday in consequence of it being understood that Mr. Justice Malkin would give his decision on the application of the retired partners of the late firm of Cruttenden and Co. Sir Benjamin, however, shortly after entering the court, intimated to counsel, that the pressure of business in the court above had prevented him giving the case that consideration which is necessary in order to arrive at a right conclusion. He would not now go into the main question or express any opinion thereon, but as to the preliminary objections urged by Mr. Leith, his lordship intimated that all would be over ruled save one, viz., that the parties making this application are not properly before the court. He thought there was a deficiency as to the powers alleged to be held by Mr. Davidson [as we understood] attorney for Mr. Learmouth to whom Mr. G. Mackillop has assigned his claim. But still, Sir Benjamin Malkin thought this deficiency was not fatal to the application, it might be supplied, and he would give them an opportunity of supplying it accordingly.—*Oriental Observer*, April 8.

APRIL 22, 1837.

In the Insolvent Court on Saturday Mr. Justice Malkin delivered his judgment on the application of the retired partners of the late firm of Cruttenden and Co. for an order that the assignee do pay them the dividend on their claims admitted on the schedule. The learned judge entered at great length into the nature of the application and the principle of law applying to it. As to the former our readers are already well acquainted with the particular circumstances under which the retired partners claim, and as to the latter the learned judge's decision was too elaborate to be more than touched upon in a brief report. His Lordship put aside the question of the solvency or insolvency of the firm at the particular periods when the applicants respectively retired from the partnership, and treated the question on the authority of the decision in *ex parte Peak*, 1 Maddock, in which it was held that one partner may agree with a retiring partner to give him a sum for the concern, though they knew the partnership to be insolvent, provided no fraud was intended. The whole question turned on this;—did there exist fraud in fact? It were difficult to say whether the firm was solvent or not solvent at the date of the retirement of James Mackillop, it might be less difficult to ascertain the state of the firm at the time when George Mackillop retired; but from the evidence before him, as to absence of fraud and as to the sincerity of the outgoing partners' belief in the solvency of the firm, Sir Benjamin Malkin

said, he could not entertain a doubt. He noticed various parts of the evidence which led him to this conclusion: first, the retiring partners left large sums in the hands of the firm which sums were not withdrawn at the date of failure; secondly, Mr. Woulf, the former book-keeper, a relation of George Mackillop, and a confidential clerk in the concern, left in the house at the time of his return to England, not only the whole of his own funds, but large funds for which he was trustee; thirdly, and the fact was still stronger, at the time of the retirement of Bryce, the valuation showed the firm in a solvent state. Now Bryce was not present when the valuation was made, and it was not the interest of the parties who made the valuation to make the assets appear of more than was their real value, and thus give Bryce a larger amount than that to which he was fairly entitled. It is true, said the learned judge, there are grounds for suspicion, and those grounds are stronger with regard to the retirements which occur at dates subsequent to the retirements of James and George Mackillop. But the evidence of good faith and sincerity is too strong for these suspicions, and it seems to me that the whole of the claims of the retired partners must be allowed, with exception to a part of that of James Mackillop, an error in the calculation, which I will allow him to amend.—*Ibid*, April 22.

IN THE MATTER OF CULLEN AND BROWNE.

JUDGMENT.

In considering the case, which is undoubtedly one of great extent and complication, though not really perhaps of very great difficulty, I propose first to state the general nature of the transactions out of which the claims arise, and then to enquire, what are the principles of law applicable to such transactions, before entering into the minuter details of each particular transaction many of which will become immaterial, if the opinion I entertain on the general aspect of the case, both in law, and fact, be correct. This is the order of investigation which I found most convenient to follow in considering the case; and it will be the most convenient also in expressing the conclusions to which I have come; and the grounds on which I think that all these applications, with a certain variation from the precise application made in the case of Mr. James Mackillop, must be granted.

The agency house out of whose failure these applications have arisen, is one of very old standing, conducted at different times under various firms, and by a succession of partners. In the beginning of the year 1822, the partners were George Cruttenden, James Mackillop, and George Mackillop; the latter gentleman, however, at that time, although responsible as a partner to the

world, was not then really so interested, as were the partners themselves, but received a fixed annual sum, and the whole effects, profit and loss of the partnership were at that time equally divided between George Cruttenden and James Mackillop. Mr. James Mackillop's health had made it necessary for him to go to England in 1820, and although he returned to Calcutta, he was again obliged to quit this country, and determined to retire from the partnership. Mr. George Cruttenden was also ill, and absent from Calcutta, and the period of his return and his continuance in the firm when he returned, were uncertain; he had, however, left with his other partners full powers to act for him in the establishment of any new partnership. Under these circumstances the Deed of the 5th March, 1822, was executed; by which Mr. James Mackillop retired from the partnership, and Mr. Cullen and Mr. Bryce were admitted into it.

As far as the dissolution goes, the provisions of that deed are very simple: it is an absolute dissolution of the partnership, with an assignment by Mr. James Mackillop of his moiety of all the effects, stock in trade, &c., of the partnership, and also of a sum 36,75,448 Rs. being the amount of the nominal capital of the partnership which was in the words of the Deed, "the ascertained and estimated amount or allowance agreed upon, for the losses accrued, and which may hereafter accrue on the outstanding balances, debts, effects, transactions, dealings and concerns of the co-partnership." The Deed of course contains the usual provisions for the new firm taking on itself the outstanding transactions and liabilities, and the usual releases between the parties, except for such portion of the balance due to J. Mackillop, as he might from time to time leave in the hands of the continuing firm. These are the whole of the provisions with respect to the dissolution of the partnership, and all with which James Mackillop is in any way connected, except by a general approbation and concurrence in the admission of the new partners, and the terms of the new partnership: a degree of interference which he might reasonably exercise, as he continued liable for the old partnership debts, till discharged by the conduct of the creditors, and was therefore very materially interested, that the new partners, and the management of the new partnership, which was to secure him against those debts, should be such, as he had confidence in. But the dissolution, was complete and final, and was in every respect, (unless tainted by fraud, or otherwise invalid in law) a binding and conclusive transaction between the parties. There is therefore no foundation for Mr. Leith's argument that the nature of the arrangement was merely a winding up of the accounts, and the transfer of an estimated balance, which might afterwards be corrected without any actual new consideration at the time; there was a complete buying out of James Mackillop by the remaining and incoming partners, for a stipulated sum, the amount he was to withdraw from the partnership; and a complete transfer as between the partners, of all the other claims due to, and of the liabilities of the partnership. The case cited by Mr. Leith of *Belcher v. Sykes*, 6 B. and Co. 234, has no bearing on the question; it was argued on two grounds on only one of which the decision proceeded, and that not the ground for which it was cited. But even the argument, did not proceed on the real nature and effect of the transaction, but merely on a question, whether it was strictly and technically a sale, and a sale of property, within a statute imposing certain duties. The court decided that the subject matter was not strictly property within the statute; they expressed no opinion on the point argued, that the transaction was not a sale: but neither the court nor the counsel raised any question as to its being a real and substantial and binding transaction, except on account of the fiscal objection, which they considered in the strict construction of the words of the statute to be invalid.

Up to this time George Mackillop has no real interest in the partnership property, the whole nominal amount

of the partnership funds was credited in equal moieties to James Mackillop and George Cruttenden, and the amount assigned by James Mackillop as his moiety of the ascertained allowances, &c., has stood in his name, and to his credit, and to be deducted from or debited to his account; and the remaining balance only of 5,08,484, 9-7 was the sum for which he became a creditor of the firm; and for this sum, increased and diminished by subsequent deposits and withdrawals, his present claim is made. The same principle was applied to the other share, that of George Cruttenden, which was also debited with his moiety; these two moieties were put to an account called the Reserved Fund, about which a great deal has been said, in the course of the argument: and the new partnership was instituted in a manner which it is necessary to state, for the Reserved Fund, whether then first constituted, as would rather seem from the deed, or whether it before existed, as I should collect from Mr. Cullen's affidavit, was made from this time, at least in appearance, to play a very important part in the adjustment of the affairs of the firm.

It is to be observed that neither of the continuing partners, after this deduction was made from the nominal sum standing to George Cruttenden's credit, nor the new partners, had any considerable sum in the house, some of them appear to have been indebted to it. This is a circumstance not unworthy of attention, and may perhaps account for some of the provisions of the new partnership; but it does not bear out the observations founded on it, that the transaction must almost necessarily have been fraudulent, for it would rather seem, that some of them at least, were men of some substance, although their funds were not actually invested in the house, and they brought into it at least their responsibility and their labour, if no great amount of disposable capital, such as they were, they formed a new partnership, in terms and on a system of management entirely different from what appears to have before existed.

By the first clause of their agreement, the shares of the partners were determined 3-16th to George Cruttenden, 3-16th to George Mackillop, 2-16th to Cullen, 2-16th to Bryce, and the remaining 6-16th were to be carried to the reserved fund in which, however, the parties are to be interested in the proportions of their respective interests.

By the eighth and ninth clauses annual accounts were to be taken and to be binding on the parties, except in certain cases of manifest error which might be rectified within six months.

22d Clause That in case any or either of the said parties shall happen to depart this life, before the expiration of the said term of five years hereby created, his executors and administrators shall not be allowed to inspect or examine the books of the said co-partnership, otherwise than the private account of such party so dying, nor in any manner to interfere in the concerns of the said co-partnership, and the estate of the party so dying shall be entitled to the sum of Sa. Rs. 20,000, and no more, as, and for, and in hire of his share of the profits of the said co-partnership for the current year, in which he shall happen to die, whether such event shall happen, at an early or late period of such year, and whether the actual share of the party so dying, of and in the profit of such year, would have been greater, or less, than the said sum of Sa. Rs. 20,000, and the executors, and administrators, of such party so dying, shall be entitled to receive the balance of the private account, or the separate funds of the party so dying, at the time, and in the manner, following, and not sooner, or otherwise, (unless the surviving members shall think fit to allow the same to be sooner withdrawn), that is to say, by four equal annual instalments, one-fourth part of the amount thereof at the expiration of each, and every succeeding year, the

first payment to be made at the expiration of one year, from the first day of May next, preceeding the day of the death of such party.

23d Clause.—That in case it shall happen, that any or either of the said parties shall at any time, during the continuance of this co-partnership, be, or become, in any manner incapacitated for the transaction of business, or unable personally to attend to the same, such incapacity or unfitness, to be judged of, or decided by the other partners in the said concern, the interest of such party, or parties, so becoming incapacitated, and unable to attend to business as aforesaid, in the said co-partnership, shall immediately, upon the decision of such his co-partners or co-partner, cease and determine, and he shall be entitled to the sum of Sa. Rs. 20,000 and no more, as, and for, and in lieu of his share of the profits of the said co-partnership, for the then current year, and as provided for, in and by the 22d article of this indenture, in the event of the death of any co-partner during the said co-partnership term.

By the 24th, provision was made for the event considered as probable of George Mackillop's retirement.

And by the 26th, the shares of the remaining partners in that case are adjusted, i. e. 5-12th to George Mackillop, $3\frac{1}{2}$ to Cullen, and $3\frac{1}{2}$ to Bryce, there being no reference in this case to the reserved fund.

These are all the provisions of the deed to which it is necessary to refer, and on this footing the partnership continued till 1827, the date of the next transaction, except indeed that it appears from the arrangements then made that George Mackillop, as had been anticipated, had in the interim ceased to be a partner, and that the remaining partners held their respective interests under the 26th clause.

Before proceeding to state the points on which the arrangements made and George Mackillop's retirement in 1827, differed for those made in 1822, it will only be necessary to advert to the points of difference, it may be convenient here to consider the real nature and effect of this reserved fund. And when examined it seems of much less importance than has been attributed to it, and to resolve itself into little more than a contrivance, and I should have thought a clumsy and inconvenient contrivance, for keeping the account of the partnership, and distinguishing in some degree between nominal or speculative and real capital. The transfer of the original sum of 36,75,448 Rs. was obviously and merely of this nature, and the annual appropriation of the 6-16 on the apparent profits, can only have been a rough approximation of the same kind, to enable the reserved fund to represent, with more or less accuracy, the actual amount from time to time of the necessary allowance for commission without the trouble of unnecessarily making a tedious and elaborate valuation. Besides this general object, there appears also from Mr. Cullen's affidavit, to have been an incidental convenience on the establishment of this reserved fund, in facilitating the valuation of the profits of the firm, when such valuation became necessary. According to his statement, no actual valuation was made except of debts which had become doubtful or precarious, since the last valuation; all which had previously been so remaining on the reserved fund, as a matter of course, unless probably, where there had been any sums actually realized, or any debts written off as absolutely desperate. But these charges, if they were made, would not effect the reserved fund, except perhaps on some questions of the computation of interests, from correctly representing the state of those Claims, which had been considered doubtful at the period of the former settlement, and still remained so. There may, however, be some doubt, whether Mr. Cullen, who does not appear to have been in any case very actively concerned in the valuation, is correct in his notion of the manner in which they were

made, for the valuation made in 1827, and the retirement of George Mackillop, appears on the face of the schedule, to have been a valuation; of the whole amount of losses, not only of those since the last valuation; and Rusomoy Dutt, who with Mr. Browne, made the valuation on Hutton's retirement, expressly states, that all the accounts were examined, and that each debt was examined in detail. But whichever of these representations be correct, the character of the reserved fund is the same. At the time of the retirement of each partner, there was an accurate valuation made (as far as so conjectural a proceeding can be treated as accurate) for the purpose of determining the amount, with which he ought to retire; but the reserved fund, as carried forward for each valuation, with the appropriation of profits made to it, was a mere rough approximation or estimate, and did not, with one occasional exception, in any way vary or affect the interests of the continuing partners. That one exception arose out of the claim already stated, respecting the death or removal of partners, in which case, as the amount standing to their credit in each annual account, was affected by the sum carried to the reserved fund, and as on such termination of their interest they were to receive that amount with a certain compensation for the current year, their actual interest was substantially affected by the existence of the reserved fund. It was only in this case, that any real effect was produced, for though the annual accounts were in all cases affected, yet they were all affected in the same proportion; and, consequently, on any real valuation or the retirement of a partner, if the reserved fund proved to be either above or below its proper amount, any sum thus introduced would be corrected by the transfer of the excess or deficiency to or from the private accounts of the partners.

I have thought it necessary to enter thus fully into the nature of the reserved fund, because much importance has been attached to the manner, in which it has uniformly, at each successive valuation, required increase, and an inference has been drawn from this, that the valuations were inaccurately, if not fraudulently made, an inference which cannot, I think, be supported, when the distinction is observed between the careful valuation in which the fund is in each instance constituted and the loose and rough estimate by which it is annually increased, and when attention is paid to the very small real importance of this annual variation. How little value was attached to it in fact, appears from the next Deed of dissolution which I now proceed to state, and in which no notice is taken of the former reserved fund, but a new one is constituted on the new valuation, and in which the shares of the partners are stated on the footing of the 26th clause of the former Deed as they stand after George Cruttenden's retirement, and in which, as I have already mentioned, no reference is made to the reserved fund.

The Deed now in consideration, that of February 7, 1837, consists like the preceding one of two parts: the dissolution of the old partnership by the retirement of George Mackillop, and the constitution of the new one by the accession of Messrs. Hutton and Browne. A new valuation appears to have been had, and the amount of the reserved fund was increased to 49,16,000, the sum being composed partly of the actual amount then standing to the account of the reserved fund, partly by a transfer of certain other accounts and additions to it, which had not previously been included in it, and partly by a transfer of 1,80,483-5-6 from the separate accounts of George Mackillop, Cullen, and Bryce, which accounts were accordingly debited with the several sums of 100,000, 40,241-10-9 and 40,241-10-9 respectively, sums not nearly corresponding to the proportion of their interests to each other. On this footing George Mackillop retired, receiving also 100,000 beyond the amount

then standing to his credit, as a consideration for his retirement, setting this sum against the amount debited to him as his proportions of the necessary increase of the reserved fund, really retiring with the exact sum then standing to his credit in the books. This retirement therefore is distinguished from the former, by appearing, although a valuation was made as before, to have been adjusted with less accuracy and more on a footing of loose and general compromise or adjustment; for it is hardly possible to treat the exact correspondence of the Jack agreed to be given for his retirement on one side and taken for his share of the addition to the reserved fund, on the other, or any thing but a rough and summary way of striking a balance, especially when we find that the sum so debited to him for the reserved fund, considerably exceeded his proper proportion 5-12 of the whole amount required. In the former settlement the partners had been debited accurately with the moiety due from each of them, subject however to this observation, the dissolution of partnership on George Mackillop's retirement, was similar to that on J. Mackillop, and need not be more particularly stated.

Nor is there any occasion to state in detail the provisions of the new partnership, of which the first clause provided for the continuance of the reserved fund, on the old footing, and the division of interests between Cullen, Bryce, Hutton, and Browne, in the proportions of 5, 4, 3 and 3 respectively; except by stating that they generally were very similar to those of the former deed. There was, however, one very material alteration in the case of the death, incapacity or absence of any of the partners.

22d Clause.—That in case any or either of the said parties shall happen to depart this life before the expiration of the said Term of five years hereby created, his Executors or administrators shall not be allowed to inspect or examine the Books of the said copartnership otherwise than the private account of that party so dying, nor in any manner to interfere in the concerns of the said copartnership and the Estate of the party so dying shall be entitled to his share of the profits of the said copartnership up to the day in the current year in which he shall happen to die, when his interest in the said copartnership shall cease and determine, and that such share of profits shall be ascertained and determined by or surviving partners, without interference in any way whatever, by the representatives of such deceased Partner and the executors or administrators of such party so dying shall be entitled to receive the balance of the private account or the separate Funds of the party so dying (subject to such modification as shall have been agreed upon the last estimate signed by the said James Cullen, David Bryce, Thomas Hutton and Robert Browne, or the survivors of them of the losses of the said concern) at the time and in manner following, and not sooner or otherwise, (unless the surviving members shall think fit to allow the same to be sooner withdrawn) that is to say by four equal annual instalments, one fourth part of the amount thereof at the expiration of each and every succeeding year, the first payment to be made at the expiration of one year from the first day of May next preceding the day of the death of such party.

23d Clause.—That in case it shall happen that any or either of the said parties shall at any time during the continuance of this copartnership be or become in any way incapacitated for the transaction of business or unable personally to attend to the same (such incapacity and unfitness to be judged of and decided by the other partners in the said concern) the interest of such party so becoming incapacitated and unable to attend to business as aforesaid in the said copartnership, shall immediately (upon the decision of such his copartners or copartner,) cease and determine, and he shall be entitled to his share, of profits of the said copartnership up to the

day on which such incapacity and unfitness shall be so decided on and no more, and that such shall be ascertained and determined in the same way and manner as provided for in and by the preceding twenty-second articles of this indenture in the event of the death of any copartner during the said copartnership Term.

24th Clause.—That in case any of the said Partners shall be compelled, either by ill health or any other cause, to proceed to Europe, the Cape of Good Hope, or any foreign settlement with the prospect of being absent from office more than four months, it shall be optional with the remaining partners either to close his account, and determine and put an end to his interest in the said concern on the date of his departure, or (as they may think fit) to continue his interest in the said concern and appropriate the profits that would have accrued to him during such his absence to themselves, allowing him until his return, which shall not exceed two years, a half from the day of his departure, at and after the rate of one thousand pounds sterling per annum. Provided always that in each of such cases the election and determination of the remaining Partners shall be communicated to the party so taking his departure prior to such departure, if requested, in writing by him.

It will be observed that the 24th clause provided for a contingency not contemplated in the former deed, except in the case of George Cruttenden; and that all the clauses contain this very material variation, that instead of giving the dying, incapable or absent partner a stipulated sum, in addition to his last annual balance, he was only to have his actual share of the profits of the partnership, up to the day on which his interest ceased, and this amount was to be determined by his copartners, without allowing his representative to interfere in the settlement. By these provisions the only substantial effect of the reserved fund, such as I have represented it, was almost entirely done away with. But if they are material on this account, they are much more so with reference to subsequent transactions; for all the transactions which remain to be stated, arose out of this 24th clause. In the beginning of 1828, Bryce was obliged to go to England, and the other partners used the power given to them by that clause, determined the partnership as far as he was concerned, and proceeded to assess the value of his share in the property. It is material to observe, that this was done on his departure, not on his death, and the Cullen therefore, as far as he was at all concerned in the arrangement, was concerned as a partner only, and not as executor of Bryce, the arrangement made was undoubtedly at first right, an extraordinary one though it may perhaps admit of explanation, for the continuing partners, who by the terms of their deed, had the power entirely in their own hands, made indeed a regular valuation as before, and as usual, thought it necessary to increase the amount of the reserved fund, but they did not as before, increase it out of the shares of all the partners either accurately, as in the case of James McKillop's retirement, or loosely as on George McKillop's, but they took the whole necessary increase out of Bryce's share. It does not indeed distinctly appear, whether the sum so transferred was the whole increase judged necessary, for the reserved fund, or only Bryce's proportion of such increase, but the fact is undoubted, that from Bryce's account only, was any transfer made, and that if the continuing partners were considered liable, as on former occasions, to contribute, their accounts, at all events, were not debited as before with the necessary contributions.

There remains the retirement of Hutton. On this occasion also, valuation was made, and a sum transferred to the reserved fund; and on this as on the last occasion the retiring partner only was debited with the transfer. The case, however, calls for less discussion than the former, because Hutton as a consenting party retained

the power of remaining here, in the business, if dissatisfied with the terms proposed by the other partners, who had the power of valuing given them. It is to be observed, that in this case, as on the retirement of George McKillop, though an actual valuation was made, the terms agreed on seem to have been matter of conjecture or compromise, for Hutton retired with an even sum of two lacs, which could hardly be the exact amount due to him on an accurate valuation.

These are the several transactions out of which the present claims arise. Nothing further need be stated before we proceed to enquire into the law applicable to such transactions, except the situation of the parties, actively opposing the claim of the retired partners, and also of those who, without taking any part in the opposition, could benefit by it, if successful. They are all persons, who have come in under the commission issued against Cullen and Browne, claiming as against them, the whole amount of the debts due to them, and having the whole amount of their assets at the time of their failure applicable, and applied to the discharge of their claims. It is said, indeed, that they or some of them, were creditors even at the time of James McKillop's retirement, and ever since; but no distinction is made between the debts then due, and the amount at the time of the failure. It is difficult, I think, to conceive a much stronger case of consent from time to time to treat the continuing partnership, as their debtor than is furnished by this complete blending of the accounts, and in the case of Jas. McKillop, the inference is yet stronger, from the circumstance that he was never a partner at all, with either Cullen or Browne, nor even ostensibly so with Browne, who did not join the firm till long after Jas. McKillop had been advertised out; they could never, therefore, have been in any way responsible for the same debts. Geo. McKillop also was never really a partner with Browne, though the observation is of less importance, in his case, since they may have been for a time from want of notice of Geo. McKillop's retirement, jointly responsible. The importance of these observations will at once appear from some of the expressions of the Master of the Rolls in *ex parte Peake*.

Since *Anderson v. Maltby* there is a long string of cases, *ex parte Ruffin* 6 ves. 191, *ex parte Taylor* 14 ves. 446, *ex parte Fell* 10 ves. 347, *ex parte Williams* 11 ves. 3, *ex parte Slow*, C. K. B. L. 539 and *ex parte Rowlandson* 1 Rose 416, in which it is established, that joint creditors have no equity as against the joint effects, but what they claim through the medium of the partners themselves—that a joint creditor, if he does not take the remedy that the law gives him by action, and by proceeding to seize upon the joint effects, has no lien upon them: his equity to have the joint effects applied to the joint debts, is through the medium of the partner, and for the sake of the partner, except in those cases where a Bankruptcy or a death takes place, in which case the equity operates through the medium of the deceased partner, or the partner who has become a Bankrupt. Then you arrange for the payment of the debts by the joint effects and they become divisible in that way; but if joint creditors do not interpose, the two partners, if they make a fair contract *inter se*.—if they do actually dissolve the partnership, if they fully effect a dissolution with a contract for division of the property,—if they make an actual assignment by Deed,—if possession is delivered upon that, and enjoyment makes it perfect,—if all these circumstances take place, and there is nothing of fraud impeaching the transaction, then, of consequence, as is determined in all these cases, the joint property becomes separate property by virtue of that contract, and the joint property is throughout to be treated as separate property, and the joint creditors cannot follow it afterwards, but it becomes the separate estate of the partner remaining, and the retiring partner has lost all his benefit from it and the joint creditors although they may undoubtedly proceed against the two partners, (for their agreement to dissolve does

not deprive the joint creditors of their right of applying for payment to those who are responsible to them) but with respect to the effects, they become from that moment the separate property of the party who has brought them just as much as if he had acquired them in market overt of any stranger. These principles are all wrong if this contract is not good. How can the separate creditors in June 1815, go back to the transaction in October 1814, and say that the contract then entered into was not good? They must claim and operate their equity through.

Lightoller to invalidate it, and I have shown he had no equity to impeach it. Upon what ground do these Assignees impeach it? They are the Assignees of the separate estate. What right have the Assignees to this as separate estate? If the contract is good for nothing it is joint estate, all this freehold property and all the utensils and every thing else ought to be considered as joint property if this deed is good for nothing. How can that possibly be? They receive it and so did Lightoller, he obtained credit upon it as his separate property. It is impossible to undo it, after an interval from October to the June following, when he was held out as the sole owner, when he acted as the sole owner, when there was a conveyance which put him in possession as sole owner, they cannot be made joint effects but they must be the separate property of Lightoller. Then you must apply that principle throughout. How do they become so? By virtue of this contract. Then is not this contract good? Can you in one breath say, I take it as separate estate, and yet say the contract is good for nothing, and I will not pay for the separate estate I have thus acquired? But if they are willing to say, we abandon it, and take it as joint property, they cannot do that,—it has become separate property and if it has once become separate property it must be treated so throughout. Then if it has become separate property what is the simple result? Why that you must pay for it according to the ordinary case, you have bought an estate and have not paid for it. It has become yours, it is yours absolutely, it is to go as your separate property, but subject to the equity always attaching on property bought to answer for the purchase money if it has not been paid. In that view of it, it appears to me a very simple case, and that supposing the circumstances of the state of the account at the time, and the manner in which it was brought, and the dissolution to be as stated, those facts make no difference, provided there be no circumstances of fraud which are put out of question on this case. They separate creditors of Lightoller are bound to consider this (as they do consider it) as separate property, and their debts have been contracted on the footing and faith of this becoming separate property. To that extent they have a clear right to hold it as separate property against the joint creditors, but upon the same principle that I secure to them all this property as becoming the separate property of Lightoller from the moment of this contract, of necessity they must pay for the estate upon the principle that the estate must pay for that contract by virtue of which it has become separate property.

It is not very easy to say that on these grounds the mere fact of the manner in which all the parties claiming under this insolvency are interested, does not prevent them from objecting to the applications now made in law, unless on the ground of distinct and absolute fraud. But if this be a probable result from the new relation of the parties it is one which follows much more conclusively from other principles established by the same case of *ex parte Peake*, which has been referred on both sides as containing, and which undoubtedly does contain the fullest and most complete exposition of the law in this subject. It will not therefore be necessary to refer to all the cases reviewed in it, but taking that case itself as our guide it appears to be fully established, that the mere fact of the insolvency of a partnership at the time of a dissolution does not invalidate the claims of the retiring partners, arising out of that dissolution if it were made

ability between the parties themselves and that cases may exist (for the dissolution between Peak and Lightoller was treated as such a case) where even the knowledge of the partners that the firm was insolvent, would not prevent the dissolution from being a bonafide transaction, now if this can be law and its being so, is not even called in question it follows, that the whole question turns on the existence, or non-existence of actual fraud, that there can be no fraud in law, arising out of the situation of the parties, of which they were or ought to have been cognisant, but that there must have been fraud in fact. The principles on which the question is to be decided, cannot be more distinctly stated than they are by the Master of the Rolls in p. 357. The ground on which the Assignees have endeavoured to defeat the contract, is upon an idea that they have a right to go back to the transaction in October 1814, and that finding the partnership involved at that period, and the affairs not then wound up, they have a right to take the account against Peake, and to make him responsible for part of the joint debts afterwards paid by Lightoller, these debts being so paid by the sale of goods, furnished to Lightoller, by the new creditors; those creditors having, it is contended, with respect to such joint property, an Equity which the Bankrupt himself had not. I admit, that if two co-partners enter into a contract, for the purpose of defrauding their joint creditors, the one agreeing to permit the other to withdraw money out of the reach of the joint creditors, such a contract is fraudulent, and invalid. That I take to be the principle upon which *Anderson vs. Maltby* was decided. It has been said, that case has been shaken by the Lord Chancellor. However that may be, and whatever may be its authority, it does not appear to me to affect the present case. In that case there was strong ground to believe a fraud was intended, and it does not warrant me in declaring generally that the mere circumstance of the partnership being at that time in such a state that their joint effects were not sufficient to pay their joint debts, will, perse, be sufficient to invalidate a dissolution of partnership made fairly between the partners themselves; no fraud was intended by Lightoller; he paid the joint creditors, there was, therefore, no contrivance with Peake to put the joint effects into a state to benefit Peake. *Anderson vs. Maltby* therefore does not apply.

It is perfectly consistent with these views to say, as I should undoubtedly be disposed to say myself, and as I understand other judges to have said here on similar occasions, to whom a reference was made on the argument, that in the conduct of a business of the extent and nature of that now under question, it would be hardly possible to conceive a case in which a partner, retiring with the knowledge, or rather in the belief that his firm was insolvent, and drawing out a considerable sum of money from, or establishing a personal claim against such insolvent firm, ought not to be considered as attempting fraudulently to withdraw himself from his responsibilities; and to obtain a payment, or credit, to which he was not entitled. But the decision in *ex parte Peake* establishes this, that it is only as evidence of actual fraud, that even knowledge of the insolvency is material, and that the mere fact of insolvency itself, is of no importance whatever except as evidence, from which that knowledge may be inferred, for the purpose of using it as evidence, and as evidence only, of the fraudulent design. In other words, *however foolish or sanguine the views of the partners may have been, if they were sincere, the arrangements founded on them will be binding.*

But if this be the real question for decision, the case seems to me to have come to an end. With respect to the earlier adjustments, those on the retirement of the two Messrs. MacKillops, it would be very difficult, I think, at this time, to come to any satisfactory conclusion, whether the house was then really solvent or insolvent.

With respect to the later adjustments, it is almost impossible not to suppose, that they were made on an erroneous view of the prosperity, and stability of the house. I shall have occasion to advert again to these circumstances, and will not dwell upon them now. But with respect to the sincerity of the transactions, and the manner in which all parties ought to arrive at the truth, and believe they had reached it, it seems to me difficult even to entertain a suspicion, unless the mere fact that a conclusion if erroneous is to be treated as decisive evidence that it is dishonest, a rule which will hardly be adopted by any one who remembers how much individual character influences opinion, and with what certainty, especially in cases of deep personal interest, a sanguine man overrates, and a desponding man undervalues, his actual situation, and his probabilities of success.

My reasons for thinking these bonafide transactions, may be very shortly stated. I pass over, not as thinking them immaterial, but attaching more importance to other parts of the case, the affidavits of Mr. Cullen and Mr. Leighton, as to their opinion of the stability of the firm, and the reasons of its failure notwithstanding. I pass over also the opinion of the Meeting of creditors of 1833, to which, especially with Rossmoyne Dutt's declaration, as to the manner, in which the deductions were then estimated, I attach no value whatever: those gentlemen, however competent to form an opinion on ascertained facts, had no facts before them, on which real dependance could be placed. But I find those facts undisputed. All the retiring partners left large sums in the firm this is of course a very strong evidence that they considered it a very beneficial investment. The absence of evidence to this effect was much relied on by the Court in holding retiring partners liable in *David v. Ellier*, 5 B. and C. 196, a case in which the law was enforced as strongly, as in almost any which can be cited against the retiring partner, but in which the only claim made, unlike those under the present insolvency, was against all the old partners, and only for the debt due from the old partnership. But still stronger evidence of what a person intimately acquainted with the transactions of the firm might believe, is furnished by the conduct of Mr. Wolfe, the former book keeper, and the person of all men, best acquainted with affairs of the house, and who himself left his own funds to a large extent, and according to the practice so unfortunately general here, large funds also, of which he was a trustee, in the hands of the house when he quitted it. The retiring partners might have had some notion of acting illiberally, or dishonorably, if they withdrew their balances; but Wolfe could hardly, especially after the retirement of Mr. G. Crutenden, to whom he is said to have been related, have so acted except from his notion of his own interest.

A still more material circumstance is the manner in which the valuations were made! The absence of valuation was one of the circumstances most relied on by Lord Loughborough, when he treated the dissolution in *Anderson v. Maltby* as fraudulent. "It is a transaction as upon a supposed settlement of account, without any examination of the books, discussion of the vouchers, estimate of stock made up; a way in which no partners ever settled their accounts." Upon a dissolution 2 v. 9250. But the evidence of good faith, is peculiarly strong in this case, when we consider the enormous labour and tediousness of the valuation; a valuation not made by any rough assessment, but by minute consideration of an estimate of each particular debt, and being the employment, as I think it was stated, though I cannot find it upon my notes, of several weeks or some months: a period, indeed, to which, considering the extent of the transactions of the firm, a valuation so made must almost necessarily have extended. All this is intelligible and consistent, if the object of the parties were to ascertain the real condition of the firm: but surely, if it were a mere blind to conceal a fraudulent transaction, it is the

most laborious and inconvenient mode of endeavouring to throw dust in the eyes which was ever resorted to.

But the strongest argument yet remains to be stated. In the case of Bryce, there was only one party to the valuation, the continuing partners; but their interest, were intirely adverse to his; and it is impossible to suppose they allowed him more than they were satisfied he was entitled to. In all the other cases the valuations were made between parties having adverse interests. The Counsel in opposition to those claims, felt the importance of this fact, and attempted to obviate its effect, by referring to the circumstance, that Cullen and Bryce, brought no capital into the firm, and might therefore be glad to get into the firm upon almost any terms. The argument, such as it is, does not apply to Browne and Hutton; nor is it in any case to think of much value. Whatever were their own situations it could not be their interest to give more, than a fair value for the business they were to be admitted into, or to allow James Mackillop to withdraw more than his fair share of the assets of the partnership; and even if it were established that he had driven rather a hard bargain with them, the fact of their having consented to unfavorable terms, would furnish strong evidence, of the real value they attached to the possession of a share in the business. It was said also that the incoming partners were ignorant of the business, and therefore easily liable to imposition; but this observation does not apply to Cullen who had for some years been employed in, and familiar with the transactions of the house, nor in any case to the continuing partners, whose interests were necessarily identical with those of the incoming, and adverse to those of the retiring partners.

The inference of good faith and sincerity to be derived from these circumstances, is in my mind much too strong to be rebutted by mere evidence, that the opinions formed were even grossly and absurdly wrong. And it is not pretended that the evidence furnished by the examination of the accounts goes further. It may therefore seem unnecessary to proceed even briefly, to discuss the case made in opposition to these claims. But these cases are of so much importance, and it is so desirable that the parties should not incur additional expense, unless they have some reasonable prospect of benefit from it, that I will advert generally to the principal heads of evidence adduced, for the purpose of shewing, that many of them do not, if I am right as to the general principles, involved in the decision of these cases, really bear out the conclusions, sought to be drawn from them; and that in some instances also, at least to very considerable portion of the claims, there exist other and independant answers to the opposition made to them.

For this purpose it will be most convenient to begin with the earliest case, that of James Mackillop. Any observations made on it, which apply to the others, need not of course be repeated.

Now it is in the first place to be observed, that the valuation made, was of the assets of the firm of 1822, the date of Mr. James Mackillop's retirement, as between himself and his partners. Captain Wardlaw's affidavit refers entirely to the state of the accounts of 1825, when James Mackillop was advertized out, and therefore bears very indirectly on the question of the good faith of the prior valuation. And the same observation applies to the affidavit with reference to George Mackillop's case, which is made as to the state of affairs in 1831, whereas this valuation was of their state in 1827. If the solvency of the firm at the time of the effectual retirement of the partners were the question, these affidavits would be very material. But with reference to the good faith of the valuations and dissolution, they seem

rather to support them to invalidate it; for we find, looking to the items, and embracing them also with Russomoy Dett's evidence, that in each case every debt was dealt with according to its particular circumstances; the whole, or a part of the debt being off, as the recovery was considered more or less desperate. [Here the learned Judge read from the schedule of Captain Wardlaw's affidavit several items of debts and commented on them.]

These observations apply to the schedule B and E, the schedule C. which comprizes debts treated as bad or doubtful; the schedule of the insolvents twelve years after the valuation does not require any particular notice. Another objection, however, is made to a particular portion of James Mackillop's claim, which is derived from the transfer of a large sum from Bryce's account to his, contrary as it is said, to the terms of partnership by which no partner was to draw out more than a given sum in the year. There is however, no reason for supposing that this was not done with the privity and consent of all the persons interested, who must have been cognizant of it, and might waive a stipulation introduced only for their benefit and security; nor if this were otherwise, is the objection one which the parties making this opposition, or the general body of the creditors, can be interested in making. As between James Mackillop and Bryce's representatives, neither of whom impeach the transaction, it must be taken to be correct; and as to the creditors, if deducted from James Mackillop's claim, it would have to be added to Bryce's balance, and they therefore could derive no benefit from the transfer, unless contrary to their agreement, and in any opinion James Mackillop's claim can be enforced but Bryce's cannot.

There is however, another objection to the claim of Mr. James Mackillop affecting its account only; for certainly the sums stated in the Schedule A. of Captain Wardlaw's affidavit cannot, without further information, be exactly reconciled with those deposed to by Mr. Cullen. I do not in this speak of the clerical errors of 1822 or 1825, as explained by Mr. Swinhoe's affidavit: for in this respect, when that error is corrected, there is no inconsistency, but there is an apparent discrepancy in the sums previously drawn out, which will very likely be removed by inspection of the Books. The Assignee is not a party, to the present litigation, beyond requiring the order of the Court, before he proceeds to make the payment: but the creditors have a right to his vigilance, and I shall not therefore order in this case the payment of the sum claimed, but of the sum, which on inspecting the account of James Mackillop with the firm, shall appear to be due. In all probability, when the Books are before him, he will find the amount claimed to be correct: but I will not, on the extract furnished to me, take upon myself to state in a case when it is disputed, whether it is or is not so.

Before quitting the case of James Mackillop, there is one observation which may materially affect the expediency of instituting any further proceedings concerning his claim; though it is not the ground on which I have framed my opinion. Whether the amount of his claim is correct or not, it is clear on both statements, that he has, since the dissolution of the partnership, drawn from the firm a sum more than sufficient, had there been no transactions on the other side of the account, to exhaust the whole balance due to him on the dissolution. It is a question very fit for the consideration of the counsel opposing his claim, whether he could not have a right to apply these payments to him, to the satisfaction of his original claim, which would then be extinguished; and whether then any balance due to him, which would then necessarily result from subsequent deposits, would not be

a sum free from all partnership considerations, and entitled to payment exactly on the same footing as the balance due to any other depositor. It does not appear, whether the same question could arise on any of the other claims, if it does, it is of course equally fit for consideration then.

The questions arising on George Mackillop's retirement, are nearly the same, and need not be again discussed. The lapse of time before the insolvency, indeed, is not so great, and the schedule C, therefore, is entitled to somewhat more attention in this case, than in the other; but not enough to require any detailed discussion. There is an interval of seven years, even in this case. There is, however, a new schedule introduced, which calls for some observations, or rather perhaps, which leads to the consideration of a class of cases which seems to have been estimated on very fallacious principles. I mean the debts secured by property or insurances and which were treated as good assets to the whole amount of the constantly increasing debt. Whether they were rightly so treated, must depend on the circumstances of each particular case; while the debt continued within the value of the property, or the security they were so: when it exceeded that value, they ceased to be so. But we find from Russomoy Dutt's evidence, that in cases where there was no hope of payment in any other way, the sums treated as recoverables were from time to time diminished to any amount, which it was supposed might be obtained: and it is difficult to conceive this done at all, unless it were done bona fide with a view of really correcting the estimates. These are perhaps the most questionable points of the valuation, certainly those, on which it seems to me most difficult to suppose that the valuations were made correct on a safe principle: but there does not appear to me to be enough, when viewed in conjunction with the evidence already stated on the other side, to establish a case, or to raise any material suspicion, that the valuations were not fairly and sincerely made.

There is only one particular objection arising out of George Mackillop's retirement. It appears that after his retirements a large sum of 90,000 Rs. was transferred from his account to Hutton's; and another I believe of the same amount to Browne's. This appears to have been in correction of some real or supposed error in the previous settlement, and it is consequently relied on not as affecting the correctness of the balance claimed by George Mackillop, which it reduced, but as showing the invalidity or suspicious nature of the valuations. I confess it has not that effect on my mind. The nature and history of the transaction is not very well explained, though the allowance is said to be one which George Mackillop was not compellable to make; but it is clear that it took place exclusively between him and the incoming partners, Hutton and Browne; (both of whom brought money into the firm) that Cullen and Bryce had no share in it, neither contributing to the amount received by those gentlemen nor receiving any corresponding sum from George Mackillop, and that the settlement therefore, whatever it was, proceeded on grounds not affecting the general valuation, in which all the parties would have been alike interested.

The next case is that of Mr. Cullen as executor of Bryce. It differs in its circumstances very materially from any other, and for sometime I inclined to think that the result must differ also. The character of a regular transaction and contract between the parties, seems to be wanting the partnership not having been determined by the will of Bryce, but, as it was at first stated, by his death, or, as it afterwards turned out, by his partners in consequence of his absence. The assignment of a certain sum, to him, therefore, seemed to be a mere estimate, and liable to be corrected, even if the others were not so. But in reference to the deed of partnership,

the clauses already fully stated provide for this case, and make the settlement so effected completely a matter of contract and stipulation between the parties; and it is consequently as binding upon them as any other contract, except that being carried into effect by only one party, it is more liable to suspicion of fraud. These suspicions, however, could not be suspicions of fraud in favor of Bryce, and I have already pointed out that the arrangement actually made, if it requires explanation at all, requires it from some appearances of his being hardly dealt with. I see, therefore, no reason for refusing the claim made in his behalf. To a large proportion of it, at all events, no objection could apply, for the sum allowed to Bryce on his removal was only 55,027 : 10 : 9 : and the remainder of the sum claimed is constituted to a small extent, of accumulations of interest but mainly of two sums of 16,000 and 17,993 : 4 received after Bryce's death from an insurance on his life, and of a sum of 40,000 transferred from James Mackillop's account as a fund for the benefit of Bryce's family. These sums altogether exceed the balance now claimed, some payments having apparently been made; and to these, at all events, no objection can possibly attach. It is a sufficient hardship on the estate that the whole of this property should have been placed in the hands of the firm by the executor, when none of it ought to have been there; for the four years stipulated by the partnership deed for the withdrawal of partnership funds had expired sometime before the failure; and this in a case where objections to deal otherwise with the assets, did not even arise merely out of the general duty of an executor, but he was expressly directed by the will to invest all property "upon Government or other good securities."

The only remaining case, that of Mr. Hutton, is undoubtedly much the most suspicious of the whole. It is said, that he was never advertised out of the firm at all; but there is some evidence that his retirement was communicated to the constituents, and though this is not very distinctly proved there is no contradiction of it. The principal circumstances of suspicion, besides those already noticed, in stating the dissolution, are the comparative nearness to the time of failure, the degree to which, by the lapse of time, some of the accounts, especially those of debts due from factories, or secured by insurances, had accumulated, and the very singular evidence of the writing off very large debts at the close of April, and beginning of May 1833, almost immediately after the estimates submitted to the meeting of creditors. It is difficult not to conclude from this that the concerns of the house were in a state which, when proper attention was given to them, would require considerable modification of the estimates previously made, and if this was the case within three years of Mr. Hutton's retirement, it is at least enough to raise suspicion that the estimate then made, was not made on very sound principles. But I have already said that the question is not the correctness but the good faith of the estimate. Now it is in evidence that the estimate was almost entirely made by Russomoy Dutt, none of the partners except Mr. Browne, at all interfering and he very little. Russomoy Dutt's says he was left almost entirely to himself. He had no interest to favor any of the partners: certainly not as a continuing inmate of the house, to favor the retiring partner. On his estimate, a certain sum is added to the removed fund, and the whole of this, not by his advice, nor for any reason within his knowledge, is debited to Mr. Hutton. Considering how this valuation was made, I see no reason to impeach its fairness, and certainly considering the way in which its results were dealt with no reason to think Mr. Hutton would suppose he was retiring with more than he was fully entitled to.—*Hurkaru, April 24.*

COURT OF THE SESSION JUDGE OF THE 24-PERGUNNAHS.

SUDDER NIZAMUT ADAWLUT.

JAN. 27, 1837.—Present R. H. Rattray and W. Braddon, Esqrs., Judges, and D. C. Smyth, Esq., Temporary Judge.

The following circular orders were directed to be issued to the several Session Judges and Commissioners of Circuit in the lower Provinces.

No. 399.

Sir,—The court having had before them a case in which a Session Judge has passed a sentence of 7 years imprisonment with labour, commutable to a fine, under the provisions of Section 3 Regulation II. of 1834, have directed me to inform you that a sentence of this nature is not warranted by the regulation in question: whenever you may consider the offence of which a prisoner is convicted to demand a sentence of imprisonment for 5 years and upwards, you are not authorized to commute the labor to a fine.

No. 443.

To the Magistrates and Session Judges, Lower Provinces. Sec. XVI. Reg. IX. 1879. Sir,—I am directed by VII. Reg. IV. 1797. the courts to call your im-Cir. Order 28th Dec. 1796. modiate attention to the Do. do. 12th Dec. 1809. regulations and circular orders noted in the margin.

The Court direct that every witness, or prisoner examined by a Session Judge, be examined exclusively and entirely in the presence of that officer, and that the same rule be considered applicable to the principal Sudder Ameens, Sudder Ameens, or other native judicial officers, entrusted with criminal jurisdiction.

I am directed by the court to state that very serious notice will be taken of any wilful inattention to this rule, which may be brought to their notice, and you are particularly enjoined to enforce the due observance of this order, on the part of your subordinate officers.

4. The court are aware that a pressure of public business may occasionally oblige the civil judges, the magistrates, joint magistrates, and their assistants to empower their native officers to record the disposition of parties in cases coming before them, but the court direct that such proceedings be confined entirely to matters of minor importance, and that in all instances the depositions be taken in the presence of the European Officer presiding.

5. The circular order of the 28th December, 1796. does not appear on all occasions to be regularly attended to. The court, therefore, direct that the principal Sudder Ameens and Sudder Ameens be directed at the end of each deposition or examination to certify in the

Taken before me and Persian language, in the mode indicated in the margin, that presence, this — day of the same has been taken in their presence.

A. B. Sudder Ameen.

6. The same rule will also be considered applicable to magistrates and other European officers, but in cases of a heinous nature, and in all cases wherein a commitment may be made to the sessions court, the court desire that the deposition or examination may be certified in the English language and in the mode noted in the margin.

C. D. Magistrate.

7. I am further directed to inform you that under the express order of Government, you will consider yourself strictly prohibited in future from taking down the examination of parties or witnesses in any other language than that in which it is delivered; Persian translations will be as heretofore annexed to the original proceedings in the event of the trial being referred to, or called for by this court. The above prohibition will of course be considered to extend to all the courts and tribunals over which you may exercise any jurisdiction.

I am, &c.

*(Signed) J. F. M. Reid, Registrar.
Englishman.]

FEBRUARY 6, 1837.

BEFORE D. C. SMYTH, ESQ., JUDGE.

Governments prosecutor, *versus*, Maro Surnamuttee, Ropdur Burdolooye, Moolon Pator, Bhotuk Laloong, Gopung Laloong, Kola Chakoree, Achanda Dwaree, Roolye Bareeka, Byung Majee Beedun Goon Barra, Dughur, Beedun Soongut, Phooling Lalung, Geng Lalung Kootel, Byung, Ona, Kooting, Turjun, Sae, Jeebun Singbur, Meeso, and Mohun Sing.

Charge—Murder of a woman named Botkurree, and her daughter named Satee for practising witchcraft. Captain Jenkins, the Commissioner of Assam, detailed the particulars of this case in the accompanying letter to the Sudder Nizamut Adawlut.

The particulars of the melancholy transactions before the Court are fully detailed in the letters of the officiating magistrate:—Two unfortunate women have been put to death by a sort of Judicial procedure, held by the headman and inhabitants of one of the villages lately acquired by us from the Jynteah Rajah, under the full persuasion and belief that exists amongst all the rude tribes bordering on Assam, that they had been guilty of witchcraft, and had by their conjurations, put many people to death. This belief in witchcraft is quite common, as the records of the Court will show amongst our garrow subjects; but by frequent proclamations issued by the late Mr. Scott, the murders which were so frequent in consequence, have in a great measure been prevented; although, the Commissioner believes, this belief in the existence of witchcraft, is as rife as ever. On first hearing of the case now in question, the Commissioner directed the Magistrate to issue a similar proclamation amongst the Lalungs and other hill-tribes, to forbid them from punishing reputed witches themselves, but to order the delivery to the Magistrate of all such persons as are accused of witchcraft, that they may be dealt with as he may deem proper. The people in question are Lalungs, a remarkably inoffensive, industrious race, and so seldom guilty of any crimes, that the murders now committed are entirely to be imputed to their ignorance, and full persuasion in the existence of witchcraft.

The whole of the prisoners have acknowledged most freely and fully to the shares each had in the transaction, and they have all been found guilty of committing, and conspiring together to commit, the murder of the two women, by the punctions and the magistrate.

Of their guilt respectively there seems no manner of doubt, and the Commissioner has to request the orders of the Court as to their punishment; and in doing this he begs to call the Court's attention to the 12th, 13th and 14th paragraphs of the Magistrate's first letter, and to submit his own concurrence in the opinions there urged.

by him. He considers that a very lenient punishment will in this first instance, be sufficient to prevent its occurrence in future; and believing, therefore, that it will be unnecessary to have recourse to severe punishment on the present prisoners, he recommends that the prisoners Marosurnamuttee, Roopdur, Burdolye, and Mooloo Patar, be confined for one year from the date of their apprehension, and give security not to commit again the like offence of 100 rupees each, or to be confined for six months more; and that the prisoners Bhotuk, Gopsing Kola, be each confined two years from the above date with labor in irons;—and all the rest he begs to recommend may be released.

The presiding Judge of the Sudder Nizamut Adawlut having perused the proceedings in this case, ordered that before the Court proceeds on the trial, it direct, that the Commissioner of circuit, Captain Jenkins, be requested to state whether at the time the assembly was formed for the purpose of trying the deceased for witchcraft and at the time the woman was put to death, the Jynteah Territory was an independent state governed by its own laws or was annexed to the British territories; and in the event of its being at the time the act was committed, an independent territory, governed by its own laws, whether the prisoners would have been authorized by the laws and usages of the Jynteah state, in calling this assembly, in trying the woman, and in case of conviction, in putting her to death, or if otherwise then to what punishment they would have been subjected by the Jynteah Rajah for this alleged act. The Commissioner is also requested to forward a copy of the orders of government annexing Jynteah to the British Government, and to certify on what date those orders are promulgated.—*Hurkaru, March 15.*

JAN. 27, 1837.

Present W. Money and D. C. Smyth, Esqrs., Temporary Judges.

Government v. John Sheb alias John DeCourcy, Pran Rai, and Madhub Rai, the former, charged with taking the law in his own hands by causing to be apprehended, and afterwards torturing by heating a chillum in the fire, and applying the same while hot on the bodies of Ramdhun Ghose, Kunnye Ghose, Hulodhur Ghose, and Gopaul Ghose, whereby they have been scorched; and with cutting off the prepuce of the said Ramdhun Ghose; and the two latter, with being accessories before and after the act, or with holding the above mentioned persons before, and while the said application was being made, and with keeping them in confinement in several places for 16 days afterwards, with a view to suppress the crime. Case referred by C. G. Udney, Esq., officiating session judge of Zillah Nuddea, of which the following are the particulars:—

From the evidence for the prosecution, it would appear, that four persons named Hulodhur Ghose, Kunnye Ghose, Gopaul Ghose, and Ramdhun Ghose, in consequence of having allowed their cattle to stray into the indigo grounds, belonging to the Beerpoor factory, of which the prisoners John DeCourcy had the management, were in the month of Pous (December) last, carried from the village of Mahesnugur to the bungalow occupied by the latter at Beerpoor, and there tortured; that a chillum and pice were heated in the fire, and then applied to the persons of Hulodhur and Gopaul Ghose by the prisoner John DeCourcy, and to that of Kunnye Ghose by Lahur Adhekaree, the dewan of the factory; that a heated chillum was also applied to the body of Ramdhun Ghose, and the operation of circumcision performed on him by DeCourcy with a razor; that the above four persons were held down by the prisoners, Pran Rai, Madhub Rai, and others, while these cruelties were inflicted; that they were afterwards chained

and confined in the factory godown for several days, when on intimation being received of an intended visit of the police to the factory, they were removed some distance into the jungle for the purpose of concealment, and after sometime taken thence to the Chunderghaut factory, from which they were again, in three or four days, carried back to Mahesnugur (a promise of secrecy having been previously exacted) and delivered over by Pran Rai and Madhub Rai, and other servants of the factory, to the village chowkeydar and others. The exact date on which these acts of cruelty were carried into execution is not very precisely ascertained. One of the parties, however, (Kunnye Ghose) states that they were carried to the factory on Sunday, two nights after Christmas, and if this be the case, the date of occurrence will be the 27th December 1835, or 13th Pous 1842, B. S., as specified in the indictment.

“On the thighs, posteriors, and other parts of the bodies of Ramdhun Ghose, and his three companions, large circular marks of burns about two inches in diameter were visible; smaller marks of a similar description $\frac{3}{4}$ ths of an inch in diameter are also apparent on the persons of Hulodhur, Kunnye, and Gopaul Ghose. The two native doctors belonging to the Station Hospital, after examining Ramdhun Ghose, also deposed to the fact of his having been circumcised.”

The prisoner John DeCourcy, in his defence, calls three witnesses who depose, that on the whole of the 27th and 28th of December last, they were at the Beerpoor factory on a visit to the prisoner, and that during that time no persons were brought to the factory, or ill-treated; and that no proceedings of the nature alleged to have taken place could have occurred there without their knowledge. If these witnesses really state the truth, it is difficult to conceive why the prisoner should have omitted to call or name them before the magistrate, when their evidence would have enabled him so easily to refute the charges preferred against him. The circumstance also of the prisoner leaving the district, after the complaint was preferred, has an unfavorable appearance; and the explanation attempted to be given by him on this point can scarcely be deemed satisfactory.

Both the other prisoners call witnesses to prove an alibi, but fail in substantiating their plea. The evidence, however, adduced by Madhub Rai, tends to shew that on the 27th of December last, he was not in service at the Beerpoor factory.

The Futwa convicted all the prisoners of the charge preferred against them, and declared them liable to discretionary punishment by “Aroobut.” The officiating session judge not being satisfied with the nature of the evidence of the trial, considered the guilt of the prisoners not fully and duly proved. Mr. U. was therefore compelled to dissent from the finding of the law officer, and refer the cases to superior courts.

The evidence against the prisoners consists (says the session judge) of the statements of the injured parties themselves and the testimony of a witness named Ramcoomar Ghose. The deposition of the latter on the trial as an eye witness to the criminal acts of prisoners is directly opposed to his deposition on oath in the Fouzdarry, in which he positively denies all knowledge of the transaction;—no credit can therefore be attached to his assertions. The evidence of the other witnesses also before the magistrate, and on the trial, involve such essential variations and contradictions as to render it, in my opinion, unsafe to found upon it a penal sentence against the prisoners; unsupported as it is by other testimony of a consistent and unquestionable character.”

It is also necessary to state that on the trial of Domun Singh; another prisoner indicted as an accomplice in this case (No. 5 of the magistrate's calendar for July,)

the proceedings on which were referred for final orders to the Nizamut Adawlut on the 18th August, these witnesses retract and deny many parts of their evidence on the present trial given only a few days before, and appear generally to depose with so much vagueness and uncertainty as to afford an additional reason for the exercise of extreme caution in attaching credit to their asseverations.

"The evidence of Doolub Rai chared as a accomplice in this case, but admitted as an approver by the magistrate, was declared inadmissible by the superior court."

Further proceedings were held on the trial in question, at the station of Kishnaghn on the 26th November last.

A free pardon having been granted by government to Doolubh Sheikh, the accomplice in the case, the evidence of that person was taken in conformity with the orders of the superior court under date the 15th October last.

"Considering (says the officiating session judge) the degree of proof wanting to establish the charge against the prisoner John DeCourcy to be supplied by the testimony of Doolub Sheikh, which corroborates the statement of the injured parties in the case, I have, in concurrence with the law officer, convicted and sentenced him to 7 years' imprisonment without labor and irons."

"As however the deposition of this witness does not criminate the other prisoners, I am still of opinion that they ought to be acquitted, and therefore dissenting from the Futwa in regard to them, refer the case for the final orders of the Nizamut Adawlut."

The prisoner John DeCourcy not being able to furnish the bail directed to be required from him by the superior court, was placed in confinement by the magistrate until the final disposal of his case by the Nizamut Adawlut.

The Sudder Court having duly considered the proceedings held on the trial in question, saw no reason for revising the proceedings as regards John DeCourcy, or for interfering with the sentence of seven years' imprisonment without labor in irons passed upon him by the officiating session judge; and deeming the prisoners Rani Rai and Maithub Rai convicted of having been present, aiding and abetting the aforesaid John DeCourcy in his proceedings, sentence them to be imprisoned for the term of three years without irons from the present date, and to pay each a fine of 100 Rs. within one month from the date on which the sentence may be communicated to them, or in default of payment to labor until the fine be paid, or the term of their respective sentences expire.—*Englishman*, April 7.

SUDDER BOARD OF REVENUE.

The Commissioner of Cuttack has laid before the Board a petition from the zumeendars of Midnapore, praying for relief on account of the failure of the crops in their district from the protracted and unusual drought, the commissioner states that the affairs of these zumeendars had been previously embarrassed in consequence of the bad seasons of 1831-32, and 33 but then he does not consider this present failure of crop in the district to be such as in itself to call for a general suspension or remission of a portion of the revenue and departure from the principles of the perpetual settlement. He however goes on to say that in consequence of government having in several instances formally declared that in estates settled in perpetuity indulgences on account of unfavorable seasons cannot be granted, he has refrained from holding out any hopes of relief to the petitioners, but then he fears an adherence to that doctrine will be found impracticable without causing the entire ruin of a large portion of the existing landholders. The Board have returned the petition for a circumstantial report on its allegations requesting such suggestions from the commissioners as he may deem calculated to relieve the exigencies otherwise irremediable.—*Englishman*, April 1.

SUNDERBUN GRANTS.

The Board ordered enquiries some time since respecting the Sunderbun grants, numbered 70 and 71, made to Mohischunder and Gureeschunder Dutt, who were reported to have failed in fulfilling the condition of their grant, which requires one-fourth of the extent to be cleared within five years. In reply to this enquiry, the Commissioner of Jessore reports that the officiating Commissioner of the Soondurbuns had personally examined the grants and is of opinion that as they have totally failed in complying with this condition of the grant they have forfeited all title to their lands. It appears that cultivation never was the object of these grantees, but that they intended to profit by the jhulka, or fisheries on the numerous kals, which intersect the jungle lands, and

which yielded an annual amount estimated at 600 rupees. There are several applicants for the grant on their reverting to Government. The Board, however, have deferred deciding on the claims of any one of them, directing that the Commissioner of the Soondurbuns should be directed to hold proceedings, requiring the grantees to show cause why their grants should not be resumed, and then to record his judgment of the forfeiture or other wise of the leases, submitting his proceedings to the superior authorities, and when these formalities shall be completed, the Board will reconsider the subject of otherwise disposing of the grants.

In consequence of the necessity of deciding the defined boundaries of some of the Soondurbun grants bordering on the lands of zumeendars of the perpetual settlement, and more particularly having reference to the grants, numbered 79 and 80, in Captain Hodges' map, and belonging to Messrs. McDougal and McPherson, the Commissioner of Jessore has requested the instructions of the Board on the following points:

First,—The mode to be pursued in maintaining the Soondurbun grantees in possession of their several lots and of settling the boundary disputes between them and the zumeendars of the adjoining permanently settled estates; and secondly, whether a grantee is entitled to receive any thing more than the land actually covered with jungle at the time he may be put in possession, or whether amounts specified in the survey is to be made over to him.

With respect to the first point Mr. Pigou observes, that the whole of the lands in all the allotments of Soondurbun forest, made over to the different grantees, have been decreed to be the property of Government; have been surveyed by a Government officer (Capt. Prinsep); and their respective boundaries have been laid down, agreeably to which pottals have been and continue to be granted by Government, whence that gentleman argues that it is the duty of the Commissioner of the Soondurbuns

to put the grantee in the first instance in possession, agreeably to the survey above referred to. And with reference to c. I. sec. 13, of regulation 111, of

All parties to whom such grants shall or may be made, shall be entitled to hold, or to take possession of any tract of Soonderbun jungle so granted without question or opposition, and all public officers shall aid and assist in the same. 1828 after the grantee has obtained possession it becomes the duty of the magistrate on application of the grantee to maintain that possession, when it is at the option of the other party to have recourse to a civil suit; but that it would not be expedient for the Commissioner of the Soonderbuns to interfere further in the matter.

With regard to the second point, Mr. Commissioner Pigou expresses his opinion that, if Government grant to an individual a specified lot, with certain boundaries, to such lot, whether it be jungle or cultivated, that individual is entitled to it.

The Board have instructed Mr. Pigou to issue such orders with regard to the first point of his reference, as he may consider suitable, leaving dissatisfied parties to prefer their appeals, the subject of the second point having already been considered by them, and the principle laid down by the Commissioner admitted.—*Englishman*, April 3.

MISCELLANEOUS.

CALCUTTA.

SIGNORE PIZZONI.—A letter from Agra intimates, that Signor Pizzoni had given a concert at that station for his benefit, under the patronage of His Honor Sir Charles Metcalfe, who, with his usual liberality on such occasions, had subscribed for no less than twenty ladies' and twenty gentlemen's tickets. The entertainment is described as having gone off very well, aided by the excellent band of the European Regiment.

THE COMMANDER-IN-CHIEF.—The Commander-in-Chief on the 6th ultimo reached Umritser, and met with a very hospitable reception from Runjeet Singh. He attended at the nuptials of Nowneal Singh, which were celebrated with great pomp and grandeur.

LORD AUCKLAND'S SCHOOL.—A private English school has been established at Barrackpore, the expenses of which are to be defrayed entirely by Lord Auckland. A suitable building, which has cost his Lordship about 3,500 rupees, has been erected for this purpose in the Barrackpore park. Baboo Russicklohl Sen, who was for sometime a teacher in an English school at Midnapore, has been entrusted with the management of this seminary. It was opened with 300 boys on the 6th of March and 20 more were admitted on the 27th of that month.

THE MILITARY ORPHAN INSTITUTION.—The disputes respecting the conduct of the Secretary of this institution still continue. Miss Polhill has published an answer to the statement of the Manager.

THE CENTRAL HOSPITAL.—A subscription having been opened, pursuant to a resolution passed at a meeting called by Dr. Brett, the founder of the institution, the sums subscribed have amounted to 3,000 Rs.

HOOGHLY NATIVE HOSPITAL.—A native hospital has lately been established in Hooghly through the exertions of Dr. Wise, whose endeavours to promote the welfare of the people of Hooghly are well known. The expenses are defrayed from the Emambarrah estate, and the patients are lodged in a comfortable, airy house hired for the purpose, where separate apartments are assigned to Moosulmans and Hindoos respectively.

TRANSLATION OF HOMER'S ILIAD.—Baboo Greeschunder Bose, has translated the first book of Homer's Iliad into Bengally, in a very creditable manner.

NATIVE INFANT SCHOOL.—The infant pupils of this seminary were examined at the Town Hall on the 13th instant, and gave great satisfaction to the individuals present.

ACCIDENTS.—A woman's brains were blown out on the 11th instant, by the accidental explosion of a gun, which a servant was conveying to his master's residence.

Two fatal accidents occurred on board of the *Herefordshire*, at Kedgeree. On the 1st instant a coolie fell over board from the main-chains, and was instantly seized by a shark, which disappeared with him. On the following morning, a boy named Philpotts, whilst drawing water from the mizen-chains, tumbled into the river. The quarter-boat was immediately lowered and sent to his assistance; but just as it came up to him and one of the crew had got hold of the unfortunate boy by the hair, a shark seized him, tore him from the man's grasp, and bore him away.

THE SIR HERBERT TAYLOR.—The bark *Sir Herbert Taylor*, laden with rice for the Mauritius, got aground on the morning of the 20th instant upon the Sumatra Sand, and was in some danger of capsizing; but measures were taken as quickly as possible, to lighten her, and she floated upon the return of the tide.

INDIAN NAVY.—A letter from Captain Barber, dated London 1st of February, says, he had just heard that a Committee had been appointed by the Court of Directors by a majority of one to consider the principle of making the Indian navy a steam flotilla, and that it was carried in the affirmative. A Committee had been appointed to consider the details, and the best mode of effecting the conveyance of letters to Bombay.

ATALANTA AND HUGH LINDSAY.—The *Atalanta*, one of the Company's new English steamers, is said to have sailed from England for Bombay on the 26th of December. A letter of February, from a quarter likely to be well informed on the subject, mentions that the *Atalanta* and *Hugh Lindsay* are to be employed in trips to the Red Sea, to carry the mails to and from Bombay, until arrangements shall be made for a regular packet communication.

DHARJELIAN SANATORIUM.—Let ters have been received from Dharjellen, dated the 3d instant. The writer of one of them says: "A severe hail-storm occurred yesterday, with rain and snow, and awful thunder and lightning. The hail has not yet melted, and it is bitterly cold. Eleven A. M. thermometer 55°! I can hardly

hold the pen." When it is recollected that this place is within three hundred miles of Calcutta, and that a steam boat can get within about fifty miles of it, at all seasons, it is to be hoped that the projected sanatorium will not be given up.

RAVAGES BY TIGERS.—The tigers have been committing great ravages lately in Saugor island. The Molunghees employed in making salt at Gunga Saugor, have had eight of their number carried off within a short period.

MR. TURTON.—Letters from Malta, to the 28th of February, have been received from Mr. Turton. That gentleman was then in health, and detained at the Lazaretto.

MR. WAGHORN.—Letters received from Mr. Waghorn intimate, that he was to leave Egypt, by the March steamer, for England; his presence being required there respecting Steam Navigation via the Red Sea to India. He expected to return within two months.

BUMBAD MOODHA-SINDHOO.—We are happy to notice that a weekly paper under the above name, has been established by Baboo Colly Sunker Dutt of Burtullah, since the 2d of Bysakh instant, and is supplied to subscribers at the monthly charge of eight annas.

MR. HURRY.—Mr. Wm Cobb Hurry has been appointed Secretary to the Calcutta Municipal Committee, in the place of Mr. G. J. Gordon, gone to Agra.

SPORTING.—The Dum-Dum steeple chase, was won by Mr. Leslie, on his chesnut horse *Priam*.

THE CALCUTTA CANAL TOLLS.—The Calcutta Canal Tolls produced about 18,500 rupees last month.

INDIGO PROSPECTS.—A letter from Tirhoot, dated 30th ultimo, says that the planters are sadly in want of rain. The plant is dying off in every direction, causing great loss and further expenditure of seed.

Sad complaints of want of rain are coming in from the indigo districts. A letter from Dacca of the 4th instant, says, that since the 10th of last month there had been nothing but strong westerly breezes without a drop of rain, the churs all parched up and the weather become intolerably hot. The planters in that district are reported not to have sown half their lands, and their hopes of a crop are at present very indifferent.

A letter from Jessore of the 10th instant states, that there were slight showers on the 26th ultimo and 1st instant; but they had not enabled the planters in the Jessore and Pubna districts to complete half their sowings, and the drought had since been so severe that the plant was suffering and much of it dead.

CAPTURE OF ROBBERS.—Mr. Patton, the active and indefatigable magistrate of the Twenty-four Pergunnahs, has, through his ingenuity and perseverance, succeeded in capturing a gang of robbers, who had conspired to rob the mails of Company's paper, which they had long succeeded in doing with impunity. These men have been convicted of forgery as well as robbing the mails.

ROBBERIES.—Four Europeans recently, in broad day light, committed several petty robberies and burglaries at Cossipore, and made their escape with impunity.

On the 1st instant, two persons named Amba Dutt and Bhooput Sing, durwans in the employ of a respectable native banking firm, went to the shop, of one

Gungaram, stating that Auhrang Baboo, the gomasta of the concern, wanted him; and while he was preparing to go with them, Amba Dutt took hold of a purse containing Rs. 124, and made his escape, while his companion seized Gungaram, beat him in a violent manner, and prevented him from pursuing Amba Dutt.

The family dwelling house of Ramdhun Banerjee, of Coota, within the thana of Bansbaria, was stormed by a gang of dacoits, on the night of the 3d of April. The ruffians were about thirty in number. The master of the house was dreadfully tortured; his body, almost from head to feet, being burnt with a torch, and his head incised with a cutting weapon, and all his movables carried off. On the day following, the Magistrate called at the house of the poor man, and caused medical assistance to be administered to him, and he has given strict injunctions to the Police of the zillah to trace the offenders.

A gang robbery was, about a fortnight ago, committed at the dwelling house of a Brahmin residing in the village of Khamarpara, within the thanah of Bansbariah. The ruffians, all armed with offensive weapons, entered the house, yelling in a truly terrifying manner, and carried away every thing that they could remove. The noise they made, attracted a great number of men to the scene of spoliation, but none could screw up their courage sufficiently to confront them in their retreat. They wounded some of the inmates, burnt the master of the house dreadfully, and put the chokedar of the ward to death.

Another dacoity was committed at the residence of a man living at Manaul, a few days ago. It is stated that dacoities have of late become very common in and about the village.

MURDERS.—A barber was murdered on the 8th ultimo, by a Bramin, who kept a gambling shop at Hooghly, and the body was made away with through the connivance of two chowkedars. The two latter delinquents were tried, but for want of proof to substantiate the charge of their having colluded to conceal the murder, they were only convicted of having connived at gambling, and sentenced to labor in chains for six months.

On the 16th of March, a man named Issur, murdered a man named Gummohun Bose, because the latter was unable to repay a debt of five hundred rupees which he had contracted to the former. The murderer has decamped.

FIRES.—A great fire happened at Mirzapore on the afternoon of the 18th instant, which destroyed no less than THREE HUNDRED AND FIVE houses, tiled and straw. It broke out about three o'clock and lasted for a considerable time.

Another fire occurred the same day at Machua Bazar, which was nearly as great as the one at Mirzapore. The number of houses destroyed was TWO HUNDRED AND EIGHTY.

A fire broke out in the house of one Premchand, a resident at Toltulluh, about one o'clock on the afternoon of the 16th instant, which destroyed forty-nine tiled and straw houses.

About 2 o'clock on the afternoon of the 10th instant, the house of one Ramzaun Khan at Cullinga caught fire, which soon spread far and wide, and the number of houses consumed was ONE HUNDRED AND TWENTY-FIVE thatched ones and one pukka godown. The accident caused the loss of three human lives; namely of two women, mother and daughter, and a man. They had

all quitted their houses at first, but being induced to save something which they had forgotten to remove, they went back, and fell sacrifices to their imprudence. Scarcely had the poor women entered their house, than the ignited thatch gave way and they were completely buried in the flames, and in consequence perished. The man was dreadfully burnt; he was, however, helped out of the flames before life was extinct, and carried to hospital for medical assistance, but survived only till ten o'clock at night.

Between nine and ten o'clock on the morning of the same day, a fire broke out in the house of Cossee Caumar, at Kidderpore; and it is stated that no less than ONE HUNDRED AND TWENTY-FIVE houses were destroyed.

A fire also occurred at Maindeh Buggan, on the 21st instant, and taking a northwardly direction, consumed a considerable quantity of property and spread over a large tract of land.

It appears that the frequency of these conflagrations, arises not solely from accident, but through the agency of incendiaries, who, for a small present from the charcoal merchants and thatchers, will fearlessly approach one of a clump of huts in the middle of the day, and apply a lighted coal to it. The leniency of the Magistrates in punishing these villains, whenever actually detected in the perpetration of this crime, tends to embolden them. An old offender, who had just been liberated from the house of correction, whither he had been committed for attempting incendiarism, was recently caught in the act of setting fire to a hut. He was tried, and the magistrate committed him to—where? To the great gaol, to be tried for his life at the sessions! No; once more to the house of correction for six months! While writing on the subject of the fires, we cannot resist mentioning the gallant conduct on one occasion of Captain F. W. Birch, the Superintendent of police, by which he saved the life of a poor decrepit woman, who was confined in a house which was in flames. The gallant Superintendent first threw himself into a tank, with a blanket, and then run into the hut and a few moments after was observed, coming out with the old woman under his arm. He then threw himself a second time into the tank and landed safe with his burden.

HAIL-SHOWER.—On the morning of the 2nd instant, about half past two o'clock, after a north-wester, which commenced at about ten o'clock the night preceding, a second shower of hail was experienced, which was nearly as plentiful as the one of the 22nd ultimo, and the crystals of ice much larger,—several being about an inch in length and about one third as thick.

LIGHTNING.—On the night of the first instant, during the hailstorm, the house of Oboychnurn Daw, of Kansarparah Simlah, was struck by lightning. The electric fluid pierced through a beam of the terrace, and an arch of the poojah-hall, but did no further mischief.

A GREAT STORM.—A great storm occurred in the neighbourhood of the village of Khoolna, in Zillah Jessore, on the 29th of March last. It passed over a space of about six biggahs in breadth and six kos in length, throwing down in its progress, not only huts but also brick built houses. It has caused the loss of a great many lives.

THE DROUGHT.—Accounts have poured in from almost all quarters, of the severity of the drought. The crops are almost all burnt up, and the ryots are quite hopeless of realizing even a sufficient sum from the sale of their produce to pay the annual jumma.

FAMINE IN CUTTACK.—A great dearth of rice prevails in Orissa, in consequence of a long drought. The natives are literally crying for rain. In the town of Cuttack rice sells at twelve or thirteen seers for the rupee, but in the interior there is none to be purchased; it is easy, therefore, to conceive the extent of distress the people must necessarily be suffering. Many are dying from sheer starvation.

THE TREASURY ADVANCES.—Government have yielded to the solicitation of the Chamber of Commerce, and have determined to re-open the treasury for advances against consignments to England. The advances will be made immediately to those who may apply for them, and the sum fixed for issue in this way is seventy lakhs in Bengal, twenty lakhs in Bombay, ten lakhs in Madras, and fifty lakhs in China, provided no orders come out from England inconsistent with this arrangement. The Indian exchange is fixed at 2s. 2d. per Company's rupee.

THE PICE PLAGUE.—The pice plague rages with greater fury at present in Calcutta, than the Palee plague in any part of the country. For the last week every individual in the city and its environs, has been afflicted by it to the extent of six pice; and yet the Government, the only physician who can administer to the unfortunate sufferers, view their suffering with the greatest apathy, and tanalize them by the administration of unpalatable nostrums, in the shape of totally defaced pice, worth about the ninetieth part of a rupee.

This dreadful distemper rages not only with unabated fury throughout the arena encircled by the Mharatta ditch, but, we believe, further extends its ravages over a considerable tract of the surrounding country. It would appear, that Government, respecting this calamity, instead of affording relief, as they might, would callously advise the populace in the words of Seneca, *quod male fers, assuesce; feres bene*. To reconcile themselves to their sufferings would be the wisest course for the poor to adopt, as it appears that the Government will not only not aid them, but do actually conduce to their sufferings by passing upon them at full value, coin which they themselves, a short time since, declared not to be a legal tender, and bought up at an enormous discount. In fact, what are tendered for pice in the Government shops, are nothing better than old pieces of copper, totally denuded of all impressions and generally covered with a coating of verdigrise.

The exorbitant discount of five pice for exchanging a rupee, is charged by the shroffs; and the government, with whom the power to relieve the suffering poor, by a plentiful supply of the desiderated coin, appears quite apathetic to their sufferings: indeed, they have opened shops for the supply of pice, at which a higher discount is virtually charged, than at the stand of the worst Jew money-changer in the country. The Government pretend to adopt measures for the relief of the poor, whilst they actually distress them, and derive a profit of an anna in the rupee, by now trading with the old coin, which they recently (on the plea of withdrawing them from circulation) bought up at sixty-eight for the rupee, by issuing them at sixty-four; and they will, very likely, derive a further profit soon, by again calling in the old pice now sold at sixty-four, at sixty-eight or seventy for the rupee.

CHURRUCK POOJAH.—The brutal rites of the Chur-ruck Poojah were again enacted on the 12th instant. At about 5½ P.M. near south road Entally, in the first lane on the west of it, a tree, or churruck, was erected on a piece of ground belonging to one Radacant Moon-shee. The lane was crowded with spectators of all nations, viewing a native of rather good figure swinging

round the tree amid the acclamations of the populace, and the retainers of the Moonshree; the scene, however, soon changed into one of murder and confusion, as the ropes by which the Suneessee was suspended, snapped, and the deluded victim of superstition, was flung away to the distance of nearly a hundred feet; and when he was picked up, was literally dashed to pieces. His face was completely smashed, and his body was not perfect in any part. On the south-west of north road Entally, very near the convict guard on that road, a Suneessee was first swung by hooks pierced through his back, in the ordinary way, but after him a man in a state of intoxication presented himself, with a pair of harpoons bored into his thighs, immediately above the knee joints. The man was swung round for nearly three quarters of an hour, and when let down, he was quite sober, and complaining of having had but a short swing.

AUDE-SIKKUA.—A small volume under this title, has been prepared and published by Baboo Hurrekisto Addy, at the instance of Baboo Gourmohun Addy of Simla. A copy of it has been handed to us, and we are happy in being able to say that it would prove a valuable work in the hands of young learners.

CHAMBER OF COMMERCE.—At the Annual Meeting of the Chamber of Commerce on the 4th instant, John Jackson, Esq., was elected President, and James Cul- len, Esq., Vice President, for the ensuing year; and the rotation vacancies in the Committee were filled up with the following names:—Messrs. W. Ainslie, J. Beckwith, J. R. Crawford, W. F. Fergusson, B. Harding, John Jackson and W. Speir.

VESTRY MEETING. On the 27th ultimo, agreeably to annual custom, a meeting of the inhabitants occupying seats in St. John's Cathedral, was held in the Vestry room, for the election of the Vestrymen for the year. The Archdeacon being requested to take the chair, it was proposed and also unanimously carried, that Messrs. Judge, Molloy and Sim, be re-elected; it was then proposed and also unanimously carried, that Alexander Colvin, Esq., be elected in the room of Mr. Turton gone to Europe. Thanks being voted to the Chairman the meeting separated.

MARBLE BUST OF THE LATE MR. PALMER.—The Committee appointed by the subscribers for a marble bust of the late Mr. Palmer, met in the Town Hall on the 4th instant, for the purpose of considering what steps should be taken to accelerate the accomplishment of the object in consequence of the entire want of information from the two gentlemen, Messrs. Edmondstone and Deans Campbell, who were requested to communicate with Sir Francis Chantrey in England upon the subject. As Lieut. Colonel W. S. Beatson, the Chairman of this Committee, was proceeding to England in the *Robarts*, it was resolved to request his aid in co-operation with the above gentlemen, and to authorize him, in the event of finding Chantrey too much engaged to undertake the bust, to make the best selection he could among other artists in England or on the Continent; and that no delay may take place for want of funds, it was determined to remit £450 to London forthwith, which it is conceived, will be more than enough to defray all expenses, supposing the work to be executed by Chantrey himself.

ORPHAN MANAGEMENT QUESTION.—The following is the result of the voting at Barrackpore on the Orphan Management question—or rather, on the proposition from Kurnaul regarding Mr. McQueen, the formation of a Committee, &c.

First Proposition.....	For 23	against 54
Second ditto.....	For 18	do. 59
Third ditto.....	For 29	do. 45

MR. MAGNIAC.—It is reported that the despatches from the Court of Directors contain some severe comments upon the proceedings in Mr. Magniac's case, and order his restoration to the full emoluments he enjoyed before his removal from office on the plea of imbecility of mind.

RACE COURSE BARRIER.—The Governor-General has so far acceded to the prayer of the petition of certain inhabitants of Alipore as to direct that the road across the course leading to the Alipore bridge, shall be thrown open to light vehicles, horsemen, and pedestrians from the termination of the races till the 1st July, after which it is to be open to foot passengers only until a day previous to the commencement of the races, when it will be closed entirely until after the termination of the sport.

CHANGES IN PUBLIC OFFICES.—Among the *on dits* of the day regarding moves in the Presidency Public Offices, is one that Mr. Reid, Registrar of the Sudder Dewannee, is advanced, *pro tempore*, to the Bench, as an Officiating Judge, and is to be succeeded as Acting Registrar by Mr. Richard Macan, at present a Judge at Burdwan. Mr. Trevelyan is to officiate as ordinary Secretary to the Sudder Board of Revenue, the regular Secretary, Mr. Halliday, being specially employed on the accumulation of new settlement cases. Mr. H. Torrens proceeds on special deputation to Rungpore, and Mr. Erskine is named as about to officiate for Mr. Trevelyan as under Secretary in the Political Department.

SHIPPING MANIFESTS.—An order has issued from the Governor of Bengal, relieving the inward bound shipping from the necessity of stopping to deliver manifests at Kedgerie during the South-West Monsoon, which was occasionally the cause of much practical inconvenience. During that season, in future, the manifests are to be delivered at Diamond Harbour instead of Kedgerie.

HINDOO ASSOCIATION.—Certain wealthy and intelligent Hindus, have determined upon forming themselves into an association with the view of co-operating in their efforts to reform those abuses that, by corrupting the manners and institutions of India, have for ages so grossly degraded the generosity of the nation, as scarcely to leave among them any trace of the high and benevolent wisdom, which blessed them with faculties to enjoy equally with the rest of their fellow creatures, the comforts and happiness of social life.

MUNICIPAL DONATIONS.—Maha Raja Chuttoderry Sahee, Bahadoor, of Patna, has lately given the magnificent donation of fifty thousand rupees to be added to the Education fund. Baboo Unoonath Dutt has also contributed a pair of 20-inch globes (of 1834) elegantly and completely mounted.

MOFUSSIL.

DELHI.—The progress of the Palsee plague has created some alarm, and measures have been adopted to prevent the contagion spreading to the British provinces.

A Mr. Elliot has been appointed Kotwal of this city by Mr. Lindsay, the magistrate. This is a proper disregard of the foolish custom of entrusting to natives alone the important duties of this office, and deserves to be more generally followed.

A meeting of the respectable native merchants of Delhi, importing goods from Bombay through Palsee, has

been convened by the Magistrate, in order to adopt precautionary measures against the plague visiting that city.

The following resolution has been circulated at Delhi, and signed by nearly thirty officers.

"We the undersigned, fully acquit the Reverend Mr. McQueen of falsehood, and see no necessity for his removal from the office " of Secretary to the Orphan Institution."

It is said positively that Maharajah Runjeet Singh has consented to our establishing a Cantonment at Ferozepore; and that Sir Henry Fane has proceeded to that place to fix upon the site.

Government, it is said, have it in contemplation to appoint young military men as Collectors and Magistrates in Oude, and that a requisition, for no less than sixty officers, is to be immediately made. It is rumoured that Commanding Officers have been called upon to mention the individuals in the regiments under their command who are qualified for the required duties, especially those who have passed the prescribed examination in the native languages.

AGRA.—A meeting of the Medical officers of the station took place on the subject of the Plague now raging to the Westward. The following resolutions were adopted.

1. That this meeting; consisting of all the medical officers at Agra, be constituted a "Provisional Association for the conservancy of public health."

2. That its meetings take place on the last Thursday of every month, or as often as circumstances may render necessary; and that at all future meetings the senior medical officer present shall preside.

3. That the object of the association be, to consider what professional measures may be necessary for the prevention or treatment of the disease which seems now to be approaching our frontier, and which is believed by those medical men who have had the best opportunities of judging, to be the real plague of the Levant.

4. That in furtherance of this object, the Secretary be directed to communicate with the Medical Officers in that part of the country where the pestilence is said to exist—and that they be requested to favour the Association with all the information in their power relative to its progress, nature and treatment.

5. That in the meantime, the Association recommend that immediate measures be adopted to procure an extra supply of such medicines, &c. as have been found to be most useful in the prevention and treatment of the disease, in other countries; and that the Commissariat Officer be likewise requested to have in readiness an abundant stock of hospital stores, suited to the probable emergency such as wine, sage, brandy, vinegar, &c.

6. That a deputation of the members of the Association, with permission, wait upon the Hon'ble the Lieutenant-Governor, to acquaint him with its first proceedings, and respectfully to solicit from him that information and support which is necessary to ensure its greater utility, requesting at the same time his further permission to address him hereafter, if necessary, through the usual channel, on the subject of these resolutions.

7. That the President and Secretary wait upon the Brigadier Commanding, to request his sanction to these proceedings and his co-operation in furtherance of their object.

NATIVE STATES.

THE RULER OF CHUJJUR.—Rumour says that between Feiz Ali Khan, the Ruler of Chujjur, and Husen Ali Khan, his uncle, a dispute prevails; but it was hoped that some distinguished chief would step forward and put an end to it.

BHURTPORE.—A magazine containing upwards of 10,000 pounds of powder recently exploded in this city and caused a fearful loss of life. Thirty persons were killed on the spot and as many wounded, some severely. The accident proceeded, it is supposed, from a lamp which by long custom had been kept lighted in the same building with the magazine. The building, which was of stone, was shattered into a thousand fragments, and the neighbouring houses received much injury.

RAMPOOR.—The Nuwab is strongly apprehensive of his approaching death, in accordance to the prophecy of a faqueer, who foretold accurately his own dissolution. An incurable wound received by the Nuwab in a fall from an elephant, increases his apprehension and the probability of the faqueer's prediction becoming verified. Three months have been fixed for its accomplishment.

PESHAWUR. Hurree Singh has just been defeated in an attempt to push the Sikh frontier beyond the limits of this district. He had taken up a position on which to erect a fort and had proceeded to some extent with the work, when a son of Dost Moohumud, made a rapid advance from Jullalubail, and coming on the Sikhs by surprise, drove them back and destroyed the incipient fortalice.

LUDAKE.—The merchants who trade with Yarkand and Thibet for wool, have been forced to abandon their usual route, by Jurawur Singh, the deputy of Goolab Singh, who has prescribed to them another road, by which they will have to run through a long gauntlet of Custom Houses. The merchants have opposed this with the only power that can be exerted against eastern despotism—passive resistance—and the consequence has been a considerable decline in the wool trade.

JEEND.—The settlement of this country, which cuts an important figure in the political transactions of the Agra Government, has at length taken place, in its session to Surroop Singh, a cousin of the late Rajah. Its original proportions were however somewhat curtailed, part of it being held by the Company.

DREBUND.—Futteh Khan, the chief of Pungetaur, being routed by the troops of Sirdar Hurry Sing Nelwa, had taken refuge on the frontiers of Durbund, when Payend Khan, the ruler of that place, collecting some thousands of mountaineers, his subjects, proceeded to the assistance of the chiefs of Khybur, and rumour say that his intention is to commence hostilities in conjunction with them, against the chief of Peshawur.

HYDERABAD IN SCINDE.—Mahomed, son of Meer Kurim Ally, and Meer Soohedar, son of Moraud Ally, owing to their youth, were imprudent enough to send Col. Pottinger, on his arrival in Scinde, a message, that if the Colonel wished to build a house there adapted to mercantile business, having no more than ten or twelve individuals stationed in it, no body would be opposed to it; but should he be engaged in getting troops together, the Aumeers of Taulpore were prepared to meet him with an army consisting of fifty thousand cavalry and a hundred thousand infantry. On this the Colonel, with two other gentlemen, removed towards Catch-bhoje, the possession of Rajah Narain Sing, who is under the

protection of the British. Meer Noor Mahomed and Meer Nusseer, the principal chiefs of Scinde, on hearing this intelligence, felt very much annoyed, and were inclined to put the youngsters in chains, and, apologizing for what had happened, to request the gentlemen to return.

CAUBOOL.—One of the servants in the employ of the ruler of Caubool has written to his family to the following effect: "I intended to accompany the Hindoos on the occasion of their proceeding to bathe in the *Gunga*, but a host of Aumeers having come forward and represented to his Highness that such of the Hindoos as had left the empire last year, on a similar occasion, never returned having settled at Peshawur, and that the probability was very great, therefore, that those who would be allowed to go this year would follow the footsteps of their brethren, it was ordered to be proclaimed by beat of *tom-tom*, that people going by themselves were quite safe, but if they took their wives and children with them, their property, would be plundered and their homesteads demolished. The Hindoos were thus prevented from going upon the pilgrimage."

MADRAS.

LORD ELPHINSTONE AND THE NUWABS.—Lord Elphinstone paid his first visit of ceremony, on the 9th instant, to the Nuwab at Chepauk Palace under the usual salutes; and on the 13th, their Highness the Nuwab and the Naib-i-Mookhtar returned his Lordship's visit. Lord Elphinstone has accepted the office of *Patron* of the Madras Agricultural and Horticultural Society, and had expressed his anxiety for the welfare of the institution in very strong terms.

ESCAPE FROM A TIGER.—Lieut. F. Hughes, of the 7th Light Cavalry, had a narrow escape from a tiger on the 23d of March, between the stations of Jubbulpore and Kamptee. He was in the act of stooping to get a flower from the jungle, about two hundred yards from the road-side, when he heard a rustling noise behind him. He immediately turned his head to see what it was, and beheld a huge tiger within a few yards of him. In the fright and hurry of the moment, when endeavouring to rise, he trod on the skirts of his dressing gown and fell backwards. He was at the same moment seized by the brute, which caught him over the waist band of his trousers in its mouth. In this position the beast was dragging him, when he got his hand into his pocket and drew a small double-barrelled pistol, which he placed as direct for the animal's mouth as the position in which he lay would admit, fired, and in an instant he was free, for the tiger made a tremendous spring forward carrying with it the clothes which it grasped. Lieut. Hughes was raised from off the ground before the cloth gave away.

APPOINTMENT OF ADJUTANT-GENERAL.—It is currently reported that the appointment of Adjutant-General has been referred to the Supreme Government.

RED HILLS RAIL-ROADS.—The temporary Red Hills Rail-road has been already complete though for a time rendered useless in consequence of a portion of the embankment of the Canal having given way immediately where the railroad joins on it, requiring in consequence the former to be carried on somewhat further. The temporary railroad itself has cost Government 50,000 rupees. It only extends from the Red Hills to the Canal, a distance of about 3 miles and a half, and is qualified only to bear a weight of a ton and a half. To be made a permanent structure that is by exchanging the wooden for iron-stone

or laterite supports, it will cost some fourteen or fifteen lakhs of rupees more.

INSURRECTION IN THE NEGAPATAM JAIL.—A serious insurrection took place recently in the Negapatam jail. Prompt measures were taken by the principal Assistant Collector, Mr. Forbes, for the suppression of the tumult, which was only effected after four of the prisoners had been killed and several wounded. The poons behaved very steadily on the occasion.

THE PUMBUM PASS.—The most favorable reports have been received from Colonel Montieth, respecting his operations in the Pumbum passage. He appears to have deepened it in some parts to the extent of three feet, but to what length or breadth the work has extended is not stated.

CAPT. LANGLEY.—Captain Langley of the 31st Regiment L. C. has, by sentence of a court-martial, been dismissed the Service. The charges preferred against this officer spring out of some money matters concerning the mess of his corps.

OFFICE FOR THE RECEIPT OF BULLION.—The Bengal Government have at length intimated their intention of establishing at Madras an office for the receipt of bullion instead of restoring the Mint. The only coinage that will hereafter be carried on at Madras, will be the manufacture of copper pieces. Mr. Bannister, the late talented Assay Master, is to resume his office.

DISASTERS TO SHIPPING.—In consequence of a strong current and a heavy swell in Madras roads the *Mermaid* ran foul of the *Samuel Browne* and both vessels received considerable injury by the concussion in coming in contact. The *Bolton* and the *Mermaid* were subsequently nearly driven ashore, and but for timely aid from the master attendant's office, would infallibly have been lost.

SCHOONER RUN AWAY WITH.—On the night of the 12th April the schooner *Susan* parted from her anchor and cruised about the roads till another was put on board. During the forenoon the parted anchor was found by the Master Attendant's people and delivered to the schooner; meantime a dispute arose between the owner of the vessel, Mr. Gabriel, and the Master, which ended in the Master being discharged by the owner. During the night the Master got the vessel under weigh and was out of sight before daylight. He has carried off a considerable amount of property belonging to his owner, besides the cargo, and sailed without a port clearance.

CAPTURE OF THIEVES.—A gang of thieves, which had for a long time been carrying on its depredations in the cantonments, has been apprehended, through the exertions of Captains Osborne and Wheeler.

HIGHWAY ROBBERY.—On the 4th instant an attack was made upon the palankeen of a traveller. Mr. Laver, between the seven Pagodas and Vanien's Choultry, about 23 miles from Madras. No very great violence appears to have been used on this occasion, but the robbers were not scared from their object by Mr. Laver's discharge of a pistol for the purpose, and on his quitting the palankeen they effectually rifled it.

MURDER OF A SHERISTADAR.—The head Sheristadar of the Collectorate of Vizagapatam was lately barbarously murdered near a village about fourteen or fifteen miles from that place. The deed was perpetrated at 9 o'clock at night, when the unfortunate man was travelling in his palankeen on duty with the Collector. No trace of the assassins has been found.

INVASION IN CANARA.—On the 5th of April the town of Mangalore, in Canara, was invested by two large bodies of Coorgs; the whole force in the town amounted to only 200 sepoys. A vessel, the *Eamont*, fortunately, was passing at the time, to which signals of distress were made, and Mr. Bird, the judge, and Mr. Dumergue, the only civil Englishmen in the place, together with their families, went on board. The town was soon after attacked and Major Dowker, having so small a force at his disposal, was unable to prevent many houses from being burnt and the prisoners in the jail being released. Major Dowker at length ordered an attack, and the Coorgs were finally repulsed and driven to their boats with considerable loss, one of their chiefs being taken prisoner who subsequently died. A reinforcement from Cannanore was anxiously expected. The treasure had been saved. The lost sustained by Major Dowker's force, in killed and missing, was 33 and 9 wounded.

The Coorgs, since their defeat in the attack on Mangalore, have not dared to make any head against us; and troops are being rapidly sent to the site of hostilities, whose arrival will, it is believed, wholly subdue the rebels.

HAIL STORM.—On the 30th of March, Secundrabad was visited by a severe hail storm, which entirely destroyed many of the gardens. The crystals of hail were of a very large size, some being six inches in circumference.

MEDICAL SCHOOL BUILDING.—The new building which is being erected near the General Hospital for the purposes of a Medical School, is proceeding very rapidly, and bids fair to be very ornamental as well as useful to Madras. The situation is excellent, being seen to great advantage from every part. The Lecture Room, which faces the East, is to be covered with a skylight, having a dome top which will serve to distinguish the building at any distance.

PORTO NOVO IRON.—It is said, that the Porto Novo Iron Company have received from England most satisfactory assurances of the qualities of their iron, which appear now to be so generally known and approved, that there seems every probability of the manufacturers scrambling for it as it comes into the market.

CEYLON.

THE SMALL POX.—This horrible distemper still continues to rage with unabated violence in the neighbourhood of Colombo.

BOMBAY.

TRIAL OF MR. GOLDSMID.—Mr. Goldsmid, a Civil Servant and Assistant to the Principal Collector and Magistrate of Poona, was charged with having committed an assault upon a Kulkurnee, employed in the collection and adjustment of the revenue with the cultivators, in the course of which duty a squabble, accompanied with blows, having taken place between the Kulkurnee and cultivators, both parties ran into the Court where Mr. Goldsmid was sitting, each charging the other with assault; but the Kulkurnee, from having been in a sort of Irish minority, was so severely beaten as to be unable to speak any more. Mr. Goldsmid

imagined, that the state of insensibility in which the Kulkurnee appeared to be, was counterfeited to avoid any interrogation which might lead to his detection, and accordingly to rouse him, after in vain endeavouring to get an answer from him, struck him two or three blows upon the face with a bridle, when he fell down. Mr. Goldsmid immediately placed him in a palkie, sent him off to his house and reported the circumstances to Mr. Mill's, the Principal Collector and Magistrate, who sent a European surgeon to attend the man. In a few days afterwards he died, and Mr. Miles having reported the circumstances most fully to Government, a bill was presented against Mr. Goldsmid for manslaughter which the Grand Jury ignored upon, but found one for assault. Upon the case being called on the 15th ultimo, and the evidence heard, the defendant was discharged on paying a fine of ten rupees.

ROBBERY.—Two jewellers of Ahmednuggur, who were going to Toka with pearls worth 2,000 rupees, were severely wounded and deprived of their property, by robbers in the Ellora forest.

THE COMMANDER-IN-CHIEF.—The Commander-in-Chief and Staff, returned to Bombay on the 18th of March, and landed from the Hon'ble Company's ship *Typtes* under the usual salute from the fort. His Excellency visited the whole of the Northern territory under the rule of the Bombay Government, viz. Kattywar, Cutch and Guzerat, with all the Military Stations and Troops in those Provinces, and finally embarked at Surat for the Presidency.

The charge made by Mr. Murphy, of the Commander-in-Chief having induced his arrest, is incorrect.

THE GUICOWAR.—It is said that an imperative call has been made upon the Guicowar by our Government, requiring him to pay the arrears and restore the annual allowance of the sons of the late Gungadhar Shastree Patwardhum to the guaranteed sum of 60,000 rupees, which was retrenched to 48,000 rupees at the time of the late septennial arrangements, and was totally withheld for the last three or four years, since the public avowal by the British Government of the justice of their claim and of its intention to put them in possession of their rights. The balance due to the family of the Shastree, amounting to several lakhs of rupees, is to be paid from the Guicowar's share of the Kattawar and Maheekanta tribute, should the Durbar of Baroda not discharge it within fifteen days.

NEW TONNAGE SCALE.—The new tonnage scale came into operation on the 1st of April.

TRAVANCORE FREE SCHOOL.—The Rajah of Travancore, acting under the advice of Colonel Fraser, the enlightened and talented Resident, has established a free school in Trevandrum for all who are disposed to learn English. He has also erected an observatory, and appointed Mr. Caldecott, formerly of Bombay and late Commercial Agent at Allepey, Astronomer. A class for chemistry is about to be opened by Dr. Dalmshoy, the medical gentleman attached to the Raja. A valuable library of books is being collected.

MALPRACTICES IN COURTS OF JUSTICE.—Mr. Sutherland, the ex-member of Council, and a present judge at Surat, has lately forwarded a report to the adawlut at Bombay, of various malpractices which had for a series of years been carried on in the Court over which he presides, and of the means adopted by him to clear the Augean stable of its filth.

BURMAH.

DEATH OF THE KING.—Letters received from Rangoon, communicate the intelligence of the death of his golden-footed Majesty, the King of Ava. The event is said to have been followed by civil commotions, and the country is represented to be in a most disturbed state. Trade was stopped, and all communications between the capital and Rangoon were entirely suspended. The British and foreign merchants were seized with consternation and dismay at the imminent danger which threatened an immediate alienation of their property. Were it not for the powerful influence of the British Resident, they would have been deprived of all that they earned during many years of toil and trouble. Colonel Burney's name is a sufficient passport for protection both of life and property in these eventful days of anarchy and confusion. Timber, it is feared, will not be allowed to be exported for a time, in consequence of the existing disturbances.

The following is an extract of a letter dated Rangoon, 1st April, 1837.

"The prevailing reports here as to the proceedings at Ava, are very contradictory; we have had no letter from Ava since the 4th ultimo. It is the opinion that the Prince of Tharawaddie will succeed, but what his object is, or what may be the ultimate result, we can form no correct opinion. If the existing state of things lasts much longer, I foresee that the wealthy inhabitants will wish to have a stronger and a better Government than can be formed out of the elements at Ava."

SUMATRA.

PADANG.—Letters from Padang, up to the 17th of February, mention, that the Dutch had defeated the Padress at Boonjal and sacked that town. The Boonjalites had divided into two factions, one had succumbed to the Dutch, the other, led by the Hadjee Etums had devastated the surrounding country and taken to the mountains, where they still continued to defy the Dutch power to subjugate them. All remained quite on the whole of the west coast of Sumatra, but it was expected that this tranquility would not be of long duration, as the people detested and abhorred the Dutch yoke, and cursed "not loud but deep" against Mynheer, were muttered on all sides.

SINGAPORE.

Singapore papers to the 25th of March, mention, that the pirates had not been deterred from the prosecution of their evil courses. A native of the island of Seantan, deposed at the Police office of Singapore, that the crews of fourteen Illanoon pirate boats, had recently made descent upon the district of Battu Etam, where he and his family resided, and after capturing them and committing some depredations at Pulo Jamajah, had proceeded to Pulo Tinghy and captivated several other persons. The informant escaped from the marauders, after being about two months a prisoner. The *Wolfe* had been actively engaged in the search after the corsairs in the

Straits, and had captured and sent twenty-two trading vessels to Singapore, on account of their being found at sea without passes. This vigilance on the part of His Majesty's ships, and the arrival of the steamer *Diana* at Singapore, cannot fail greatly to intimidate the pirates from the pursuit of their career of crime; but the *Singapore Free Press* states, that piracy in the Straits seems likely to be brought to a close by other means, as the Tummongong lately waited on the local authorities at Singapore, and intimated, that the remnant of the piratical community at Gallang, being fully persuaded that the English were determined to terminate their predatory pursuits, were desirous of establishing themselves under the British protection at Singapore, and there pursue an honest livelihood for the remainder of their lives. The decision of the local authorities respecting these men, had not transpired.

The notorious Achinese piratical state-bark *Baggiana*, which had recently been committing serious aggressions against the British flag, under the directions of the Rajah Mouda of Achien, has been captured by the Dutch men-of-war, which had been sent to Achien to demand the restitution of the guarda-costa schooner *Dolphin*, and the surrender of her crew (by whom she had been cut off from Padang roads, with treasure on board, and taken into Achien,) and taken away, in retaliation of the conduct of the Rajah in harbouring the crew of the *Dolphin* and refusing to restore the vessel. The gunner of the *Baggiana* was dismissed by the Dutch, and having made his way to Penang, related the circumstance of the capture of the craft.

CHINA.

By the *Rob Roy*, Canton papers to the 11th of March have been received. From the state of affairs in China at the date of the last advices, anticipations of receiving intelligence of importance from that country were entertained; but they have been disappointed, as the papers received are principally filled with European extracts long since published here, and furnish nothing in addition to what we were previously in possession of, with the exception of the intimation that the viceroy had issued another edict, prohibiting vessels from anchoring at Cumsing-moon, and directing the Chinese naval commanders to fortify the different stations with artillery, and fire upon the foreigners who, being cognizant of the prohibition, should still contumaciously persist in anchoring in the interdicted harbour. We suspect that the "outside barbarians" are now too well accustomed to the fulminations of His Highness to pay much regard to them, and that, therefore, the last issued edict will be treated with the same degree of respect that which its predecessors experienced. The hopes entertained of the opium trade being ultimately legalized, seem now to be almost entirely abandoned. The report of an edict having been issued by the Emperor, for the legalization of the trade for one year, which was brought here by the *Antonio Pereira*, on the eve of the last opium sale, proves to be entirely false. Two more hong merchants had been imprisoned, on a supposition of having been concerned in the smuggling of a Sycee silver, to prevent the issue of which from the country, the Chinese authorities had become more than usually vigilant. The quotations of opium were, Patna per chest, old Sp. drs. 840 a 850: new 780 a 790. Benares old 750; new 710 a 720. Malwa old 650; new 650. Turkey 580.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, April 29.)

RICE.—Accounts from all quarters are still most discouraging; the unusual drought and heat which now prevail, have completely burnt up a large portion of the sowings, and no rain having fallen since our last, another week has of course been deducted from the period which remains for sowings and maturing that large proportion of the crop, which has still to be put in the ground before the setting in of the periodical rains, and the usual rising of the rivers.

RAW SILK.—The demand for this article under unfavorable accounts from home, is still languid, and prices consequently continue to look down.

SILK-PRICE GOODS.—The market for these, also continues exceedingly dull, and prices are giving way.

COTTON.—Importations are extensive from the Upper Provinces; but operations are restrained by the unfavorable accounts from England and China, and prices continue to give way.

SALTPETRE.—There has been a slight improvement in the demand of this article for the English and American markets, and the prices of some of the assortments have slightly advanced.

SUGAR.—The purchases in this produce are confined to a few transactions of secondary quality for shipment to Bombay, and our quotations remain as in our last.

LAC.—A few transactions in Shell have been reported since our last for the American market.

The market continues dull, and prices have given way.

GRAIN.—The demand for Rice and other grain, has been somewhat limited, and prices continue without alteration.

OPIMUM.—Transactions in the bazar are limited, a few chests Patna at 1615 per chest, being the only reports since our last. A re-sale of uncleared lots to the extent of 200 chests of March sale, was commenced with on Monday last, at the Exchange, but it was discontinued after two lots had been sold at 1485 rupees, in consequence of the first purchasers having come forward to clear their purchases.

The *Red Rover*, *Cowajee Family* and *Ruby* are daily expected from China, and should they bring any favorable accounts, the prices here will immediately have a start, from the accommodations granted by the Government in postponing the last sale of the season, conditionally to the 9th June next.

BLOCK TIN.—Without sale, and prices remain as last quoted. We notice an importation of 1,003 slabs per the *Fanny* from Penang.

PEPPER.—Has been in limited request. We quote the price of Malabar a shade higher than in our last.

MACR AND NUTMEGS.—Without transactions. The former is quoted at an advance on previous rate.

ALUM.—A sale has been effected at our quotation.

BELT-NUT.—A sale is also reported at a slight advance on our last quotation.

MULE TWIST.—Sales to a fair extent have been effected during the week, but at a further slight reduction in prices.

TURKEY RED AND ORANGE YARNS.—Without sales, and remain without any change in prices.

CHINTZES.—The market continues inactive, and the prices remain without alteration.

WHITE COTTONS.—The market as regards demand and prices, may be reported as in our last.

WOOLLENS.—Nothing doing in these, and prices remain unchanged.

COPPER.—There has been a slight enquiry during the week, for Sheathing Bolt and Nails, the prices of which have advanced a trifle. We have no change to report on the rest of the assortments.

IRON.—The prices of several of the assortments of the metal are quoted at a further slight advance on last week's rates. Some sales are reported with the occurrences of the week.

STEEL, LEAD AND SPELTRE.—Without sales, and remain at our last quotations.

TIN FLATES.—A sale is reported at a slight reduction in price.

QUICK SILVER.—Remains as last quoted.

MEMORIAL OF THE 4TH REGIMENT NATIVE INFANTRY.

The Memorial of the 4th Regiment Native Infantry, to the Honorable the Chairman, Deputy Chairman, and Court of Directors, of the East India Company.

Berhampoor, 30th March, 1837.

HONORABLE SIRS.—Your memorialists beg, on behalf of their brother Officers and themselves, to express their grateful acknowledgments for the consideration evinced by the Honorable Court in the increased scale of retiring pensions lately promulgated to the Armies of India, but they would respectfully remark that, as the benefits of the same necessarily presuppose an actual service of 35 years and an age, ranging from 52 to 60 for the highest annuity, your memorialists are anxious to be permitted to aid in establishing a Fund which shall ensure a competent provision before so advanced a period of life.

Your memorialists readily acknowledge, that the military Service of India, holds forth many advantages; but to the great majority the attainment of situations of emolument must always depend upon rise to the higher ranks, which the present system of keeping the senior grade of the army always stationary, without increase or absorption, except by natural demise, renders very slow and precarious.

3. Your memorialists are humbly of opinion, that the Fund proposed by Mr. Curnin, is the only feasible mode of amending these defects, without encroaching on the revenues of the country.

4. The consideration shewn to the Civil and Medical branches of the service, induces your memorialists to hope, that your Honorable Court will not be disposed to shew less indulgence towards their military servants, most of whom, serving abroad for many more years on far smaller pay, are incapacitated from acquiring a sufficiency to render their retirement to their native country on a competency possible; not to mention a provision for their families, for whom India offers few openings; while it is not assuming too much to suppose, that many of those available in Europe, are pre-occupied in favor of men whose lives have been spent, and whose connections have been strengthened in their native land itself.

5. It may not be irrelevant, in order to shew that we, your memorialists, are not actuated by inadequate

motives in our present appeal, to state, that within little more than two years after this memorial shall be laid before your Honorable Court, every Lieutenant of the 4th Regiment Native Infantry will have attained the brevet rank of Captain for 15 years' service, and that consequently but few of those, who may survive to enjoy the benefits of the retiring regulations, can hope ever to attain the rank of field officer regimentally; and while we trust that our own energies may long preserve us from falling into that apathy, which a want of a due infusion of promotion, so far as it can be given without burthen to the state, has an acknowledged tendency to produce in all military bodies, we cannot but feel that shut out alike, as is but too probable, from the honors as from the emoluments of our profession, a time may come when the prospect of retirement upon some such fund as we now solicit, may be more suited to the views and capabilities of some of our body than the duties and responsibility of a tardy promotion.

6. In conclusion, your memorialists respectfully yet ardently solicit, that your Honorable Court will no longer defer some explicit declaration of its sentiments on this, to us, so important point, which has caused and still continues to keep up great excitement in all ranks; and should your Honorable Court deem fit to restrict its approbation to but a modification of the principles laid down by Mr. Curnin, or even still further to limit its sanction to a retiring fund for its military servants, that it will be pleased to make known its final sentiments and decision, and relieve your memorialists from the prolonged anxiety and expectation on this subject, which have, we conceive, not only operated to produce individual excitement, but also, from vague ideas of forthcoming advantages, have been highly instrumental in retarding the interests of the army at large, and the promotion fairly to be expected from sources already in operation.

Signed by every Officer present with the Regiment.

The officers 4th N. I. have forwarded to Mr. Curnin their contributions at 4 per cent. on their pay, &c. and all allowances as unanimously voted by all now present with the corps, who approved of that gentleman's plan in 1836, at the meeting, when the above memorial was drawn up as a mark of their high sense of his zeal and services.—*Hurkaru, May 10.*

THEATRICALS.

LE ROSSIGNOL.—ROBERT LE DIABLE.

We scarcely know how to commence our observations on this magnificent music and scenic treat. Our head is stuffed with a mass of recollections, the intense vividness of each reminiscence trenching so upon the impression made by her sister who preceded her into the recesses of our cellular sensorium, (we hope the doctors will not laugh :) that we can for this once say that our *pia mater* is impregnated with a chaos of beauties such have never found their way there on any previous occasions. Vive Mademoiselle Léméry, and may the shadow of the demoniacal Welter never be less. All praise and honor be the meed of the indefatigable Thonon; and hallowed be the flute of Philip Delmar. Bright be their apotheosis when they shall shuffle off this

mortal coil, and may they dance from earth to Elysium in a Mazurka, and wander during an eternity of bliss through the shady groves and yellow meads of Asphodel of Elysium, with a chorus of Nightingales to greet their arrival, and a diurnal banquet of dear Mrs. Grange's best and freshest strawberry water, to cool them after their exertions. Quite unequal are we to the task of giving a critique of Robert le Diable. We must see it again, and again, ere we make the attempt. But such of the flowers as we may succeed in culching from out the fertile field of our recollections, we will endeavour to give, for the benefit of those whose hard fate led them to stay at home on Saturday last. Taking, however, the liberty of observing primarily to such *Pendez-vous mes braves, nous avons Combattus, et vous n'y étiez pas*; by which we mean to say, annihilate

yourself, oh! ye musical Dilettanti, ye have missed Léméry's scenes in the *Rossignol*, and Delmar's flute obligato accompaniment, with about fifty other delicious things; all of which ye might have enjoyed, had ye been so minded! So to despair and die is all that is left for ye. And now to our reminiscences. Mademoiselle Léméry was absolutely great: her execution was neat, clear, sharp and distinct; her tones *argentines*, her chromatic slips and slides, as smooth and polished as the surface of a mirror. In the *Rossignol* her acting was almost equal to her singing, and in Robert her singing gave one no time to think of her acting. She put us in mind of Sontag and Cinti. Her Chief duo with the flute, was the absolute perfection of instrumentalizing the voice, the converse of vocalizing an instrument; which is, believe, thought to be the great perfection of playing. It was an admirable performance and we thought, if it be possible, P. Delmar's achievement still more wonderful than hers. Never do we remember to have heard a more complete piece of fluting—round, liquid, pure, in perfect and irreproachable *tutti*. The artist was in consequence duly rewarded at the conclusion of this piece, with a most vehement and separate round of applause. Fluery and Welter were excellent, as Maturin and le Bailli; and Lubin, albeit the music was too high for him, in this as well as in the part of Rambaud in Robert, was in his acting, excellent and energetic as he ever is. Fluery was, we thought, occasionally unhappy, in the every high passages of Robert le Diable's music; but his acting was admirable, and we certainly never saw any thing better dressed, in perfect taste, and splendid indeed. One might have supposed a picture of Duke Rollo, starting from the canvass, and stalking forth on the stage. The music of this part in the hands of Fluery, was upon the whole very successfully given. He sang throughout the carousing and gambling scene, with excellent effect. We have mentioned the scene and flute accompaniment in the *Rossignol*, we must not forget to mention Isabel-la's (Léméry's) grand display in Robert, where she gives a series of *tour de force*, running up consecutive arpeggii as it were chords of octaves and tenths. This piece of execution was perfect of its kind. Welter, who bears on his Atlantean shoulders the whole burden of the 3d and 4th acts, was very great indeed; and his acting, even where he had nothing to do, but to look and attitudinize, was most demoniacally and diabolically excellent. We cannot stay at present, to particularize, but his invocation was splendidly given. The Cloister Scene was truly beautiful, and picturesque. The concluding scene with the Ghosts of Nuns in shrouds, (exchanged for petticoats, of truly Ballet dimension) and of holy Friars, all giving themselves up to dance and "Libations," was shortened, we imagine, as both actors and audience were fatigued by the extreme length of the performance, and warned by the clock presented to the Theatre by Manuk, the munificent, that Saturday night had merged into Sunday morning.

The whole thing was much too long. It began nearly an hour too late. The *Rossignol* came first, (of necessity we suppose because of scenery and machinery) but it would have been better to omit it altogether, even at the sacrifice of the finest fluting and singing of the Evening. The orchestras, both before and behind the scenes, were very, we might almost say *infernally* good; and the wonder is how even Thonon's marvellous tact, talent, and activity, could have drilled them into a tolerable performance of such difficult instrumentalizations—what a pity that so much labour should be thrown away, on a single performance! A piece of this sort, as we had need to say of the Italian Opera two years ago, should be played half a dozen times to approach any thing like perfection.

We learn from the *Englishman*, that this is the last appearance of Mademoiselle Léméry—we cannot however suppose the information to be correct. In the event

of her departure what becomes of the representation of the whole of Robert the devil, announced for the benefit of Monsieur Welter? We do not wish to enter into Green-Room discussions; but *good faith*, and plighted promises, however often broken in love, at least ought to be kept in music, and without Léméry there can be no more Robert the Devil. The Opera would bear repetition, even in Calcutta, at least half a dozen times. The house was not very well attended, which we are sorry for.—*Hurkaru*, May 8.

ROB ROY.

Absence from town, entirely prevented our giving in Saturday's paper an account of the meritorious exertions of the men of the Camerouians in behalf of the European Female Orphan Asylum. The performance, however, possessed too many favorable features to be passed over in silence even at this distant date. The *Balie Nicol Jurvie*, by a Mr. Glasgow, was as good a bit of acting as the Indian stage has produced. The words came as glibly and naturally from him as if he had been the son of the deacon, "young Nick" himself! His action was quiet and characteristic, and he possessed that invaluable key to the risibility of an audience, —an utter unconsciousness of his own drollery. We hope he will often be engaged to perform. The character next in order of merit was *Major Gubraith* by Mr. Hay. His drunkenness was perfect. The very point of his sword and the very tip of his feather shared in the general disguise. The *Dougal*, by a real McGregor, and the pipes, and the chorus singers, and Jean MacAlpine, and the hostess of the inn who served out "the stirrup cup," were all exceedingly good in their way,—worthy of a much better audience than was collected to greet their labors. In the afterpiece, which we could not stay to see, the representative of Rob Roy, Mr. Cousins, made, as we are told, an admirable *Teague*. His acting in the first piece, was rather tame and ineffective, but it is said, that he more than atoned for this by the spirit which he threw into the Irishman. The quaker ladies and *Obidah* are reported to have been excellent.—*Englishman*, May 8.

MADE DE LIGNY'S ENTERTAINMENT.

On Thursday evening Made de Ligny's entertainment took place for the benefit of this engaging artiste. The house was not very well attended, but we believe a great many of the most distinguished members of the great world (of Calcutta) patronised although they did not attend, so that we may, we hope, congratulate the fair *Beneficiaire* upon the result of her exertions. Of the performance of *Le Chalet* we have on former occasions spoken—it lost nothing by repetition; this is in good sooth a very elegant production. This pleasing composition, was followed by a thing called *Killing no Murder*. We shall merely say of it that it lasted from about 10 to nearly 12 o'clock, and that the killing and murdering (of the audience) was perpetrated with a degree of remorseless perseverance and unflinching barbarity, such as the records of Chowringhee have not heretofore chronicled. We hope the charity of the audience will induce them to forgive, and we trust they may forget, this abomination. The recollection of it would be sufficient to keep people away from the Theatre for the next twelve months. Alas! for our poor Drury! The piece is of the Bartholomew Fair order, and the dialogue, as given on Thursday, replete with vulgarity, and what is worse, with vile, vulgar English double-entendres of the most unequivocal impropriety; and then there was such howling and grunting, barren buffoonery, and gratuitous absurdity, as never yet was presented to mortal ken, at least by any one but the great departed Richardson of Greenwich and Bartlemy Fair celebrity. And all this too, under the very nose and apparently in defiance of those in whom the controlling power in these matters is said to reside, the managers.

We really do think that after this specimen, it is high time that something like a Censorship should be established; some one manager ought to inspect the pieces it is in contemplation to perform, and inasmuch as the good taste of the Amateurs (at least as exhibited in *Killing no Murder*) cannot be depended upon, the introduction of such objectionable passages, as were of frequent occurrence on Thursday evening, should be deprecated, and the text submitted for inspection previously to the performance, in order that it may in future be ascertained upon whose shoulder the blame ought to rest, whether upon those of the author or of the Amateurs. If on the author, the good taste of the censor would at once enable him to see that the coarse double entendre and low ribaldry which may suit the galleries of a London Theatre is not calculated to gratify or improve a Calcutta audience, and the pen and scissors would be duly put in requisition; and if upon those of any particular Amateur, upon the fact being brought to his notice it is to be hoped that the party thus offending would in future abstain.

It appeared to us, that in *Killing no Murder*, one it not two of the amateurs, presuming upon their popularity, were pleased to introduce what is termed "Gog," i. e. they substituted their own "faciões," to use a very gentle term, in lieu of what was written for their respective parts; for we cannot suppose that any dramatic author would deliberately pen the things uttered on Thursday evening, and it we are mistaken, and the *équivoques* and coarseness in question are really part of the text, we can only say, that it would have been in much better taste had they been omitted. By the time "*Killing no Murder*" was over, two-thirds of the audience, tired or disgusted, or both, retired, and *Le Chansons de Béranger* were presented to a very small auditory; those who did stay, however, appeared much amused. Madam de Ligny, appeared first as a wet-nurse, the most *élégante* of

the whole tribe, and then suddenly, in accordance with the dialogue, she changes with a hey, presto, into a fairy! but such a fairy! never since the days of the Danish shepherd before the assembled Goddesses on Mount Ida, has there been a more perfect representation of that beauteous and learned Phrygian. Helen might have been mistaken; and Venus herself, his boar spear and buskins considered, might have mistaken him for her own Adonis in the most succinct of his *Tuniques de Chasse*: the fairy then becomes the goddess Fortune, in another and if possible as pretty a costume as that of the boy-fairy. In all these parts the vivacity, grace, and cleverness of Madam de Ligny were as usual very agreeably manifested. Fradin, as *Paillass*, *Le Roi D'Grelot*, and *Le Juge de Charenton*, was most facetious; his activity and grace as *Paillass*, his naive imbecility as the King of Grelot, and his volubility as the French lawyer, were positively astonishing. It was one of the cleverest things we have seen him do, and speaks volumes for his versatility. Much of the wit, satire and point of the dialogue, were, we suppose, necessarily lost to the audience; it consisting in all sorts of political allusions and references to the songs of Béranger, which, all witty as they are, must still of necessity retain about them a sort of interest local and Parisian, and, scarcely therefore calculated for the meridian of Calcutta. However, the personation of the various characters assumed by the two accomplished artistes we have named, appeared to afford great amusement and the curtain dropped at about 10 minutes to one amidst the din of as much applause as the remaining elegant extract of the original audience were capable of creating. The Theatre was positively quite cool, and so long as this the present breeze now blowing continues, ladies and gentlemen need fear nothing from the heat, and can gratify, without the slightest inconvenience, their taste for dramatic amusement.—*Hurkaru, May 20.*

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held at the Town Hall this morning, April 10, at ½ past 9 o'clock.

PRESENT.

The Hon'ble Sir E. Ryan, President, in the Chair.	
Hon'ble Col. Rehling,	The Nawab Tohowerjung.
Dr. Wallich,	Capt. Leach,
John Allan, Esq.,	A. Grant, Esq.,
Wm. Storm, Esq.,	C. Trebeck, Esq.,
C. K. Robison, Esq.,	G. A. Prinsep, Esq.,
D. Hare, Esq.,	A. G. Harris, Esq.,
J. S. Stopford, Esq.,	W. H. Hamerton, Esq.,
D. Huffnagle,	Dr. Strong,
N. Alexander, Esq.,	C. Brownlow, Esq.,
M. A. Bignell, Esq.,	G. T. Speed and
J. W. Masters, Esq.,	John Bell, Esq.

Visitor E. Sterling, Esq., C. S.

The Proceedings of last meeting were read and confirmed.

The following gentlemen, proposed at last meeting, were duly elected members of the Society, viz:—

Col. D. Macleod,	G. D. Glass, Esq.,
(Engineers.)	J. P. Wise, Esq.,
Maj. J. A. Moore,	J. W. Alexander, Esq.,
Hyderabad.	T. Young, Esq., C. S.
M. M. Manuk, Esq.,	D. Gibson, Esq., and
Jas. Grant, Esq., C. S.	Hazee Mahomed Ali,
J. M. Hill, Esq.,	

The following gentlemen were proposed, viz:—

Sir B. Malkin, proposed by Sir E. Ryan, and seconded by Dr. Wallich.

Francis Robinson, Esq., C. S., proposed by M. A. Bignell, Esq., and seconded by Dr. Wallich.

Samuel Oram, Esq., of Hanskallee, proposed by William Storm, Esq., and seconded by John Bell, Esq.

A. Oram, Esq., of Nuddeah, proposed by W. Hickey, Esq., and seconded by J. Allan, Esq.

Edward S. Hodges, Esq., and Henry Graham, Esq., of Khalbolya Kuehaugur, proposed by William Storm, Esq., and seconded by John Bell, Esq.

W. A. Shaw, Esq., of Bhauglepore, proposed by John Allan, Esq., and seconded by W. Storm, Esq.

N. B. E. Baillie, Esq., proposed by William Storm, Esq., and seconded by J. Allan, Esq.

The Secretary read the report of a sub-committee, on the question of awarding medals "to the producers of the best samples of the staple products of British India." After some slight alterations suggested by the Chairman, on the motion of John Allan, Esq., seconded by Dr. Strong.

Resolved.—That the report be approved and adopted, and that the conditions be publicly announced.

The gold medal is to be awarded for the best samples of Raw Sugar, Cotton from foreign seed, Silk and Tobacco from foreign seed.

The silver medal is to be awarded for the second best samples of these products.

A report was brought up from the Agricultural Committee, in reference to the suggestions offered by them at the last General Meeting, on Mr. Storm's motion, to improve the breed of Cattle and Sheep in India generally, and particularly in Bengal.

The report, which was read at last Meeting, was ordered to lay on the Table, and although on a subject of vital importance to the Agricultural and Commercial interests of India, it had not been called for by a single Member.

Mr. A. Grant proposed, that it should be ordered to have a further respite of two months, as objections were taken to the site proposed, on the grounds of inconvenience and dampness, which by a Members present was thought an insuperable objection to the successful development of a superior breed. This objection was met by Mr. N. Alexander, who stated that the best horses in India had been bred in Bengal.

The Committee having left the computation of expense, as an after-consideration, their present view being to attract the attention of the Society to the utility of the measure, the President proposed, the reports be re-submitted for further consideration, and that the following gentlemen be requested to join the original Committee, viz. Messrs. Walters, N. Alexander, Robison and Dr. Huffsagle, with liberty to add to their number.

Sir E. Ryan stated, that he had received a letter from Sir H. Fane, in reference to an application made to Mr. C. Paulett Thompson, based on a resolution of the 10th February, 1836, to insure a regular supply of Cotton seed from America. The importance of the subject is duly recognized by the lively interest, which Mr. Thompson has infused among the influential merchants and others in England, who have cordially co-operated with the Horticultural authorities, and the Society is led to expect shortly the first despatch of seed, via England, thence by the overland couriers, and another direct from Boston or New York.

Dr. Strong proposed, and was warmly seconded by all present, that the special thanks of the Society be offered to Mr. Thompson for the great interest, and trouble he has taken in the matter.

Mr. W. C. Crane, submitted some very fine specimens of cotton grown at Singapore, from upland Georgia seed, which he had received from this Society in October last, and from seed received from Manila. A pod of the latter was without exception the most perfect, beautiful, and largest, ever grown or seen in India. Mr. Crane terms it "*Manilla Cotton*."

Another beautiful specimen of cotton was exhibited by Mr. G. Prinsep, grown in the Sunderbuns, without care, from seed (Peruvian) presented to this Society by Mr. Jas. Crooke on the 8th June last. The fibre of this cotton is long, fine and strong, and easily detached from its black seed. Mr. Prinsep had only a single plant, but is husbanding the seed, with a view to its further propagation; and there can be little doubt that the Peruvian cotton, will prove a valuable addition to our Foreign acclimated cotton.

Mr. E. Stirling, exhibited some cotton in the pod, grown at Fernando Po, by a Gentleman who had sent a quantity of the crop to England. This appears to be a superior kind, easily detached from the seed.

Memo.—Dr. Wallich expressed a wish to multiply this seed, by planting the few pods presented, in the Society's Nursery, and received it from the Secretary for that purpose. It is probably fresh, as Mr. Stirling received it on visiting the Island in February 1837.

The same gentleman presented some strange seeds from the Island of St. Jago, one of the Cape De Verd

Islands. The fruit is described as particularly fine, and reckoned to possess greater perfection than those of the Azores.

Mr. Robison proposed, and it was resolved, to forward the seeds to Mr. Ingles at Sylhet, who takes great interest in Horticultural pursuits. Dr. Wallich took also a few seeds for trial at the Botanical Garden.

Very fair specimens of cotton were presented, the produce of the Society's Nursery, viz. "*Upland Georgia*" from seed sown on the 4th October 1836, came up on the 8th idem, and gathered in May. "*New Orleans*," from seed sown on the same day, sprung up on the 8th idem, and gathered yesterday.

The Secretary read a letter from Mr. A. Millet, to his address, dated 18th April, presenting six musk melons reared in Entally, which he had distributed to several members, whose opinions were all in favor of the superior flavor of this melon, compared with any heretofore produced in Bengal. Mr. Millet had also sent specimens to other Gentlemen, who reported favorable of their quality.

The Secretary had personally inspected Mr. Millet's bed of melons, which occupied about a beegah of ground, and appeared to have been very carefully cultivated; even to the necessity, of purchasing water for the purpose of irrigation.

A second letter, which had been drawn up by desire of the Secretary, was read, detailing the mode of culture adopted, but wanting (as Mr. Alexander noticed, who had devoted much attention to melons) in the most essential point—*manure*.

The meeting was unanimous, in its desire to encourage such experiments, and on the motion of the President.

Resolved, that a silver medal, and two hundred rupees, be awarded Mr. Millet, for his exertions, and with reference to the expense be had incurred in making the experiment.

A few copies of the first part of vol. 4. Society's Transactions, were received by the Secretary, during the business of the Meeting, composed of Dr. McClelland's report on the Geology, &c. of Assam, but the superscription on the envelope and title page being incorrect, the pamphlet was ordered to be kept back until another envelope be printed.

Read a letter from Mr. Secretary W. H. Macnaghten, dated 18th April, forwarding, by desire of the Right Honorable the Governor-General of India in Council, copy of further notes by Dr. Campbell on the Agriculture of Nipal proper, together with a memo. by that officer on the state of arts in Nipal.

MEMO.—THIS PAPER IS NOW IN THE PRESS.

Read a letter from Dr. Wallich, dated the 2d instant, annexing extract of a letter from Professor Royle, dated London 8th December, 1836, on the subject of *caoutchouc* or Indian rubber, which has become an article of immense consumption in England, with a letter from the Secretary to the "*London Caoutchouc Company*," and several copies of a prospectus issued by the said Company, also a bottle of Caoutchouc, made by the natives of Para, and a wooden model of the form in which the substance is required to be made, giving instructions regarding the preparation of the India rubber, and stating that the Company have offered a reward of £50 to any person who will send them a cwt. of the article collected in our East India possessions.

Memo.—A large export of the article has already commenced at Calcutta, which clearly demonstrates, that the powerful incentive to all human action, *self-interest*, will do more for the advancement of commerce, than the most costly medals that can be devised.

From James Prinsep, Esq., dated 4th May, forwarding, by desire of the Asiatic Society of Bengal, a copy

of the Caoutchouc Company's prospectus, with a duplicate of the block already adverted to.

Proposed by Mr. Bell, seconded by Mr. Storm, and resolved: That a copy of this prospectus be forwarded to all branch Societies throughout India, and that the Editors of Journals be solicited to transfer the prospectus to their columns, in order that the utmost publicity be given to parties anxious to embark in the speculation.

From Capt. H. Macfarquhar, of Tavoy, dated 10th March, forwarding a specimen of Hemp, grown in his garden from a few shoots received from Col. Barney, of Ava, and desiring an opinion on its quality, &c.

From Capt. J. D. Syers, dated Cuttack, April 9th, intimating the establishment of a branch Society at that station, of which he is Secretary.

From T. Campbell, Esq., dated Midnapore, 8th May, communicating the formation of a branch Society at that station, under the joint management of Dr. O'Dwyer and Mr. Campbell.

From Mr. J. W. Masters, forwarding a paper, formerly written by him on the treatment of peach trees, with additions from subsequent experience.

From M. P. Edgeworth, Esq., dated Loodianah, 24th April, furnishing a description of a sugar mill termed "Kulare," used in that part of the country,—speaks favorably of the Otaheite cane and the successful vegetation of Upland Georgia Cotton seed.

From Major J. A. Moore, of Hyderabad, to Sir E. Ryan, dated 7th May, forwarding a box containing three non-pareil apples, grown in his garden, which were in great perfection, as fresh as when pulled, and of flavor highly approved by the Meeting.

From Dr. Wallich, dated 6th May, presenting in the name of Dr. Wight of Madras, a circular drawn up and printed by that gentleman, with preparation and introduction on a more extended scale in India, of the same plant.

From the same, dated 9th May, enclosing a note to his address, from Capt. Jenkins of Gowhatti, forwarding a sample of "Creole Rice" from seed presented to this Society by Mr. Piddington, and of sugar manufactured at that place by Mr. Grange. The sugar is of very good quality.

From H. Walters, Esq., dated 8th May, forwarding a series of replies, drawn up by the Revd. Mr. Williamson, (with reference to the Beerbhoom District) to the queries lately circulated by the Agricultural Society of India.

From W. Liddell, Esq., Secretary to the Madras Society, advising the despatch of a plough, which was

exhibited at the Meeting, incomplete. Several members thought the sum (100 Rs.) paid for it exorbitant.

From Capt. Jenkins, dated Gowhatti, 7th April, to the Secretary, acknowledging the receipt of seeds, and offering some interesting remarks on grasses. Capt. Jenkins argues satisfactorily, that poverty is the chief cause of bad pasturage in India, and the effect is equally carried through every branch of Agriculture.

From W. Munro, Esq., Secretary to the Bangalore Society, dated 9th April, acknowledging the receipt of seeds, &c.

From W. Blundell, Esq., dated Moulmein, 2d April, forwarding samples of cotton, reared from Perambuda seed, of very good quality; but Mr. Blundell thinks not sufficient in quantity to tempt cultivation on a large scale.

From Rajah Kalikrishna, presenting a sample of arhur dhal, grown in Zillah Tipperah. The Rajah is solicited to procure some of the seed.

From J. J. Diawell, Esq., dated Boston 15th December, 1836, stating that the second dispatch of maize, which he hoped to have forwarded by this conveyance, had not yet been received.

From His Highness Nawaub Tohewerjung, dated 28th April, presenting a specimen of cotton grown in his garden, from seed received from the Society.

From Mr. Laitin, of Shahabad, dated 19th April, undertaking to supply seed, so as to reach the Presidency in September.

From Mr. Waghorn, dated Cairo 27th January, acknowledging the receipt of his election as an Honorary Member of this Society.

Promises to speak to the Pasha, on the subject of being permitted to send more Cotton seed.

From Dr. Campbell, of Nipal, dated April 19th, forwarding the 8 original specimens of soil alluded to in his notes on the Agriculture of Nipal.

Resolved that Mr. J. W. Masters be requested to furnish the Society with an analysis.

Mr. Masters took away the sorts for this purpose.

Specimens of "sycepodium," from California, were presented by Mr. Bignell, which Dr. Wallich promised further to report upon.

A pod of Cocoa, presented by Nawaub Tohewerjung.

The thanks of the Society were ordered to be offered for all these contributions.

JOHN BELL, Secretary.

Town Hall, Calcutta May 10, 1837.

[Harkar, May 12.

PROCEEDINGS OF THE ASIATIC SOCIETY.

Wednesday Evening, 3d May, 1837.

The Hon'ble Sir Edward Ryan, President, in the chair.

Colonel D. Macleod, Engrs., M. A. Bignell, Esq., Capt. S. F. Hannay, and Dr. W. Griffith, were elected Members of the Society.

Dr. J. Swiney and Lieut. M. Kittoe, 6th N. I., were proposed by the Secretary, seconded by Capt. Cunningham.

Professor O'Shaughnessy, proposed by Dr. Corby, seconded by Sir E. Ryan.

G. W. Bacon, Esq., C. S., proposed by Dr. Falconer, seconded by Mr. Macnaghten.

Francis Robinson, Esq., C. S., Futtahgurh, proposed by Captain Forbes, seconded by Mr. Macnaghten.

The Bishop of Cochinchina returned thanks for his election.

Read extract of a letter from Major Troyer, the Society's Agent at Paris, proposing that honorary membership should be conferred on Baron Schilling of Gressstadt, the Mongolian and Tibetan scholar.

Major Troyer mentions that M. Guizot, Minister of Public Instruction, is about to sanction a yearly grant of

about 2,000 francs, for procuring copies of Sanskrit manuscripts from *Calcutta*. The study of the Oriental languages is increasing fast on the continent, and a fresh supply of our publications intended for on *London* has been immediately disposed of. Captain Troyer's French translation of the *Raja Tarangini* would not issue from the press under a year, on account of the difficulties of printing the Sanskrit text.

Read a letter from the Secretary to Government, General Department, directing the packages of Oriental books to be sent to the Export Ware-house-keeper, and passing the bill for their package, rupees 17.

The Secretary reported the death of Behadur, the pensioned *farash* of the Museum, who had been on the establishment since Sir William Jones's time. He was with his wife burnt to death in one of the late dreadful conflagrations.

Antiquities.

Read the following letter from Lieut. Markham Kittoe, 6th N. I., dated 2d April, announcing that in compliance with the Society's desire he had visited *Khandgiri*, or order to re-examine the inscription published by the late Mr. Stirling.

(We have not room for this letter.—Ed. C. C.)

Read a letter from Lieutenant Sale, Engineers, dated *Atahabad*, in April, forwarding a fac simile taken on cloth and paper of an inscription at *Kalinjer*, situated at the entrance of a temple of *Mahadeva*.

The Secretary exhibited Mr. Vincent Tregate's splendid collection of the Gutta gold coins, which had been intrusted to him for the purpose by the proprietor, whose zeal in this line of research had been attended with remarkable success.

Physical.

The Secretary noticed that the bill drawn from *Malacca* on account of a *Tapir*, had been presented and accepted for rupees 226 12—but the animal had not yet made his appearance.

M. Chevalier, mineralogist of the corvette *La Bonite*, requested the Society's acceptance of a series of Geological specimens from *Cornica*.

Lieutenant Kittoe presented specimens of the rocks in *Cuttack*:—also a snake (*Coluber Mycterizans*?) in spirit.

Lieut. Kittoe in another note, mentions the discovery of extensive coal beds in *Ungool* and *Hindoos*, near the *Kursoos* and *Byturnee* rivers.

The existence of the mineral at these places had before been made known to the Europeans, and specimens had been produced. Lieut. Kittoe was anxious to visit and survey the locality, that he might report in further detail, as, if conveniently situated for water carriage down the *Mahanaddi*, the coal might be made available for steamers touching at *Poores*. The coal and iron mines are together:

Letter from Professor Royle inclosing Prospectus of the London Caoutchouc Company, and inviting the Society's attention to this new commercial product, which might be cultivated to any extent on the *Silhet* frontier and in lower *Assam*.

The present supply, from *Para* chiefly, is many thousand tons less than the demand for home consumption. The mode of gathering the juice for export followed at *Para* is approved of, but the Company of Patentees recommend in lieu of the clay balls, that wooden cylinders about the size of a quart bottle should be used. First dipped into clay water, they are immersed in the crude juice and hung up to dry; the dipping is thus repeated until a layer of Caoutchouc $\frac{3}{4}$ an inch thick

covers the cylinder about 6 inches high—this exp (shaped like a tumbler) is then drawn off and the cylinder used again.

The preference given to the solid clean rubber, is doubtless consequent on the discovery of a very cheap solvent of Caoutchouc in the volatile coal-oil, which is collected in large quantities at the gas-works. When rectified it resemble in lightness and extreme volatility the distilled mineral naphtha, with which it is probably identical. The Caoutchouc dissolved in this menstruum, and spread in a coat between two folds of silk or cloth, regains its solid and elastic form without injury. Might not the naphtha springs of *Assam* be thus turned to account to introduce the manufacture at once there, with the durable silks of the valley as a basis? Professor Royle remarks, that all the trees on which the silkworm feeds are found to contain the Caoutchouc principle, which is supposed to be essential to the production of the cocoon.

The splendid fossils from Dr. Spilbury of *Jabalpur*, had arrived and were exhibited.

They consisted of the humerus and cubitus of an elephant, upwards of 15 feet in height; also a portion of the pelvis of the same animal; a very perfect elephant's head, ferruginized, of a smaller size, and the head and horns of a buffalo of large size. Dr. Spilbury pointed out no less than five new sites of fossils in the *Nerbudda* valley, two of them due to the zealous search of Major Ouseley.

A paper on a new general of *Raptore*, one on a new species of *Scolopariæ*, and one on a new genus of the *Plantigrades* with a drawing, were received from B. H. Hodgson, Esq.

A second fossil bone was exhibited and presented by Major Taylor, brought up from the Fort boring at a depth of 362 feet below the surface.

A drawing of this fragment is given in Plate XXII: it appears to be a fragment of the *scutellum* or shell of turtle—much resembling some of the fragments found so plentifully among the *Junna*, the *Siwalik* and the *Ava* fossils. It is mineralized just to the same extent as the bone exhibited at last meeting; sp. gr. 2.5, loss by heating red 10 per cent. A recent fragment found at the Sand-heads by Dr. Cantor, which had lost all its inflammable animal matter, had a sp. gr. 1.66.

The following specimens of natural history were presented.

A collection of shells, and two snakes preserved in spirits; by Mr. Fell, Indian Navy.

A collection of shells, by Lieutenant Montriou, I. N.

A specimen of *Squilla Mautis*, by Lieutenant Montriou, I. N.

A specimen of the Indian Sucking-fish (*Echenies Indica*), and a foetus of a species of ovi-viviparous shark preserved in spirits, by the Hon'ble Colonel Morison, in the name of Mr. W. Ewin, Branch Pilot.

Mr. J. T. Pearson exhibited to the Meeting specimens of the larvæ, pupa and imago of the *Lamia Rubus*. Fab. and a log of the horse-radish tree, from which he extracted them.

The second experimental year of the Curatorship having expired, Dr. Pearson read the subjoined report on the operations of the Museum for the past year.

Report on the Museum of the Asiatic Society, by the Curator,—May 1837.

At the conclusion of the term of my charge of the Museum last year, I stated the improvements that had been made; and how much it was to be desired that it should not be allowed to fall back into the state in which

I found it twelve months before. I am now again called upon to report progress, and to request your attention to form some arrangement by which the evils I then deprecated may be averted, and an improved method adopted, if you wish to alter that which has been followed for the past two years.

The present state of your Museum may be mentioned in a few words. The arrangements of last year have been followed out, by improving the appearance of the apartments and by matting the floor; while by free ventilation the dampness, from which so much inconvenience was formerly experienced, has altogether disappeared. No enemy now remains, indeed, but the dust, which does much mischief by settling upon the specimens, and giving a dingy appearance to them; as well as by frequent cleaning being required, and the inevitable injury to which they are in consequence exposed.

Improvements have also been made in the cabinets. They have been all glazed and made ready for the reception of specimens, save one, which is nearly completed. The subscription now on foot for this part of the Museum will render it all that can be wished.

A great number of specimens have been presented during the year; but owing to the insufficient means taken by their presenters to preserve them, only a portion could be made available to the purposes of the science. I may here state that, preparations, whether of skins or of insects, which have not been preserved by arsenical soap, or by some preparation of arsenic, are not proof against the attacks of insects in this country; even the so much vaunted solution of corrosive sublimate in spirits of wine is, as I have found after a fair trial, to be almost useless. But of the specimens presented, there have been mounted two hundred and thirty birds, ten of which are of large size; twenty eight mammalia, and sixteen reptiles; eight skeletons have been prepared and articulated in the Museum; viz. those of the Orang-outang, the cow, the ass, hog, adjutant, two terrapins and a turtle. These are complete, with the exception of the first; and those who know by experience the labour of preparing and afterwards of joining together, or articulating at it is technically termed, the bones of a skeleton especially in this country, will be able to appreciate the labours of Mr. Bouchez, to whom the praise of executing the manual part of them belongs. The bones of the Orang-outang were presented by Mr. Frith, but the hands and feet having been unfortunately lost, they were restored in wood from those of the Sumatran gigantic ape in the Museum.

Besides the articulated skeletons, there have been presented twenty-two other osteological specimens; consisting of the skulls of mammalia and birds, the jaw of a whale and the legs of the *Emeu*.

The other specimens consist of a few reptiles and fishes, and a considerable number of insects and shells.

Independent of the above, Mr. Hogson of Nipal sent a series of upward of eighty well preserved skins of birds, with the intention of their being placed in the Museum, as the originals from which some of the plates of his forthcoming great work have been taken; but circumstances having rendered it desirable to send them for the examination of a naturalist of eminence in England, they were on his promising speedily to replace them, delivered over, by directions from the Secretary, for transmission there.

With regard to the financial arrangements, the Secretary did not think himself empowered to advance for contingencies any sum beyond that voted by the Society. But that sum being nearly absorbed by the salaries of Mr. Bouchez and his nephew, who is employed to assist him, I have paid the remainder of the charges myself; and in this manner expended Co's Rs. 136-15-6, more than I have received.

A few words may be expected from me as to the future management of the Museum? Much has been urged against expending the funds of the society for this purpose; and a strong protest on the same side, signed by five Members, has also been given in. So far as my own feelings are in question, I shall be happy to yield to this or any other view of the subject taken by the majority. Although I do not agree with those who think money ill expended, which is expended upon an object that contributes to further the pursuits of any considerable portion of the Society. And my respect for the protest would not have been less had it been signed by the older Members of the Society, instead of by those who had been elected only two or three months before the proceedings took place, against which they thought proper to protest; who mistook the mere lodgment of money in public securities for a vested fund; and who had not, I believe, any one of them, ever seen the Museum previous to, or since the new arrangements were made! Under these circumstances I am not inclined to allow much weight to the protest, nor to sacrifice our Museum in accordance with the views of the protestors. It is true, a substitute for a Curator has been proposed in a committee, each member of which should undertake a particular department; and as a body assisting with their advice, and superintending the operations of the Curator, such a committee would be of great service; but as an executive engine, a committee is always worse than useless, and I anticipate nothing but failure in the scheme. If your Curator is not a paid and responsible officer, you will, in effect, have no Curator at all; and if you have no Curator, you will have no Museum; while I am sure a Museum is, in the present direction of men's minds towards natural history, essential to the well-being, if not even to the existence of the Society. If our own funds cannot support our Museum as it should be supported, we ought to apply to the Government to assist us; when, judging from the liberal views of science taken by the present Governor-General and the anxiety he has evinced to encourage that of natural history in particular; coupled with the fact that the Court of Directors have ever been the patrons of zoological pursuits; there is little fear of our making the application in vain. I think the advantages of adopting this plan would be great and manifold; our Museum would be placed on a vigorous and permanent footing; and be the means of enhancing the prosperity of our institution and of conferring no light benefit upon the public: while we should soon be able to wipe off the reproach so repeatedly and justly thrown upon the name of Englishmen in the East, — of leaving to distant nations the task and the honor of gleaming in our own field the treasures of natural history, which we ourselves are indifferent and too ignorant to reap.

J. T. PEARSON.

Resolved, that the Report be referred to the Committee of Papers for the purpose of drafting such arrangements as the Society's funds may permit for the maintenance of the Museum of natural history on the most efficient footing. — *Courier*, May 19.

MEETING OF THE MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments, on the 6th May, 1837.

Letters from the following Gentlemen were read.

From G. Angus, Esq., Surgeon, 41st Regt. N. I.; J. Row, Esq. 73d Regt. N. I.; and T. Russell, Esq. Asst. Surgeon, 1st Light Cavalry, requesting that their names might be withdrawn from the list of Members.

From J. Bowron, Esq., Civil Surgeon Jessore, stating that certain circumstances induced him to withdraw from the present from the Society.

A Letter from Mr. Mackinnon of Tirhoot, containing an account of a case of Lithotomy performed by him. The case was interesting, because in first sounding the patient the stone lay in the neck of the vesica, and was partly impacted in the urethra so as to impede the passage of the sound into the bladder. In performing the operation, no urine followed the cut along the groove of the staff until the bladder was divided by another incision in the direction of the external wound, no water was discharged nor could the stone be extracted.

A second Letter from the same Gentleman stated, that since he wrote the above communication, he had performed another Lithotomy operation, in which there was so great a prolapsus of the anus, that it was impossible to make an incision of sufficient magnitude, in consequence of which there was considerable difficulty in extracting the stone.

C. Hufnagle, Esq., M. D., of Calcutta, was proposed as a Member of the Society by Dr. Goodeve, seconded by Dr. O'Shaughnessy.

M. Le Chevalier Fortune Egdoux, of Toulon, was proposed as a corresponding Member by Dr. Goodeve, seconded by Dr. O'Shaughnessy.

Dr. O'Shaughnessy proposed M. Oersted as an Honorary Member, seconded by Dr. Cantor.

Dr. Swiney was elected President of the Society in the room of Dr. Langstaff, who vacated the office by proceeding to the Cape.

The following Communications were then presented.

1.—A case of Phlegmasia Doleus, by J. Taylor, Esq., Dacca.

2.—A supplement to the account of Scurvy, published in the last volume of the Society's Transactions, by Dr. Macnab.

3.—A case of Lithotomy, by A. K. Lindsay, Esq.

4.—Account of the Remittent Fever now epidemic at Bareilly, by H. Guthrie, Esq., presented by the Medical Board.

5.—Proceedings of the Medical Society of Bombay.

Dr. Goodeve communicated an account of the removal of an enormous tumor weighing 60 pounds from the Scrotum of a native, the operation terminating unsuccessfully.

Dr. Mackinnon's cases of Lithotomy presented at a former Meeting, were then read and discussed.

The first case has been already published in the India Journal of Science.

The second was a man of 45, of Luco phlegmatic habit, upon whom attempts to perform Lithotomy had been previously made by Dr. Davis, of Patna, but it had been found impossible to succeed on account of the irritability of the bladder. The Lithotomy operation was performed in less than 3 minutes. The rectum was wounded which Dr. Mackinnon attributes to the staff having been grooved on the back rather than at the side. This causing the knife to slip readily from the canal. In accordance with Desault's advice, the whole was afterwards made into one wound by a stroke of the bistoury. The patient left ere the perineal wound had quite healed up, so that it was impossible to state whether the incision in the rectum will heal entirely.

The 3d case was a man of 40. Attempts to perform Lithotomy were likewise made upon this individual, by Dr. Mackinnon, but the irritation and pain produced by the trial, induced Dr. M. to resort at once to Lithotomy; the operation was readily performed, and the man did well.

The 4th case was a boy of 5. During the operation, prolapsus of the bowel occurred, but it produced no unpleasant consequences. The wound in this case shewed such a disposition to heal, by the first intention, that it was necessary to tear the edges open with a probe. Dr. Mackinnon much prefers the common scalpel to any other species of cutting instrument for this operation. He deprecates the employment of the blunt gorget as useless.

H. H. GOODEVE, M. D.,

Secy. Medl. and Phyl. Society.

[Calcutta Courier, May 13.

ORIENTAL LIFE INSURANCE.

A half-yearly Meeting of the Oriental Life Insurance Company was held to-day, when, by the report of the Secretaries, it appeared—

That the policies granted since the 31st October last up to 30th ultimo amounted to.....Rs. 4,63,740
That policies had been discontinued during the same period to amount of.....Rs. 3,96,840
That the policies granted in lieu of those renewable amounted to.....Rs. 2,87,600
That the risks out-standing on the 30th ult. were upon 441 lives and amounted to Rs. 60,95,376
The average on each life being.....Rs. 13,822

That the amount of policies lapsed during the preceding six months was.....Rs. 1,07,946
That, besides a cash balance of Rs. 1,003, the Society possessed Company's paper to amount of.....Rs. 4,79,386
and was consequently in a condition to appropriate Rs. 66,666 to a dividend, still retaining above four lakhs, the average amount of 18 months losses, according to the terms of its constitution.

Resolutions were then passed to the following effect:

" That the accounts are satisfactory and be passed."

That a dividend of 66,666-10-8 be made—50,000 among the 500 shareholders and 16,666-10-8 on return of premium.

That the Agra Bank be permitted to hold the unappropriated 50 shares in the Society on the terms proposed by them.

That the Arracan clause be continued in all policies.

That the rate of insurance on the lives of Members of the Civil Service, be reduced one-sixth, to bring it on a par with other institutions; and that the premium on the lives of Commercial men and others not exposed to the hazard of Military and Naval life, be regulated according to the situation and circumstances of the parties, at the discretion of the Directors.

That Mr. A. Muller and Mr. J. Colquhoun be appointed Members of the Committee in the room of Mr. G. J. Gordon, and Mr. B. Harding resigned."

The high state of prosperity this institution now exhibits is in remarkable contrast with its position two years ago, when its capital in hand was reduced to about a lakh by an extraordinary run of lapses. Since then a surplus income has been steadily accumulating in a rapid ratio, the present annual amount of premiums being Rs. 3,44,923,—the number of risks on the increase, notwithstanding the competition of the Universal,—and a better average obtained by reduction of the risks of large amount.—*Hurkaru, May 8.*

UNION BANK MEETING.

At a meeting of Proprietors held at the Bank on Saturday the 6th May, Captain Vint in the Chair—Captain Bruce, the Chairman of the Directors, addressed the meeting to the following effect:—

Gentlemen,—The present general meeting is called specially, under our 68th rule, which requires that no fundamental alterations shall take place in the conditions of our deed, except they be first carried by two-thirds of the votes present at a general meeting, specially called with previous notice of the alterations proposed, and subsequently confirmed by a like majority at a second general meeting, specially and publicly convoked for the purpose.

The object of the meeting this-day, is, accordingly, to confirm the unanimous Resolutions passed at our late special general meeting of the 4th April for increasing our capital stock. These Resolutions will now be read by the Secretary, and if they are confirmed by you, I shall have to recommend, by desire of your Directors, one or two subsidiary Resolutions, for carrying into effect the proposed increase of stock.

The Secretary then read the following resolutions and propositions of the 4th April, 1837.

Proposition 1st.—That the present six hundred full shares of Company's rupees 2,700 be increased to 3,000 each, and that the present six hundred supplementary shares be increased from 900 to 1,000 Company's rupees each.

Proposition 2d.—That upon these subscriptions being paid up, the old full shares shall be divided into three shares of 1,000 each; making the whole number of these 1,800; which together with the 600 supplementary shares, will make in all 2,400 shares, of 1,000 rupees each or 24 lakhs of rupees.

Proposition 3d.—That to the above 1,800 shall be added 600 new shares of 1,000 Company's rupees each, or 6 lakhs; making a grand total of 3,000 shares of 1,000 each or Company's rupees thirty lakhs.

Proposition 4th.—That the 600 additional shares of 1,000 now to be created shall in the first instance be offered at par to such Proprietors of the old full shares, as agree to their increase from 2,700 to 3,000; that is to say, that one of the new shares shall be offered to the holder of every original share, who pays up the increase on or before the 30th June, 1837. After that date, any shares not taken up as above, shall be offered to public competition and the premium placed to account of profits.

Proposition 5th.—That on the additional 100 Co.'s Rs. being paid up by the holder of each supplementary share, the holder of such shares to be entitled to vote, and be considered in all respects, as if he were the holder of one of the new shares of 1,000 Rs.

Proposition 6th.—That the following be the scale for voting in future, considering each share of 1,000 Rs. as conferring a single vote; 3 new shares or 3,000 Rs. stock 2 votes; 6 ditto or 6,000 Rs. 3 votes; 10 ditto or 10,000 Rs. 4 votes; 15 ditto or 15,000 Rs. stock 5 votes; 20 ditto or 20,000 Rs. 6 votes; 25 ditto or 25,000 Rs. 7 votes; 30 ditto or 30,000 Rs. 8 votes; 40 ditto or 40,000 Rs. 9 votes; 50 ditto or 50,000 Rs. stock and upwards 10 votes.

Proposition 7th.—That the greatest number of shares to be held by any Proprietor, which is now fixed at 50 of the old 2,700 Co.'s Rs., stock or equal to Co.'s Rs. 1,35,000, be hereafter fixed at 100 of the new 1,000 Co.'s Rs. stock or Co.'s Rs. 1,50,000.

Proposition 8th.—That the period within which absentee Proprietors must pay up their additional stock, be for those in Europe, the 30th June, 1838 and for those at the Cape, China, &c. the 31st December, 1837. But any absentee Proprietor returning to India before those dates, shall be required to pay up within one month after his arrival.

Resolution.—Moved by Mr. Dick, seconded by Mr. McKilligan:—

"That the Capital be still further increased 2 lakhs, i. e. from 30 to 32 lakhs, and that every holder of 3 supplementary shares be also entitled, (after paying up his difference in all his stock,) to the offer of a fresh 1,000 Rs. share; and that proposition 4th be modified accordingly."

Resolution.—Moved by Mr. H. M. Parker, seconded by Mr. W. R. Young:—

"That the propositions, (modified by Mr. Dick's amendment) for increasing the Capital Stock of the Bank, as recommended by the Directors, are hereby approved by this meeting; and that they be laid before a Second Special Meeting of Proprietors in due course, for final confirmation and adoption."

I now beg to move as the first Resolution of this-day.

Resolved 1st.—That the Resolutions passed at the special general meeting of proprietors on the 4th April, 1837, be and hereby are confirmed.

Captain Bruce continues :

I am instructed from the Directors to state to you, that they have received communications from certain considerable Proprietors in the Mofussil; (and indeed also in Calcutta), intimating their expectations that some indulgence as to prompt payment may be shewn to the large holders of stock, in carrying into effect the increase of our capital.

Your Directors are desirous of meeting the wishes and convenience of the Proprietors to any reasonable extent. We do not think that any delay ought to be allowed in the matter of squaring up the old, uneven shares of 2,700 and 900, to the proposed even sums of 3,000 and 1,000 rupees, because by the Resolutions, the act of having actually paid up those differences, constitutes the qualification without which no proprietors entitled to the privilege of new Stock at par. We therefore think that on or before the 30th June, every proprietor in India wishing for new Stock must positively pay up his differences, less the amount of dividend actually due on that day, though not declared, but which may be taken roughly at 10 per cent., to be adjusted, when declared at the half yearly Meeting, and any small differences debited or credited to parties.

With regard to the new Stock, your Directors are disposed to go further, and by their desire, I propose the following Resolution :—

Resolved 2d.—That Proprietors who shall have settled for the differences on their old Stock on or before the 30th June, and who shall at the same time demand their privilege of new Stock, may pay for the same either in cash or in three equal promissory notes, at two, four and six months date, bearing interest at 9 per Cent., so that the whole new capital may be paid up on or before the 31st December 1837.

I am finally to recommend to you, on the part of your Directors, the following Resolution affecting parties who may desire to anticipate their payments.

Resolution 3d.—That proprietors who wish to pay up their new Stock or the differences on their old Stock before 30th June, shall receive 6 per Cent. on their deposits,

W. BAUER, Chairman.

The above Resolutions were carried unanimously.

It was then proposed by Mr. Dickens, seconded by Mr. Baillie, and carried unanimously.

Resolved 4th.—That in consequence of the diminution, in the amount of each share now carried, the qualification of a Director of the Bank for the future be the possession of 5 shares of 1,000 rupees.

The usual thanks were then voted to the Chairman, and the Meeting broke up.—*Hurkaru, May 8.*

REPORT OF THE MADRAS STEAM COMMITTEE.

Since the General Meeting of the inhabitants of Madras, held on the 23d January 1837, the Committee then appointed have received several letters from Captain Grindlay, reporting the substance of his communications with Lord Glenelg, Sir J. C. Hobhouse and Mr. Crawford, and forwarding the proceedings of the Committee at home, nominated in Bengal and acting also for Madras, by which it appears that Lord William Bentinck, Mr. Crawford (as the Members of the House of Commons who are to present the petitions,) and Captain Grindlay (as the Agent for Bengal and Madras, who were associated with that Committee, on the 10th and 17th of January last,) had most satisfactory interviews with the Chairman of the Court of Directors, and the President of the Board of Control.

The Committee have received many letters and papers from Captain Grindlay, of which the following is a brief summary. His letter of the 1st November 1836, encloses copies of letters to Lord Glenelg, Sir J. Hobhouse and Mr. Crawford, with the latter gentleman's answer. Captain Grindlay was favorably received by Lord Glenelg and Sir J. Hobhouse, who both consented to support the immediate establishment of Steam Communication with India.

On the 24th December 1836, he announced to us his intention to print and circulate a Pamphlet on the Steam Question, and to procure the publication of several articles to appear simultaneously in the leading Periodicals. "One thousand copies of the Pamphlet," he says, "will be immediately in brisk and extensive circulation throughout the kingdom, every Club, and Library table throughout London and the Provinces shall be strewed with the condensed sheet which I have published, and it will call attention to the Pamphlet, and that cannot fail to interest as well as inform."

On the 2d January 1837 he also states, that it was proposed to hold a Public Meeting in London, to be followed if successful by Meetings in all the great

towns: here, he adds, "I feel the want of funds, but I will do what I can, be assured, and I see already symptoms of Change in some of the original opponents."

On the 27th January 1837, he transmits the copy of a letter from Lord Glenelg, of which the following is a transcript:

"Sir,—I have the honor to acknowledge the receipt of your letter with the petition from the inhabitants of Madras for the establishment of Steam Communication between England and India, which I shall have much pleasure in presenting to the House of Lords.

(Signed) GLENELG."

The Committee have also received from Capt. Grindlay, copy of a letter on Steam Communication with India, addressed to the Asiatic Journal, in which the question is ably supported, and the following passage must prove gratifying to the Public of Madras:—"The advocates of the Euphrates plan confine their views to the single station of Bombay, regardless of how large a portion of British residents in India, and of British connection would be compromised by such an arrangement, independent of Madras, Calcutta and Ceylon, being excluded from a participation in the benefit of the communication. The incalculable advantage of Steam Communication with Point de Galle, and thence with other parts of the Eastern world, would be altogether lost." The Committee consider it proper to give publicity to the whole of Captain Grindlay's last letter dated 1st of February 1837.

Daniel Elliott, Esq. }
Peter Cator, Esq. } Steam Committee, Madras.
Capt. Dalrymple. }

"I avail myself of the opportunity afforded me by the first of the month to report our progress since my last communication. The pamphlet, some copies of which I transmitted at that period, has attained very general

circulation and secured a far greater degree of attention, than could have been anticipated. The public journals all over the country have been forward in bestowing notice upon it, and this fact seems to shew, that an exaggerated estimate is generally formed of the degree of apathy prevailing in England, on Indian subjects. A people so laboriously occupied as for the most part the English are, have not time to look after matters remote from their usual pursuits: such subjects must be pressed upon them. It is idle to expect spontaneous interest to arise, but with regard to India, I am persuaded that it is only necessary to bring her wants and her capabilities before the people here with energy and tact, in order to ensure to them the attention which they deserve. I forwarded extracts from the various notices, many of the papers being provincial ones, I have been able to obtain only a single copy, which or course it is desirable that I should retain. You will see also that the Asiatic Journal for February has given us a long article in which our cause is pleaded with warmth and earnestness. I have now to advert to proceedings of a more official character. On the arrival in Town of Lord Wm. Bentinck I waited upon his Lordship, who expressed a strong interest in the success of your Petition, and offered to join our Committee, a proposal to which we of course gladly assented, and we thought it desirable to add Mr. Crawford the City Member, as he is to present the Madras Petition. You are aware that it was determined to request interviews with the Chairs and President of the Board. These interviews have taken place—that with the Chairs, on the 10th ultimo—our reception was extremely favorable the Chairman and Deputy expressing themselves perfectly ready to acquiesce in the recommendation of the Parliamentary Committee that a communication should be established by the Red Sea at the joint charge of the Company and His Majesty's Government, and to recommend it to the Court; and on their being asked whether any objection existed in their minds to the calling of a Public Meeting in the City of London in aid of the plan, they answered, that they had no objection, either to that, or any other means of forwarding the object. The conference with Sir John Hobhouse was on the 17th January. Sir John referred to the proposal of the proposed Steam Communication Company in London, complained of delay in the transmission of their tender, and alleged that the Admiralty had declared it would be attended with greater expense than the existing system. He also mentioned the proposal for converting the Indian Navy into a Steam Fleet, now under consideration by the Court of Directors, but added that he believed His Majesty's Government would be willing to complete the communication to Cossier, if the Company would undertake it from thence: some little discussion then took place between Sir John and myself on the practicability of the Euphrates and the probable amount of the impediment afforded by the south-west Monsoon. Mr. Crawford expatiated at some length on the universal feeling prevailing in India, and on the Commercial benefits of the communication, and also entered into some details shewing that it could be carried into effect without loss to His Majesty's Government. The President then said, that he would take the earliest opportunity of effecting an arrangement on the subject both with the Chairs and the Court of Directors, but on the intimation that a Public Meeting was contemplated he seemed somewhat hurt, and expressed a hope, that he was not thought to require such stimulus. You will naturally be desirous to know, whether any thing has followed these fair prospects, and I have the pleasure of informing you, that the Court of Directors met yesterday on the subject, and agreed on a letter to the Board, in answer to one referring to their consideration the proposal of the projected Company. This proposal the Court have met with a decided negative, but they propose to treat with His Majesty's Government for the establishment of the

Communication on the basis of the recommendation of the Parliamentary Committee. According to their view, the expense to be divided between His Majesty's Government and the East India Company, will be that between Alexandria and India, the Government carrying the Mail to and from Alexandria, and receiving in consideration thereof, the whole India Postage. It is of course impossible to predict the precise result of a negotiation which is only commencing, but the subject is now fairly before the Authorities and there is something specific to proceed upon. The present state of the question is calculated to afford some degree of satisfaction, not unmixed with doubt and alarm. I should have been better pleased, and more confident, had Public Meetings been resorted to as a means of assisting the impetus which the question has received, and I regret that they have been abandoned as you will see in No. 27, copy of my letter to the Home Committee. It appears to me absolutely necessary to take a high and commanding position, and nothing can confer this, but the influence of public opinion. We undoubtedly shew at present better than we might have expected, and I attribute this in a great degree to the interest which the agitation of the subject has excited through the country. That this interest is not trifling is attested by the tone of the public prints, and thus far at least, we may rejoice at our success. I am bringing out a second edition of the pamphlet. I have a short letter in preparation especially addressed to Members of Parliament, and some other papers will be put in circulation to keep up the interest which we have succeeded in securing. Lord William Bentinck has left Town again, being attacked by the prevailing Influenza: immediately on his return, we shall make arrangements for presenting the Petition. You will believe that neither partial success nor partial disappointment will produce any relaxation in my exertions, which under all circumstances will continue to be employed under the influence of the same zeal by which I have been and continue to be actuated."

I have the honor to be, Sirs, your most obtl. servant

(Signed) R. M. GRINDLAY.

London, 1st February, 1837.

The Committee have also received several letters from Major Head detailing the progress made in the formation of a private Company in London, to which they do not think it necessary to make any further allusion, as all the material points touched upon by Major Head have appeared in the public prints, and as it appears by the foregoing letter of Captain Grindlay's, that the Court of Directors have rejected the offer made by the London Company.

The Committee have received an interesting letter from Mr. Waghorn dated 29th of December, advocating the Calcutta and Madras comprehensive scheme, and containing some valuable observation with reference Coal Depôts for this line. Mr. Waghorn is of opinion, that the obstruction offered by the South West Monsoon is by no means insurmountable. "As there is no month that the very deeply loaded Merchant Ships do not face it, I am quite aware much might be said and written in favor of the Bombay line to Suez, but considering the increased difficulties of navigating Steamers from thence in the South West Monsoon, I am led to think, it is not the spot. From Point de Galle, Bombay will have equal facilities with Calcutta and Madras; no interest is studied but that of the many, not forgetting Captain His Majesty's Fleet, China, Mauritius, and not excepting hereafter our increased interests in China and Australia."

The Committee have received from Captain Grindlay about thirty English provincial newspapers, and several periodicals containing the most unqualified approbation

of that gentleman's Pamphlet, and proving in the most incontrovertible manner, that it has obtained a notoriety and awakened a spirit of enquiry and discussion on the subject of Steam Communication between England and India, which cannot fail to lead to its successful termination. The Committee feel certain that the Inhabitants of Madras, will not be insensible to the eminent services of Captain Grindlay, they beg to state, that part of the small sum placed at his disposal remains yet to be realized at Madras, and there can be little doubt, that the whole of the sum remitted to him, must have been entirely exhausted. The Committee are of opinion, that the unwearied zeal which has been exhibited by him, and the successful manner in which he has filled the columns of the London and Provincial Press with the clearest views of this great national question just on the opening of the Parliamentary Session, merit something more (in his character as an Agent) than the mere expression of thanks, however warmly conveyed, and they venture to solicit public attention to the following 5th Resolution, passed at the Steam Meeting held on the 23d of January 1837.

V. "Resolved that a subscription be entered into for the purpose of enabling the standing Committee to defray incidental expences in furtherance of "Steam Communication with England, by the Red Sea."

When the General Meeting was held on the 26th March 1836, it was expected that a large part of the Steam Fund already raised would be appropriated by the Subscribers towards the accomplishment of the object of the Meeting, and it was thought necessary only to pass the following resolution:

XI. "That a Subscription be opened for the purpose of enabling those Members of the Community who have not already subscribed to the Steam Fund to contribute means towards furthering the objects of this Meeting, and that Messrs. Arbuthnot and Co. be requested to receive donations.

Subsequently, however, it was determined, that the balance of the fund should be returned to the Subscribers, and the Committee appointed by the General

Meeting, have had no funds at their disposal, but the small sum of rupees 2,844 8 raised by the subscriptions of the following gentlemen:

Sir Robert Comyn.....	250	Messrs. Line and Co.....	250
Hon'ble John Sullivan, Esq.....	200	Messrs. Barrow & Co.....	250
Lieut. Col. Monteith.....	150	Mr. P. Copley.....	40-12
A. D. Campbell, Esq.....	100	Captain Hine.....	50
Messrs. Parry, Dare & Co.....	200	A. Maclean, Esq.....	81-8
"Arbuthnot & Co.....	250	W. Ashton, Esq.....	100
Major Walpole.....	25	Capt. C. Dalrymple.....	50
Captain J. Maitland.....	25	Daniel Elliott, Esq.....	100
Messrs. Binny and Co.....	250	P. Cator, Esq.....	100
N. B. Acworth, Esq.....	100	W. Liddell, Esq.....	50
Jas. Ouchterlony, Esq.....	50	R. D. Parker, Esq.....	40-12
		C. Guichard, Esq.....	81-8

Previous to the realization of this sum, Messrs. Arbuthnot and Co most handsomely furnished a Bill on England, amounting to £300, which was forwarded by the Committee to Captain Grindlay, and the receipt of it has been acknowledged.

As no farther sum has been subscribed the inhabitants of Madras are indebted to Messrs. Arbuthnot and Co as under:

The Bill for £300 cost.....	Rupees 3,001
Amount realized.....	2,844 8

Balance due to Messrs. Arbuthnot and Co.. 156 8

The standing Committee appointed at the last Meeting of the 23d January 1837, deem it consequently necessary at the present time to solicit subscriptions agreeably to the resolution above quoted, and under the present cheer-in aspect of affairs, they confidently rely on the unabated zeal of the Madras Community, to come forward anew in support of this great national object.

(Signed) A. D. CAMPBELL.

" DANL. ELLIOTT

" P. CATOR.

" C. DALRYMPLE.

Steam Committee—Madras Spectator, April 26.

THE NEW BENGAL STEAM FUND REPORT.

Report of the Committee to the Subscribers to the New Bengal Steam Fund and the Petition to the House of Commons, and Memorials to the Board of Control and Court of Directors.

The Committee of the New Bengal Steam Fund deem it their duty to make known to the subscribers to the Fund, and the petition, the further progress of events at home.

Since the last report, rendered to the public meeting held on the 18th February, 1837, they have received regular monthly communications from Capt. Grindlay, *via* Egypt, with exception to that of the beginning of January, which it is feared has been lost with the *Barque Skimmer* on her way to Bombay.

In the report above mentioned the committee referred to the directions which they had given for the application of an appeal to the people of Great Britain, and for the agitation of the question by all legitimate means. These directions have been followed by Captain Grindlay with great energy so far as directing public attention to the general question is concerned; but the committee

regret to say that they have reason to be much dissatisfied with the tenor of his advocacy, so much so indeed, that they consider it to be most inexpedient that the interests of their constituents should any longer be placed in his hands. Copy of their resolution and of their letter, to the Home Committee on this occasion will be found at the conclusion of this report.

It appears that on his arrival in Town, in January Lord William Bentinck voluntarily offered to join the Home Committee, an Act at once demonstrative of his zeal in the cause, and calculated greatly to advance it. Previously to this the committee had associated with themselves Mr. Crawford, the city member, to whom was entrusted the presentation of the Madras Petition. Thus there was constituted at Home a Committee representing jointly the Calcutta and Madras Committees, an Union which cannot fail to be productive of advantage.

Prior however to Lord William Bentinck's joining the committee, they had had interviews with the Chairman and Deputy Chairman of the Court of Directors and with the President of the Board of Control.

The former took place on the 10th January, the Chairman and Deputy frankly avowed their perfect readiness to acquiesce in the recommendation of the Parliamentary Committee, that a communication should be established by the Red Sea at the joint charge of the Company and His Majesty's Government. They further declared that no objection existed on their part to a public meeting being held in the city of London or to any other means of forwarding the object.

The conference with the President of the Board of Control does not appear to have elicited any decisive expression of concurrence in the recommendation of the Parliamentary Committee from Sir John Hobhouse; but from his having deprecated the idea of his being supposed to require the stimulus of a public Meeting, this Committee infer that he was fully prepared, on the part of his Majesty's Government, to concur in the establishment of the communication.

Finally, it is stated, that the Court of Directors have proposed distinctly to His Majesty's Government to treat with them on the basis of the commendation of the Parliamentary Committee, their view being that the expense to be divided between His Majesty's Government and the East India Company, should be that from Alexandria to India.

It remains to be seen what will be the course pursued by His Majesty's Government. It will be remembered that at the interview which the Committee of which Major Head was Chairman, had with Sir John Hobhouse, he declared that it was but an act of justice to the Court of Directors to state that on every occasion of the subject being mentioned, they had expressed their readiness to treat on the above basis, when ever His Majesty's Government were disposed to meet them. It is hence clear that the delay in following up the Resolutions of the Committee of the House of Commons, is not attributable to the Court of Directors.

The Committee have received also continued communications from Major Head, with a Prospectus, which they have been requested to circulate. As it has however been already published in the *Hurkaru* of the 12th ultimo, and it having been stated that the Hon'ble Court have decidedly negatived the proposition of the association of which Major Head is the chairman, it does not appear necessary now to do more than publish his last letter for general information:—

No. 6, CROSBY SQUARE,

2d February, 1837.

SIR,—The letter I had the honor to address to you from this Committee on the 2d ultimo, will have shewn that a communication from His Majesty's Government in reference to the report sent to the India Board on the 1st December 1836 was anxiously sought for. To you who are aware of the many difficulties and disappointments that have been put in the way of a final adjustment of this question, and to those in England who have watched it through the many years it has been discussed, this delay will not appear extraordinary. To others who have only recently given attention to it, and who now see its several bearings, and its many claims on public attention, any hesitation to act on the reasonable and defined plan offered by this association, appears unnecessary and unjust. Doubtless, opponents to the measure are manoeuvring to damp the exertion of those who have enlisted in the cause, no such result is produced, and this Committee hope through the exertion of their friends in parliament, shortly to obtain decided information, and also, if necessary, to urge an adjustment of the measure. A matter involving as this does public and private interests to a vast extent, will not be passed over without a reasonable ground for rejection, and as we know of none, since the plea of expense has been removed, by the offer

of this association; it is but reasonable to expect something decided will be done. Yesterday I had the honor of discussing the present position of the plan fully with Lord William Bentinck, whose support and assistance we are assured of. His Lordship has not seen Sir John Hobhouse since the latter received the report of this association (his having done so on the deputation on this question, as appeared in the newspapers, was not correct) he was therefore not able to speak as to the present position of the question, with His Majesty's Government, and it was his Lordship's intention to see Mr. Crawford last evening to fix a day for presenting the Calcutta and Madras Petitions. The number of signatures attached to the former is a source of much satisfaction to his lordship. In my last I alluded to various articles in the periodicals in reference to this question, and it will be seen their tendency is to urge the East India House to carry out the measure, and to do this many arguments are used to shew that the cost will be trifling "a fraction more than £10,000 a year." At the India House they are perfect masters of the real expense that would attend the establishment of Steam with India, therefore it ought not to be expected, such statements will influence parties there; they may however do mischief and have already hampered this Committee whose great claims to favourable attention was the justness and reasonableness of their demand on the India Company. Had the parties at the India House shown any disposition to meet the desire of the public on this question, and to lessen the enormous estimate of expense heretofore advanced, it would have been some earnest of a favourable desire to establish communication with India, as that has not been the case, it is to be feared that if the project is left in their hands, without a declaration on their part it will be partially done, and certainly not, on the comprehensive and useful plan desired by India.

This Association think the cause would have been best served by their liberal offer being supported by every friend to Steam Navigation with India, thereby forcing on the India House at least an equally useful measure. In which case, had the East India House become honest competitors, there would have been no question as to who should have the preference.

I hope the next communication may convey some more favourable and explicit intelligence.

I have honor to be, Sir, your very obedt. Servt.

CHARLES S. HEAD, Chairman Provincial Committee.

To the Secretary of the Steam Committee Calcutta.

On the whole the Committee trust that the subscribers will feel that they did not over calculate the effect which would be produced at home by the Circular Appeal and the other means they directed to be adopted to arouse the public feeling throughout the country in favor of the communication.

The subscribers will understand that these measures are still in progress, and the committee can only repeat their pledge to continue to use every endeavour to obtain the most efficient communication.

Nothing decisive appears as to the present purpose of the Court of Directors in respect to the ports of India to which the communication shall, in the first instance, be carried; but the committee trust that their "combined plan" will have received fair and just consideration. They hope and trust that its eminently important advantages over the mere contact at Bombay will influence the court to establish the full communication at once, that is as soon as the vessels can be prepared to embrace all the principal Ports of India. Should, however, such not be the course pursued, the Committee will not fail to make such appeal to the subscribers and the public at large as the circumstances of the case, when known, may appear to render necessary.

The following is Mr. Waghorn's reply to the Committee's letter communicating to him the grant of Co.'s rupees 4,000, on the 16th December last.

C. B. GREENLAW, Esq.

Hon. Secy. New Bengal Steam Fund.

Sir,—I have had the honor of receiving your letter of the 16th of December, communicating to me the flattering intelligence, that at a general meeting of the subscribers to the New Bengal Steam Fund, held in the Town Hall of Calcutta, on the date of your letter, a resolution was unanimously adopted to pay me the sum of 4,000 rupees for services connected with his Majesty's packet for the month of July.

I already owe so large a debt of gratitude to the Steam subscribers of India for favours in years past, that I almost want language to express to you how sensibly I feel this act of kindness on the part of my friends in Calcutta, and how much I owe to them for the flattering terms of their resolution; and I beg of you to assure them, that if they have had cause to think well of me for services in times past, this renewed act of liberality on their part, will be an incentive to my best exertions for the future. I go to England by this steamer (March) on urgent matters connected with this object. I shall again be found at my post in June next, meanwhile my agents at Cairo and Alexandria will do the needful in my absence.

With regard to the disposal of the above money, let me beg of you to send bills on London for the same, in favor of the house of Messrs. Joyce, Shurburn and Co. of this place, who have my instructions upon the subject.

I remain, Sir, your very faithful and obdt.

THOS. WAGHORN.

Alexandria, Feb. 23, 1837.

By Order of the Committee.

C. B. GREENLAW,

*Secretary to the Committee of the new Bengal Steam Fund.
Town Hall, Calcutta, the
1st May, 1837.*

To the Right Honorable Lord William Cavendish Bentinck, Jas. McKillop, Esq., Edward Fletcher, Esq., T. E. M. Turton, Esq., and William Crawford, Esq.

My Lord and Gentlemen,—We have been much gratified by a communication from Captain Grindlay, informing us, that Lord William Bentinck and Mr. Crawford had joined your Committee, the latter gentleman with reference to his having been entrusted with the presentation of the Madras petition. We have already caused you to be apprized that our late colleague Mr. Turton had been requested by us to associate himself with you on his arrival in England, and that he had assented thereto; we have now the honour to further apprise you, that we have written to Colonel Craigie, who has lately left Calcutta, and requested him also to join you; and knowing his zeal in the cause and his thorough knowledge of it in all its bearings, we believe and hope he will readily agree.

We are much pleased that your Committee should thus represent the two presidencies of Bengal and Madras, and it would not be otherwise than satisfactory to us if other gentlemen from the latter presidency should be added.

Nor should we be otherwise than pleased to see gentlemen from Bombay joined with you; on the understanding that the principle of operation shall be the attainment of the establishment of a Steam Communication between England and all the principal ports of India.

We are sorry to observe that Captain Grindlay has not made that principle his guide; and we have, after ample consideration of his pamphlet, and its tendency, unanimously came to the resolution, copy of which accompanies this, and we shall feel greatly obliged by your closing accounts with Captain Grindlay.

We regret that we have not been favoured with any communication from you; but, we trust you may be induced, under the embarrassing circumstances in which we are placed, to select your own agent; and, we would suggest, that whosoever you may select may be designated your secretary, and in that capacity obtain your concurrence to all his public acts. We leave it to you, as in the case of Captain Grindlay, to arrange what remuneration he shall receive.

From the communications received from Capt. Grindlay and Major Head, we are unable to obtain any satisfactory information as to the course likely to be adopted by His Majesty's Government and the Hon'ble the Court of Directors; we have reason to believe that a monthly steam communication will certainly be established between Bombay and Suez, but we fear, especially from the course pursued by Captain Grindlay, that the extension to the other ports of India will not have had that fair consideration to which it was entitled under the recommendation of the select Committee of the House of Commons. Should it have had that fair consideration, and the determination should have been to establish the communication to Bombay alone, whether permanently or with the intention of eventually extending it, then we would request that, on our part, every legitimate means may be used to obtain the extension at the earliest possible period. On hearing that such a determination has been come to, we shall lose no time in endeavouring to strengthen your hands by obtaining still further expressions of the public desire in India, and we shall continue our utmost exertions until our endeavours are crowned with success or are rendered utterly hopeless.

On the other hand, if no consideration should have at all been given by His Majesty's Government and the Hon'ble the Court of Directors to the Question of the extension of the communication to all the Indian ports, we think that the most energetic endeavours should be made here and at home, by reiterated petitions and systematic measures of agitation, to induce the House of Commons to take up the Resolutions for their Committee, and either enforce their adoption or at once set them aside.

The funds in hand amount now to 51,000 rupees, and we herewith hand you a letter of credit on the House of Sir Charles Cockerell and Co. for £1,000, which we shall readily enlarge on your requisition; only requesting that it may be strictly applied to endeavours to obtain, for all India, that extended Steam Communication with England, from which alone can those advantages be derived, which it has been aptly declared would be "cheaply bought at any price."

In conclusion, we urgently solicit the favor of your active co-operation towards the attainment of the object in view; we have here spared no exertion, but here little can be done effectually. It is at home alone that the matter can be successfully brought to issue, and if we fail in securing your active and energetic co-operation, we shall be at a loss in what way to follow up at home the views, wishes, and interests of the large portion of the people of India whom we represent.

We have, &c.

Signed by the

Members of the New Bengal Steam Committee,

Town Hall, Calcutta, the 1st May, 1837.

RESOLUTION.

Resolved unanimously;—That as Captain Grindlay has not advocated the plain of extending Steam Communication to all the Ports of India, as prayed for in the petition and memorials of the Inhabitants of Bengal, entrusted to him for the special purpose of promoting that object, the Committee cannot but feel dissatisfied

with his agency, and request therefore that he will bring his accounts with the House Committee to a close, as soon as practicable.

True Copy.

C. B. GREENLAW, *Secretary*.

[Bengal Hurkaru, May, 10.]

PREVENTION OF FIRES.

Proceedings at a Special Meeting of the District Charitable Society, held in the Town Hall, on Saturday the 6th May, 1837, to consider certain suggestions of the Native Committee of the Society for the purpose of taking measures for the relief of the sufferers by the late fires.

PRESENT.

The Honorable Sir E. Ryan, Kt., in the Chair.

The Hon'ble H. Shakespear, Esq.; the Hon'ble Sir B. H. Malkin, Kt.; the Venerable Archdeacon Dealtry; D. McFarlan, Esq.; H. Walter, Esq.; C. Tucker Esq.; R. D. Mangles, Esq.; A. R. Jackson, Esq.; F. J. Halliday, Esq.; Captain G. Vint; A. Dobbs, Esq.; Mr. J. Phipps; Baboo Dwarkanauth Tagore; Rustumjee Cowasjee, Esq.; Mr. E. Hyland; Baboo Prossunno Comar Tagore; Baboo Gopaul Laul Tagore; Mr. J. Madge; Mr. C. Kerr; Mr. W. Balston; Mr. C. W. Lindstedt; Baboo Radanauth Mitre; Baboo Luckinarian Mookerjee; Baboo Rajchunder Mookerjee.

Captain R. J. H. Birch, *Secretary*.

The Committee proceed to consider the following suggestions from the Native Committee made at their Meeting of the 4th instant.

Proceedings of a Special Meeting of the Native Committee of the District Charitable Society, at the Town Hall, on Thursday the 4th May, 1837.

PRESENT.

The Hon'ble Sir B. H. Malkin, Kt., in the Chair.

Captain R. J. H. Birch; Mr. W. Balston; Mr. DeLozario; Mr. John Phipps; Baboo Dwarkanauth Tagore; Baboo Rustumjee Cowasjee; Baboo Gopaul Laul Tagore; Baboo Kasiprasad Ghose; Baboo Rumsomoy Dutt; Baboo Luckinarian Mookerjee; and Baboo Callachand Bose.

Present also.—D. McFarlan, Esq., and Lieut. A. Abercrombie.

After much discussion as to the most feasible means of affording relief to the most needy of the native sufferers by the late fires—

Resolved.—1. That this meeting are of opinion, that it would not be proper to apply to the District Charitable Society for the appropriation of any portion of their funds to any but the ordinary purposes of the Society.

2. That the native Committee of the District Charitable Society offer their services to enquire and administer relief out of any funds which may be entrusted to them for the relief of the present distress arising out of the fires; especially with a view to the rebuilding of the houses which have been destroyed.

3. That they recommend to the District Charitable Society, that the Members of any other of the Committees be requested to act with the Native Committee

on this subject, and that the Committee or contributors, should have power to associate, for this purpose, other persons not generally subscribers to the District Charitable Society, but who may contribute on this occasion.

4. That the thanks of this meeting be given to Rustumjee Cowasjee, Esquire, for his very important communication, which, however, referring to matters of general and permanent regulation, appears rather to belong to the consideration of the Fever Hospital and Municipal Committee, to which, therefore, this meeting would very strongly recommend it for immediate consideration.

5. That the Secretary be requested immediately to call a Meeting of the General Committee of the District Charitable Society, for the purpose of considering the above resolution,

By order of the Committee,

J. PHIPPS, *Secy. Nat. Com.*

Proposed by the Hon. H. Shakespear, Esq., seconded by Dr. A. R. Jackson, and unanimously resolved—

1. That the Resolutions of the Native Committee now submitted be confirmed and adopted.

2. That these Resolutions be published for general information, in the daily English Newspapers and in the *Chundrika* and *Samachur Durpan*;—and that Subscriptions in aid of the sufferers by the late fires be received at the Bank of Bengal and the Union Bank, and by the Secretary to the District Charitable Society.

3. That the papers submitted to this meeting from Rustumjee Cowasjee, Esquire, through the Native Committee, and the Memorandum presented by several Native Gentlemen, whose names it bears, be likewise published.

Proposed by H. Walters, Esq., seconded by the Hon. Sir B. H. Malkin, and resolved—

4. That the general plan, to be followed in the distribution of the funds which may be placed at the disposal of the Committee now to be formed, be left to be determined upon by that Committee, who will, however, be guided, as far as possible, by the following recommendations: viz.

That it be a recommendation to the Committee to give the requisite assistance in all practicable cases, in the form of a loan, with or without moderate interest, according to circumstances, rather than as a gift.

That in administering relief, a preference be given to persons who are willing to build tiled huts with mud or plastered walls, instead of huts with thatched roofs and mats, and to comply with any other conditions which shall from time to time be judged expedient for the general security of the town.

That ~~the same~~ which may remain in the hands of the Committee, or may be realized by them on the repayment of loans, be applied by the Committee for the general benefit of the town, especially with reference to its security from fire.

Proposed by H. Walters, Esq., seconded by R. D. Mangles, Esq., and resolved—

5. That the best thanks of this meeting be given to Rustomjee Cowasjee, Esquire, for his very liberal offer to excavate tanks once part of the line of the Upper Circular Road, and that this meeting express a hope that other Native Gentlemen may be induced to come forward in imitation of his example.

Proposed by the Venerable the Archdeacon, seconded by the Hon'ble Sir. B. H. Malkin and resolved—

6. That the President be requested to wait upon the Right Reverend the Lord Bishop of Calcutta, to request that Sermons be preached in the several Churches in aid of the sufferers by fire; and that a similar request be made to the Most Reverend Dr. St. Leger, Vicar Apostolic, and to the Rev. James Charles.

The following gentlemen were then requested to associate themselves with the Native Committee, for the purpose of forming a Committee for the relief of the sufferers by the late fires.

D. McFarlan, Esq., Chief Magistrate; Capt. F. W. Birch, Superintendent of Police; Capt. Vint; A. Dobbs, Esq.; H. Walters, Esq.; A. R. Jackson, Esq.; J. W. Alexander, Esq.; Mr. Balston; Mr. Lindstedt; Mr. Madge; Mr. Perkins—with power to add to their number.

Proposed by the Venerable the Archdeacon, seconded by R. D. Mangles, Esq., and unanimously resolved.—

That the thanks of this Meeting be given to the Hon'ble Sir Edward Ryan, for his conduct in the chair.

R. J. H. BIRCH,

Secy. District Charitable Society,

Calcutta, 4th May, 1837.

Having been present at several of the late fires that have devastated the City, I beg to lay before the Meeting a statement of facts that came under my personal observation. During the great fire that extended all along the Upper Circular Road, I particularly noticed the scarcity of water in that direction. I observed some fire engines on the spot, but they were rendered perfectly useless for want of water, there being few, if any tanks in the vicinity of the fire—the consequence was that there was nothing to check the fury of the flames, which went on consuming every hut and building in the way with fearful rapidity.

I think the Committee ought to bring this to the notice of the Government and that, too, without delay; as a more favorable opportunity for purchasing ground and digging tanks could not present itself than the present. I would recommend, that a line of deep, large tanks should be immediately dug, at convenient distances all along the Upper Circular Road, where water is more scarce than in any other part of the town. The ground might now be purchased at moderate prices, before the Proprietors have time to erect new huts on the site of those burnt down.

I think the Government ought to bear the expense; but as an inducement for them to come forward, I will undertake, if Government will buy the ground, to excavate at my own expense four large tanks between the Bhattachanah, Mirzapore and Manicktollah; and I am confident many rich land holders will readily do as much in other parts of the town.

I take this opportunity also to bring to the notice of the Meeting the great distress that prevails among the poor people, who have been burnt out of their houses. Many of these poor creatures, having lost all they possessed, have no means of renewing their habitations, and are actually starving for want of food! I have no doubt but that Government will (if it has not already) contribute liberally to their relief, but the Public should aid them in this charitable work. I know many who are ready to contribute handsomely, provided they can be assured that their contributions will be properly applied. I would suggest that a committee be appointed to enquire into the truth of the representations that may be brought before them, with full powers to aid such of the poor as actually stand in need of it. The Committee to consist of persons well acquainted with the localities of the City and the suburbs. The Superintendent of Police should be on the Committee.

It should be urged upon Government by the Committee that hereafter it be imperative on the natives to build their huts with tiled roofs—it is a mistake to suppose that the expence thereof will be much greater than thatch—especially at present, when, in consequence of the number of fires that have occurred within the last month, straw, suitable for thatching, has greatly risen in price. On an average I am persuaded that the difference between a thatched and a tiled roof will not exceed one rupee eight annas for each hut, or at the utmost two rupees. It is argued that the heat under a tiled roof will be much greater than under a thatch, and that sickness will be engendered in consequence; but how is it at Bombay and at Madras also, where the native huts are roofed entirely with tiles? You seldom hear of fires there, and I doubt if sickness be more prevalent than it would be were thatched houses used.

These are mere suggestions for the consideration of the meeting, but whether adopted or not, I am sure you will all agree with me that something should be immediately done to relieve the distressed poor.

RUSTOMJEE COWASJEE.

We the undersigned Native Members of the District Charitable Society, beg to submit our opinions that that class of Natives, who are in the habit of living in huts, having thatched roofs and walls, do not prefer them to khuprell or tiled huts, but are necessitated to build them of the former description being less expensive and coming within their scanty means, that the latter would retain heat and be in any way injurious to health is really no objection with them. If therefore means be afforded them they would certainly give the preference to tiled huts with mud walls. Those among the particular class referred to who have the means, it is known generally build khuprell or tiled huts for their domiciles.

Mothooramauth Mullick,	Radamadub Banejee,
Cullachund Bose,	Prossunno Comar Tagore,
Radhanauth Mittra,	Rajchunder Mookerjee,
Rustomjee Cowasjee,	Luckinairain Mookerjee.
Dwarkanauth Tagore,	

The fires of Calcutta have at length subsided, from the combined operation of the rains and the want of fuel.

The *Hurkaru* has published an estimate, which we copy, from which it appears that upwards of 8,000 houses have been burnt down in Calcutta and the suburbs since the commencement of the present year, that within the same period and from the same cause 3 lives have been lost and property destroyed to the amount of upwards of five lakhs of rupees. This presents a dreadful state of things that calls aloud for remedy. We have not, however, learnt that any effective remedial measures are in the

course of preparation or execution. The Chief Magistrate, indeed, seems to consider that any interference with the native pool in respect of the mode in which they construct their dwellings, would be harsh and oppressive, and we are so far inclined to agree with him, that, looking at the destitute resources of the majority of the population who have been rendered homeless by the late conflagrations, the Government ought not to use compulsion in a matter which will put the native to additional expense, unless at the same time they contribute assistance. The very moment when the native is rendered most destitute, is not the time to impose upon him additional burthens, add if he be compelled at such a time to incur additional expense, he ought to be aided by those who impose the duty, which might be taken back in the shape of a small rate or tax. This would occasion no ultimate loss to the Government; but what is the case with the poor man? he will be obliged to raise the money by applying to the money-lenders, for which advance he will probably have to pay 30 or 40 per cent. a month. Now, although we acknowledge it to be a sound principle, that the safety of the many is not to be endangered, to spare the pocket of one, yet we hold it to be equally true, that the one ought not to be exposed to the necessity of complying with grinding terms to himself, for the good of the many, if the many can relieve him from such necessity. The Government, who represent the many, by advancing to the poor native the means of rebuilding his dwelling, in a less combustible manner, would save him from the necessity of incurring a burthen, in the shape of ruinous interest, for the public good; and as no ultimate loss need arise to the Government, we think that if they interfere at all in the manner of reconstructing the habitation of the native, they must also accompany that interference with liberal assistance. —*Bengal Herald, May 7.*

Within these ten days the attention of the District Charitable Society has been incessantly engaged in collecting means for alleviating the distresses of the multitude, who have suffered by the late conflagrations. On the 6th instant a special meeting of the Society was held at the Town Hall, to consider certain suggestions of the Native Committee of the Society, for the purpose of taking measures for the relief of the sufferers by the late fires. The Hon'ble Sir Edward Ryan was in the chair, and the meeting was attended by several highly respectable European, East Indian, and Native Gentlemen. The resolutions of the Native Committee and those of the meeting will be found in the *Herald* of last Sunday.

We regret our want of space prevents us from inserting at full length, the excellent paper of suggestions submitted by R. Cowasjee, Esq., to which reference is made in those resolutions; but the following extract containing some very useful hints, and his benevolent offer, we are certain, will be read with interest by all.

"I think the Committee ought to bring this to the notice of the Government and that, too, without delay; as a more favorable opportunity for purchasing ground and digging tanks could not present itself than the present. I would recommend that a line of deep, large tanks should immediately be dug, at convenient distances, all along the Upper Circular Road, where water is more scarce than in any other part of the town. The ground might now be purchased at moderate prices, before the Proprietors have time to erect new huts on the site of those burnt down.

"I think the Government ought to bear the expense, but as an inducement for them to come forward, I will undertake, if Government will buy the ground, to excavate at my own expense four large tanks between Baitoonah, Mirzapore and Manicktollah; and I am sure

that many rich land holders will readily do as much or more, in other parts of the town."

The views developed in the above, perfectly agree with our own, as explained in the *Reformer* of the 30th ultimo, and we are glad to find that measures for adopting them are in progress. Last Friday evening, another meeting of the Society was held in the Town Hall. The resolutions of the Fever Hospital or Municipal Committee and the reports of three of the subcommittees were read. The facts which had been ascertained were the following; that in the late fires considerable private property had been injured by the proximity of straw huts; that the number of straw huts in the Town was about twice as many as tiled huts; that their aggregate number was about 50,000; that out of these upwards of 7,000 had been destroyed by fire during the present year; that the difference of expense between straw and tiled huts did not exceed fifty per cent.; that the Natives have no prejudice against tiled huts, and that if these were built on some regular plan, it would be conducive to the cleanliness of the town. The purport of the Resolutions was to bring to the notice of Government, the necessity of a change in the mode of building huts, and of having large and deep tanks dug in different parts of the Town.

By the report of the sub-committee of the first Division, which embraces Baug-bazar and Sham-bazar, it would appear that very few cases of distress exist. The second division sub-committee report, that in Durmahutta, Benistollah, Sham-bazar and Nimtollah, the reconstruction of huts was progressing rapidly, and that they were generally tiled. Those who were building of straw had created great dissatisfaction among the neighbours. This is certainly as it should be, and the fact furnishes a strong proof that the Government ought to consult the good of the mass of the people, and compel the few who choose to disregard it, to sacrifice private and individual views for the public good.

The report from the 4th division, in which is comprized Pol-tollah, Jaun-bazar, Puddopooker, and Gooriamah, was very full. It entered into much detail, and pointed out that no relief afforded could be of permanent benefit unless straw houses were altogether excluded from the various areas occupied by huts. The sub-committee had observed, in the course of their examinations, various spots which contained nuisances, owing to filth that had been allowed to accumulate, in consequence of the irregular manner in which the habitations were constructed, and they strongly urge the necessity of attempting a different and more systematic manner of building.

On this subject there cannot possibly be much difference of opinion, and if there be any it can regard only details and the different means of attaining the same end. All must agree that the calamity is owing chiefly to the manner in which the habitations of the people are constructed, and that the remedy lies in adopting a different, and a better mode. The necessity of compelling the people to adopt a different plan, is indicated by the loss of life and property occasioned by conflagrations every year, and the fact that unless all agree to leave off building with combustible materials, no general or permanent good can be effected.

The following are the resolutions adopted at the meeting of last Friday.

Resolved. That the thanks of the Committee be given to the Fever Hospital Committee for their communication of certain Resolutions to which that Committee has come.

Resolved. That the Committee will not give or lend money to persons whose houses are not already in process of reconstruction, except on condition of their building tiled huts, or else removing their residence to some built situation beyond the limits of Calcutta.

Resolved. Three only of the Sub-Committee having had time to make any detailed report, the meeting is adjourned till Monday evening at 5 p. m.

Sir Benjamin Malkin, was in the Chair, and the meeting consisted of about twenty-five gentlemen, among whom we observed Captain Birch, Mr. McMahon, Mr. Dobbs, Rustonjee Cowasjee, Dwarkanath Tagore, and many other respectable natives, who all seemed to take a very lively interest in the business of the evening. The south verandah of the Town Hall was filled with a large number of the poor sufferers by the late fires, who had collected there in the hope of procuring some relief. We believe this will be afforded to them to-morrow evening, when the Committee will meet again. The amount of subscriptions up to yesterday amounted to 9,294 rupees.

The exertions of the Committee on the present occasion reflect the highest credit on the gentlemen who compose it. It is indeed a great blessing to have in the city a society the object of which is to afford relief to the distressed in the most judicious and economical manner possible. In India where the proper ends of charity are so often mistaken, and alms bestowed in a manner calculated to frustrate the very objects for which they are destined. The existence of such an institution as the District Charitable Society, and the example it sets for the imitation of those who wish to relieve the sufferings of their fellow-creatures by the means which Providence has placed at their disposal, are calculated to benefit the population very materially. We sincerely wish success to all the laudable endeavours of this institution, and hope, that as education opens the eyes of our countrymen, they will extend their support to it, and thus enable it to widen the sphere of its operations.—*Reformer, May 14.*

FIRE COMMITTEE.

Resolutions agreed to at a Meeting of the General Committee in aid of the Sufferers by the late Fires, at the Town Hall, on Tuesday, the 9th May, 1837.

1. To divide the places of conflagration into six divisions, to each of which a certain number of our body shall be allotted.

2. To make the following six divisions—

- 1.—Shaum Bazar and Baug Bazar.
- 2.—Simlah, Jorasanko and Dhurmahuta.
- 3.—Matchooah Bazar, Collootollah, Minzapore and Puttuldangah.
- 4.—Puddapooker, Tauttollah, Gooreaparrah and Jaun Bazar.
- 5.—Collingah and Short's Bazar.
- 6.—Howrah.

3. To form small Committees, out of each of these allotments, for the purposes of enquiry and report. The formation of these Committees and all subordinate particulars to be arranged in each division by their own Members, but to consist of three persons at least, of whom one to be European.

4. To establish a General Committee consisting of certain of our number, selected for that purpose, and the rest to be ex-Officio Members.

5. That the General Committee sit from day to day, five persons forming a quorum, in the Town Hall, at 5 o'clock p. m., commencing on Friday the 12th instant.

6. That no money be paid by the Sub-Committees, but only a report be made by them to the General Committee, upon whose order to the Secretary of the Society money shall be paid.

7. That the mode of enquiry shall be as follows:

Name.

Residence, when burnt out.

Occupation.

Present means and number of the family.

If in service, what and by whom employed.

If any and what assistance has been received.

Size of hut, and its probable cost in rebuilding.

Name of Landlord.

Whether property as well as hut is destroyed.

Value of such property.

Whether an object for gift or loan.

If for loan, what security he can offer.

Whether he will engage to build with tiles and wattle and dab.

Whether Landlord will allow him to build in a line with others.

Amount of assistance recommended to be given.

8. To limit our investigations to sufferers by fire up to the 1st March retrospectively.

At a Meeting of the General Committee held at the Town Hall, 12th May, 1837.

Resolved.—That the Committee will not give or lend money to persons whose houses are not already in process of reconstruction, except on condition of their building tiled huts, or else removing their residence to some thinly built situation beyond the limits of Calcutta.

Resolved.—Three only of the Sub-Committee having had time to make any detailed Report, the Meeting is adjourned till Monday the 15th instant, at 5 p. m.

At a Meeting of the General Committee held at the Town Hall on the 15th May, 1837.

Rustonjee Cowasjee, Esquire, presents to the meeting the sum of Company's rupees 607 contributed by the Men of H. M. 26th (Cameronian) Regiment.

Resolved.—That the best thanks of this Committee be given to the Donors for their valuable assistance.

Reports are received from the 1st, 2d, 4th, and 5th Divisions.

Resolved.—That Captain Birch be requested to wait upon the Governor-General, to report the proceedings had hitherto, and to ascertain if possible what assistance may be looked for from Government.—*Bengal Hurkaru, May 19.*

At a Meeting of the General Committee held at the Town Hall on Tuesday, the 16th May, 1837.

With reference to the last resolution of yesterday's meeting, Captain Birch reports that he waited upon the Governor-General this forenoon, and that His Lordship expressed himself favorable disposed towards the objects of this Committee, and signified his desire for information on certain points, relative to the extent of injury occasioned by the fires, the pecuniary means required, the amount of private subscription probably obtainable, and the method of operation proposed.

Sir B. H. Malkin, Mr. Dobbs, and Captain Birch were requested to draw up a communication for Lord Auckland's information, of which the general heads were discussed and adopted by the Meeting.

The subjoined resolutions were then successively considered and agreed to.

Resolved.—1. That the sub-committees in the several divisions be empowered, to advance sums not exceeding one rupee to any individual, or three rupees to any family for the relief of immediate distress; and that these sums be given, where it is practicable, in new copper money;—but that the sub-committee be requested not to apply the funds in this way, except to cases of real and emergent distress, and to discourage expectation of this kind of relief as much as possible.

2. That the sub-committees be at liberty to advance, either by way of gift or loan, 15 rupees to any individual who will undertake to re-construct his habitation consistently with our previous resolutions.

3. That the sub-committees shall be at liberty to advance, in cases where they shall see any sufficient reason for exempting parties from the operation of the preceding rule, (which is, however, to be understood as the general principle on which they are to proceed) sums not exceeding ten rupees to each individual, for the re-construction of his habitation on the condition prescribed by the 1st resolution of the 12th instant.

4. That in all cases where the sub-committees shall think larger relief requisite, they shall report the same to the general committees.

5. That the sub-committees report from time to time the amount and particulars of relief administered by them under the 1st, 2nd, and 3rd resolutions.

6. That in cases where the sub-committees make loans to parties, they be referred in the 1st instance to Mr. Phipps, who is authorized to negotiate the terms of security and time of payment.

7. That in making any advance under the 2nd or 3rd Resolution, the attention of the sub-committees be particularly called to the necessity of taking every possible precaution to secure the application of the money solely to the purposes for which it is advanced, either by withholding the whole or any part of the advance till the building is in a certain state of forwardness, or by any other conditions which they may have the means of imposing.

8. That in cases where the sub-committees find that from local circumstances it would be possible to build a considerable number of huts in one vicinity and upon one plan, more cheaply and advantageously by contract for the whole, than by furnishing individuals, with the means of building, they are recommended to report the circumstances to the general committee and to suspend the grant of individual assistance for building. That, if possible, any entire bazars or large spaces of ground where great conflagration has occurred, be built in preference to extending partial sums on places where there must be tiled and thatched huts mixed together.

9. That the general committee from this date meet on Mondays and Thursdays at 5 p. m. The next meeting to take place on Monday the 23d instant.

R. J. H. BIRCH, Secy.

District Charitable Society.

Calcutta, 17th May.

SUBSCRIPTION IN AID OF THE SUFFERERS BY THE
LATE FIRE.

The Hon'ble Su E. Ryan,.....	500	" Luckinarian Mookerjee,.....	50
D. McFarlan, Esq.,.....	200	Mr. T. H. Gardener,.....	20
The Honorable H. Shakespear, Esq.,.....	100	Geo. Alexander, Esq.,.....	50
The Honorable Sir B. H. Malkin,.....	500	Baboo Govind Chunder Banerjee, ..	100
R. D. Mangles, Esq.,.....	100	Walljee, Ruttonjee and Cullenjee,.....	100
H. Walters, Esq.,.....	100	Rancherdoss Munjee,.....	50
F. J. Haliday, Esq.,.....	100	Jootba Kutchra,.....	50
Capt. G. Vint,.....	100	Moolchund Piemjee,.....	50
C. Tucker, Esq.,.....	100	Neenchund Lowchund,.....	50
Baboo Dwarkanath Tagore, ..	500	Baboo Radanauth Dutt,.....	50
Kustomjee Cowasjee, Esq., ..	1000	Captain R. Wallace,.....	50
Baboo Prasunno Comar Tagore,.....	200	Mr. S. H. Isaac,.....	20
Messrs. D'Souza, and Co.,.....	1000	Mirja Mahd. Mehdie Muskey,.....	100
J. W. Alexander, Esq.,.....	100	Abraham Mauder of Bombay, ..	100
A. Dobbs, Esq.,.....	100	Hajee Jakeerah Noormahomed,.....	100
Baboo Gopaul Laul Tagore,.....	200	Ahmed Mittah,.....	100
" Rajchunder Mookerjee,.....	100	Baboo Mothoornauth Mullick,.....	250
" Radhanauth Mittre,.....	25	Baboo Ram Comul Sein,.....	100
		Baboo Hurrischunder Bhowe ..	50
		Messrs. Bruce Shand and Co., ..	50
		Golaub Sing,.....	50
		The Right Reverend the Lord Bishop, ..	500
		Through Captain Vint,.....	50
		Ditto, ditto, ditto,.....	50
		Ditto, ditto, ditto,.....	5
		Kallikisson Ghose,.....	16
		Commollacant Mookerjee,.....	5
		Doorgachurn Dhur,.....	25
		Sooroochunder Shaw,.....	5
		Dwarkanath Nundy,.....	5
		Goluck Chunder Ghose,.....	5
		Ganesh Chunder,.....	2
		Kolhdoss Mittre,.....	2
		Esurichunder Day,.....	1
		Ooma Chunder Chatterjee,.....	1
		Ranjuloo Mookerjee, ..	1
		E. G.,.....	5
		James Hastie, Esq.,.....	100
		Brojenauth Nundy,.....	2
		Doorgachurn Ghose,.....	1
		Ramcomar Ghose,.....	2
		Pravinkisson Seal,.....	1
		Gobindchund Seal,.....	16
		Messrs. Jenkins, Ferguson and Co.	200
		Ranchunder Banerjee,.....	25
		Chintamony Day,.....	5
		Hulloolhur Mullick and Co.,.....	200
		P. O'Hanlon, Esq.,.....	250
		Lokenath Mullick, ..	100
		Colonel Hazeta, ..	16
		T. Dickens, Esq.,.....	100
		Radanath Banerjee,.....	250
		Mirza Ullee,.....	100
		Hajee Joseph, ..	20
		Hajee Solomon,.....	20
		Captain J. Roche,.....	20
		M. M. Manuk, Esq., ..	100
		P. J. Sarkies,.....	50
		Sarkies Owen, Esq.,.....	16
		Joseph Agabeg, Esq.,.....	20
		David Ezrah,.....	16
		Ezekiel Ezrah,.....	16
		Chensoil Buxeram,.....	25
		Rajkissen Roy Chowdry,.....	100
		Calloo Hurnom,.....	25
		Monohordoss Amerchund, ..	50
		Gooroachurn Paramanick,.....	25
		Jeetoo Shaw,.....	50
		Mr. M. D. Cohen,.....	25
		Collydoss Bhowe,.....	50
		Messrs. Carr, Tagore and Co.,.....	200
		J. Carr, Esq.,.....	50
		Messrs. Cockerell and Co.,.....	500
		The Honorable T. B. Macauley, Esq., ..	500
		The Hon'ble Sir J. P. Grant, ..	300
		Baboo Ramnath Tagore, ..	100

A. H. Sin, Esq.....	25	H. Cowie, Esq.....	50
Baboo Mothornath Tagore.....	16	W. Ainslie, Esq.....	25
Gungamrao Doss.....	5	Alexander Colvin, Esq.....	100
Messrs. J. A. Walker and Co.....	50	Messrs. Boyd and Co.....	500
Baboo Collykinkur Pollit.....	16	Baboo Hurryhur Dutt.....	25
A. Friend.....	16	Baboo Ramdhone Bysack.....	50
Mr. J. D. Cohen.....	16	Baboo Moteloll Seal.....	500
D. M. Gordon, Esq.....	16	Baboo Frankissen Saw.....	50
Baboo Chunder Mohun Chatterjee.....	10	W. D. Shaw, Esq.....	32
Baboo Ragopaul Ghose.....	26	A. R. Jackson, Esq.....	50
Capt. J. Roxburgh.....	100	Messrs. Thos. DeSouza and Co.....	1000
Messrs. Hedger and Smalley.....	32	Ramloll Chunder.....	2
W. Storm, Esq.....	32	J. P. McKiligin.....	50
Baboo Ramtoono Bysack.....	50	A. Gilmore.....	50
Contribution from the Men of H. M.'s 26th (Cameronian) Regt.....	607	G. M. Robertson.....	5
Baboo Dinkannundun Mookerjee.....	16		
Baboo Doorgachurn Paul.....	50	Total,	14,761 10 8
Baboo Pearrymohun Chowdry.....	100		
John Allen, Esq.....	100		
W. Bracken, Esq.....	25		
John Macklean, Esq.....	50		
N. Alexander, Esq.....	25		

R. J. H. BINCH,

17th May, 1837.

Secy. District Char. Society.

Hurkarn, May 15.

CIVIL SERVICE ANNUITY FUND.

To H. T. PRINSEP, Esq.,

Secretary to the Government of Bengal.

FORT WILLIAM.

Sir,—We have the honour to acknowledge the receipt of your letter of the 15th February last, transmitting for consideration and report, a copy of a despatch from the Hon'ble the Court of Directors to the address of the Governor-General of India in Council, dated the 28th September, with its enclosure, regarding the claim of Mr. C. B. Elliott, late of the Civil Service, on the Civil Fund.

In compliance with the instructions of the Hon'ble Court, we have carefully reconsidered the case of Mr. Elliott, and we further submitted it to a General Meeting of the Subscribers held on the 24th instant. As it appears that the case was decided at a General Meeting of Subscribers held on the 25th January, 1836, and that the decision was confirmed at a subsequent General Meeting held on the 25th April, 1836, and also as it appears that under Article 30th of the Fund Resolutions thus passed "shall be final and conclusive in all cases whatever," it does not appear that any authority exists competent to alter the decision thus solemnly and regularly passed. As, however, the Hon'ble Court have expressed a wish to be informed of the grounds of the decision passed in the case, and as we are persuaded that every Subscriber to the Fund is solicitous to pay the most anxious attention to any wish expressed by the Hon'ble Court, we beg leave to submit a few remarks which we trust will sufficiently evince that Mr. Elliott has no sufficient reason to complain of the decision adverse to him passed by a very great majority of the Subscribers to the Fund. For this purpose it does not appear to us necessary to enter on the various allegations advanced by Mr. Elliott. It may be sufficient to advert to one material point.

We allude to a certain provision in Article 35 of the Rules of the Fund, on which Mr. Elliott rests his case. It provides that if a Subscriber to the Fund "on quitting the service" "shall pay to the Fund what may be wanting to complete his contribution" to the amount of rupees 5000, such contribution shall entitle his family to the benefits of the Fund.

Mr. Elliott appears to have quitted India soon after the 24th November 1827 (the precise day is unimportant) and on or about the 16th of November 1832, or within five years, he paid to the Agents of the Fund in London, the balance due to complete his contribution to rupees 5000; notice of such payment reached the Managers in India about the 30th of April 1833, or after the lapse of five years from his quitting India, and consequently about four months after he had quitted the service.

Hence it remained to be considered whether a payment to the Agents of the Fund in London was a payment "to the Fund" under the rule above cited.

Mr. Elliott in several parts of his letter, and especially in the 13th para, strongly supports the opinion that a payment to the Agents is bona fide payment to the Fund, and repudiates the contrary opinion in terms which his natural bias towards his own claim scarcely justifies. To us it appears that a very slight reference to one of the most simple and obvious principles which govern such transactions will sufficiently prove that the payment to the Agents did not preserve Mr. Elliott's right.

Of the transaction and alleged conversations between Mr. Elliott and the Agents we know nothing except from Mr. Elliott's own statement, but we do not think they can materially alter the complexion of the case.

We conceive that no provision can be more indisputable in Law and Equity or in reason, than that an Agent duly empowered to do a specific act for his principal is not thereby empowered to do other acts not specified in the powers entrusted to him.

To apply this principle to the present case, we observe that the Rulers of the Civil Fund strictly prescribe and limit the duty of the Agents in England, and the receipt of money from parties in England and their admission to the benefit of any provisions of the Fund forms no part of that duty. The Article (12th) is perfectly clear, and we are quite at a loss to understand why it should not be considered binding as well on the Fund as on Mr. Elliott and on the Agents. Put the case hypothetically. Had the Agents thus unauthorized to receive on the part of the Fund become insolvent, while in possession of Mr. Elliott's money, we presume there cannot be

a shadow of doubt but that the loss must have fallen on Mr. Elliott and not on the Fund; and surely the same rule applies to all irregular receipts of money, which though stated to be made on behalf of the Fund, are not receipts until received by the Officers of the Fund in cash, or credited by them duly in account. The Fund says to Mr. Elliott, you are not authorized to pay your money to Agents in any part of the world, but your election must be made and the payment completed to the Fund itself at the place of its institution within the period prescribed. You may pay to Agents for remittance, but the risks and delay of the remittance are yours. If Mr. Elliott nevertheless pays his money elsewhere and to others it is at his own peril. For it is clear to us that a payment to the London Agents is not a payment to the Fund, and that Mr. Elliott's interest in the Fund lapsed when he ceased to belong to the service, before any payment had been made in India on his account.

But if Mr. Elliott's claim of strict right be thus disposed of, his admission to the benefit of the Rule was dependent on the claim he could establish to the special indulgence of the Subscribers, and considered in this point of view the body of the Subscribers have not felt disposed to regard it favorably. The Fund was established for the benefit of the Widows and Children of Members of the Bengal Civil Service, a body from which Mr. Elliott had early and voluntarily excluded himself. It appeared to be an attempt to take advantage of the letter of a rule enacted for a very different purpose to divert the funds of a charitable institution to an object foreign to its whole intent and purport. After a service of six years in India Mr. Elliott on embarking in another profession claims from his late brethren for the utterly inadequate consideration of a present payment of 500£, a reversion of an annuity for life of 300£ per annum to his widow, of 100£ per annum to each of his daughters, besides an allowance to his sons until the age of twenty-one. It appears to us that nothing short of the clearest and most undoubted right would have justified the Subscribers in confining such advantages on such pretensions.

These considerations are greatly strengthened on advert to the alarming fact that the present expenditure of the Fund exceeds its income. We are now endeavoring to ascertain how this deficiency is to be met, but it is obvious that we cannot afford to be generous, when we cannot even afford to be just.

In regard to the delay adverted to by the Court in coming to a final decision upon Mr. Elliott's case, we have reason to regret the delay which arose, but nothing took place which was not in strict conformity with the rules of the institution.

The decision in favor of Mr. Elliott was that of the Committee of Managers, whose acts under Article 16th are in all cases "liable to revision and controul by the resolutions of the Subscribers duly passed at a regular general meeting." From the date on which the Managers decided on admitting Mr. Elliott up to the date on which Mr. Elliott's case was brought under the consideration of the Subscribers at large at a special general meeting called for the purpose, the act of the Managers had never receive confirmation, or been brought under the consideration of a general meeting.

There are some other points which might be adverted to in considering the claim of Mr. Elliott, and particularly before admitting him we should have desired to know the precise date of his ordination, which we conceive must be considered as a relinquishment of the service if it fell within the period of five years from his quitting India. But as above noticed we do not consider that the Service is now competent to entertain Mr. Elliott's claim, and as we consider it to be barred, we do not therefore think it necessary to enter further upon the subject.

We have the honour to be, Sirs,

Your obedient Servants,

(Signed by the Managers.)

Calcutta, 27th April, 1837.

[Calcutta Courier, May 2.]

MORNING ACADEMIC INSTITUTION.

The annual examination of the Morning Academic Institution, took place on the 20th inst. at the Hurkara Rooms. The examination commenced at 11 o'clock A. M. and was conducted principally by David Hare, Esqre. The pupils of this Academy acquitted themselves in a very creditable manner and frequently elicited encomiums from the worthy examiner. The classes were examined in the following branches of study.

1st Class.—Playfair's Geometry, History of Rome, History of India, Goldsmith's Geography, Murray's Large Grammar, Natural Philosophy, Rule of Three, Translation and Composition.

2d Class.—Poetical Reader No. 1st, Brief Survey of History, Goldsmith's Geography, Murray's Compendious Grammar, Natural Philosophy, Division and Translation.

3rd Class.—Poetical Reader No. 1st, English Reader (Prose) No. 3rd Clifts' Geography, Murray's Compendious Grammar, Division and Translation.

4th Class.—English Reader (Prose) No. 2nd, Clifts' Geography, New Spelling No. 2nd, Murray's Compendious Grammar, Multiplication and Translation.

5th Class.—English Reader (Prose) No. 1st, New Spelling No. 2nd, Elements of Grammar and Subtraction.

6th Class.—English Reader No. 1st, New Spelling No. 2d, and addition.

7th Class.—New Spelling No. 1st, and Numeration.

8th Class.—New Spelling No. 1st, and Numeration.

9th Class.—New Spelling No. 1st.

Besides the above, we understand, the students are instructed in Bengallee as follows:—

1st Class.—Pushchabolee or Animal Biography.

2nd Class.—Neeti Katha, Part 2nd.

3rd Class.—Sith Katha, Part 1st.

4th Class.—Bursamucca or the Bengalee Alphabet.

There were about a hundred pupils present at the examination, and several respectable Native Gentlemen.—Hurkara May, 22.

HINDU BENEVOLENT INSTITUTIONS.

Established at Shampukar, No. 15, March 15, 1831.

The following gentlemen are the office bearers of the above institution for this year, and annexed are the rules thereof proposed by the (visitor) Raja Kalikrishna Bahadur, C. M. R. A. S^c and passed by the Managing Committee on the 5th May, 1837.

Honorary Visitors.

Rev. J. Bateman, M. A. D. MacFarlan Esquires.
C. E. Trevelyan and

Visitor.

Maharaja Kalikrishna Bahadur.

Examiners.

M. Siroe, Esq. and Jadavachandra Ghose
Baboo Kashiprasad Ghose

Proprietor.

Babu Sharadaprasad Basu.

Managing Committee.

President—The Honorable Sir B. H. Malkin, Kt.
Vice President—The Ven. Arch. T. Dealtry, L.
L. B.

Members.

Rev. J. Bateman, M. A.; C. E. Trevelyan; D.
MacFarlan, and W. H. Duff, Esqrs.; H. H. Newab
Tahawer Jung Bahadur; Maharaja Kalikrishna Bahadur;
Baboo Dwarkanath Tagore, Kashiprasad Ghose
and Kashinath Basu.

General Superintendent, Baboo Krishnaharr Basu.
Head Teacher, „ Kalidas Palit.
Second ditto, „ Durgacharan Banorgie.
Third ditto, „ Madhusudan Sirkar.
Fourth ditto, „ Shyamacharan Nandi.
Fifth, Sixth, Seventh, Do. „ Shrinath Biswas.

Rules.

1st. That none but Hindu boys shall be admitted as pupils into the institution.

2nd. That boys destitute of the means of paying for their education, shall, upon affording to the general superintendent, through their parents or guardians or relations satisfactory proofs of such their needy circumstances, be admitted into the institution free of expence.

3rd. That the general rule of the institution shall be, that boys under the age of nine years, shall be eligible for admission into the institution; but that exceptions thereto shall be made where boys although above nine years (and under sixteen) evince a tolerable progress in learning.

4th. That no boys shall be allowed to remain in the institution beyond a period of six years.

5th. That the institution shall be conducted by Hindu teachers.

6th. That a public examination and distribution of prizes shall take place in the month of March of every year.

7th. That on the morning of the day, when such examination and distribution is intended to take place, a meeting of the President, Vice President, Managing Committee, Subscribers, and others the friends of Native education shall be appointed for the purpose of hearing reports, passing accounts, electing office bearers, and of transacting the general business relating to the institution.

8th. That when any special matters connected with the institution shall require to be carried into effect, the general superintendent shall issue a circular to the managing committee explaining the circumstances to which their attention will be called.

9th. That not more than four boys shall be admitted monthly and on the first Monday of every month into the institution, and that such admission shall be determined, according to priority of applications of the candidates provided no objections shall exist to their admittance.

10th. That the general superintendent shall produce a yearly account of sums received and disbursed on account of the institution, and shall submit the same to the committee.

11th. That persons of whatever nation subscribing any sum to the funds of the institution, shall be considered members thereof, and shall be entitled to join in the annual election of the committee.

KRISHNAHARR BASU, *Genl. Supt.*

[*Englishman*, May 15.]

SUPREME COURT.

CHAMBERS,—TUESDAY, MAY 9, 1837.

Before Sir J. P. Grant, Knight.

A SHERIFF'S OFFICER REPRIMANDED.

In the case of the King, on the prosecution of Mr. Robert Felix Smith, versus Charles Peter Lopes and John Perroux, for an assault. Alfred Pratt, the sheriff's officer, received a severe reprimand from the Peace Justice, Sir John Peter Grant, Knt. The particulars of this case are as follow:

It appears that the bailiff called on the prosecutor at his house in Colingah, on Tuesday the 18th of April last, at about the hour of 8 o'clock P. M., and demanded 2 gold-mohurs as his fee to go with the prosecutor to the residence of the defendants at Entally, and endeavour to arrest them. The prosecutor declined giving the 2 gold-mohurs beforehand, but said to the bailiff, that if he would wait till the prosecutor had dressed himself, he would go with him, and on the bailiff arresting the defendants, he would give him 1 gold-mohur for his trouble. Hearing this the officer replied, that he sometimes did jobs within the town for 1 gold-mohur, but whenever he had any process to serve out of town, he never went without getting 2 gold-mohurs as his fee for the job; he then added that the Session would close

to-day, so he must go to the Supreme Court; and advised the prosecutor to send a person to obtain information regarding the prisoner, who, he said, he had ascertained, by inquiries made at their houses, had absconded and secreted themselves to avoid the service of the writ against them; and he requested the prosecutor to send a person with 2 gold-mohurs to his residence in Emanbang Lane, in the evening, when he would go with the man so sent, taking with him, either J. P. Stone, the bailiff of the Court of Requests, who lived with him, or else F. Gwatin, the constable of the lower south division, who, he said, knew the parties. To this proposal the prosecutor replied, that he would send a servant to make enquiries regarding the prosecutor in the day time, and that that man would wait on him in the evening; but if the bailiff insisted on having the 2 gold-mohurs as his fee, previous to his executing the writ, Prosecutor referred him to his Attorney, Mr. Charles G. Strettell. After this the bailiff left Mr. Smith, who sent Jumun tailor during the day to endeavour to obtain some information regarding the defendant, and on his return sent him in the evening with a clut to the bailiff's house. Jumun, on his return at night, brought back a verbal message from the bailiff, stating, that Charles Peter Lopes had been arrested, and the bailiff desired the prosecutor to send him 1 gold-mohur for having arrested one of the defendants, on receipt of which sum he would endeavour to arrest John Perroux likewise, who has fled to Hoogly or Serampore to screen himself from the service of this writ against him. Next morning, when the prosecutor went to the police office, he was informed by Mr. Stevens, the constable, that Charles Peter Lopes had been the previous day brought up under arrest to the Supreme Court, just at the Sessions were concluding and requested to be put on his trial, when the names of prosecutor and his witnesses were called, and on their not appearing to prosecute, their recognizances had been created and the prisoner released. Hearing this information, the astonished prosecutor waited on his attorney, who told him that he likewise had heard some such intelligence yesterday evening; for the bailiff did not give him any notice of the arrest of the prisoner till 2 o'clock p. m., on hearing which Mr. Strettell went immediately to the Supreme Court, but on his arrival there, learnt that the prisoner had been discharged about an hour previously. The bailiff, in his defence, said, that immediately after his arrival in the Supreme Court with Charles Peter Lopes as his prisoner, (whom he had arrested at about 10 o'clock at a friend's house, on the day he called on the prosecutor at his residence) he was ordered off by the Sheriff to go to Allipore on a message to Mr. P. O'Hanlon the Magistrate, therefore he had no time to give any notice either to the prosecutor or his attorney, till his return from Allipore, when he waited on the prosecutor's attorney at his office in Waterloo Street.

The Judge said, there was great neglect and trifling with justice displayed by the sheriff's officer in this case: he himself admitted, that the prosecutor up to 8 o'clock of that day had been informed, that neither of the defendants were in custody; yet the bailiff, without either giving him or his attorney notice, or intimating to the officers of the Court to give such notice, had let the prisoner be brought up for trial and they had been released, for want of the prosecutor's appearance in Court, who was totally ignorant of their arrest.

The Judge said he would refer the case to the sheriff for his report on it to be laid before him next Friday, and as the prosecutor appeared to be blameless in this case, he granted the request of his petition to discharge him from the treatment of his recognizances.
—*Hurkaru, May 12.*

MADRAS SUPREME COURT.

TRIAL FOR MANSLAUGHTER.

The Supreme Court was yesterday occupied with the trial of *James Shell*, an Apothecary in the General Dispensary, on a charge of manslaughter, for having caused the death of Mr. Lys, by supplying a wrong medicine. The circumstances of the mistake are somewhat different from those hitherto published, and are as follow.

Mr. Lys being troubled with a cutaneous eruption, called in the assistance of Dr. O'Neill, who prescribed, among other medicines, a decoction in the composition of which there entered about a drachm of Extract of Sarsaparilla.—The bottle which contained this medicine requiring to be replenished the day previous, was taken into the store-room by Apothecary *Shell*, and supplied by him with a quantity of Extract of Belladonna through mistake: the bottle, thus replaced in the Dispensary, was taken down from the shelf by a native assistant, the prescribed quantity weighed out, pounded, mixed with the decoction, and sent off to Mr. Lys; who, on its arrival took, as directed, a tumbler full or one-third of the whole.

An hour or two after the bottle had been sent off, another prescription was received for a different person, in which Extract of Sarsaparilla was also an ingredient: this was taken from the same bottle, but the compounder finding the Extract possessed a gumminess, that his experience told him did not belong to Sarsaparilla, remarked this peculiarity, which caused Mr. *Shell* to examine the bottle, whereby the mistake was discovered.

Mr. *Shell* then dispatched a memorandum to Mr. Lys, begging the bottle might be returned, as some of the ingredients had been omitted: and the reception of this memorandum convincing Mr. Lys, who was suffering under the natural effects of the Belladonna, that a fatal medicine had been administered, he immediately caused Dr. O'Neill to be sent for; but, as we have before stated, medical help was then of no avail.

When we first heard the intentions of the authorities to put Apothecary *Shell* on his trial, we felt a little surprised: but the lucid statement of the Advocate-General convinced us of the propriety, and even the necessity of adopting such a measure. The unfortunate substitution of Belladonna for Sarsaparilla was in the first place attended with a violation of the regulations of the Dispensary, which order, that a fresh package of medicine shall not be broke upon, while a quantity, of an old package is remaining:—now the Sarsaparilla jar of the measure of ten pounds was not empty, and consequently the supply for the dispensary bottle ought to have been taken from that—whereas the Belladonna bottle was of the measure of one pound only, and although there was in the stores a jar containing Sarsaparilla of the measure of one pound also, for which the Belladonna jar was mistaken—yet had the regulations been observed, the fatal error could not possibly have occurred.

The melancholy effects of this deviation from the rules of the Dispensary urgently required that *Shell* should be dismissed from his situation; not more as a punishment of his fault, than as a prevention to its recurrence in his person; and a warning to others similarly circumstanced, who dispense life and death to the European population of the Presidency: but *Shell's* conduct is blameable in the extreme, in that he did not inform Dr. O'Neill of his mistake, the instant it was brought to his knowledge, and use every possible means to prevent the dreadful consequences which he must have anticipated as probable, though then unknown to him.

This behaviour on his part is more than negligence, it amounts to crime: he knew that Mr. Lys' life had been placed in jeopardy by his own mistake, and it was his

duty, his imperative duty, as a man and as a medical subordinate, instantly to have made his superior acquainted with danger to which he had exposed the unfortunate patient. His neglecting to do this, whether from the fear of consequences to himself, or whatever the cause might be, is utterly inexcusable, and justifies the prosecution for manslaughter of which offence he was found guilty.

We do not think it necessary to go into the detail of the Advocate General's address to the jury; but we cannot help noticing the illustration by which the learned gentleman, in winding it up, impressed upon their minds the construction of the law on such a point. He said, if we mistake not, that, if a traveller enquired the way to any place, and the person applied to, of two roads pointed out one to him which terminated in a precipice—and afterwards saw the traveller pursue that road, without warning him of his danger—he, the person applied to, would be guilty of manslaughter, should the traveller lose his life by falling over the precipice.

We do not mean to dispute the law thus laid down by

Mr. Norton; but we wish it could be *officially* applied to the parties who have laid down that infernal, break-neck, tenterhook, piece of penance, misnamed a road, leading from the Hospital Gate towards Prince's Dispensary: we have before had occasion to remark its effects in throwing down horses and breaking bandies, and if these accidents have not been attended with manslaughter, it is certainly more owing to Providence than these worthy macadamizers, who obstinately jeopardize life and property every day, by their silly and dangerous experiments of constructing roads of granite, as with the edges uppermost.

James Shell was convicted, and sentenced to one year's imprisonment, which is tantamount to dismissal from the service; as however he has a dependent family, it would be an act of charity in the Government to allow them some small pension, in case they are not entitled to the benefit of the Apothecaries Fund.—*Madras Examiner*, April 21.

COURT OF THE SESSION JUDGE OF THE 24-PERGUNNAHS.

A circular order, No. 1142, dated 7th April 1837, was issued on the 27th instant, to the commissioners of circuit, session judges, magistrates, and joint magistrates in the Lower Provinces, regarding the power to be exercised by session judges vested with the power of commissioner under Act VII. 1835, over the proceedings of magistrates in criminal trials. Opinion of the Sadler Nizamut Adawlut of the N. W. Provinces on the above subject.

The court observe, that although strictly speaking the term, 'sentence,' made use of by the judicial secretary to the Government of Bengal in his letter to the Registrar of the Sadler Court, Lower Provinces, under date the 3d May last, bears the construction, which has been put upon it by the Calcutta Court in the correspondence under consideration, the court, looking to its general purposes, do not understand it to have been intended, by the employment of that term, to prohibit the interference of the sessions judges in regular criminal trials, in the course of their investigation before the lower courts, or to exclude from their cognizance, appeals from interlocutory orders passed by those courts in such cases, not having reference to matters of Police.

The court are further of opinion, that the exercise of the powers in question constitutes an essential part of the administration of criminal justice, the whole of the duties connected with which, they observe, have been made over, under the orders of government, from the commissioners to the sessions judges of those districts to which the provisions of Act 7 of 1835, have been extended, and that it is absolutely necessary, that the latter officers should be invested with the authority above mentioned, to enable them, to maintain an efficient superintendence and control over the whole of the proceedings of the lower courts in regular criminal trials, and to furnish the reports on the state of the departments under consideration, which they are required to submit to the court at the close of each year.

In support of this opinion the court referred to the resolution adopted by both courts, under date the 4th May 1833, containing a construction of Section 8 Regulation IX. of 1831, and to paragraph 6 of the circular order issued by this court under date the 23d November 1834 to the commissioners of circuit in the Western Provinces. By the former, it was held that the cases of

a miscellaneous nature referred to in the section of the regulation in question were not intended to include orders passed by inferior courts in the progress of criminal trials, and that such orders consequently remained open to revision and correction by the Nizamut Adawlut which principle the court are of opinion must be considered equally applicable to sessions judges, into whose districts the provisions of Act 7 of 1835 have been introduced, while in the circular order above quoted, the court remark that the administration of criminal justice might be said to include the whole progress of a case from the date of the criminal's apprehension to the date of his sentence.

The court further observe that the Government in their letter to the Registrar of the Calcutta Court, under date the 10th November 1834, paragraphs 5, 6 and 7, attach much importance to a careful revision by the controlling authorities of the Persian statement No. 9 of the new forms as enabling those officers not only to detect any illegal or improper sentence passed by the magistrates, but to check any delay on their part in disposing of the trials brought before them, and readily to ascertain the general state of criminal justice in their districts, and as in the zillahs, to which the provisions of Act 7 of 1835 have been extended, the statement in question is submitted direct by the magistrates to the sessions judges, those officers must be considered to be invested with precisely the same powers in regard to the cases entered therein, as were formerly possessed and exercised by the commissioners of circuit.

Under these circumstances, the court are of opinion, that the sessions judges, into whose districts the provisions of Act 7 of 1835 have been introduced, are competent and required to perform the whole of the duties prescribed in the 2d paragraphs of the letter of the

* Extract from a proposed letter from the Registrar of the Nizamut Adawlut, Lower Provinces, to the Secretary to the Government, of Bengal dated 12th August, 1836.

2.—The orders of Government, contained in your letter of the 3rd May last No. 192, respecting the power of session judges to try appeals from judicial sentences, passed by magistrates on persons charged with criminal

Register of the Calcutta courts, and as they have reason to believe that this rule is generally acted upon in the North West Provinces they do not consider any further instructions on the subject necessary for the guidance of the criminal authorities subject to their control.—*Englishman*, May 9.

offences, but the cognizance of several important matters, which may precede the final sentence, such as delay in the final decision of a case, refusal of a magistrate to admit to bail, demand of exorbitant bail, and other grievances, which should be promptly attended to, and can better be decided by the session judge, or the superintendent, than by the commissioner who may be far distant. The government told the court, in reply, they were at liberty to issue instructions to the several session judges in accordance with the tenor of the above paragraph. Opinion of the Lieutenant-Governor of the North West Provinces, on the above subject

"The actual practice, according to the report of the Sudder Adawlut, appears to be, that the session judges exercise full control over the judicial proceedings of the magistrates in criminal trials, whether in receiving appeals from sentences and appeals from orders, or in interfering during investigations."

The Lieutenant-Governor is of opinion that, although it is not desirable, that the judges should exercise much interference in the proceedings of the magistrate, otherwise than in receiving appeals from sentences, the power of interference in any of the judicial proceedings of the magistrate cannot be withheld from the judges without leaving the magistrate more uncontrolled than they ought to be.

The magistrates in criminal judicature were formerly subordinate to the Provincial Courts, subsequently to the commissioners of Circuit, and are now in the same relation to the session judges. Whatever powers were exercised by the Provincial Courts and the commissioners of Circuit over the judicial proceedings of magistrates must now be considered as vested in the session judges, and the exercise of these must deprive greatly or the discretion of the sever judges. The interference is likely to be more incessant and more vexatious to the magistrates than it was in the hands of the Provincial Courts and the Commissioners of Circuit, because the judges being, with few exceptions, at the same stations with the magistrates, appeals and complaints can be more readily and will, it is most probable, be more frequently made than they were either to the Provincial Courts, or to the commissioners of Circuit. It will not therefore be surprising to learn that the exercise of this interference had been attended with considerable inroads on the judge's time, and some impediment to the magistrate's efficiency. His honor is not, however, aware that practically these inconveniences have been experienced, and until they be felt, so as to require remedy, he would not advocate the discontinuance of the control, which the judges have over the magistrates, and which, as far as it is beneficial, ought from locality to be more efficiently exercised by them, than by former tribunals, placed in the majority of cases at a distance, lest that measure should in too great a degree, remove control from the magistrates, who may frequently require it.

On the whole, therefore, the Lieutenant-Governor would not, at present, recommend any change in the practice of the North West Provinces. He understands the control of the judges to be limited to judicial proceedings, the magistrates being in other respects subject to the control of the commissioners.

CIRCULAR No 990.

TO THE COMMISSIONERS OF CIRCUIT IN THE LOWER PROVINCES

Sir,—I am directed by the Court to forward the accompanying copy of a letter from the Secretary to the Government of Bengal, dated the 15th November last, No 3080, and its enclosures, and to request that you will report to the Court (after the necessary enquiries from the magistrates and civil surgeons) to what districts, in your opinion, it would be advisable to remove prisoners sentenced to banishment from the several magistracies and joint magistracies of your division. The Court are desirous of obtaining this information, in order that in selecting the districts to which banished prisoners are to be removed, they may avoid sending them to those, the climate of which may be likely to prove prejudicial to their general health.

The Court further direct me to request, that you will ascertain from the civil surgeons whether they consider the climate of the district or the Sudder Station to be uncongenial to the constitutions of any of the prisoners at present confined in their jails under sentence of banishment, and if so, that you will report from what district they have been banished

I am, &c.

(Signed) J. F. M REID, Registrar

First William, 3d March, 1837

The letter (from the Secretary to the Government of Bengal,) alluded to above, merely contains a request that the following extracts be laid before the Sudder Court.

Extract of a letter from the Honourable the Court of Directors, dated the 29th June last, No. 5.

"The sickness and mortality which prevailed among the prisoners in the Bancoolah jail, during the last months of 1832, and the first months of 1833, is greatly to be deplored. It is satisfactorily shown that the jail at that station was of a superior description, and that the failure in the health of the prisoners was not attributable to any part of the treatment they received. The skill and attention, and anxiety of Mr. Cheek, the medical officer, are deserving of much praise. "With respect to the probable exciting causes of this dreadful sickness," Mr. Superintending Surgeon Skipton observes, "we have little or nothing to direct our judgment except the sudden change in the habits and mode of living of men brought from a hilly and jungle country, and a state of savage liberty to a state of horror and suspense as to their probable fate in strict confinement." In concurrence with that opinion, Mr. Braddon, the commissioner of circuit, states "I would say that the disease is constitutional, and a large portion of the prisoners being inhabitants of the jungle parts of the district, and peculiarly susceptible from their previous habits and former mode of life of the injurious effects of imprisonment and other privations to which they must necessarily be subjected."

This instance serves strongly to show, that although a sentence of imprisonment to appearance is not a harsh mode of punishing offenders, yet in reality it is objectionable on account of its severity as well as on that of the demoralizing effects of a jail. We doubt not, but care is taken, as far as possible, not to keep prisoners in confinement where the climate of the particular district is liable to be particularly injurious to their health.—*Englishman*, May 30.

Resolution on the annual statements of Zillah Mymna-
sing for the year 1836.

MAGISTRATE'S COURT.

Acquitted ...	431	At the close of the year 1835,
Convicted ...	626	there were 117 persons under trial,
Committed ...	69	viz. 29 in jail and 83 on bail, 1098
Died ...	1	person were apprehended or sum-
Escaped, &c...	24	monal during the year, making a
Under trial... 0		grand total of 1215, and these
Jail... 31 }	71	persons were disposed of, as noted
Bail... 40 }		in the margin. The number of con-
	1215	victions bears a very creditable pro-
		portion to the number of persons
		acquitted and discharged.

The statements noted in the margin, exhibit the number of persons that have been apprehended, acquitted, and convicted by the magistrate and his assistants in "heinous," as well as in "petty offences." The number of "petty offences" ascertained to have been committed, but in which no persons have been apprehended, or summoned, is very large.

One hundred and eight persons acquitted and discharged, in consequence of Razeenahs being filed, and 32 from the non-attendance of the prosecutor. On this subject the magistrate in statement No. 15, recorded the following remarks. "Razeenahs may fairly be considered as convictions at least in foroconscientie, if to be number punished then, be added that of prisoners so pleading, the total becomes 626+108=734 leave the number 32 neutral, and the convictions to the acquitted are in a ratio not far short of 3 to 1."

The court cannot, as suggested by Mr. Pringle, on side Razeenahs, or cases adjusted amicably by the parties, to be convictions, but the number of persons discharged by the filing of Razeenahs, may be fairly deducted from the number of persons acquitted on trial, and if so, the number of acquittals and convictions for this district would stand as noted in the margin, which, though not in a ratio of 3 to 1, is still satisfactory to the court and creditable to the exertions of the magistrate.

Acquittals....	323	The number of persons in
Convictions ..	626	jail or on bail on the 31st
		of December last, is noted in

the margin, and requires no remark.

Nine cases are pending in this district under Regulation XV. of 1824.

No persons were in confinement in default of security for good conduct at the close of the year.

APPEALS.

Criminal trial.		The number of appeals
Preferred.....	72	preferred from the decisions
Confirmed.....	41	of the magistrate in criminal
Modified or re-		trials, and also in miscella-
versed.....	22	neous cases, and the result
Pending.....	9	thereof, is noted in the mar-
	72	gin. The result is consid-
		ered satisfactory.
Miscellaneous Cases.		The criminal business ac-
Preferred.....	16	tually pending in this dis-
Confirmed.....	11	trict on the 31st December
Modified or re-		last, as noted in the margin
versed.....	5	The number of "heinous"
	16	and "petty offences" still
Heinous offences....	89	pending in this district,
Petty offences.....	615	appears to the court to be
Appeals.....	13	very large. The court

Press from other districts.... 83

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request, that immediate measures may be adopted by the magistrate to reduce this very heavy file; as the court apprehend that the delay, which must take place in the disposal of the criminal cases, encourages evil disposed persons to prefer huge and false complaints, in the expectation of annoying their adversaries by the process of the court. The number of Razeenahs filed in this district, confirms the court in this view of the subject.

SESSION JUDGE'S COURT.

At the close of the year 1835, there were three persons under trial in the sessions court, 82 persons were committed during the year 1836, making a grand total of 65, and they were disposed of in the mode noted in the margin.

Acquitted	23	The proportion of acquit-
Convicted	27	tals to convictions is large,
Died	1	and a reference to the monthly
Preferred.....	14	jail delivery statement shew,
	65	that some of the commit-
		ments were made on insuf-
		ficient grounds.

No trial was called for at the English sittings, but one prisoner appearing to the court to have been illegally convicted, the sentence was annulled, and he was arraigned on a new charge.*

Only one appeal was preferred during the year from the order of the sessions judge, and that case is still pending in the court.

The Commissioner, Mr. E. M. Gordon, in submitting the statement for this district, has not informed the court how long criminal trials are usually pending before the magistrate or the sessions judge. In the jail delivery statement for the month of June last, the case of Hosen Ally, Jemadar of the thannah of Nussereabad, appears to have been delayed for a most unaccountable and creditable period, subjecting this individual, as will be observed from the following remarks recorded by Mr. Cheap, to much unnecessary hardship. "I never took up a case where there was more of a conspiracy apparent or one that I should have more cautiously subscribed to a verdict, not of simple acquittal, but of entire innocence. The prisoner was

* The prisoner was committed on a charge of "burglary and theft, with murder," and convicted by the Futwa of "knowingly receiving property," so obtained, and sentenced by the sessions judge to ten years' imprisonment, with reference to the precedent established by the case of "Government v. Lengoo and others" N. A. Rep vol 1 p 257, the judge observing "it would have been better if the magistrate had committed the prisoner on both counts, as directed in the court's circular orders, as then no doubt could have arisen." The Nizamut Adawlut, however, ruled that the precedent cited had been superseded by the rules laid down in their circular letter, dated 16th July 1830 and 22d February 1833, the latter of which expressly required the presiding judge to direct the magistrate to rectify the error into which he had fallen (of not committing the prisoner on the charge of burglary and theft and "knowingly receiving stolen property") The court therefore annulled the sentence passed on the prisoner by the sessions judge, and directed that he should be arraigned on the charge of receiving stolen property, knowing it to have been obtained in a burglary and theft, attended with murder."

a *Yankee*, living in the jungles, was persuaded to leave his retirement and take office by the late magistrate, borrowed a pair of shoes, and bought some clothes, on credit, to enable him to join his office, held employment for 4 months, (entitling him to Rs. as salary) when he was brought up on this charge on the 16th of July 1835, and was ultimately committed for trial on the 4th of April last, *nine months after*, though the original complaint and all the witnesses reside within a few miles of the station."

"A copy of the above remarks has been sent to the magistrate, and as the jury gave in a written verdict, a copy of which is appended to this statement, a warrant for the prisoner's release has been issued.

Act VII. 1835 having been introduced into this district, the court trust that the sessions judge will exercise a more efficient control over these matters than appears to have been done by the late commissioner, and that by a careful examination of statement No. 9, he will be able to prevent any person from being thus needlessly detained in custody or on bail, under examination in future.

COURT OF NIZAMUT ADAMIUT

No prisoners were under reference to this court from Acquitted 2 Mymung at the close of the year
Convicted 6 1835, the number referred is 15 and
Pending 7 these prisoners were disposed of as noted in the margin.

The following is an abstract of the sentences passed on the prisoners convicted in this district during the year 1836

BY THE NIZAMUT ADAMIUT.

Death	1
Imprisonment for life.....	2
More than 3 and not exceeding 7 years..	1
More than 1 and not exceeding 3 years..	2
Total 6	

BY THE SESSIONS JUDGE.

More than 7 and not exceeding 14 years	1
More than 3 and not exceeding 7 years..	21
More than 1 and not exceeding 3 years..	4
Less than 1 year.....	1
Total 27	

BY THE MAGISTRATE AND HIS ASSISTANT.

Six months and not exceeding 3 years..	183
Less than six months	198
Fined.. ..	211
Required to furnish surety	12
Dismissed.....	14
Total 618	

GENERAL REMARKS.

It appears to the court, that considerable improvement might take place in this district, if the magistrate would endeavour to diminish the quantity of business now pending before the courts, and expedite the cases of persons under examination. The proportion of convictions to the acquittals is creditable to that officer, but with 804 criminal cases pending, the state of the district must be considered as unsatisfactory,

The trials submitted by the session judge to this court have been conducted with great regularity, and the court have had every reason to be satisfied with the manner in which the monthly and delivery statements have been prepared by that officer,—*Englishman*, May 24.

ILLAH 24-PERGUNNAHS TOURDAKRY.

HOWRAH, 24TH APRIL, 1837.

Ramchand, blacksmith, on the 20th of February last, filed a petition against Mr. Peter Foster, stating that he had been in the employ of Mr. Foster, and that after paying several workmen whom he had employed for Mr. Foster's yard, a balance appeared in the petitioner's favor of 175 rupees 9 annas and 3 pie. That the petitioner had from time to time applied to Mr. Foster for the amount, but had been as often put off with promises of payment. That on the 17th February last, he went to Mr. Foster's to demand the money,—it was about noon of that day, when Mr. Foster kicked, thumped and bumped the plaintiff into the street.

The witnesses of the plaintiff were summoned, but on examination failed to establish the pecuniary affair, but proved the assault and maltreatment, and a summons was issued for Mr. Foster's appearance. Mr. Foster received the summons but did not appear, and a warrant was issued for his apprehension, in which originated the following case of assault and resistance of the Magistrate's process.

The assault having been established in this case, Mr. Foster was fined in the sum of fifty rupees, which he paid.

HOWRAH,—24TH APRIL AND 1ST MAY, 1837

Before Robert Houstoun, Esq., Joint Magistrate.

GOVERNMENT, ON THE INFORMATION OF JOHN FLOYD, OFFICER, VERSUS PETER FOSTER, JOHN FOSTER AND OTHERS,—ASSAULT AND RESISTANCE OF A PROCESS.

John Floyd, constable, upon oath said, that he went from this Court on the 24th ultimo to Mr. Foster's house, and finding it open entered it with ten burkundas and the jumadar of police, he left the ten men in the verandah of the house, and entered the hall, where Mr. Foster was, who, while coming up to the deponent, was told by the deponent, that he, Peter Foster, was the deponent's prisoner, and should proceed to the Court with the deponent, as the deponent had a warrant for his apprehension. Foster said he would not go, and at last desired the deponent to tell the Magistrate, that he was sick, which the deponent objected to do, and told Foster he could not let him out of his, the deponent's, sight, as he was already a prisoner, and advised Foster against resisting the Magistrate's process. Mr. Foster's son was sitting near his father at the time, the deponent begged of him to advise his father to accompany the deponent. The son replied he could do nothing and went into another room from which the sound of music proceeded. Mr. Foster and the deponent were then left alone. After a few minutes Mr. Foster's daughter came and looked into the room but said nothing. The deponent begged of her also to advise her father to accompany the deponent, but without effect. The deponent then asked the defendant to accompany him, but the defendant replied he should have his dinner first. The dinner was then on the table. Some body called Mr. Foster at this time, and he was about proceeding to the person who called him, when this deponent prevented his escape by taking a position in front of the defendant, telling him that it was entirely out of the power of the

deponent, so let the defendant out of his sight. The deponent then advised Mr. Foster to follow him, but Mr. Foster would not go, and gave the deponent a push, and the deponent finding all that means futile, was obliged to use the authority he was vested with, seized hold of Mr. Foster by the shoulder, and called to the guard to come up, more particularly as Mr. Foster was trying to make his escape. On seeing the defendant, the deponent received a blow from him under the left jaw, notwithstanding which, the deponent held on with both arms. Mr. Foster's dog then flew on the deponent, who seized the dog by the throat, holding it with one hand, and Mr. Foster with the other—the guard then came in, and the deponent threw the dog on one side, and the deponent and guard then laid hold on Mr. Foster, during which Mr. Foster and his son struck the deponent and guard several blows, and continued doing so even out of the house. Mrs. Foster also struck the deponent with the handle of a chowrie while they were in the house, using the foulest abuse to deponent and his family, and struck deponent several blows on his head with the handle of the chowrie—she also used her hands when the party were out of the house. The son also followed out side of the house, and shook his fist at the deponent, and Mr. Richard Humphreys said, "take what sum of money is required of Mr. Foster and let him go." The deponent explained to Mr. Humphreys and another gentleman that the deponent was under orders to arrest Mr. Foster and to produce him before the Magistrate. During the affray Mr. Foster's jacket was torn in consequence of his trying to pull it away from the guard, though none of them struck him after the affray an ayah, or some one like an Ayah said, "oh! which has lost his ring," and Mrs. Foster said, "The sergeant and his people have come to rob the place, the ring has been stolen" these words were repeated by another native women. The deponent produced a mark on his jacket, of the teeth or claws of the dog.

Humed Jamadar deposed.—That on the 24th ultimo the witness and other burkundazes, agreeably to the orders of court, accompanied sergeant Floyd to arrest Mr. Foster. The witness and guard proceeded to the defendant's house, and stood in the outer verandah. On the sergeant telling Foster that his presence was required in court, Mr. Foster sat himself down on a chair. The sergeant then showed the warrant to the defendant, who on seeing it was about leaving the room, when his son John Alexander Foster entered it, and set a large dog at the sergeant, and the sergeant laid hold of the defendant with one hand and the dog with the other. The guard was then called in by the sergeant, and witness and the other burkundazes saw the state of things there. The defendant, his son, and wife and others struck the sergeant and guard with the handle of a chowrie and their clenched fists the resistance becoming serious the sergeant ordered Mookem burkundaz to announce it at the guard house, and bring assistance from there. After the lapse of a few minutes Mookem returned with a reinforcement, with the help of which Mr. Foster was arrested and brought to Court. On the road, John Alexander Foster said that he would have the officer and guard punished if it cost a lakh of rupees. The witness, Mookem, Chet Sing, Tunno and Ashwar were struck by the assailants. The defendant not only assaulted but used abusive epithets and set his son to do the same.

Ashwar burkundaz and six others, fully bore out the testimony of the last witness, which closed the charge against the defendants, and one of them showed marks of a gash two he had received from Mr. Foster's dog, which it was proved was healed by medical aid.

Mr. Foster denied the charge, and said that when sergeant Floyd seized him, the dog flew at the sergeant without being set on by any one, the dog being loose at the

time; that instead of Mr. Foster assaulting the sergeant, the sergeant and his burkundazes arrested him in the most shameful and brutal manner, tearing the coat from of his back, and thereby causing a wound in the defendant's shoulder under the left shoulder, besides being severely maltreated.

John Alexander Foster also denied the charge, adding, that he tried merely to coax the sergeant to release his father, and allow him to go on his way, which the sergeant allowed, but that he was not present when the dog flew at the sergeant.

Mr. Peter Foster filed the following certificate.

I Certify that I was called in professionally to visit Mr. Foster in consequence of severe pain which he felt in the shoulder.

On examination I found a large circumscribed patch of inflammation with several pustules filled with matter in the left Axilla, which I am of opinion was produced by the part having been powerfully grasped by some one.

(Signed) Jno. D. JOHNSON, Surgeon.

Howrah, 1st May, 1837.

Richard Humphreys deposed.—I that the first he knew of this business, was, when he heard an altercation between sergeant Floyd and Mr. Foster. Mr. Foster wished to retire to the end of the room to wash himself as he generally does every day, he made a motion to go to the chillumchee, when sergeant Floyd prevented him, saying "he could not let him stir from his sight," upon which the sergeant seized Mr. Foster by the shoulder, and told him, "he, Foster, must go with him to the Magistrate." A favorite Newfoundland dog of Mr. Foster's seeing him caught in that manner, flew at the sergeant twice, upon which the sergeant caught the dog by the throat with one hand, and with the other held Mr. Foster. The sergeant then called in his burkundazes, upon which eight or ten men came in and seized Mr. Foster, every one of them seized Mr. Foster at the same time. Some of them seized him by the collar, some by the wrist, they seized him in different parts of the body, sergeant Floyd, at the same time, holding him round the waist, in which manner they wrestled and dragged Mr. Foster from the place where it first happened into the verandah. The natives were very violent in the manner in which they handled Mr. Foster, his jacket was nearly torn off his back, and is now in Court. Witness expostulated twice with sergeant Floyd to allow Mr. Foster to change his jacket, and to take off the men that had hold of him for a few minutes. It was with great difficulty that the sergeant would allow even that. Witness at last persuaded the sergeant to allow him to sit in the verandah, while Mr. Foster changed his jacket, and to obtain sufficient time for the garry to be brought up. Witness never saw any one so used by the natives as Mr. Foster was. The garry was got ready, and as it went along, the burkundazes abused Mr. Foster's coachman, saying "ashtee jao soor," and other abusive epithets, there was a dinner table in the room, where the altercation took place—dinner was partly on the table, and knives were on the table. Did not observe a large carving knife on the table. This witness went on to relate other circumstances tallying with the examination above given.

Henry Cornelius, deposed. That he was in a room opposite to the one in which the sergeant and Mr. Foster were, and saw the sergeant seize Mr. Foster. The dog then flew at the sergeant, on which the sergeant seized the dog with one hand and held Mr. Foster with the other, and called to his men to come into the room and

side Mr. Foster, at which noise the witness ran up to see what was the matter, and before the witness arrived Mr. Foster was almost near the door leading to the post-office. Mr. Foster was with his jacket all in pieces, and appeared to have been most shamefully handled about by the peons on all sides. A little before this, Mr. John Foster was called into the room by his mother, and after a short time, when Mr. Foster was taken up by the sergeant, Mr. John Foster ran out to assist his father in the witness believed he asked the sergeant what was the matter. When witness came out, witness told sergeant Floyd to wait a while until the carriage was ready, and then Mr. Foster would go. The sergeant replied he could not wait, as he had orders to take Mr. Foster to the Court. Did not recollect sergeant Floyd's warning witness not to interfere with him. Saw Mr. Foster merely throwing out his hands to get rid of the peons. Did not see Mr. Foster strike any one. Heard Mr. John Alexander Foster ask the sergeant if he had a warrant against Mr. Foster. Is not aware of Mrs. Foster

having struck any one. Did not see John Alexander Foster shake his fist at the sergeant's face. Sergeant Floyd asked witness to advise Mr. Foster to get his carriage and go along quietly with him.

The case was then summed up by the Magistrate, who told Mr. Foster that he was outwitted at his going in the way he had done. That the case was one which should properly be handed up to the Sessions, and that as an example to the other inhabitants of Howrah, the Magistrate would fine Mr. Foster and his sons each the sum of 200 rupees.

HOWRAH, — 4TH MAY, 1837.

Mr. Floyd this day swore the peace against William Peter Wood, for using violent language and threats towards him. Mr. Wood denied the charge, but was bound in the sum of two hundred company's rupees in his own personal recognizance. — *Hurkara*, May 25.

SUDDER BOARD OF REVENUE.

CONSULTATION, — TUESDAY, 18TH APRIL, 1837.

GRANT OF A TALOOKDAREE POTTAH FOR 99 YEARS.

Mr. Secretary Mangles, in reply to the Board's address of the 28th March last, informed them on the 4th ultimo, that the Right Honorable the Governor of Bengal, has been pleased to sanction the grant of a Talookdaree Pottah for ninety-nine years to Mr. Elson, for a piece of ground in the town of Chittagong, measuring 1d. 15k. 9g. 3c. 2k. at 2J rupees per droon; and with reference to the injunctions of the Honorable Court, his Lordship could not grant the lands in perpetuity.

APPOINTMENT OF MR. E. E. H. NEPTON AS SPECIAL DEPUTY COLLECTOR OF SYLHET.

Mr. Secretary Mangles, on the 4th ultimo, forwarded to the Board for their information, copy of a letter addressed to the Commissioner of Cuttack by Government, on the subject of the appointment of Mr. E. E. H. Nepton, as Special Deputy Collector of Cuttack, for the investigation of titles to hold land free from the payment of Revenue throughout the Province of Cuttack.

In compliance with the Board's recommendation, Mr. Nepton has been authorized to continue to render to Mr. Mills, as Joint Magistrate and Deputy Collector, all the assistance in his power compatible with attention to his duties. In a pecuniary point of view, of his new office, which cannot occupy his whole time in the first instance; but that it should be considered a special and strictly temporary arrangement, to continue for two months only. At the close of that period, should the Board consider its continuance advisable, the Board have been requested to report to that effect.

PETITION OF APPEAL — TALOOK ALUM REZA — SYLHET.

Mr. E. M. Gordon, Revenue Commissioner of Decan, forwarded to the Board, on the 18th March last, a petition of appeal from Nurat Reza, proprietor of Talook

Alum Reza, and Mr. Gordon's replies to the allegations advanced in the Petition.

ALLEGATIONS.

1. The substance of the appellant's objection is as follows. The Judge had sent an order to the Collector to give credit to the appellant for the sum of 765 rupees, by deducting that amount from surplus in his (the Collector's) hands, belonging to Aman Reza, and Zuman Reza. The Collector wrote back to the Judge to enquire respecting interest, and also to state that he knew not the relative rights of Aman Reza and Zuman Reza to the surplus; that he could not therefore make the deduction in question. Before a rejoinder could reach the Collector from the Judge, the appellant's estate was sold.

2. On the day of sale, two of the appellant's estates were included in the statement of lands to be sold. The Collector asked the appellant's agents which estate he wished to be put up first. The agent's reply was, that the Talook Zillah Abidabad was the more valuable property. He left the Court, however, to consult his Principal, and in the meantime the Collector sold the estate.

3. As far as it can be understood, the appellant's objection is that the purchase was a benamie one.

REPLIES.

1. The Collector admits the fact of the Judge's order, and of his own answer. The date of his answer was the 2d April 1836. On the 1st of June following, however, an order was given by the Commissioner to deduct the balance due by Aman Reza and Zuman Reza, from the surplus belonging to these persons in the Collector's hands. The surplus amounted to 2,280 rupees. The balance due by them was 2,057 rupees. The Collector did so, and sent the balance 223 rupees to the Judge's Court. There being thus no surplus from which the appellants' balance could be realized, and which amounted on the 18th of July to 970 rupees, his estate was sold.

2. The Collector admits the conversation, and asserts that on due enquiry he put up for sale Talook Alum Reza, Zillah Nubhy gunge, as the less valuable estate of the two. The objection is obviously irrelevant.

3. This allegation, after enquiry, was found to be unsupported by proof.

The Board, however, in acknowledging the receipt of the above papers, have informed Mr. Gordon, that the sale of Talook Alum Raza has been cancelled, because the Board held that it was the duty of the Collector, on receipt of orders from the Commissioner's Court of the 1st June 1836, to have brought to notice that the surplus proceeds in deposit on the sale of Talook Koorban Raza, was under attachment by orders of the Civil Court, in which case the appellant would have got his money.

The Collector is to be requested to re-advertise the Mehal, and sell it by public auction, unless the arrears are immediately discharged.

The sale occurred on the 18th July last, was confirmed by Mr. Gordon on the 16th January following, and reported on the 13th of March last. The Board have expressed their wish to be informed whether the collections of the Mehal were discontinued during the interval, or, if not, what arrangements existed.

The Board have requested the several boobocaries of the Court, in this case, to be transmitted to their office for consideration, as to the propriety of bringing them to the notice of the Sudder Dewanny Adawlut.

PETITION OF APPEAL.—TALOOK RAOUR RENMAH—SYLIET.

The following case was also forwarded by Mr. Commissioner E. M. Gordon on the 10th of April last.

ALLEGATIONS.

1. The appellant states, that his estate was sold before for a balance due for 1,242 B. S., and Mr. Vincent was purchaser. The sale was set aside by the Commissioner. Now, the same Mr. Vincent, as the purchaser, has prevailed on the appellant's Gomoshta to withhold the payment of the Government demand with which he had been entrusted.

2. The appellant asserts that an advertisement of sale was omitted; that his Talook was sold out of its turn according to the usual custom of the rotation of the sales of different Zillahs, that prevails there, and that the price was low, owing to the thinness of the attendance at the sale.

3. The appellant states that there was a surplus belonging to him in the Collector's Treasury of 57 rupees 9 gundas, arising from the sale of the Talooka Sentaram.

REPLIES.

1. The charge against Mr. Vincent is not established. Even the fact of the appellant's having given the money to his agent is not to be relied on; and if proved, it would not of itself be a sufficient ground for upsetting the sale.

2. The first allegation is false. With respect to the second also, it is false that a custom of fixed rotation prevails. The third allegation likewise, as respects the thinness of the attendance at the sale, is without foundation.

3. The Collector admits the fact of a surplus from the sale of the estate in question, but demurs as to the surplus being the appellant's; and, moreover, if it were, it was altogether insufficient to cover the balance due by him.

The Board have informed Mr. Gordon, that they see no reason for disturbing the proceedings of the local authorities, and that the petition of appeal has been accordingly rejected.

CONSULTATION, — TUESDAY, 25TH APRIL, 1837.

HOOGHLY COLLEGE AND EMAUMBARRAH PREMISES.

Mr. Secretary Mangles, on the 16th of April last, forwarded a copy of an extract from the proceedings of

Government under date the 5th instant, in order for necessary instructions being issued to the Collector and local Agents of Hooghly, to give every assistance to Mr. Betts as directed therein.

Extract from the Proceedings of the Right Hon'ble the Governor-General of India in Council, in the Department under date the 5th April 1837.

No. 162:

To H. T. PRINSEP, Esq.

Secretary to Government in the General Department.
Fort William.

SIR,—The General Committee of Public Instructions, directs me to request the favor of your submitting to the Right Hon'ble the Governor-General-in-Council, the enclosed report to it, addressed on the 24th ultimo, by a deputation of its body, which visited the Hooghly College, and inspected the Emaumbarrah premises on the 4th idem.

The General Committee has adopted the views of the deputation, and it will be seen that these contemplate the employment of M. Betts for two distinct duties.

One duty, the preparation of certain estimates regarding Perron's house is referred to in the 6th paragraph, and Mr. Wise, the Principal of the College, has been directed to commit the execution of the duty to Mr. Betts, proposing in the first instance, for approval, a reasonable remuneration for his trouble.

The General Committee is of opinion that the proposed College should afford accommodation for the instruction of six hundred students, and Mr. Wise has been advised accordingly. To the arrangement and opinion above-mentioned the sanction of His Lordship in Council is requested.

The other duties proposed to be committed to Mr. Betts, regard the Emaumbarrah premises and Lands, and are explained in the 14th paragraph. The General Committee directs me to suggest that His Lordship in Council will be pleased to cause orders to be issued to the Local Agents (of whom Mr. Wise is one) those instructions which will tend to ensure the early execution of the duties referred to by the Agency of Mr. Betts, whose remuneration should be first fixed.

It will also seem, that in the 9th paragraph the possibility of some of the military buildings being available for the purpose of the institution is suggested: should this from any cause be the case, the General Committee solicits the favor of a communication on the subject, in order that it may resume consideration of the suggestion mentioned, and if expedient, found thereon some proposition to the Supreme Government.

I have, &c.

(Signed) J. C. C. SUTHERLAND.

Secy. G. C. P. I.

Fort William, the 17th March 1837.

P. S. Please return inclosures when no longer required.

Extract from a Report by a deputation of certain members of the Committee which visited the Hooghly College, dated 24th February 1837.

6. Before, then, a large sum is laid out in the purchase of the house, we recommend that it be carefully surveyed, and that it be committed to a competent person to estimate and report the probable outlay required to adapt the premises for the purposes of the College.

It must of course be informed of those purposes, and the extent of the accommodation required, and the plan should include every detail, not omitting embellishment, dressing the river frontage and provision of gates. With reference to this subject, it will be necessary that you resume consideration of the Proceedings of your Sub-Committee dated the 26th April.

14th. The suggestions which we have to offer are these.

I. A minute survey of the entire property should be made on a large scale, so as to show the limits and the actual state of the lands and tenements.

II. The surveyor should be directed to enquire into and report on the character of each tenure, and the compensation which it would be reasonable to allow in case removal were directed.

III. The surveyor should make estimates of the probable expense of dressing and making uniform, the river frontage on the whole extent of the premises, and properly securing the same with buttresses, such expense to be defrayed in proportion from the funds under the control of the Local Agents, and the Committee; that is in case it is resolved to build a new College there.

IV. Though not subject to the Committee's supervision, the repair and embellishment of the Emaumbarrah building should be strongly recommended.

V. The Surveyor should also report the expense of dressing and smoothing (without injury to the tombs,) the cemetery and garden and the substitution of cast iron rails for the present walls.

VI. For the purposes of arrondissement and obtaining a large clear area, Messrs. Trevelyan and Sutherland, in September last (adopting the suggestions of Mr. Walters) recommended that the premises now used for the Collectory, should be bought and the present public road passing along and through the Wakf lands from the Jail to the Collectory, should be blocked up and carried back, being made to join the Chinsurah Road on the south. The Surveyor should be directed to estimate the probable expense of such an arrangement, which of course would include the purchase of properties not belonging to the trust compensation to existing Tenants of its land and charge of levelling and clearing.

Ordered, that a copy of the foregoing letter from the Secretary to the General Committee of Public Instruction, together with an Extract (Paragraphs 6 to 14) from the report therein mentioned, be sent to the Revenue Department, whence the necessary orders will be issued to the Board of Revenue of Calcutta to instruct the Collector and Local Agents to give every assistance to Mr. Betts for the promotion of the objects in the view of the Committee.

(True Extract.)

(Signed) H. T. PAINTER, Secy. to the Govt.

Rev. Dept. the 18th April, 1837.

(True Copy.)

ROSS D. MANGLIS, Secy. to the Govt. of Bengal.
[Hurkum, May 10.]

STATISTICAL RETURNS.—CIRCULAR.

TO THE SEVERAL COMMISSIONERS OF CIRCUIT.

Judicial Department. } SIR,—The Right Hon'ble the Governor-General in Council having determined upon the adoption of measures for ascertaining, in as far as present means will allow, the preparation of statistical reports throughout this Presidency, I am directed by his Lordship the Governor of Bengal, to request, that, in common with all other local authorities, you will give your best assistance to further the undertaking in question.

2.—The Officer charged with the duty of examining into the statistics of the country are the Medical Officers of Government, Civil and Military. You will be pleased to enjoin all the District authorities subordinate to you to render those gentlemen every assistance in the prosecution of their enquiries.

3.—It is not of course expected that Fiscal and Magisterial Officers will be able to devote any part of the time already fully occupied by their multifarious duties to giving personal aid for the above purpose. His Lordship does not anticipate that more will be necessary on their part, than the allowance of free access to records to the gentlemen seeking statistical information, the providing them with Perwannahs to ensure the co-operation of native officers, their good offices, if necessary, with influential Zemindars or other natives, and the communication to them of such remarks and suggestions as may tend to facilitate the process of enquiry. The Governor is well aware of the extreme difficulty in many parts of the Lower Provinces of collecting materials for a statistical report. He is however of opinion, that much may be learned of matter whereon to base investigation from intelligent Zemindars and experienced native officers of Government, the former of whom should be fully informed of the benevolent and useful objects of the enquiry, having for its primary end the diminution of sickness, lest suspicion of the intentions of Government should induce them to thwart rather than aid the investigation.

4.—Although on the present imperfect state of statistical knowledge in this country, the first steps of advance must necessarily be short and defective, his Lordship is

- 1.—Census of population.
- 2.—Cause and effect of plenty and scarcity.
- 3.—Condition of the poor, their subsistence, &c.
- 4.—Wages of labor.
- 5.—Physical causes of crime.
- 6.—Ratio of mortality.
- 7.—Ordinary proportion of births to marriages, in addition to the more obvious and easily attainable information as to area of Districts, comparative productiveness of lands, habits of people, proportion of Hindoos to Mussulmans, &c.

yet inclined to believe that a full and patient examination of Government records, and a reference to individual experience, to village accounts, to the register of bazar rates, chowkedaree assessments, &c., &c. will afford such general heads of information as may lead to the forming some conclusions noted in the

margin.

5.—Any approach to correctness on these heads will be hopeless without the cordial co-operation of yourself and your subordinate officers. But you must feel that the interests of the people entrusted to your charge are likely to be so much benefited by the advance of statistical science that his Lordship entertains no doubt of

your making it an imperative duty to further to the utmost possible extent the progress of so useful and highly important an enquiry.

I have, &c.

(Sd.) ROSS D. MANGLER.

Secy. to the Govt. of Bengal.

Fort William, the 26th April, 1837.

[Col. Cour. May 12.]

The Collector of Sylhet applied for an establishment of 37 peons for the punctual realization of revenue from the Khas Mehalah of the district, which exceeded 300 in number. These Mehalah, he observed, were managed by the Putwarree in their respective zillahs, and there was no reason to alter that agency. The Mehalah, however, were so scattered over their jurisdiction, and so small in themselves, that the Putwarree and his Mohurries could not be expected to move to each for the collection of a few annas at a time; and as the Putwarrees are not provided with peons drawing fixed wages, whenever a peon is deputed his yomea or day's wages falls upon the ryots, which proves a burden they cannot long bear, and the Mehalahs deserted.

The Board called on the collector to state whether it was not to be apprehended that the peons, though receiving fixed wages, would still levy tulluhanah from the ryots. To this the collector replied that the exaction of money by native officers was always to be apprehended, but that it was not so likely to happen when there was no valid excuse for it. He added that care would be taken to guard as much as possible against any extortion of the kind by the issue of a proclamation.

The arrangement has been submitted to Government.

Pergunnah Lushkorpore had been pledged by its owner as security for the farmer of pergunnah Baharbund, which latter was under the management of the Court of Wards. The former could not make good the revenues of Baharbund in consequence of his having been deprived of the management of the estate by the orders of the late commissioner of the Bauleah division. Of the property pledged a three annas, ten gundas portion, with a smaller sum of 42,630 rupees was on the 27th August 1836 sold for only 28,200 rupees to make good the deficiency amounting with interest to upwards of rupees 85,000. The commissioner (the officer late in charge) confirmed the sale on the 7th December following. On the 8th ultimo, the commissioner now in charge of the division, reported that his predecessor had passed his order of confirmation at Bhagulpore, and with it sent an attested copy to be issued in the event of no appeal being preferred. Two appeals were preferred, but neither of them was received in the commissioner's office within the time allowed for appeal. The orders referred to were consequently issued to the collector, and Mr. Watson was put in possession about the middle of January last. When the late commissioner was in Calcutta, he received an appeal from Grismarin, the proprietors of pergunnah Lushkorpore, which he forwarded to Bauleah, and which was reported on by the gentleman who has temporary charge of his office, but without any reference to the fact of possession being given. On the 1st February Grismarin petitioned, but obviously too late to stay the order for giving possession. On the 28th of March the Board entered upon a review of the proceedings of the local authorities in regard to the form of pergunnah Baharbund, and finding that the former had been discontinued and prevented from making collections for a certain period, by the intervention and acts of a manager appointed, contrary to

all law and justice, by the late commissioner, resolved to cancel the sale of pergunnah Lushkorpore. The ground on which this reversal was founded was that the sale was illegal, because the actual balance due from the former had not been ascertained.

On the receipt of the above-mentioned order in the commissioner's office, Mr. Watson presented a petition praying that his possession of the property might not be disturbed. Mr. Watson urged that he could not legally be dispossessed. The Commissioner directed that Mr. Watson refers to clause first, section XXI. Regulation XI. of 1823, which runs thus: "When the Board of Revenue or other authority exercising the powers of that Board, shall have confirmed a sale, and possession shall have been given to the purchaser, he shall not be liable to be disturbed on the plea of any illegality in the purchase, excepting by decree of a court of justice in a regular suit."

The Board in reply referred to their orders of the 28th March by which the sale had been annulled.—*Englishman*, May 13.

CONSULTATION, — APRIL 18, 1837.

ANNEXATION OF THE JYNTHERA TERRITORY TO SYLHET AUTHORIZED

Mr. Secretary Mangler, on the 21st of March last, informed the Board, that the Governor of Bengal, has been pleased, with the sanction of the Supreme Government, under Act No. XXI. of 1836, to authorize the general annexation of the Jynthera territory to Sylhet, and to extend to it the general laws and regulations current in the latter district.

CONSULTATION, — APRIL 25.

COMPENSATION TO COLLECTORS, PROMOTION OF MR. J. C. DICK.

Mr. Commissioner T. R. Davidson, of Patna, on the 18th of February last, forwarded to the Board copy of a letter from Mr. Collector Dick, also of Patna, with a bill for compensation allowance for performing the permanent settlement of Beethazaree Pergunnah for the month of December 1836,—the bill having been returned unaudited by the Civil Auditor. The reason assigned by the Civil Auditor was, that the allowance was made to Mr. Dick when he received the salary of Deputy Collector. Mr. Dick, however, urged his demand on the ground of the heavy expences attendant on a march to so great a distance from the Sudder station, and that the sanction of Government, conveyed in a letter from the Secretary to Government, dated the 16th January 1836, made no allusion to the amount of Mr. Dick's salary at the period that the allowance was granted. Mr. Dick concluded by observing, that if the Commissioner concurred in Mr. Dick's view of the case, that it should be submitted for the favourable consideration of Government.

To Mr. Davidson it appeared, that when the Government sanctioned a special compensation of rupees 10 per diem, it was intended that the indulgence should be continued to Mr. Dick whilst he might be actually employed in superintending the settlement of Pergunnah Beethazaree, without reference to his fixed salary; and therefore concluded that his promotion would not be thought by Government a sufficient reason for withdrawing the allowance. It, however, the Board agreed with the

above opinion, Mr. Davidson also recommended Mr. Dick's demand being recommended for the favorable consideration of Government.

The Board, in their reference to Government, entirely concurred in the opinions above stated, and further observed, that the deputation of Mr. Dick on the duty above referred to, could reasonably be considered,—adverting to his seniority at the station,—to have deprived him of the appointment of acting Collector during the absence of the late Mr. Jennings, which, in all probability, would have devolved upon him if his services had not been required for the advantage of Government, on the special duty for which he was deputed to Beshthazaree. The Board also stated, that Mr. Dick's exertions were attended with the satisfactory result held out by him as to the probable extent of his collections; that the result must be held to be very creditable to Mr. Dick, and it indicated that the duties had been conducted with the zeal and diligence which were expected, and that he has upheld the character for those qualities, which led to his being entrusted with that responsible office.

On consideration of the circumstances under which the "special compensation allowance" of ten rupees per day was assigned to Mr. Dick, the Board were disposed to consider, that although a Collector,—and generally under the existing practice entitled to deputation allowance whilst employed in the interior of his district,—it was not the intention of Government that it should be reduced, or abrogated on Mr. Dick's promotion, in as much as it was granted for a distinct and special service of great responsibility, under special circumstances of extraordinary expense, which should be considered altogether a real loss, with reference to Mr. Dick's position at Patna, when his services were urgently called for in the other direction. The Board, therefore, solicited that

the Governor-General would be pleased to take the subject into consideration; and hoped that the services rendered by Mr. Dick,—as a special case not to be cited as a precedent, would be rewarded, and that his compensation allowance should be continued throughout his deputation in Beshthazaree.

Mr. Secretary Mangles, on the 11th ultimo, stated that the strictness of the general rule which debars officers of the rank of Collectors from any claim to compensation allowance whilst employed in tents, on any duty, in any part of their respective districts, (on the just grounds that the salary of a Collector was intended to cover all such incidental expenses) prevented His Lordship from complying with the Board's recommendation in favor of Mr. J. C. Dick. Mr. Mangles was instructed to add, that the Governor considers it impossible to grant to an individual an indulgence of the nature solicited, without establishing a precedent,—whatever declaration may be made that it should not be so used.

His Lordship, however, was so well pleased at the testimony borne by the Board to Mr. Dick's meritorious services, which went to confirm all previous reports upon his official proceedings, that His Lordship had resolved upon raising that officer to the higher grade of Collector, on a salary of rupees 25,000 per annum, from the 1st of April. The Board were requested to inform Mr. Dick of his promotion, accordingly.

COMPARATIVE STATEMENTS OF COLLECTIONS FROM THE Dacca AND MOORSHEEDABAD NOWARRAH MEHALS.

Mr. E. M. Gordon, Commissioner of Dacca, on the 11th instant, forwarded Statements of Collections from the Dacca and Moorsheelabad Nowarrah Mehals for February last, furnished by Mr. Deputy Collector Lane, which are as follow —

	Demand on the 1st Feb. 1836.	Receipts in Feb. 1837.	Receipts in Feb. 1836.
		746 15 ½	870 2 8
Account Balances to 1,241 B. S.	37,421 11 2½	83 12 7	420 3 5
Account 1,242,	3,278 6 15	14 10 4	449 15 3
Account 1,243,.....	3,396 11 11	648 8 1½	870 2 8
	44,096 8 ½	746 15 ½	
Undiscovered Mehals,	6,696 3 7	0 0 0	
Disputed Ditto, ..	27,373 3 0	86 8 4½	
Unmeasured Ditto,	2,603 13 5½	68 12 8½	
Undisputed Ditto,.....	7,423 4 0	591 9 11½	
	44,096 8 ½	746 15 ½	
	Demand on the 1st Feb. 1837.	Receipts in Feb. 1837.	Receipts in Feb. 1836.
		170 5 8½	109 4 4½
Account Buckia Balances to 1,241,.....	1,309 2 11½	0 0 0	
Account 1,242 B. S.,	3,371 13 8	0 1 1	
Account 1,243 Ditto,.....	2,888 0 10	170 4 7½	
	6,969 1 5½	170 5 8½	
Undiscovered Mehals,.....	2,233 15 8½	0 0 0	
Disputed Ditto, ..	4,029 2 ½	49 4 5½	
Unmeasured Ditto,.....	606 0 1½	121 1 3	
	6,969 1 5½	170 5 8½	

On the 15th January 1884, Government sent to the Board for report, a petition from Raja Gourbullub against the assessment of Mouzah Shashpore, &c., five villages in Beerbhoom, held rent free since the year 1763, or two years previous to the Company's accession to the dewanny. The case had been decided in favour of the raja by the collector, Mr. Taylor, and against him by the special commissioner.

The Board were divided in their opinions. The second member, Mr. W. W. Bird, held that the land having been possessed by the raja's ancestors prior to the Company's accession, the grant was valid under section 2, Regulation XIX. of 1793, that the land would not have been liable to assessment if the tenure had been registered as required by section 25 of that regulation; that the petitioner had shown sufficient cause for the non-registration; and that the power of remitting the penalty for non-registration, reserved to the Governor-General in Council by Section 26, should be exercised in his favour. The senior member saw no reason for complying with the request of Gourbullub that would not be valid in all similar cases, to the great detriment of the state. He quoted the opinion of many officers who concurred in considering Gourbullub's sunnud a spurious document, observing that it was not necessary to refer to the sentiments of Mr. Taylor (who as collector of Beerbhoom had admitted the document) since his decision had been set aside. He added that the plea of long possession would have been entitled to consideration, but for the production of a forged sunnud.

The Government on the 19th May required a report on the following points:

First, the legal period within which the tenure in question ought to have been registered, and the persons who were in possession during that period, i. e., whether a person who had usurped the rights of Gourbullub was in possession during the period in question, and the opinion of the Board how far the fact of that person's having been in possession should be admitted as a reason for remitting in favour of the petitioner the penalty attached to non-registration.

Secondly, the opinion of the second member as to the character of the sunnud, and the opinions of both members as to the propriety of making the petitioner responsible for the fabrication of that document, which is stated to have been filed by the usurper.

Thirdly, the proofs which establish the possession of the lands by the family anterior to the Company's accession.

On the 11th November the Board reported their opinions.

On the first point it was remarked that the period for registry in Beerbhoom expired in 1203 B. S. or 1796, during the life time of Rajah Rajbullub, the adoptive father of Gourbullub.

On the second point the second member gave it as his opinion that as the sunnud, a suspicious document, was put in by the usurper, Rajah Gourbullub was not responsible for it. He further remarked that the reason, founded on an alleged discrepancy between the dates, which was assigned by the special commissioner for rejecting the document, was not conclusive,—the discrepancy consisting entirely in that officer's having overlooked the fact of one date being expressed in the year of the Hegira and another according to the Bengali style.*

* On such small mistakes thousands of wretches are liable to be despoiled of their Property!—PANTER'S DAWN.

In regard to the third point it was stated that the proof of long possession consisted in oral and documentary evidence which the special commissioners had declared to be satisfactory.

The report concluded with stating that even if the grant had been registered, it was not of a denomination which under the rule contained in Section 12, Regulation III. of 1828, could be considered hereditary.

On the 25th ultimo, Mr. Secretary Mangles communicated to the Board copy of a letter, which had been addressed to Mr. E. Macnaghten, the assignee to the estate of Messrs. Colvin and Co., from which it appeared that that gentleman had requested a new trial, on the ground, that the five villages claimed as Lakhiraj had been registered in the Bazar Zamin Duffer prior to the enactment of Regulation XIX. of 1793, and that subsequent registration was thereby rendered unnecessary.

His lordship argued, in reply to that statement, that the previous registration could not satisfy the demands of the law of 1793; but he was pleased, in consideration of long possession of the land, to decide that Rajah Gourbullub should be admitted to engage for it on the favourable terms, laid down in clause 2, section 8, of the regulation above cited, namely, to pay only half the revenue at which the estates may be assessed.—*Englishman* May, 16.

CIRCULARS IN THE REVENUE DEPARTMENT.

To the Commissioner of the Revenue

for the Division of

Mis. 2. Sir,—It is the desire of the Board that the object for which the Government has been pleased to declare that, in the appointment of Deputy Collectors under Regulation 9, 1833, a preference among Candidates in all other respects equally qualified, will be given to those who may be acquainted with the English language, should be kept distinctly in view by all Officers under their jurisdiction.

2d. I am therefore directed to request, that you will on your own part, and through your subordinates, encourage as much as possible the use of the English language in the transaction of public business and in public correspondence by Uncovenanted Deputy Collectors qualified to take advantage of such encouragement, and that you will receive and cause to be received from them in English, all letters, reports and statements, which at present are usually furnished in that language by Covenanted Officers.

3d. Unless you can point out sufficient reason why it should be otherwise, the Board consider there can exist no necessity for these Officers or their Subordinates using the Persian language in the execution of their duties, which may be exclusively transacted either in English or Bengalee.

4th. The Board hope to be able at no distant date to propose a definite plan for the discontinuance of the Persian language in Revenue Offices, and the substitution for it of English and the vernacular language of each Province,—and they will gladly receive from you any suggestions upon the subject that you may be able to supply. Meanwhile they are utterly opposed to forcing the use of Persian into new offices, and upon a new class of Officers, who rarely understand that language,

and they are satisfied that you will gladly co-operate with them in preventing such abuse from arising or extending.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TRIVELYAN,

Addl. Secretary

Sudder Board of Revenue, }
Fort William, the 16th May, 1837 }

To the Commissioner of Revenue

for the Division of

Mis. } Sir,—I am directed to transmit, for the Dept. } information and guidance of yourself and your Subordinates, particularly of the Special Deputy Collectors, the accompanying copy of a letter from the Secretary to the Bengal Government in the Revenue Department, dated the 2nd instant.

2d. It is expected you will observe that the several Special Deputy Collectors shall confine their operations, in the first instance, to the investigation of tenures claimed as rent-free, and to large and valuable tracts of unquestionable recent alluvial formation.

3d. With reference to the second paragraph of the Orders of Government, you will impress on your Subordinates due attention to the anxiety of the Right Honorable the Governor of Bengal "that no unnecessary alarm should be given to the Landholders by the institution of Suits on insufficient grounds to establish the liability to assessment of lands attached to permanently settled Mehals but alleged to be 'lowfee,' except when the permanent Settlement was formed on a detailed and recorded measurement,—as in Chittagong or Sylhet,—or where,—as in the districts bordering upon the Sunderbuns, or upon the forests which skirt the valley of the Ganges both on the east and west, there existed at the date of that arrangement very extensive wastes, certainly not included within the limits of any Estate, and of which the boundaries in relation to the cultivated lands adjacent were pretty accurately known it must always be a matter of extreme difficulty to urge such claims, without, at the same time, (whether the attempt be eventually successful or otherwise,) affording plausible grounds for the allegation that the Officers of Government are disposed to break the faith of the permanent settlement."

4th. You will, in conformity with the wishes of the Government and of this Board, issue instructions to the Special Deputy Collectors to defer all investigations regarding alleged lowfee lands until they should have disposed of all the Lakhiraj cases on their respective files. You will enjoin them receiving with great caution all information tendered by informers, and carefully to abstain from giving such encouragement to that class of persons as might enable them to impose upon and plunder the people.

5th. With reference to the cases referred to in the 4th paragraph of the Government orders, you will the Sudder Boards desire, instruct the Special Deputy Collectors in your Division to report through you, for the Sudder Board's orders, whenever a strong prima facie case of lowfee exists to warrant their soliciting permission to institute a Suit on behalf of Government to investigate the point of liability to assessment.

6th. You will, of course, communicate these orders after the manner you may consider best calculated to

induce the most explicit attention to and observance of them by your Subordinates.

I have the honor to be, Sir,

Your most obedient servant,

(Sd) C. E. TRIVELYAN,

Addl. Secretary.

Sudder Board of Revenue, }
Fort William, the 15th May, 1837. }

To L. J. HALLIDAY, Esq.

Secretary to the Sudder Board of Revenue.

Revenue } Sir,—The Right Hon'ble the Governor of Bengal considers it to be very desirable that the several Special Deputy Collectors should conduct their operations, in the first instance, to the investigation of tenures claimed as rent free, and to large and valuable tracts of unquestionably recent alluvial formation.

2 His Lordship is very anxious that no unnecessary alarm should be given to the Landholders, by the institution of suits, on insufficient grounds, to establish the liability to assessment of Lands, attached to permanently settled Mehals, but alleged to be 'lowfee,' except where the permanent Settlement was formed on a detailed and recorded measurement,—as in Chittagong or Sylhet,—or where,—as in the Districts bordering upon the Sunderbuns, or upon the forests which skirt the Valley of the Ganges both on the East and West, there existed at the date of that arrangement very extensive wastes, certainly not included within the limits of any Estate, and of which the boundaries, in relation to the cultivated lands adjacent, were pretty accurately known, it must always be a matter of extreme difficulty to urge such claims, without, at the same time, (whether the attempt be eventually successful or otherwise) affording plausible grounds for the allegation that the Officers of Government are disposed to break the faith of the permanent settlement.

3 For these reasons, the Government requests that the Board will issue general instructions to the Special Deputy Collectors, to defer all investigations regarding alleged lowfee lands until they shall have disposed of all the Lakhiraj cases on their respective files. They should also be directed to receive with great caution all information tendered by informers, and carefully to abstain from giving such encouragement to that class of persons as might enable them to impose upon and plunder the people.

4 These restrictive orders are not intended to apply to lands in the 24-Pargunnahs, Jessore, or Backergunge, reclaimed from the Sunderbun Jungles since the date of the permanent settlement, nor, of course to Chittagong or Sylhet. And as regards tracts, really lowfee, existing in other quarters,—as is understood to be the case, for example, with respect to some of the Pargunnahs of Birhoot,—the Sudder Board are authorized, on being satisfied by the Special Deputy Collector's Report, through the Commissioner, that a strong "prima facie" case exists to warrant proceedings, to grant permission to the former Officer to institute a suit on behalf of Government to investigate the point of liability to assessment.

I am, &c
(Signed) ROSE D. MANGLES,

Secy. to the Govt. of Bengal.

Fort William, the 2d May, 1837.

Sudder Board of Revenue }
Fort William, the 15th May, 1837 }

(Signed) C. E. TRIVELYAN,

Addl. Secretary

Hurkar, May 22]

Tuesday, 16th April, and Friday, 19th May.

ARRARS OF SETTLEMENTS, APPOINTMENT OF F. J. HALLIDAY, ESQ.

Mr. Secretary Mangles, on the 11th ultimo, addressed the Board regarding the great arrears of settlements, permanent and temporary, pending in the office of the Sudder Board, as having engaged the anxious attention of the Right Hon'ble the Governor of Bengal, who feels that the whole effect of the resumption operations, and the settlement in numerous and important cases of the rights and claims of the people and the Government, are in abeyance until a satisfactory commencement is made in submitting the settlement proceedings, revised by the Board, for His Lordship's sanction; and it having been ascertained by a demiofficial reference to Mr. C. W. Smith, shortly before that officer left India, that there were at that time on less than 957 cases, involving a Sudder Juma of rupees 3,83,646 to be disposed of, (to which it is understood, and, indeed, was to be expected, that considerable additions have since been made, whilst not more than one or two have been reported to Government) His Lordship requested that the Board would favor him, with the least possible delay, with their sentiments, in regard to the manner in which the very heavy arrears above specified may most conveniently and certainly be got rid of, at the same time that the current influx of such reports from the many officers now engaged in the formation of detailed settlements is kept pace with, and a new accumulation presented.

It occurred to His Lordship that these objects would be best attained by employing the Secretary to the Board, Mr. Halliday, in clearing of the arrears of the settlement reports, whilst the member to whom that appointment has been assigned, in succession to Mr. Smith, takes up those that have come in within the last two or three months, (fixing whatever date the actual number to be disposed of may shew to be most convenient,) and those that may daily come to hand, another officer being appointed to take charge of Mr. Halliday's general duties, as an officiating additional Secretary to the Board.

His Lordship requested that the Board would report their opinion upon this plan, or suggest any that they may think preferable at their earliest convenience.

Mr. Mangles was instructed to add, that the Governor was of opinion that the member to whom the superintendence and report of settlement operations is entrusted, ought not to take any part in the current business, or ordinary sittings of the Board, except to arbitrate a difference on a subject of first rate importance—minor points of difference may as formerly be submitted at once to Government.

SENIOR MEMBER'S MINUTE.

Having so often witnessed the very griveous consequences attending a frequent succession of Secretaries to our Board, the very serious obstruction to the public business on every such occasion, created by the unavoidable delay which must occur before a new Secretary can obtain any information of the previous records, or the numerous subjects calling for constant, prompt and retrospective intelligence, I deprecate most earnestly our Secretary being taken from his present office and entreat the junior member will join me in soliciting the Governor of Bengal to abandon this part of the suggested arrangement.

2. With the utmost deference I propose, that we should state to His Lordship that it appears to us that the accumulated arrears of settlement are too great for it to be possible that any individual singly should be able duly to investigate and report on them within any period which would at all adequately relieve the mischievous consequences at present occasioned by the

whole effect of the resumption operations, and the settlements in numerous and important cases of the rights and claims of the people and of the Government, being in abeyance until this very important duty is accomplished.

3d. It is reported that 1251 Settlement records are now collected in our office for investigation and report and not commenced upon, and that the annual juma of the estates amount to sicca rupees 5,15,318. I presume that with reference to the great delay that has occurred and the paramount importance of availing further procrastination, that it is indisputably desirable that, it possible, the whole of this arrear of settlements should be investigated and reported to Government within this year, or perhaps within six months at latest. Now six months, deducting Sundays, and not allowing for any other intervals, give 156 days and that number multiplied by 8 gives 1248*. Now two very efficient public officers unremittingly employed and with nothing else to do, would not, I think, be able on an average to accomplish and report on more than 3 settlements per day each, if so much; whilst allowing for occasional indisposition of either themselves or of any or their subordinate officers, I believe it would be found that this mass of duty would employ the best exertions of two thoroughly qualified public officers (undertaking it without delay) to the close of this year to execute it perfectly and satisfactorily.

4. Employing a less effective strength to so arduous an undertaking, must most objectionably prolong its completion whilst no saving will be obtained since the expense of two officers for 8 months, or if one officer for 16 months will be the same though the advantage to the Government and to the people would be lamentably differently.

5th. In regard to the present arrears, I have to propose that either they be assigned to two efficient public officers to cleaf off, or that these records be returned to the Commissioners from whose offices they are received, and that they be returned respectively until their settlements have been all reported to Government from all revenue duties, the Collectors subordinate to them being for that period required to correspond with this Board direct. The former of these arrangements as the records are already here is perhaps preferable.

6th. It will, I consider, be as much as any single officer can accomplish, to dispose punctually and without suffering any arrear to accumulate of the settlements which will daily arrive taking into account also those that may have been received within the last month, more particularly as a very great accession to the number of settlement records received, must arrive within the two ensuing months. I would therefore recommend, that with the inconsiderable exception mentioned, to Mr. Tucker should assigned the disposal of the settlement records which may daily come to hand.

7th. I have not delayed an instant in obeying the orders of the Governor of Bengal to report my opinion without delay, and I beg to plead the exceeding hurry with which this paper has been written in excuse for its imperfections.

(Signed) J. PATTLE.

Sudder Board of Revenue, 15th April 1837.

P. S. The forms of settlement papers in use in the upper provinces, would not suit the settled provinces: the settlement officers in the upper provinces are able and experienced, and their settlements are most closely investigated and examined by the Commissioners; our settlement officers are inferior, and the settlement records come to us direct.

* Arrears 1251.

† 23 cases per mensem only.

MINUTE OF THE JUNIOR MEMBER.

1. I concur with the senior member generally in considering that the removal of our Secretary at the present moment would be attended with very serious detriment to the discharge of public business.

2nd. Mr. Halliday's services are, I consider, of greater value to the Government as at present employed, than they would be if transferred to the settlement department.

3rd. Mr. Halliday, during the year he has been in charge, has introduced very important reforms into the details of the Board's Office, the consequences of which are now beginning to be felt in the facility with which documents and references, not procurable under a week in former days, are obtainable, and in the dispatch* with which current business in general is conducted.

4th.—Some very important subjects, moreover, are now pending in which Mr. Halliday has possessed himself with information from our records which cannot fail to be highly valuable to the Board in assisting their deliberations.

5th.—I allude to rules for the investigation of Lakheraj tenures, to the revival of the sale laws, to the revival of the Batwarrah laws, to the entire reform of the present system of accounts in Collectors' Offices, and other matters of equal importance, in all of which the information collected would be lost to the Board were Mr. Halliday's services confined, as proposed, to the revival of the settlements.

6th. And no new Secretary, however great his abilities, could possibly supply his place in the general management of the details of the office, without considerable experience, and just as the new Secretary's services were becoming really useful, he would in all probability be displaced by the return of Mr. Halliday to his office.

7th. It appears that there are at the present time upwards of 1250 settlements at an annual Jumma of 5,15,318 rupees before the Board, pending orders.

8th. It appears also that from 1st January to 30th June last, Mr. Smith disposal of settlements as follows.

Permanent,.....	141
Temporary,.....	96
	<hr/>
	237+

And that during the succeeding six months his time was so much occupied by the preparation of operation reports, that the cases disposed of fell very far short of the number above stated.

9th. Now no man could possibly work harder than Mr. Smith did, and it is not to be supposed that a greater progress will be made by any one officer than was effected by him.

10th. Mr. Smith, it seems, disposed of about 14 cases on an average during each working day of the month, while he had no operation reports to draw off his attention.

* From April 1836 to April 1837, there were letter received 4,922 Dispatched 3,789.

† From a statement signed by the Head Assistant settlement Department, and before me since this minute was drafted, I find that Mr. Smith actually disposed of 295 cases only in 13 months, from 28th December 1835, to end of January 1837, which gives an average of about 23 cases per mensem only.

11th. Assuming 400 cases per diem to be all that one persons could get through, besides drafting the operation reports, it would thus take one officer about 8 years to work off the existing arrears alone.

12th. If the cases are to be continued to be reported as at present, I should say then, that instead of an officiating additional Secretary, one shall require one extra temporary member at least for the next 3 or 4 years.

13th. But it appears to me that the mode of reporting settlements at present followed, should be modified, and that the practice of the western Board should be approximated to.

14th. The Collectors, I understand, in the Western provinces, only forward to the Commissioners an English detailed report, with English Tabular statements written on two sheets of folio. The Commissioners to test the Collector's proceedings, send for the Persian records in a few cases only. In all other cases they make their report at length to the Board, on the papers furnished in English by the Collector, after hearing the objections of petitioners, requiring explanations, &c., and the Board after satisfying themselves of the general correctness of the settlements, report the cases of a whole Pergunnah to Government in one short letter, forwarding with it the Commissioner's and Collector's reports, and the figured statements in original.

16th. Now the interests at stake in the upper Provinces, are not less valuable than those in the lower, and the settlement officers in the latter are equally entitled to confidence with those in the upper. And I see no good reason why the same system generally speaking should not be followed.

17th. It is evident, that by the present arrangement the most important part of the duty of 12 Commissioner's is thrown upon one member of the Sudder Board of Revenue. It is evident also, that the facility of reference, and local enquiry, of correction of error, of rebutting excuses, and objections made by parties to the settling officer's proceedings, is much diminished by the transfer of the entire record, and that in every case from the settling officer direct to the Board; and that the means of doing justice to the interests of Government, without intrenching on the rights of the people, are crippled and protracted.

18th. I would suggest that whether it would not be a more advisable plan that the services of one of the judges of the Sudder Dewanny Adawlut should be transferred for a time to the Sudder Board of Revenue. That the officer transferred should consult with Mr. Tucker as to the most advisable modification of the existing arrangements involving the re-engagement of the services of the Commissioners in the preliminary check and correction of settlements: a better plan being hit for the future, existing arrears might then be disposed of by the two members conjointly, the operation reports being also simultaneously prepared. The experience of a twelve month would shew what progress was made under this arrangement, and how long the services of a 4th member might continue to be required. Meanwhile, as I understand, the state of business in the Sudder Dewanny Adawlut would admit the transfer of one judge without inconvenience, no additional expence would be incurred.

19th. Finally, I take the opportunity of recording my opinion, and my sentiments are, I believe, in full accordance with those of the 2nd member, Mr. Smith, that the Secretary to the Sudder Board of Revenue, is an officer who should be removed as seldom as possible, there being no equivalent for that knowledge of details and method of management of a large establishment,

which arrangements alone can afford, and that true policy and true economy would be consulted by assigning an increase of emolument to an efficient Secretary who, from his standing in the service, would otherwise become entitled to promotion, instead of removing him with that object. It must be understood as speaking on the general principle and not merely with reference to the particular Secretary now in office.

The 17th April 1837. (Signed) H. WATKINS
N B—I read the Government order and the Senior Member's minute, on Saturday at sun s.

OFFICIATING MEMBER'S MINUTE.

Nature of Settlement	Number of Ditto	Annual Jumma
Permanent,	611	2,59 444
Temporary, .	640	2,55 874
Total,	1,250	5,15,318

I took my seat at the Board on the 17th ultimo, since when my time has been very much occupied with references from the other members and recording my opinion on some very heavy and important cases.

I have gone through the reports and papers of seven or eight settlements only, in most of which intermediate orders were required, which prevented of course, for the time, the submission of the cases to Government.

On the present plan, I see no prospect whatever of my being able to dispose of the existing arrears of settlement work in any reasonable time, so that the future accession to the list shall not be delayed in like manner. To clear the file, and enable the Board to keep pace with the settlement officers, is unquestionably a matter of the last importance, whether as concerns the interests of the estate, or the rights of the parties. Under the arrangement suggested in Mr. Secretary Mangle's letter, much may be done, but it is quite impossible for me to throw out even a hint at present as to the period at which the business may be accomplished, so much depends on the manner in which the settlements have been conducted, drawn up, and submitted to the Board. The Secretary and myself may devote our individual attention to the duty, but defective settlements may materially thwart our exertions, as we could not submit them for the confirmation of Government in an incomplete state. However, the Government may confidently rely on our doing our utmost to meet their very reasonable wishes on this point, and I am not prepared to suggest any other arrangement better calculated to secure the object in view. The method of our joint operations might be left for future consideration, either to divide the work each taking a portion and acting independently of the other, or any other plan which actual practice and experience may afterwards suggest as an improvement. Probably the great majority of temporary settlements may be disposed of by the Board without reference to Government, and it may be a question for future consideration, if we do not make the rapid progress anticipated, or expected of us, whether the Government might not authorize the Board to confine settlements in perpetuity to a certain limit say 500 rupees annual jumma, merely submitting monthly lists of such cases for their information, and that of the Hon'ble Court of Directors.

Any other subordinate arrangements for expediting the business on hand, which a more practical acquaintance with the subject will doubtless enable us to suggest, may be afterwards submitted for the approval and sanction of Government if necessary.

(Signed) C. TUCKER,
Officiating Member.

15th April 1837.

The above minutes were forwarded to Government on the 18th ultimo by the Board, and Mr. Secretary Mangle, on the 2nd instant, forwarded for the information of the Board, under orders of the Right Hon'ble the Governor-General, copy of Mr. Mangle's address to the Secretary to the Supreme Government, from whom His Lordship had received authority to carry into effect the arrangement proposed.

It communicated the appointment of Mr. C. F. Trevelyan to officiate as additional Secretary to the Board during Mr. Halliday's employment in the special duty of bringing up the arrears of settlement reports. The Governor did not deem it necessary to issue separate instructions to the latter officer.

His Lordship thought it desirable that the duties under the jurisdiction of the Board, should be divided according to the pending number, and expected influx of settlement reports between Mr. Tucker and Mr. Halliday, so as to assign to the one and to the other officer an equal number of old and new returns. If a particularly heavy influx of reports from any district, as Chhota, for example, renders the original division unequal, the matter may be re-adjusted. But the dispatch of business will certainly be greater under this plan, which will permit each revising officer to employ with advantage the knowledge which he already possesses, or may acquire in the course of his labours, of a particular district or class of districts than if all the old reports were made over to Mr. Halliday, and all the new ones retained by Mr. Tucker, as suggested that Messrs. Pattle and Walters would conduct the current business of the Board referring for Mr. Tucker's arbitration only those cases of first rate importance on which they may differ, minor points of disagreement may, as formerly, be submitted at once to Government.

His Lordship relied with confidence on the zeal and energy of Messrs. Pattle and Walters. He is well aware that the demand which the exigencies of the public service impose at present upon those gentlemen in the affairs at the head of the Revenue Department, is very heavy, but he feels, and has no doubt that they feel also, the great importance of the objects for the attainment of which such arduous exertions are necessary, and he is assured of their co-operation to the most desirable end of duty and completely carrying into effect those works of reform and improvement which are already, under their superintendence, in progress, and by the success of which the efficiency, order, and prosperity of the Revenue Department in the Lower Provinces will, His Lordship trusts, be permanently established—
Luharu, May 24.

CONSULTATION.—TUESDAY, MAY 2, 1837.

IMPORTANT TO DEPUTY COLLECTORS.

Baboo Shishchunder Paulit, recently appointed to the Deputy Collectorate of Baulsah, applied to the Board on the 3d ultimo, to be supplied with a seal of office, a set of Regulations, a tent, an establishment of 4 peons, and an appropriate room for a cutcherry.

The Board have answered the requisitions by allowing a seal and a set of Regulations, and made a reference to Government regarding tents generally for Deputy Collectors, but as to peons, the point has been disposed of by the Commissioner of that place, who has informed the Collector that he would assist his Deputy with peons, and should the Collector not be able to give the Deputy a room for a cutcherry, a reference will also be made to Government on that head.

POTTABS OF SOONDERBUN LANDS.

Mr. Commissioner Figue, on the 20th January last, forwarded a copy of an address from the Commissioner in the Soonderbun with five pottabs and kabbooleats granted to and taken from the Soonderbun grantees, Messrs. D. McDougal and John Storm, and Messrs. David Hare, F. J. Wood, & D. McDougal, for the purpose of being registered.

The Board forwarded the documents to Government, and Mr. Secretary Mangies, on the 18th of April last, informed the Board that the pottabs had been registered.

REMISION OF DUES FROM THE ZEMINDARS OF KOTHIDE, & C. CUTTACK.

Mr. Commissioner Ricketts of Cuttack, on the 16th of March last, submitted to the Board a copy of a letter from the Collector of Pooree, bringing to his notice the circumstances regarding the balances from the zemindars of Kothide, &c., in the hope that the Commissioner would consider them such as to induce him to recommend the absolute remission of them.

It appears that the Collector some time ago cancelled the proprietor's lease for the purpose of bringing the Estate under Khas management, and it was stated that assessment was too high, and the result of three years of Khas management placed that opinion beyond a doubt. The undermentioned sums.—

1241.....9,267—5—
1242.....8,131—2—10
1243.....5,630—5—9½

have been written off the accounts of that Collectorfship, the assets being deficient to that extent, after paying all expenses of management and the zemindars mahikana.

Of the balance due when the lease was cancelled the following sums have been realized.

Balance for 1240.....	41,797 0 5
Realized by sale of personal property, &c.....	7,100 15 10½
Realized by Mahikana for 1241, 1242 and 1843..	19,175 4 2½
Realized by collections from the Estate for balances.....	9,474 14 5½
	35,771 2 7

6,025 13 10

Balance still outstanding.

The crops from this estate, the Collector learnt of Mr. Colvin, who had visited almost every village in the estates, had suffered most severely, and he anticipated not only large remissions for the current year, but considerable reductions in the jummas of the villages for 1245. The zemindar's prospects in consequence of the general failure of the crops, are of course materially affected, and he is less able to dispense with the little Mahikana to which he will be entitled on the collections. In consideration, therefore, of the over assessment of the estate and of the zemindar's utter want of means to liquidate the amount due, the Collector trusted the Commissioner would recommend that the balance of Company's revenue 6,025-13-10 should be absolutely remitted.

The Board on the 18th ultimo, under the recommendations of the local authorities, submitted the case to Government, advising the remission, and Mr. Secretary Mangies, on the 26th ultimo, informed the Board, that

the Right Honorable the Governor of Bengal had been pleased to authorize the remission under the circumstances stated.

CONSULTATION, — TUESDAY, MAY 23, 1837.

GREAT ARREARS OF THE PROCEEDINGS OF THE SUPPER BOARD.

Present—C. E. Trevelyan, Esq., Secretary, James Pattle, Henry Walters, and Charles Tucker, Esqrs., Members.

It appears that the examination of the proceedings of the Board have fallen considerably in arrears, and the reason assigned is, that at present the establishment for that particular purpose is very inefficient. In the course of the consultation, Mr. Fordyce, one of the examiners of the establishment, was summoned before the Board, and on being questioned by the Senior Member, stated, that he had examined 10 months' proceedings in the space of 10 months, and that he, Mr. Fordyce, was frequently taken up with the examination of current correspondence.

The Senior Member desired Mr. Fordyce to put in a written statement of the service done by him, and the Secretary thought that efficient individuals should be employed as examiners; that the present pay of an examiner is only 100 rupees per mensem, but if the Board would recommend it, the Secretary would apply to Government to increase the pay of examiners to 200 rupees a month and employ well-educated persons for the purpose.

The Senior Member observed, that in former years the Senior Member used generally to be answerable for the efficiency of the establishment, but Mr. Trevelyan presumed, the Secretary was the fittest person to be answerable for the efficiency and conduct of the establishment, and that the arrears now discovered existed when he took charge of the office; but that he would desire Mr. Fordyce to furnish a weekly report of his labour, and give him such assistance as he conveniently could by other hands.

APPOINTMENT OF SHAIK ABDULLAH AS DEPUTY COLLECTOR OF MIDNAPORE RE-CONSIDERED.

The appointment of the Shaik, was mooted by the Senior Member, that gentleman having been recently informed that the Shaik is not qualified in several respects for the situation. It was asserted by the Senior Member, that he had not the least knowledge of this appointment, or of its having obtained the sanction of Government, and that it was by the verriest chance that he obtained a knowledge of it. The Senior Member was inclined to attach blame to the uncovenanted hands, but from the facts, so far as we could obtain them, it is evident, that the appointment has been made regularly and in the usual course.

The nomination roll was first of all given to Mr. Walters, the Member, of that division, who, in accordance with the local authorities, ordered a recommendation of the appointment to Government. It then passed in the usual course to the Secretary (as by a rule of the Board, the Member having charge of the division, agreeing with the Commissioner, a reference for the opinion of any other Member is deemed unnecessary) who ordered a draft accordingly; it then went to the uncovenanted assistant who drafts for the division; a draft in the usual form was prepared, it returned again to the

Secretary, obtained his approval and order of despatch, and being subsequently signed by him was sent up to Government and the appointment of the Shik was duly sanctioned.

The Board have come to the determination of reconsidering the above appointment, and will immediately address Government on the subject.—*Huskaru*, May 25.

CONSULTATION.—TUESDAY 11TH APRIL, AND FRIDAY 12TH MAY, 1837.

ARRANGING OF SETTLEMENTS APPOINTMENT OF P. J. HALLIDAY, ESQ

MINUTE BY THE JUNIOR MEMBER.

1st I concur with the senior member generally in considering that the removal of our Secretary at the present moment would be attended with very serious detriment to the discharge of public business.

2nd. Mr Halliday's services are, I consider, of greater value to the Government as at present employed, than they would be, if transferred to the settlement department.

3rd Mr. Halliday during the year he has been in charge has introduced very important reforms into the details of the Board's Office, the consequences of which are now beginning to be felt in the facility with which documents and references, not procurable under a week in former days, are obtainable, and in the dispatch with which current business in general is conducted.

4th—Some very important subjects, moreover, are now pending in which Mr. Halliday has possessed himself with information from our records, which cannot fail to be highly valuable to the board in assisting their deliberations.

5th—I allude to rules for the investigation of Lakheraj tenures to the revival of the silk laws, to the revival of the Butwarrah laws to the entire reform of the present system of accounts in collectors' offices, and other matters of equal importance, in all of which the information collected would be lost to the Board were Mr Halliday's services confined as proposed to the revival of settlements.

6th And no new Secretary, however great his abilities, could possibly supply his place in the general management of the details of the office, without considerable experience, and just as the new Secretary's services were becoming really useful, he would in all probability be displaced by the return of Mr. Halliday to his office.

7th. It appears that there are at the present time upwards of 1250 settlements at an annual jumma of 5,15,318 rupees before the board pending orders.

8th. It appears also that from 1st January to 30th June last, Mr Smith disposed of settlements as follow

Permanent	141
Temporary,	96
	236+

* From April 1836 to April 1837, there were letters received 4,922, Dispatched 3,789.

† From a statement signed by the head assistant settlement Department, laid before me since this minute was drafted, I find that Mr. Smith actually disposed of 296 cases only in 13 months from 28th December 1835 to end of January 1837, which gives an average of about 23 cases per mensem only.

And that during the succeeding six months his time was so much occupied by the preparation of operation reports, that the cases disposed of fell very far short of the number above stated.

9th Now no man could possibly work harder than Mr Smith did, and it is not to be supposed that a greater progress will be made by any one officer than was effected by him.

10th Mr. Smith, it seems, disposed of about 1½ case on an average during each working day of the month, while he had no operation reports to draw off his attention.

11th. Assuming 400 cases per diem to be all that one person could get through, besides drafting the operation reports, it would thus take one officer about 8 years to work off the existing arrears alone.

12th. If the cases are to be continued to be reported as at present, I should say then that instead of an officiating additional secretary, we shall require one extra temporary member at least for the next 3 or 4 years.

13th. But it appears to me that the mode of reporting settlements at present followed should be modified, and that the practice of the western board should be approximated to.

14th I lie collectors, I understand, in the Western provinces, only forward to the commissioners an English detailed report, with English tabular statements written on two sheets of folio. The commissioners, to test the collector's proceedings, send for the Persian records in a few cases only. In all other cases they make their report at length to the Board, on the papers furnished in English by the collector after hearing the objections of petitioners, requiring explanations, &c., and the board after satisfying themselves of the general correctness of the settlements, report the cases of a whole pergunnah to Government in one short letter, forwarding with it the commissioner's and collectors reports and the figured statements in original.

15th Now the interests at stake in the upper provinces are not less valuable than those in the lower, and the settlement officers in the latter are equally entitled to confidence with those in the upper. And I see no good reason why the same system generally speaking should not be followed.

17th. It is evident that by the present arrangement that the most important part of the duty of 12 commissioners is thrown upon one member of the Sudder Board of Revenue. It is evident also, that the facility of reference, of local enquiry, of correction of error, of rebutting excuses, and objections made by parties to the settling officer's proceedings, is much diminished by the transfer of the entire record, and that in every case from the settling officer direct to the Board, and that the means of doing justice to the interests of government without intruding on the rights of the people are crippled and protracted.

18th. I would suggest that whether it would not be a more advisable plan that the services of one of the judges of the Sudder Dewanny Adawlut should be transferred for a time to the Sudder Board of Revenue. That the officer transferred should consult with Mr. Tucker as to the most advisable modification of the existing arrangements involving the re-engagement of the services of the commissioners in the preliminary check and correction of settlements a better plan being hit for the future, existing arrears might then be disposed of by the two members conjointly, the operation

[illegible]

2nd. Finally, I take the opportunity of recording my thanks to my Secretaries and, I believe, in full accordance with the wish of the 2nd member, Mr. Smith, that has been referred to the Sudder Board of Revenue, is an officer who should be removed as seldom as possible, there being no equivalent for that knowledge of details and method of management of a large establishment, which experience alone can afford, and that such policy and true economy would be consulted by assigning an increase of emolument to an efficient secretary who, from his standing in the service, would otherwise become entitled to promotion, instead of removing him with that object. I must be understood as speaking on the general principle and not merely with reference to the particular secretary now in office.

17th April 1837 (Signed) H. WALTERS.

N. B.—I read the Government orders and the Senior Member's minute, on Saturday at sunset.

OFFICIATING MEMBER'S MINUTE

Nature of Settlement, Number of Ditto. Annual Jumma.

Permanent,.....	611	2,59,444
Temporary,.....	640	2,55,674
	<u>1,251</u>	<u>5,15,118</u>
Total,.....	1,251	5,15,118

I took my seat at the Board on the 17th ultimo, since when my time has been very much occupied with references from the other members and recording my opinion on some very heavy and important cases.

I have gone through the reports and papers of seven or eight settlements only, in most of which intermediate orders were required, which prevented of course for the time, the submission of the cases to Government.

On the present plan I see no prospect whatever of my being able to dispose of the existing arrears of settlement work in any reasonable time, so that, the future accession to the list shall not be delayed in like manner. To clear the file, and enable the Board to keep pace with the settlement officers, is unquestionably a matter of the last importance, whether as concerns the interests of the estate, or the rights of the parties. Under the arrangement suggested in Mr. Secretary Mangle's letter much may be done, but it is quite impossible for me to throw out even a hint at present as to the period at which the business may be accomplished, as much depends on the position in which the settlement have been conducted & drawn up, and submitted to the Board. The Secretary, and myself may devote our best efforts to the duty, but effective settlement can only be effected by the exertions, as we could not submit them, of the confirmation of Government, in an individual case. However, the Government are considerably relieved by our doing our utmost to meet their very respectable wishes on this point, and I am anxious to suggest any other arrangement, better adapted to secure the object in view. The method of settling arrears will be left for future consideration, and I leave the work which takes a portion and hinders the independence of the other, of any other

the which will be wrong, but the measure may after all be "settled" as an "interim" one. Probably the whole policy of temporary settlements may be dropped by the Board without reference to Government, and it may be a question for future consideration, even to not make the same progress as the Government has made, whether the Government might not influence the Board to confine settlements in perpetuity to a certain limit, say 500 rupees annual jumma, thereby eliminating monthly lists of such cases for their consideration, and that of the Hon'ble Court of Directors.

Any other subordinate arrangements for expediting the business on hand, which a more practical acquaintance with the subject will doubtless enable us to suggest, may be afterwards submitted for the approval and sanction of Government, if necessary.

(Signed) C. TUCKER, Officiating Member.

15th April 1837.

The above minutes were forwarded to Government on the 18th ultimo by the Board, and Mr. Secretary Mangles on the 2nd instant, forwarded for the information of the Board, under orders of the Right Hon. the Governor-General, copy of Mr Mangles's address to the Secretary to the Supreme Government, from whom his lordship had received authority to carry into effect the arrangement proposed.

It communicated the appointment of Mr. C. E. Frelsman to officiate as additional Secretary to the Board during Mr. Halliday's employment in the special duty of bringing up the arrears of settlement reports. The Governor did not deem it necessary to issue separate instructions to the latter officer.

His lordship thought it desirable that the districts under the jurisdiction of the Board, should be divided according to the pending number, and expected influx of settlement reports between Mr. Tucker and Mr. Halliday, so as to assign to the one and to the other officer an equal number of old and new returns. If a particularly heavy influx of reports from any district, as Chittagong for example, render the original division unequal, the matter may be re-adjusted. But the dispatch of business will certainly be greater under this plan, which will permit each revising officer to employ with advantage the knowledge which he already possesses, or may acquire in the course of his labours, of a particular district or class of districts, than if all the old reports were made over to Mr. Halliday, and all the new ones retained by Mr. Tucker, as suggested by Messrs. Pattle and Walters would conduct the current business of the Board, referring for Mr. Tucker's arbitration only those cases of first rate importance on which they may differ, minor points of disagreement may, as formerly be submitted at once to Government.

His Lordship relied with confidence on the zeal and energy of Messrs. Pattle and Walters. He is well aware that the demand which the exigencies of the public service impose at present upon those gentlemen in the affairs at the head of the Revenue Department is very heavy, but he feels, and has no doubt that they feel also, the great importance of the objects for the attainment of which such arduous exertions are necessary; and he is assured of their co-operation to the most efficient end of duty and completely carrying into effect those works of reform and improvement which are already under their superintendence, in progress, and by the success of which the efficiency, order, and propriety of the Revenue Department in the Lower Provinces, will, he trusts, be permanently established.

COMMITTEE, TUESDAY, 9th MAY, 1837.

ESTATE—KIAMUT, CHOWDHAT TURWAS, MAJRA, SHAWA.

Mr. Commissioner Hawkins of Shauleah, on the 20th April last, submitted for the consideration and orders of the Board some papers connected with the sale of Pergunnah Kiamut Chowdhut Turwas.

That estate was sold for arrears of revenue by the Collector of Shauleah on the 30th December last, and was purchased jointly by Ram Kissen talookdar and Jaggurnath Nundee, each of them being purchasers of eight annas shares. The sale was confirmed by Mr. Officiating Commissioner Bailow on the 11th of February last.

The Collector on proceeding to the realization of the purchase money, found that Ram Kissen talookdar, one of the purchasers, had died in the mean time, and reported the fact to the Commissioner, stating that the other purchaser, Jaggurnath Nundee, was willing to pay up the whole amount of purchase money, if he was put in possession of the entire estate.

With reference to the working of the sale Roobukaree the Commissioner thought it advisable to direct the Collector to call upon the heirs of the deceased purchaser to state whether they were willing to complete the purchase. The widow of Ram Kissen replied to the call in the first instance, by saying that she could not pay the amount, she afterwards offered that she would pay it, if allowed a month. This application the Commissioner thought it right not to comply with, but directed the Collector to call upon her to pay the sum in ten days, on failure of which all right derivable from the incomplete purchase of Ram Kissen, would be annulled under Clause 1st Section XXI, Regulation XI of 1822.

In the event of the money not being paid, the Commissioner wished to be informed what should be done. Should the sale be set aside, or should the entire purchase money be received from the remaining purchaser, and the sale be thus completed with him? It appeared to the Commissioner that there was a little irregularity in the sale, by which a difficulty has now been created in consequence of the death of one of the purchasers. The Commissioner added that the defaulting proprietor has never urged any objection against the sale.

The Board, on the 9th instant, instructed the Commissioner that the sale may be concluded with the remaining purchaser if the widow of the deceased joint purchaser do not pay the amount of that share.

The Board at the same time requested, that to prevent the recurrence of such dilemmas, the Commissioner should instruct the Collector, that he is always to cancel a sale and re-advertise the estate, if the whole amount of purchase money is not paid when demanded of the purchaser, or purchasers, and further that more than one purchaser can only be considered as joint and undivided purchasers of the whole estate (with exception to shares of estates sold when under Butwarrah) and could not be held as purchasers of shares of an undivided estate, whatever may be their private understanding.

SALE OF PERGUNNAH TURT BATTIA—NUDDEAH.

Mr. Commissioner Pigou, on the 24th April last, transmitted, for the purpose of being laid before the Board, a

Account sale in English.

Collector's Roobocarie, 17th April 1837.

Collector's Roobocarie, of sale 31st December 1837.

Date of sale 23d February 1837, date of confirmation 31st March.

petition of Appeal from the confirmation of the sale, with his replies to the allegations set forth in the petition.

ALLEGATIONS.

I. The petitioner stated that a ten anna share of Kiamut Batta, recorded in the name of Hariadun Mookerjee, at a Sudder Jumma of rupees 1,500, belongs to himself, and his sharers, and was disposed of at public sale by the Collector of Nuddeah on the 13th Falgoun last, in satisfaction of a balance of rupees 1,390 9-6 for the sum of rupees 6,800.

II That the above sale was confirmed by the Commissioner, and the plea in the petition subsequently preferred overruled on the grounds of the sale having been already confirmed. Against the validity of the sale the petitioner urged.

First. That the Collector's ihtahar specifies the 15th Choith, as the day of sale, whereas the sale took place on the 13th Falgoun.

Second. That he tendered the balance on the 10th Choith and that the Collector refused to accept it.

III That the Estate was sold far below its value.

The Board informed Mr. Pigou on the 9th instant, that they saw no reason to disturb the proceedings of the local authorities and that the Board have accordingly rejected the petition.

HOOGLY COLLEGE—STIPENDS TO CERTAIN STUDENTS.

Mr. Commissioner Lewis, of Mooredabad, on the 21st of March last, called the attention of the Board to a letter from Mr. Commissioner H. Walters, of the 31st December, in which the continuance of stipends to certain students in the Hooghly College, from the Imambarah trust funds, was recommended.

The subject was brought to the notice of Mr. Lewis by the Principal, Dr. Wise, and it appears that the young men in question are considerably inconvenienced by the delay in the decisions of their claims.

The Board on the 17th instant sanctioned the renewal of the stipends of four students, Moghal Jan, Ali Baksh Sydar Ali, and Raza Ali for three years from the present date. In case of the decease of any of the individuals mentioned within the above period, their pensions to lapse to the endowment.

TULUNAH OF PRONS—ZILLAH BEHAR.

Mr. Commissioner Davidson, of Patna, on the 27th March last, submitted for the consideration and orders of the Board, copies of a letter to his address from the Superintendent of settlement in Zillah Behar, and his reply thereto.

the Board of Revenue had agreed with his predecessor in opinion, that the Tuluhanah should not be levied from persons whose attendance is required. For the Native Revenue Officer and settlement officers) and connected with the interests of the State, as has been the case in the past. Mr. Houlton was therefore directed to forward contingent bills for all sums thus expended, either by himself, or those subordinate to him.

As the validity of the Board had been obtained to the contrary, the Superintendent argued that it would be almost impossible for him to trouble them any further, and as it seemed to him possible that the Government was not fully apprised of the extent of expenditure and the importance of the measure which has been authorized, and as Mr. Houlton did not in his report enter any estimate, it appeared advisable to afford some more distinct information on these points which may tend to obviate future difficulties and dissatisfaction.

The Superintendent stated that very lately an account was entered by the Nazir of his Court, purporting to show the amount due for Tuluhanah for one quarter, viz from August to the end of October, the sum total was 818 rupees 10 annas.

It was true that a controlling power is vested in the Superintendent, and that he is expected to adopt measures for restraining this expenditure within the limits of moderation, and availing himself of that privilege, he has reduced the bill in question most materially, but intimated that if it is deemed advisable to pursue the present system, the expense will continue to increase in proportion to the number of settlements which he hoped to augment.

Without enumerating the documents of various descriptions which are circulated through the Nazir, Mr. Houlton observed that the greater portion consisted of dustucks and notices served on Putwarries. With regard to the former, the cost of a summons to account for balances due, appeared in all equity chargeable to those who choose wilfully to incur them, and the practice therefore hitherto prevalent, has not in this respect, been altered, but as concerns the Putwarries and others concerned and summoned during settlements, both temporary and perpetual, Mr. Houlton would argue more at length.

That no settlement whatever takes place without the full knowledge of the parties interested, Mahiks, Seyh Ryuts, Putwarrees, or whoever they may be, and that a proclamation requiring their attendance is invariably issued, before any proceedings are held, how then can those (Mr. Houlton questioned) who neglected to warn the authorities, be considered in any other light than as wilful absentees, and is it not reasonable that they and not the Government, should defray the costs resulting from their contumacy, which are individually so trifling, though in the aggregate enormous; for it is to be remembered, that the settlement officer is on the spot, or in its vicinity, and that the Tuluhanah only amounts to two annas. It is entirely owing to the convenience so detrimental to the Government interests, which every where exists between the Putwarrees and the Hakdars, and to the mal-practices and bad faith of both, that so many notices are required, to the vast extent

of the duties of the settlement officers. The Putwarrees and Landholders then, of those Mouzas under settlement, since they fail in their duty by absenting themselves, ought really to pay the fees who are sent to enforce obedience, the Putwarrees and Hakdars situated in the vicinity of the Mouza, under assessment, and whose evidence is frequently required as connected with its completion. It is not as if the interests of the Government are alone at stake, all the neighbouring landholders are most intimately concerned in the adjustment of various disputes and the demarcation of boundaries, and disadvantages of non appearance would be felt almost wholly by those parties, and as it is mainly for their convenience that they are summoned, Mr. Houlton was of opinion, that the State is not called upon to bear the expense. Their Putwarrees .00, are bound by the nature and terms of their appointment to be present.

Mr. Houlton thought that these, and all incidental charges of a like description, are not paid either by the Putwarrees or Hakdars, or by this, or that individual, they are always entered and accounted for under the head of village expenses, under which denomination they appeared to Mr. Houlton to be legitimately classed. All landholders and farmers when engaging with the Government, understand that they are to defray these and similar items connected with the usual proceedings of the various courts, and hence that Mr. Houlton never meet with any complaint on the subject when settling villages, nor ever heard of any being made elsewhere.

In concluding, Mr. Houlton observed, that the subject is one of considerable importance. The precedent being once established, the measure as yet adopted only for Behar, would, he supposes, become general, thereby involving the expenditure of thousands on the part of Government.

Mr. Commissioner Davidson, however, brought to the Board's notice the circumstance of no similar charges ever having been transmitted by the settlement officers, employed in other districts of the division; still in no instance was a complaint preferred, nor did the Commissioner believe that the charge made against the person summoned has heretofore been thought a hardship.

The Board informed the Commissioner that they saw no reason to depart from the rule formerly laid down regarding the liability of Government for Tuluhanah in the cases alluded to by Mr. Houlton.

They are, however, of opinion, that much money might be saved were Mr. Houlton to put into practice the plan experimentally adopted by the revenue officers of the Commissioner's division, of entertaining fixed poodahs, and serving notices and summonses through them, assigning to each as many notices as ones served by one individual.

The Board thought it in either case proper to warn the Superintendent of Khas Mehals that processes are not inordinately issued, and that no expense not indispensable is incurred.—Harkaru, May 26.

MISCELLANEOUS.

CALCUTTA

INFANT SCHOOL.—The Calcutta Infant School does not appear to have made any progress in the school for Christian children, and in consequence the expenses have been reduced, and Mrs Perkins, the mistress of the school, has been permitted by the Society, during the past year, to transfer her services to the Female Orphan Asylum. An attempt to apply the system to native infants, through the medium of the English language, entirely failed, and a similar result attended a school set up under charge of a native, for which lessons were prepared by Mr. Perkins, and the names of the objects and figures represented in the lesson cards printed in Bengallee characters. However, under Mr. Perkins's personal management, a native school in the Chitpore Road, in a room belonging to Baboo Gourmohun Mody, has attracted a daily attendance of 70 to 80 children between 2 and 7 years old, and the number is increasing. Mr. Perkins has also instructed six young men, to enable them to take charge of small schools elsewhere, and endeavours are making to disseminate the system.

AUSTRALIAN ASSOCIATION.—An association denominated the Australian Association, has been formed to keep up a constant communication between Australia and this country. Invalids will be able to secure good accommodation in their passage to Australia, through the agency of this Association.

MEDICAL OFFICERS.—Some time ago a reference was made to Government, as to whether the medical officers at civil stations were to be permitted to practice among the European residents in the interior of districts. Government have now decided that civil surgeons are to be allowed to practice, subject to certain conditions which make their public duties, and that very properly, the first consideration. But in urgent and particular cases, a departure from the letter of the conditions is said to be admissible.

INLAND CUSTOM HOUSE.—A rumour has gained credit among the natives in the market, that the inland customs are again about to be established, and has created a great sensation amongst them. The report is totally false.

THE BONDED WARE-HOUSE ACT.—Messrs. Cockerell and Co., on the 2nd instant, made the first entry under the provisions of the Bonded Ware-house Act. Some idea may be formed of the facility afforded by the measure, from the knowledge that the whole of the entries from the signature of the secretary to the Ware-house, to the permit to convey the goods from the ship to the Ware-house, including appraising and the granting of the bond for the duty, was completed in the space of half an hour.

STORM ATTENDED WITH LOSS OF LIVES.—About a fortnight since, the village of Laukee and its neighbourhood were visited by a fearful storm, which blew down houses, rooted up large trees, and caused the loss of a great number of lives.

SHIPWRECK.—The bark *Rebecca* has been lost near Ganjam. Her crew, and a great portion of the cargo, have been saved, mainly through the exertions of Mr. Weatherell. The former have arrived in Calcutta.

DAMAGES DONE BY THE NORTH-WESTER.—Considerable damage was done by the north-wester experienced on the evening of the 1st instant. The north wall of the Racket Court and the mast of the Seamen's Chapel were blown down—a great number of trees and huts were prostrated by the storm, about twenty dinghies

are said to have foundered or been dashed to pieces on the beach, and several lives, it is reported, have been lost.

INSURRECTION AT CANARA.—Aldonga have been received from Coorg and Mysore to the 22d ultimo, of a very favorable nature. The principal post of the insurgents, between Canara and the upper country of Coorg, was at a place named Bisleer Ghat, which was supposed to be occupied by them in considerable force. Captain Hunter, the Military Assistant to the Commissioner in Mysore, made a spirited attack on their stockade with a very small party of Mysore Infantry, and some dismounted sowars, and succeeded in frightening them into a retreat, and taking temporary possession of the village of Bisleer without loss. He was much too weak to retain the village, but the impression made, and the information obtained, will, it may be hoped, have left no difficulty in the way of the Regular Force which was moving upon Bisleer for the purpose of entering Canara by that route.

THE STEAMERS.—Government have resolved to build a new steamer at Bombay, to receive the engines of the *Enterprise*, to carry twelve days' coal and 150 troops. The *Ganges*, which has been found in a very bad state, is to be repaired so as to answer for a tug, or a sea going steamer.

The iron boats, which left Allahabad on the 26th of April, encountered many difficulties on their passage to Ghazepore. On the 19th, in passing Bairea, a few miles above Ghazepore, where a reef of konkur rocks extends across the river, the steam boat was, by a strong eddy occurring in a very narrow channel, thrown with excessive violence against a rock which sent a hole in the iron, below water, about a foot long. The accommodation vessel took another rock at the same moment, and a hole was made in her bottom about 18 inches diameter. Both vessels were immediately run on a sand bank, the pump set to work, and at 4 p. m., (the accident having occurred at 11 30 a. m.) the leak in the steamer having been stopped, the treasure to the amount of 10 lacs of rupees was transferred to her from the accommodation boat, and she proceeded with it to Ghazepore, where it was delivered in charge to the Collector. The hole in the accommodation boat having been stopped with gunny bags as a temporary measure, was now more securely filled up with a large plug made of the end of a Europe cable, which being knotted after a sailor's fashion, and tapered, was hauled into the hole from the outside, until the head of the knot pressed with equal force against all parts of the iron and effectually stopped the leak. The boat then dropped down and met the steamer returning to her assistance, was taken in tow, and anchored on the 30th at 3 p. m. off Ghazepore, to re-embark the treasure. The boats were to leave Ghazepore on their return to Calcutta on the 1st of May.

CAPTURE OF A SHARK.—A shark was caught in the river on the 1st instant. It was seven feet long, and proportionately thick. The monster was taken to the police office, and the fishermen who captured it, after receiving the usual reward for their trouble, took it away.

A NEW ROAD.—Bahadur Panchanan and Hunkodar Bose, have made a road from Panhattee to Barrackpore at their own expense.

THE REEF BUOY.—The Reef Buoy, which broke adrift eight or nine months ago, has been found drifted ashore on the Coromandel Coast, as far down as Tanjore, about latitude 10°.

BANK OF BENGAL NOTES.—The *Hybomnie*, which arrived during the week, has brought out the first batch of the Bank of Bengal notes for Company's rupees.

THE FIRES—The subject of the late fires, has engaged the attention both of Government and the Fever Hospital Committee. A letter of the Chief Magistrate, addressed to the Secretary for Bengal, has been published, enclosing a petition from a Mr. Harris, and a report by Lieut Abercrombie, the one and the other being on the subject of the frequent fires which at this season of the year occur in Calcutta. The proposition included in the petition, and in the official report of Mr. Abercrombie, is to the effect that Government should make order, rule, ordinance, or regulation, whereby all persons should be prohibited from erecting straw huts, with thatch roofs, within Calcutta; and the Chief Magistrate gives it as his opinion, that such a demand, on the part of the inhabitants of the puchah houses, and of Mr. Abercrombie, ought not to be complied with.

The following is a summary of the fires that have occurred since the commencement of the year, and the loss of lives, &c. occasioned through their agency.—

Dates.	Localities and number of the fires.	At whose houses originated.	Number of houses burnt.	Number of lives lost.	Probable value of property destroyed.
Jan. 3.	Jorasanko.....	Satre Raur	2	.....	100
" 6	Coylah Ghaut .....	.....	1	.....	50
" 18	Hautcolah.....	Shree Raur.....	36	.....	1800
" 23	Bhobanipoor.....	Rainchaund.....	16	.....	800
" 27	Simlah.....	Para Bustomy.....	4	.....	200
" 28	Chaudney.....	Motelaal Cooper.....	6	.....	300
Feb. 3	Mirzapore.....	Mundoo Meir.....	8	.....	400
" 8	Puttuldongah.....	Rammonce.....	3	.....	150
" 9	Cossetullah.....	Mr. Payne.....	2	.....	100
" 27	Mauicktullah.....	Ramkanto.....	2	.....	100
" 28	Chitpore.....	The Nabob of Chitpore.....	5	.....	250
Mar 1	Shambazar.....	Tunoo Bustomy.....	19	.....	1000
" 2	.....	Parachaund Coloo.....	5	.....	250
" 4	Puddopooker.....	Luckeenarain Dhobee.....	1	.....	50
" 10	Jackson's Ghaut.....	Bhoynrub Moody.....	22	.....	1100
" 12	Hautcolah.....	Buddinauth.....	71	.....	4000
" 20	Faultullah.....	Calachaund Mistry.....	4	.....	200
" 21	Chowringhee.....	Wahed.....	209	.....	10400
" 26	Sukeas's Lane.....	Hurty Dhobun.....	3	.....	150
" 27	Ditto.....	Gopaul.....	2	.....	100
Apr. 5.	Jorasanko.....	Chundee Dune.....	6	.....	300
" 6	Shambazar.....	Callachaund Baboo.....	30	.....	1500
" 11	Cullingah.....	Hingun.....	51	.....	2600
" 15	Foltullah.....	Piemchaund.....	49	1	2450
" 16	Simlah.....	Puddo Dhobun.....	3	.....	150
" 17	Cullingah.....	Mahomed Alley.....	7	.....	400
" 17	Sibtullah.....	.....	1	.....	50
" 18	Cullingah.....	Drasut-collah.....	2	.....	100
" 18	Machuaabara.....	Deanut Toddywallah.....	280	.....	14000
" 18	Sampooker.....	Rammoney Raur.....	17	.....	900
" 18	Mirzapore.....	Mahomed Khan.....	305	.....	15000
" 19	Kidderpore.....	Cossee Kamar.....	125	.....	6500
" 19	Cullingah.....	Ramzaun Khan.....	123	.....	6000
" 20	Ditto.....	Abhas.....	205	.....	10000
" 21	Ditto.....	Mofsed Khan.....	450	.....	22000
" 21	Foltullah.....	Mahomed Khan.....	220	.....	11000
" 21	Hasting's Place.....	Poran Raur.....	72	.....	3500
" 22	Simlah.....	Sonatan.....	11	.....	500
" 25	Mirzapore.....	Hingun.....	30	.....	1500
" 27	Goonahollah.....	.....	2022	2	206000
" 27	Narkel dangah.....	.....	1200	.....	50000
" 27	Hautcolah.....	Poddo Raur.....	100	.....	5000
" 27	Munahsee Bazar.....	.....	40	25	4000
" 27	Balka.....	.....	.....	2	.....
" 28	Hasting's Place.....	Goluck Coloo.....	1339	.....	90,000
" 29	Sukeas's Street.....	Puddomoney Raur.....	3	.....	100
" 29	Tunstonsah and Mirzapore.....	Sutee Dhobe.....	267	.....	13000
" 29	Tautullah and Collingah ..	Curtemun Raur.....	499	.....	25000
" 30	Hautcolah.....	Comal Raur.....	9	.....	450
" 30	Churack dangah.....	Ramthund.....	3	.....	150
" 30	Jorasanko.....	Mudden Ghose.....	22	.....	1100
" 30	Baugh bazar.....	Nobin Banerjee.....	65	.....	8000
May 1	Mirzapore.....	Mutty Raur.....	62	.....	3100
55			8000	30	518950

* Several soondre-wood Golaks, in one—and timber yards in the other also.

On the 24th instant the whole of the dwellings in Chudam Gully and its vicinity, was burnt down.

About a fortnight ago, a whole village in the Pandoo Parganah, was destroyed by fire. It broke out in the house of a field labourer.

On the 27th of April last, a destructive fire happened at Fumlook, and property to a considerable amount was consumed by it.

About nine o'clock on the night of the 27th of April last, a fire happened at the mart of Gowaree. It broke out in the house of a woman named Dropo, and destroyed upwards of one hundred houses, most of which were ware-houses, with goods in them. A pukka godown, which contained a large quantity of rice, was also destroyed. The loss of property by the accident is stated to have been to a considerable amount.

In consequence of a recommendation from the Police, comparatively few of the huts in places which had been exposed to the ravages of the recent fires have been rebuilt, the inhabitants having betaken themselves to lodge with their connections in the suburbs, or formed temporary habitations from the ruins of such sheds as had been pulled down. A vague idea is also entertained that the Government intend to take some steps for regulating the erection of buildings, and in this state of uncertainty, all those who can get accommodated elsewhere, refrain from reconstructing their huts within the town, until its determination is made known. In the mean time, whether apprehensive of the permanent deterioration of their property from the desertion of the ryots or, anxious to raise funds in order to erect tiled houses for their tenants, the owners of some lots of ground are seeking to mortgage or sell their holdings.

THE PICE PLAGUE.—Continues unabated, and the Government views the sufferings of the poor from the effects of this distemper, with its usual apathy. The pice still sells at the rate of fourteen annas and three pice for the rupee, and the prospect of a fresh supply of the coin to lessen this enormous discount, appears as distant as ever. Were those in authority, who are in the receipt of thousands of rupees per mensem, to be mulcted five pice out of each rupee of their salaries, until this grievance to the poor was removed, how soon would we have the mint at work coining a large supply of the desiderated coin.

THE PENAL CODE.—It is said, that the Penal Code has been completed, and is now under the consideration of the Council.

BARRACKPORE STEEPLE CHASE.—Black Diamond won the steeple chase at Barrackpore on the 5th instant. The sport was marred by an unfortunate accident which befell Mr. Robins of the 15th N. L., who was riding Taffy. He experienced a severe fall and fractured his leg.

BILLS ON PROVINCIAL TREASURIES.—The Accountant-General is prepared to grant bills on the provincial treasuries to the extent of the surplus cash, at rates varying from par to 2½ per cent. This will be a convenience to the public, and would be more so, if its continuance could be relied on without interruption from want of funds.

SENAITS' LAND TENURES.—The Council of India have passed an Act, for the appointment of a Commission to enquire into the state of the land tenures in the Straits Settlements, and lest alarm should be taken at this proceeding, a resolution is appended to the Act, explaining the necessity of it for the purpose of defining and legalising existing bond-fide possession, and that it is the intention to enforce the rights of the State "in cases

only in which they may have been wilfully or fraudulently infringed." Mr. Wm. R. Young, the Secretary to the Board of Customs, Salt and Opium, and a Member of the Customs Committee is to be appointed Commissioner for this necessary investigation.

ACCIDENT.—An accident occurred on the 26th instant at Mr. Teel's tannery at Kudderpasa. The pillars of a puckah shed having got out of the perpendicular from the badness of the foundation, an attempt was made to raise the roof which they supported, when it fell down with a terrible crash upon the people employed and buried them under its rains. They were extracted very much bruised.

INDIGO PROSPECTS.—Extract of a letter from an indigo Planter in Raj-hye, dated 30th April. The month of April has past, without adding any thing to our hopes. The condition of the poor cultivators is indeed wretched, and were it not for the liberality of that much wronged class, the planters, they would be in a state of utter starvation, as the mahajuns have ceased to make advances, their assistance being always dependent upon the probability of obtaining cent per cent on their loans. As it is, where indigo cultivation does not extend, robberies and murders have become alarmingly frequent. So much so, that it has now become a habit for travellers to proceed in large bodies for mutual protection. The grain crops, it is expected, will also suffer severely from the lateness of the sowings. From all quarters complaints come pouring in of the want of rain and the bad prospects of the cultivators.

A MONSTER.—A man named Ramchand Doss, residing in the town of Nudda, has a boy aged about eleven years, whose make is like that of baboon, but he has no tail. His strength is so great that he can cope with three or four grown up men at once. He is very partial to fruits and especially plantains. He cannot speak, and when he feels hungry he requests food by signs. He is harmless in general, but it is not safe to approach him when irritated, which he is easily, if laughed at, or otherwise teased.

THE PACE DISEASE.—A committee of Medical men, have pronounced the Pace disease not to be the plague of the Levant, and Col. Skinner states that it is the same disease with which Hansee was afflicted with about five years since. The plague now appears to have greatly abated in the rapidity of its progress and its violence, and it is expected that the present hot weather will entirely eradicate it. Meanwhile the sanitary cordon on the frontier is strictly maintained, and all persons and goods subjected to quarantine.

DACOITY IN MAUNROOM.—On the night of the 3d of April last, the dwelling house of Tinkuchunder Bhuckut, of Roghoonauthpoor, was stormed by a large gang of dacoits, who carried away property therefrom to a great amount, consisting of gold-mohurs, rupees, jewels, gold and silver ornaments, wearing apparel, and brass and kansas utensils. The ruffians killed four, and wounded several, of the inmates of the house. The police of the district is making strenuous exertions to trace the offenders, and the property they made themselves masters of.

MURDER OF A BOY.—On the night of the 29th of April last, a boy was murdered at Sobha Bazar, by some person or persons unknown. The head of the deceased was found lying in the streets, but no trace had been discovered of his body.

CROWNING THEATRE.—The managers of the Theatre came to a resolution on the 26th instant, to call the proprietors together at the Town Hall on the 3d of June at ten o'clock for the purpose of holding a consultation

about the state of the funds. Report says, that the affairs of the bazaar are not in the most flourishing condition, and that the best efforts of its managers to provide for a rainy day, have not been more successful than those of the builder; that the expectation at the meeting is likely to be as severe a drencher to the proprietors as the first north-wester that shall happen during a performance will be to the unfortunate pitties.

PERSIAN.—Government, it seems, have at last seriously determined on the abolition of Persian in the courts. A circular has been addressed to the Revenue Commissioners, to give the appointment to a candidate for a Deputy Collectorship, or other office, who understands the English language, in preference to one who does not, whenever they are in all other points of qualification, except Persian, equal.

MOFUSSIL.

DELHI.—The old Queen of Delhi, Begum Moomtaz Mehel, died on the 23rd instant, from a paralytic stroke, which seized her on the 16th instant, on her return from celebrating the Moharrum.

It is said, that Sungees Beg, the Kutwal, has at last succeeded in reversing the penalty of the law, by obtaining his release from the criminal jail by order of the Commissioner, and that he calculates on his early reinstatement into his former post, from whence he was removed in consequence of the occurrence of a dacoity, with murder, at the indigo factory, a site not very far from the Kutwalee.

Captain Burnes has passed Kot-ulee-morad in Scind.

MUTTRA.—A goldsmith, who had by effecting some cures, earned for himself the reputation of a wizard, was recently seized and subjected to a process of cremation, by the deluded relatives of a boy who had died after taking one of the goldsmith's pills. The infatuated men are in custody.

CHUNAR.—The cholera is making fearful havoc among the residents of this station: scarcely a residence has escaped without the loss of one or more of its inmates.

MEERUT.—A slight shock of an earthquake was felt at Meerut on the 8th ultimo.

On the 30th ultimo, a man of the Horse Artillery, stationed at Meerut, was murdered by one of his comrades in the barracks, who ran his sword through the unfortunate man's body. A quarrel about a ginger-beer bottle led to the catastrophe.

SHAHABAD.—On the tenth day of the last Moharrum festival, a great riot took place at Shahabad. Shaikh Tharuck Hossen, a Vakool of the Dewanny Court of the Zillah, and one of the followers of the famous Syed Ahmad, having collected a mob of about two or three hundred men, some armed with sticks others with swords and shields, proceeded to the Musjid and destroyed the *tanjeees* there: *tanjeees*—dary or parading *tanjeees*, being considered idolatrous by the sect to which he belongs. Of course, those who attempted to oppose this proceeding, were severely maltreated. The Thanadar of the district also, with his subordinates, endeavouring to put a stop to the riot, was handled in a very rough manner. The Magistrate himself at last came to the spot, when the rioters took to flight; but a number of them, together with their ring-leaders, were soon captured, and are now in the Nizamut Adawlut-gaoi.

SONA.—The weather lately has been unprecedentedly cool. By many the almost universal sickness that prevails is attributed to the state of the weather.

A guard from the 37th N. L., consisting of a naick and five sepoy, proceeding from Agra to Naeenach in charge of medical stores, was attacked by Blueels between Blueelwara and Humesargurh. Two sepoy were killed on the spot and the remainder were more or less severely wounded.

An attempt at murder under very unsatisfactory circumstances, was made in the European lines on the night of the 9th instant. A private of the Grenadier company, named Duffy, about 10 o'clock P. M., armed himself with a bayonet, and proceeding to the tent of private Ritchie of the same company, inflicted five wounds on the man while he was asleep. One wound entered the chest, having passed through the arm and is very dangerous. The others are comparatively slight, but the unfortunate sufferer is in an almost hopeless state. No reason can be assigned for this dreadful act. The parties were on intimate terms, and had been smoking together but a short time before the murderous attempt was made.

FIRE IN ZILLAH BEHAR.—A short time since the toshakhana of Maha Rajah Mitterjeet Sing, of Sahelgunge, was destroyed by fire, together with property to a considerable amount. The fire broke out in the house of a carpenter near the menagerie of the Rajah, and it soon communicated itself to the latter place, and from thence to the toshakhana. Every effort was made to arrest the flames, but without effect. It is stated that the toshakhana contained property and cash, to the amount of about fifteen lakhs of rupees, of which between five and six lakhs worth were saved. The Rajah is said to be much distressed by this calamitous accident, not for the loss of actual property, so much as for that of the valuable papers.

BANCOORA.—Very recently a number of convicts, whilst working on the roads at Bancoora, at midday, feeling thirsty, drank of a spring; shortly afterwards, some twenty or twenty-five of them were seized with an ague and breathed their last before eight o'clock that evening.

BERELLE.—During the Moharrum festival, the Mahomedans at Berelle commenced a series of persecutions against the Hindus at that place, in consequence of their wishing to celebrate the festival of Ramnovomee, which occurred during the Moharrum. They were prevented by troops stationed for that purpose from committing hostilities on the day of Ramnovomee; but on the next day, on the withdrawal of the troops, the Mahomedans desecrated several Hindu temples and assaulted the Hindu community. The ringleaders of the mob which perpetrated these atrocities (court officials) are in custody.

MUSSEERABAD.—The plague is making a great sensation here, and the medical officers are working under the highest possible pressure, so that if they escape plague and pestilence, they are likely to fall victims to fatigue.

LOODERANAH.—Two Hindus, one a Brahmin and the other a Kait, who were formerly students in a public seminary in Calcutta, and since by their own exertions have attained a very handsome proficiency in English, have both formally renounced the idolatry of Hinduism and become converts to Christianity. The renunciation was perfectly voluntary, and was made in the presence of Capt. Wade and other residents of the station.

BURDWAN.—A large influx of sick prisoners coming into Burdwan from Bancoora, some of whom were dying

and the physician in a precarious state of health the Magistrate, Mr. F. Kipwith, with an active humanity much to be admired, did not hesitate on his own responsibility, to make a large expenditure for the supply of nutritious diet, wine and brandy, which the Doctor (Mr. G. N. Chetty) considered most necessary to the preservation of the patients. The matter was reported to the Commissioner who, under the circumstances of the case, did not hesitate to sanction the charges incurred. The high priest of the Temple of Saughan, Subhanud Ozah, died on the 30th ultimo. The man was of a very facious character and has saved by his death a world of trouble to the Magistrate and Collector of Beerbhoom. The sons of the late Ozah and of his predecessor have respectively put in petitions to succeed to the gaddis, who will succeed is uncertain.

MOONSHEDABAD—One of the native deputy collectors of Moonshedabad, has embezzled the whole of the revenue of an estate, which he was deputed to collect. His office has been put under attachment.

NATIVE STATES

INDIA—His Majesty spent on the Moharrum three lakhs of rupees, wrung from the hard hands of his wretched subjects. The festival passed without the usual murders and atrocities which have hitherto invariably accompanied it. This improvement is ascribed to the Brigade formed by Col Roberts, which, however defective, is stated to be infinitely superior to the ragged, disorderly troops of the line.

IRAN—Intelligence received from Iran, states that His Highness, the Prince of that place, having moved from the camp of Isfahrad, had arrived at Isfahan. It is further stated, that information being brought that a body of robbers of the Allamann tribe, inhabiting the frontiers of Tabreez, had plundered English merchants, of property to the value of several lakhs of rupees, His Highness immediately set out, at the head of some thousands of troops, to chastise the offenders. After a march of three days and nights, he reached the site of spoliation, and about three thousand of the Allamans, who were taken prisoners by His Highness's troops, were put to death.

CAUBOOL—One day, while the chief of Caubool was out on a hunting excursion, His Highness was informed by one of his companions, that a camel rider was lying dead under a date tree, and his camel was sitting beside him. His Highness had the curiosity to inspect the body of the deceased personally, and on having his clothes searched, a letter was discovered, to the address of one of the Ammeers of this Court, from the chieftains of Scind, forwarding a loan of 20,000 rupees in part payment of the sum of 50,000 rupees of which they had agreed to make him a present, for dissuading the chief of Caubool, from making any attack upon Scind. His Highness took particular care of the document, and on his return to Court read it to the Ammeers, one of whom appeared to be frightened out of his wits on hearing the contents of the same: this circumstance convinced His Highness that that was the traitor for whom the letter was meant. His Highness lost no time in sending him to prison.

OWALTOO—On the 17th of April, Major Sutherland, the British Resident, mentioned that when Juhau Rao Baboo, a relative of the Mama Sahib, kildadi of Surwase, situated seven miles beyond the Pargunnah of Surwase, was in attendance on him, there was a disturbance between the court of the Resident and the officers of Juhau Rao Baboo, in the course of which

two or three men received serious wounds. After this Juhau Rao Baboo, with his followers, surrounded the Resident's tent with the intention of destroying him. The Resident explained to him, that the Company would lose nothing from his death: "England can boast more worthy sons than me," said the Major; "but it will undoubtedly cause a difference between the Maharajah and the Company." On hearing this the Baboo withdrew his followers and returned home. Such a violence was never before offered to the person of the Resident. The Baboo ought to be punished. Sewajee represented to the Major, that between the Honorable Company and the Maharaj there was friendship and unity of sentiment, that whatever the Resident wished should be done. The Major desired him to confine Juhau Rao and his accomplices, and said that he had written an account of the transaction to the Government, and that he would communicate the answer on receiving it.

JUZZAR—The Rajahs of Juzzar and Tejarah have been at the old practice of removing each other's land-marks, and carrying on a small system of mutual massacre. This year the disputes have run so high that notice has been given to the A.ia Government, who have instructed Major Allen to adjust the question to the mutual satisfaction of both parties—if he can.

PERHAWAR—An action of more than ordinary severity has taken place between the Affghans and the Sikhs, in which the latter were defeated, and their commander, Harri Sing, killed. His defeat, probably, will be followed by many difficulties to the Sikhs, as it will be the cause of inducing their disaffected Mohammedan subjects, a very numerous class, to flock to the standard of Dost Mahomed, which they were hitherto deterred from doing from a dread of the Sikhs' power, which they deemed to be irresistible.

MADRAS.

THE MINT—The Madras Mint is about to coin half and quarter anna pieces, the want of which is severely felt by the inhabitants.

H. M. S. CONWAY—H. M. S. Conway sailed on the 27th of April for Rangoon, having been ordered thither by the Supreme Government for the protection of British interests in the excitement following the dethronement of the King of Ava.

THE CANARA INSURRECTION—The advices received from the seat of insurrection continue of a most favourable description. Colonel Williamson's detachment arrived at Oochingy on the 22d instant, and was to move down the pass on the 23d. That Officer and Colonel Green were in communication with a view to concert a combined operation against the rebels. Dewan Baboo, with his choice band of gallant Coorgs, had advanced into Canara, and after slight opposition from parties posted along the road whom he dislodged, taking one and taking nine prisoners with some matchlocks, had taken possession of the town of Soolea. The advance of the Coorgs on one side and the approach of the troops on the other, had struck terror into the rebels, and ~~some~~ ^{the} pursuit was the order of the day with the pretender and his adherents. The occupation of this post by the Coorgs is considered of great importance, as it cuts off the retreat of the insurgents towards some of the most inaccessible parts of Amroosolea, and will have the effect of driving them towards our troops entering Pooteer from the other side. The gallant conduct of the Coorgs and their attachment to our interests is beyond all praise. Heavy rains have fallen since the latter end of March and

various parts of the Coimbatore district, which had previously suffered most severely from want of water and forage for cattle.

OFFICE OF MASTER ATTENDANT.—It is decided that with the exception of about half a dozen of the principal ports, the office of Master Attendant at all the other ports of the Madras presidency is to be discontinued, after the lapse of the lives of the present incumbents, or as soon as they can be otherwise provided for. The Master Attendants who are to remain are not to be allowed any fees or to trade, but their salary is to be very considerably increased.

ATTEMPT TO BREAK OPEN A MAGAZINE.—An attempt was recently made to break open the Magazine at Samul-coral at night. The villains nearly succeeded in effecting their object, but were, apparently, scared away by the approach of day, when the partial breach that had been effected was discovered and repaired and means adopted to prevent a future attempt being successful.

THE COORG REBELS.—The Dewan, by the latest accounts, is still in the neighbourhood of Soclea with about 950 Coorgs. The pretender had dismissed the greater part of his followers with the view of making his way with a few of the principal rebels into the Naggur district. The place of his destination, however, is not certain, though there is no doubt about his having fled and his forlorn condition may be guessed from the circumstance of his leaving behind him his arrows of war. These, in the shape of a treasure of 13,800 rupees, had been laid hold of by the active Dewan Baboo, who found the coin in the jungle near Soclea, where it had been buried by the insurgents when they recently found themselves attacked at that place. A reconnoitring party of Colonel Williamson's had been fired upon at a barrier about six miles down the Calgand Pass. This was returned with good effect, and the chief leader of the insurgents in the neighbourhood wounded, and subsequently made prisoner. On the approach of a gun and larger force, the insurgents evacuated their strong position at the barrier, and took refuge in the surrounding hills. Several prisoners have been since sent in, and confidence was beginning to be restored in the district. The insurrection is attributed to the machinations of the Brahmans.

The following is the description of the pretender, has been proclaimed and which is given from the account of Dr. Palmer, who, with his wife, providentially escaped from the Coorg's clutches.

Description of the person styling himself Apparampara and Rajah of Coorg. *Height*—about 5 feet 3 or 4 inches. *Age*—25 or 30 years. *Complexion*—Dark bamboo, marked with small pox—pleasing expression of countenance—when smiling, shews a very beautiful set of white teeth—slight Jewish expression. *Hair*—Bushy and long curls hanging over his shoulders. *Limb*—Very slight and shoulders rather high. *Whiskers*—Of peculiar appearance surrounding nearly the whole of his face. *Beard*—Exceedingly bushy and 3 or 4 inches long.

CAPTAIN BURESTALL.—Government have given Captain BureSTALL, for the assistance rendered by him to Major Bowler's party at Mangalore, 2,000 rupees—and thanks.

CAPT. CHINN.—Capt. Chinn was to proceed on the evening of the 10th inst., from Madras to Trincomalee, where he was to rectify his sailing directions.

BOMBAY.

SERIOUS RIOT.—On the 22d of April a most serious disturbance occurred in Bhwendy. It appears that the feast of the Mohurats as well as a Hindoo festival named Ramnoumie, occurring on the day in question, the Mussulmans of Bhwendy menaced the Hindoo population of that place by holding out threats, in the most abusive language, of the manner in which they would beat every Hindoo whom they would find forming the procession called *chebesau*, which consists in parading the images of the several gods in a palkee accompanied by music. The Hindoos, apprehensive of these threats being put into execution, abstained from the observance of the customary procession, but upon the following day the Hindoo musicians, who had heretofore been in the habit of joining in the celebration of the Mohurram, refused their attendance; the coolies of the same religion would not carry the taboos, and all combined in absenting themselves from the Mahomedan procession. The Mussulmans enraged at this, violently entered five temples, destroyed the images, assaulted the Brahmans and other Hindoos who were present, to such a degree, that one man lost his life, and having polluted the shrines by spitting upon them and committing other nuisances, they entered several dwelling houses, beat the inmates and treated many females in a manner most indecent. The tumult lasted for a considerable time till some parties of Hindoos ran to Callian to call for the assistance of the authorities. The Kumavadar of that place accordingly repaired to Bhwendy with a small force, and having written to Mr. Giberne at Tannah for a party of Seebundies, whom he speedily obtained, succeeded in apprehending about one hundred and fifty of the rioters. On the same night a similar affray, but of less atrocity, occurred at Dassein. These cases are now undergoing due investigation by the local authorities.

MR. WARDEN.—The Senior Police Magistrate of Bombay, Mr. Warden, is obliged to leave that presidency on account of ill health.

DEATH OF SWAMPE.—The Swamee, or the great Hindoo Priest of Shunkeshwar, died a short time since at an advanced age of more than 80 years. It is said that he had passed twelve years in austere devotion, previous to his inauguration, for which circumstance and for his literary character he was much venerated. He was fond of meddling with politics, and was frequently a mediator between contending jaghirdars. His ready purse, which enabled him to supply the wants of many of the minor chiefs of the Southern Marathes country, gave him a considerable influence over them, independently of what he commanded by virtue of his sacred station.

BISHOPRIC OF BOMBAY.—The elevation of the Venerable Archdeacon Carr to the Bishopric of the Diocese of Bombay, which has been erected into a Bishop's see under the provisions of the Company's last charter, has been officially announced.

THE COMPANY'S RUPEE.—The Company's rupee is declared to be the money of account, in superaddition of the local currencies, in the Poona Collectorate from the 1st May 1837.

THE POONA COLLEGE.—Nearly twenty paid students have been lately admitted into the Poona College, to fill the vacancies.

CEREMONY OF ADOPTION.—A ceremony of adoption was performed at Petlad (a village about 20 kos distance from

Baroda) in the house of Kumbhar Ramdass, the Mamlatdar of that place. The ceremony was performed in a very grand and imposing manner, and a large sum of money was expended by Kumbhar Ramdass in entertaining his guests, among whom were the prime Minister and several nobles of the court of Baroda, and in distributing alms and presents to the Brahmans. The hereditary god of Chinchwad, who had honoured the occasion with his presence, received a present of 60,000 rupees.

THE TRANSIT AND SALT DUTIES.—It is currently reported in the mercantile circles of Bombay, that the Government of that presidency is not disposed to view with a friendly eye the efforts now making there to procure a remission of the Transit Duties on the same footing as in Bengal and Agra; and, moreover, that instead of tacitly allowing the Supreme Government to take its own way, since it will not urge upon its notice the claims of this presidency, it is proceeding in a course of active opposition against its interest. It has also advocated the imposition of a further tax on salt.

The Petition to the Supreme Government on the subject of the transit duties, was sent in on the 2nd instant, to the Bombay Government to be forwarded to Calcutta, having 258 signatures of the European and native merchants resident in Bombay, attached to it. It was accompanied by a letter from the Chamber of Commerce, strongly advocating the prayer of it.

THE DAMAUN TERRITORY.—Two guns at the distance of fifty yards from one another, have been placed on the shore of the Damamn territory and the "Infanta Regatta" on the mouth of its river to prevent the Goa army entering it. Travellers are detained at every battery to enquire into the purport of their journey, and if no satisfactory account be given, they are prohibited from passing through."

A SUTTER AT SATTARA.—On the 5th instant, a sutter took place at Sattara. She was the elder wife of one Khunderao Sabedar, third judge in the Adawlut of His Highness. This person died in the 40th year of his age. H. H. did what was in his power to prevent the widow from sacrificing herself, and promised to continue to her the salary of 175 rupees, which was received by her husband, but she was inexorable, and burned herself before a numerous crowd of spectators and a large body of the Raja's attendants and troops who attended her. She has left behind a son aged twelve years.

THE SURAT SUFFRERS.—About one lakh and fifty thousand rupees have been subscribed for the relief of the sufferers from the great conflagration at Surat, by the native population at Bombay.

BURMAH.

The following is an extract of a letter dated Moulmein, 1st May 1837:—

"A detachment from the Prince of Tharawaddy's Army has taken possession of Rangoon. Our communication with Ava is cut off and we have no news of Col. Burray since the 4th March, and no news of a detachment of the 13th regiment, a subaltern and 30 men, which left Rangoon for Ava in the beginning of March. On the 26th the Commissioner here sent Lieut. Smith, of the 13th, 5 sepoy and a dozen of lascars to Rangoon with directions to push on to Ava with

a dispatch for Col. Burray. We are very uneasy from the want of intelligence. The native Regiment here is in a state of great discontent, to the great term, at the clipping legislation of the enlightened government which pledged themselves that it should enjoy the same advantages as the British Regiment. To-day they have reduced a water-carrier in each company, leaving but one to a company, which is a breach of contract, stoutly resented. From the lubberly manner in which another G. O. G. is put together it reads as if Government were going to stop their provision allowance, which I shall not credit till I see the abstract; so the men think they may as well make a strike at once; on duty too, nearly every other day, does not tend to reconcile them to their present condition. If a Government can gather any thing from experience, the Indian one may guess what a dangerous affair it is to coquet with a mercenary's pay. The habit of breaking faith has become second nature to it, and I dare say they know not what they do.

The following information has subsequently been received.—

"Authentic intelligence has been received from the Capital of Ava to the 24th April, to the effect that the Prince of Tharawadi has gained the entire ascendancy, and taken on himself the administration of the Kingdom. The Capital had been invested and taken by the Prince's force, and the revolution was complete, it appears to have been fortunately marked by an absence of bloody executions. Combining this with the intelligence that the Prince's flag was flying at Rangoon it is clear that his authority is now very firmly and widely established. The British Residency was safe and had been duly respected.

CEYLON.

A NEW PAPER.—A new paper has been established at Colombo in Ceylon for, it would appear, to support the Government against the exposures of the *Colombo Observer*. The new paper is entitled the *Ceylon Chronicle*.

PENANG.

Penang papers to the 29th of April, have been received which intimate that the statement that the Dutch frigates (which were sent to Achoen to demand the restoration of the Dutch guarda-costas schooner *Dolphin*, which had been cut off by her crew and taken into Achoen, as well as that of the infant son of the commander of the vessel and the treasure which was on board at the time she was run away with, and also the surrender of the crew,) had, on their return to Java,—after receiving a refusal from the King of Achoen to comply with their request,—captured the proud Achenese bark *Baggiannu*, is totally unfounded. The commander of one of the frigates, however, on his quitting Achoen, had threatened the Rajah with infliction of the severest punishment the vengeance of the Dutch could devise, on the return of the frigates. The Rajah had in consequence, issued a proclamation, interdicting the departure of any of his subjects from the country, under a penalty of being fined fifty dollars for every infringement of the mandate. We may, therefore, in a short time, hear of the commencement of hostilities between the Dutch and Achoenese; that is to say if Mysheer finds himself strong enough to spare a sufficient number of troops from the war on the west coast of Sumatra, for to attack the Achoenese.

Two labours belonging to the brig *Zoroaster*, recently implicated in the murder of Captain and Mrs. Patton, had been captured and taken to Penang. They were delivered up to Captain Chads by a Malay chieftain, Tuan-ke Ibrahim, who had apprehended four of them, but two died at Acheen.

Some more piracies had been committed in the Straits and a great number of Malays had assembled at the Lancavies, for the purpose, as it was stated, of invading Keda at the instigation of the ex-King. Considerable apprehension was entertained in consequence, but the bands were dispersed without committing any mischief, by a Mr. Bullock, a bullock merchant of Keda, who resorted to the Lancavies, dressed in fantastic habiliments, and told the assembled Malays, that if they did not instantly disperse, an English man-of-war would be sent to blow them and their prahu out of the water. This intimation struck such a panic into the Malays, that in a very short time there was not a single prahu to be seen at the Lancavies. The permitting of the ex-Rajah of Keda to reside any longer at Bruaa, however, being considered highly injudicious, and as he still prevailed respecting his departure, means were adopted to coerce him to keep his promise of quitting that place. This object was effected through the agency of the sloop *Zebra* and the gunboat *Diamond*, but not before several lives had been sacrificed in the attempt. The Rajah was taken to Penang in his own vessel, the *Julia*, on the 26th of April, and was shortly afterwards to be sent to Malacca, or Singapore, his request to be permitted to come to Calcutta to meet the Governor-General being refused.

SINGAPORE.

Singapore papers to the 6th of April, state, that the Dyak savages, united with the Illanoon, pirates had been committing serious depredations in the Straits. The object of the former being, more than any thing else, the obtaining of human heads to carry home as trophies of their prowess, several unfortunate fishermen had been seized and decapitated by them, while others had been made slaves of by the Illanoonese. The *Wolfe* and the steamers had been sent in quest of these sanguinary marauders.

The Chamber of Commerce at Singapore, has drawn up a memorial to the King in Council, complaining of another infringement of the Treaty with Holland, which appears to have been overlooked during the recent discussion between the two Governments in Europe. The act complained of is a resolution of the Netherlands Government, dated the 14th of November, 1834, prohibiting "the importation of British cottons and wools from Singapore into any of the possessions or dependencies of the Netherlands Government in the Eastern Archipelago, saving only the three principal ports of Batavia, Samarang and Sourabaya in the island of Java."

The Ship *Victory* has been condemned at Manila.

CHINA.

Canton papers to the 18th of March mention, that the Emperor has granted his permission to Captain Elliott, the British Superintendent, to reside in Canton, that the Governor of Canton still persists in his determination of compelling the departure of several of the old foreign

merchants from that city, and it is expected that they will be obliged to quit, that there was an extensive fire in Macao on the 16th March, and that the brig *Fairy*, of Canton, which had been set off by her crew, had been found in the bay of Santa Maria, in the island of Mindanao, scuttled and sunk in deep water. There was a total interruption of trade in the market, and foreign commodities, were selling at a loss to the importers.

The *Ruby* has brought China news to the beginning of April,—all of a most discouraging kind. *Canton Prices Current* to the 4th April, mentions Bengal cotton to be selling at Sp Drs. 7. 5 a 10 "very dull," and opium, new Patna, 755, Benares 700, Malwa 550 a 555 dollars per chest, with the remark, that "the Bengal drug is almost without demand, out considerable sales of Malwa have been made at the existing low prices." The opium deliveries in the month of March are stated to have been as follows: Patna, old and new 313 chests; Benares 181, Malwa 1475½, total 1969½ chests, which, added to the deliveries of the preceding eleven months makes the whole quantity delivered during the year of report,—of Patna 5283½ chests, Benares 2795½ and Malwa 13,430½, together 21,509 chests, the sale value of which is estimated at 14,287,330 dollars. The Stock at Lintin on the 1st April, amounted to 8364½ chests.

Canton letters of the 29th of March, speak in very desponding terms both of cotton and opium, and report the exports of raw silk to have been so heavy as to threaten the English market with a severe depression—namely, up to the 14th March 18 100 bales, with every probability that the *Asia*, *Leontine* and other vessels loading would take at least 1000 more, and that still another 1000 bales would be exported before the next season, so that the very highest estimate given out some time ago is likely to be exceeded by the actual extent of the trade this year.

Another letter of the same date reports, on the subject of the Opium trade, that "the feeling of the people is at present so agitated that it is quite impossible to say how things are likely to go on. Sycee is very scarce and is quoted at 5 per cent premium—Company's bills 80 days' sight at 220, and in the Hong when to be had 222." "The stock (of Opium) on hand will be frightful." The writer adds—

"I have not heard lately what they have been doing on the Coast, but I believe not very well. There has been a little misunderstanding with the Mandarins, and I don't know whether they have settled it. The *Ruby* is for the present the last vessel sailing for your port."

The following is a short extract from a Singapore letter of the 27th April

"We have sad accounts from China per *Ruby*, chiefly owing to the heavy importations of Malwa within so short a period, and positive instructions from Bombay to sell at once, which has thrown all the Opium of the season on the market, and caused a rapid decline to Sp. Drs. 500. Very little doing in the Bengal drug. In fact the all engrossing topic seems to be the insolvency of some of the Hong Merchants and the liability of the Colony for their debts. Some of the shippers of Malwa have instructed their Agents here to take out of the passing vessels the following lots provided they can get the prices affixed—50 Chests at 720, 40 Chests at 580, 50 Chests at 640 and 25 Chests at 610, but there are no buyers for the China Market at nearly 100 Sp. Drs. below the last quotation, and our own is well supplied."

REVIEW OF THE CALCUTTA MARKET

(From the Bengal Hurkaru Price Current, May 27.)

TEA.—Accounts from the Factories during the week, with the exception of some parts of Myitthaing, Salun and Pungah, are just as unfavorable as before; the present scorching weather is fast destroying the young shoot, and there is every probability of several concerns requiring a re-sowing.

RAW SILK.—The advices from Canton per the Ruby, mention the exports thence as nearly double of any previous year, which cannot fail to operate unfavorably on the home market upon all descriptions. There is nothing doing in the article here, and prices are still very low.

INDIAN SILK.—Continues neglected, and we quote the prices as in our last.

COTTON.—Nothing doing, and prices must give way sufficiently to admit of purchases being made with safety against the continued discouraging accounts from China.

WOLLEN.—Continues to engage attention for the British and American markets, and prices keep firm.

WOLLEN.—Has again been in limited enquiry, and prices have somewhat given way. We notice a few orders by Natives for shipments to the Cape and Bombay.

WOLLEN.—Shell and Dye of middling quality continue to be required for, for Liverpool and American markets, and our quotations are well supported.

WOLLEN.—Has been in fair enquiry during the week for the English market, but the prices exhibit a marked decline on our previous quotations, consequent on the large supplies in the market.

WOLLEN.—Shipments of Rice to the Mauritius continue limited, and we have no change in prices to notice—very little also doing in finer sorts for the Europe market.

WOLLEN.—Nothing doing in this drug, and our quotations are nominal.

The advices by the Ruby are of an exceedingly gloomy cast, and from the enormous supply of Malwa poured into the Chund market, this season, at an unusually early period, the prices of that description are expected soon to fall to Sp. Din. 500,—the Bengal drug will doubtless participate likewise in this depression.

The deliveries in March are stated to have been—

Paint Old and New,	313 chests
Bengal,	181
Malwa,	1476½
	1969½ chests which

added to the deliveries of the preceding eleven months make the whole quantity delivered during the year.

Patna,	5,303 chests
Bengal,	2,784
Malwa,	13,430½
	21,509½

The Stock at Linton on the 1st April amounted to 8,364½ chests.

TIN.—Continues to give way in price, and transactions are limited.

ALUM.—A sale has been effected at our quotation.

CAMPION, WACE AND NUTMEG.—Without sales, and remain at our former quotations.

PAPER.—In limited enquiry, and remains as last quoted.

WOLF TWIST.—The Market remains favorable as regards demand, but the prices of Nos. 60 & 80 continue low.

TURKEY RED AND ORANGE YARNS.—Are enquired after, but without any improvement in prices.

CHINTZ.—There has been a slight improvement in the demand of Chintzes, but the prices obtained show no improvement on previous rates.

WHITE COTTONS.—Sales chiefly of Jaconets and Lapets have been effected to a fair extent at former prices.

WOOLLEN.—The market remains as stated before. We report a few sales of superfine cloth, at steady prices.

COPPER.—Continues to give way in price, and transactions have still been very limited, owing to the prevalence of the rumour last week noticed, but as it has now been officially contradicted by Government, more activity in the market may be immediately expected, as the Stock of all sorts, but especially this metal, must be extremely small in the leading marts of the interior.

RAW.—Without sale since our last, and the prices of the assortments remain without any change.

STEEL AND LEAD.—Also without sale, and remain as last quoted.

SPELTER.—A sale has been effected, at a further reduction in price.

TIN PLATES.—A sale is reported at our former quotation.

QUINCELY.—Without sale, and remain as last quoted.

WINE.—No later advices from home as to the operations of the season being yet received, lower prices have been submitted to, where sales have been forced, but holders generally are firm.

BRANDY.—The importations of the past twelve months have been so very far below the average of previous years, that the article is now causing considerable enquiry and prices are on the rise.

CORRESPONDENCE BETWEEN GOVERNMENT AND THE AGRA BANK.

To R. H. Scott, Esq.

*Secretary in the General Department to the
Lieut.-Governor of the N. W. Provinces.*

Sir,—The Shareholders of the Agra Bank proposing to establish a circulation of Notes, payable on demand, and being satisfied, that nothing will contribute more to the utility of such a measure, and to the extension of its success, than that those notes should be accredited by the Government Revenue Officers, I have, by their desire, the honour to request, that you will submit to the Honorable the Lieutenant-Governor the following grounds on which that favour is humbly solicited.

When in the month of March 1833, the Committee, engaged in drawing up a plan for the establishment of the Bank, applied to Government for its countenance and support to the projected Institution, they were informed in reply, by Mr. Officiating Secretary Bushby, that the Governor-General in Council did not see a sufficient prospect of its success to induce him to grant their request.

The four years that have since elapsed, have afforded evidence of the utility, the stability, and general success of the Bank. Twenty lakhs of rupees of Capital or deposits, have been brought by its instrumentality into constant action. No Funds have been lost, but on the contrary the Shareholders have divided fair profits on their Capital, though the business of the Bank was in the first instance necessarily on a narrow scale and conducted under many disadvantages. Such, indeed, has been the uniform prosperity of the Institution, that although the subscription for Shares was only closed six months ago, they have been for some time at a premium of 20 to 25 per cent. in the market.

It may be added, that the Bank now numbers amongst its proprietors some Natives who are men of extensive landed property, such as the Koorar Petembur Singh of Etawah, Mirza Mogul Beg, Rajah Suranath Singh, and others who are at the head of houses of business of the highest respectability, such as those of Jodhray Bideechund, Balchund Koonj Lal, Dowlut Ram of Hattass, &c., &c.

To meet the increasing calls on the Bank for accommodation, as well as still further to extend its credit, the proprietors have come to the resolution of doubling the amount of its present stock, so that its paid up capital will shortly amount to 20 lakhs of rupees.

As a further guarantee to the public of the very ample security it offers, it has been made a fundamental rule of the Bank partnership, that if one-third of its capital should ever be absorbed by losses, its business shall be closed.

A half yearly statement of the affairs of the Bank also must be published, which shall exhibit in a clear and concise view, the actual position of the Bank in respect of assets, and liabilities, attested by the signature of the Secretary; an authenticated copy of which statement, shall, if required, be furnished to any officer whom Government may be pleased to appoint.

Besides the usual reserve of cash, to the amount of one-fourth of the value of the promissory notes in circulation, which the shareholders engage to retain in readiness, the Bank proposes to place in the hands of any officer at Agra, appointed by Government for that purpose, Government Promissory Notes to the full amount of the bank, notes in circulation, with power

to dispose of as much of the same as may be necessary, in case the Bank should at any time hesitate, when required, to cash such amount of its notes as may have been received in the Government Treasury.

To facilitate legal recourse against the shareholders, they are desirous of obtaining an Act of the Legislative Council, enabling them to be used, as well as to use, by their Secretary.

The shareholders do not at present contemplate the circulation of their bank notes beyond the Collectorate of Agra, in which they will be prepared to cash them on presentation. But should they hereafter provide funds for that purpose at other places under this Presidency, to the satisfaction of Government, they trust that the indulgence now requested, may be extended to their Agencies at those stations where such provision shall be made.

The shareholders are willing to confine their circulation to notes of the value of rupees 50 or upwards, so that their paper can never come into such use as to displace the coin required for the small contributions in which the revenue is realized from the cultivators, and by which the transactions of the great mass of the population are conducted.

As to the mode in which the extent of the bank note circulation can be at any time ascertained, the shareholders of the Agra Bank are ready to adopt any system of check that may appear to Government to unite certainty with convenience. They would suggest that this object may be accomplished, by rendering the signature of a Government officer a requisite preliminary to the issuing of notes. The penalty for non-observance of this rule, being a fine to the amount of the value of all notes circulated without such verification, recoverable by summary process before a Magistrate. A register of the notes thus countersigned, may be left with the officer of Government who is appointed for that purpose, and who can always see that the amount of notes sent from time to time for this verification, corresponds with the new entry in the register, and with the amount of deposit of Government notes, sent along with them.

The same register will also enable Government to fix the amount of Stamp duty, proportioned to the circulation.

In submitting the foregoing proposals, the shareholders of the Bank of Agra are desirous of being understood as intending to include every security that has hitherto been suggested by the most enlightened authorities, for the wholesome regulation of bank note issues.

Should, however, any further checks or precautions be deemed requisite for the better security either of the revenue or of the community, the shareholders will be happy to do all in their power to meet the views of Government in that respect; and they are always willing that the favour for which they now apply may be withdrawn, if at any time Government should see reason therefor, either in the mode of management of the affairs of the Bank or on any public grounds whatever. Like other Banks of deposit, the Agra Bank is capable of becoming eminently useful by collecting from numerous individuals small sums, which, while insulated, can hardly be applied to any advantage, but which in the aggregate are available for important purposes. Not for the exigencies of the improvident, nor to offer inducements to adventurers having nothing to lose, to prosecute tempting but hazardous speculations with borrowed funds—but to facilitate the acquisition of increase to those who already

possess some property, and whose character for prudence is the best guarantee for the beneficial application of pecuniary facilities in the promotion of their own advantage, and consequently that of the community.

A Bank of issue adds to this public service, that of rendering substantial credit, founded upon actual property, capable of answering many of the purposes of a circulating medium; and so long as its operations are guided by prudence, and its notes are never issued except in real transactions, and are thus true representatives of actual value, they afford the best means of fostering productive industry of every kind.

Such an institution may be justly compared to one of those magnificent tanks, to which extensive tracts of land are in some parts of India indebted for their fertility. Those grand reservoirs intercept no useful streams, but become the temporary depositories of the superfluous waters of one season, in order to distribute them at another, so as to meet the wants of the industrious husbandman; and are thus instrumental in "spreading plenty o'er a smiling land," that would otherwise languish in poverty under scanty crops, or lapse into arid and barren waste.

The proprietors of the Agra Bank crave but liberty of way for the current, by means of which similar blessings may, they trust, be diffused through at least this city and district, entreating that no needless obstruction be presented to a course fraught, as they confidently believe, with prosperity to this community, and threatening no danger nor injury in its operations to any interest public or private.

It might appear impertinent to expatiate more at large on the generally recognized advantages of solid and well conducted Banking Establishments; but I may be allowed to remark that there are few places where the people would derive more convenience from a safe and well regulated paper currency than at Agra, from the scale of its commercial transactions, and the excessive abundance of base or light coin; for no where are imposition on the one hand, and extortion on the other, by the native officers of revenue, in their payments and receipts, alleged to be more frequently practised.

Should the Honorable the Lieutenant-Governor deem it proper to submit this application to the Supreme Government, the proprietors of the Agra Bank earnestly hope, that it will be supported by this powerful recommendation, and they are satisfied that nothing else will be wanting to insure its favourable reception by the Governor-General in Council.

Agra will then have to boast of giving under the auspices of Sir Charles Metcalfe's administration, the example of the first Bank of circulation that has ever been established on principles of similar security.

I have the honor to be, Sir,

Your obedient humble Servant,

(Signed) G. J. Gordon,

Agra, May 2, 1837. Secy. to the Agra Bank.

To G. J. Gordon, Esq.

Secretary to the Agra Bank.

SIR,—The Hon'ble the Lieutenant Governor having read with attention the propositions from the Agra Bank, contained in your letter of the 2nd instant, desires me to communicate the following observations in reply.

2nd.—What is wanted from the Government is, the the notes of the Bank shall be received as money in the collection of state revenue.

3rd.—Security is offered to guard the Government against loss; and what is offered appears to be sufficient for that purpose. The Lieutenant-Governor does not apprehend any loss to the State from a compliance with the application; but there appears to His Honor to be objections of a more general character.

4th.—The proposal is tantamount to an application for permission to coin money, or in other words to give to pieces of paper without any intrinsic value, the worth and currency of the gold and silver coin of the realm, for the benefit of the Bank.

5th.—The coining of money seems to the Lieutenant-Governor to be a privilege belonging properly to the State alone, and which ought not to be conferred on any individuals or mercantile bodies for their peculiar advantage.

6th.—If paper money were much required by the community, in preference to gold and silver, as being more convenient, it appears to the Lieutenant-Governor, that it would become the duty of the Government to provide a sufficiency of the desired article, with due care and precaution, and that this branch of its functions ought not to be transferred to others.

7th.—A further objection seems to the Lieutenant-Governor to exist in the monopoly of benefit, which the adoption of this proposal would confer on the Agra Bank. This is said with a view to the probable practical effect. If such an advantage were conferred on the Agra Bank, it could not justly, His Honor conceives, be withheld from any other individuals or associations that could offer equal security. But the inconvenience attending a general extension of the privilege, would probably cause its limitation, and thus a monopoly would be established in behalf of a favoured Institution, to the injury of others engaged in similar transactions, and equally entitled to support and encouragement from the State.

8th.—His Honor acknowledges that these opinions do not seem to have been entertained by Governments elsewhere. The privilege of coining money has been conferred on the Bank of England at Home, and by the Government of India on the Bank of Bengal; but the Bank of England and the Bank of Bengal are chartered Banks, intimately connected with the Government in their transactions, and in the latter, the Government of Bengal holds a large share.

9th.—The privilege has been denied to the Union Bank of Calcutta, which seems to resemble the Agra Bank more than any other Banking Institution in India; and unless the distance from Calcutta be deemed a sufficient reason for a different decision, it is to be inferred that the Government of India would likewise refuse the privilege to the Agra Bank.

10th.—The proposal could not of course be acceded to without the sanction of the Supreme Government, and not being able to recommend the measure, or to anticipate a successful result from the reference, His Honor thinks it right in the first instance, that his sentiments should be communicated to the Agra Bank.

11th.—If it be still the wish of the proprietors that their application be forwarded, it shall be done without delay; and it is very possible that the Supreme Government may take a different view of the question from that which the Lieutenant-Governor entertains.

12th.—His Honor regrets that it has been his duty to return so unfavourable a reply to the proposition of the

Agra Bank. The Lieutenant Governor rejoices at the success of that institution, and trusts that it will continue to operate with increasing prosperity.

I have the honour to be, Sir,

Your most obedient servant,

(Signed) R. H. Scott,

Officiating Secretary to the Lt. Governor, N. W. P.
Genl. Dept. Encl. Agra, 6th May, 1837.

To R. H. Scott, Esq.

Officiating Secretary to the
Lieutenant-Governor, N. W. P.

Sir, — I have the honor to acknowledge the receipt of your letter of the 6th instant, conveying the objections of His Honor the Lieutenant-Governor, founded on general principles, to the proposals of the Proprietors of the Agra Bank, relative to an issue of notes payable on demand.

Having submitted your letter to the Directors of the Bank, I am instructed by them to request that you will do them the favour to lay before His Honor the following remarks in explanation of their views, in the hope that they may obviate the objections which have occurred to his mind; or, should they unfortunately fail in having that effect, that they may be forwarded to the Governor-General along with my former letter, with the expectation suggested by His Honor, that the Supreme Government may be disposed to view the general question in a more favourable light—His Honor having been pleased to admit, that no loss can be apprehended to the State from a concession of the favour requested by the Bank. I may here state, that for the further security of the State and of the Community, the Bank, in case of any eventual depreciation in the market value of Government promissory notes, will every six months, or oftener if desired, adjust its deposit by adding whatever further amount may be wanted to equalize its value with the amount of notes in circulation.

With reference to the 2d paragraph of your letter, in which the object of the Bank is summarily stated to be, that its notes should be received as money in the collection of the State Revenue, the Directors desire me to express their regret, that the proposal of the Bank should have appeared to His Honor liable to such a construction.

The proprietors, in point of fact, expect and desire nothing more than that their notes should be received as *cheques*, for the due payment of which security, confessedly ample, has been provided. Were their proposal virtually even of the nature apprehended by His Honor, it would have been quite unnecessary for the Proprietors to have limited their views to the Collectorate of Agra, and unmeaning to have stated as the reason of such limitation, that the Bank does not for the present undertake to provide the means of cashing its notes elsewhere.

To have rendered the proposal of the Bank equivalent to a desire, that its notes should be received as money in the collection of the revenue, it must have included a further request, that the Officers of Government should be directed to disburse them in payments—and to effect this, the paper of the Bank must be declared a legal tender. I need scarcely assure His Honor, that nothing was further from the minds of the proprietors than such propositions; but if any doubt should remain on his mind, the Directors would appeal to the whole tenor of the letter that conveyed their proposal. What they do desire, amounts to no more than that the local officers of Government shall not cast discredit on the notes of the Bank, so long as they

deserve full credit from the rest of the community—and so long also, as no public grounds may arise for obstructing their circulation.

You state in the 4th paragraph, that the Lieutenant Governor, under that impression of the views of the Bank, which it is the object of the foregoing explanation to remove, considers the proposal of the proprietors of the Agra Bank as tantamount to getting permission to give to pieces of paper without any intrinsic value, the worth and currency of the coin in the realm.

The proprietors certainly do propose to render their circulation more deserving of credit and consequently of currency, than any other paper that has ever been offered by a private establishment to the community. But, except in so far as credit in all its forms may and does enable the community to conduct their more important transactions in business, without the actual intervention of gold or silver payments, the paper of the Agra Bank can have no pretension to be regarded as of equal value with gold or silver; nor can anything, short of the compulsory power of the legislature to make bank notes inconvertible, and at the same time a legal tender, place them even for a moment on that footing; and the instant that bullion should come to be required for exportation to a neighbouring state, all the power of Government even would be unable to maintain such paper in the forced and unnatural position to which it had been temporarily raised.

The paper of the Agra Bank, differing therefore from any other paper founded on credit, only in the perfectness of that credit, cannot, it is submitted, be justly regarded as equivalent to money on account of its being accredited by Government to a certain degree more than the bills drawn by Calcutta merchants against goods consigned to London, which bills are purchased by the Government of Bengal, can be considered as money. Private bills of that description are, as is well known, the common substitutes for bank-notes in the west of England, where the same order on London may and often does serve for 150 money transactions between its date and term of payment. It has never been suggested that the makers of such bills usurped any portion of the privileges of the State, though their paper served for a time all the purposes of the coin of the realm more efficiently than coin itself could have done. I may add that a similar practice obtains at Agra. A *hoondee* or draft on a distant mercantile town frequently passes in payment through many hands, performing in each instance of transfer all the functions of the currency, until it is finally despatched for realization. In other parts of India, most extensive commercial transactions are conducted by mere credit and debit entries in Bankers' books; and in all these cases the original drawer of the Bill, or the Banker, derives a profit from his credit; precisely analogous to that which other Bankers enjoy from the issue of promissory notes payable on demand. Credit in all these instances would appear to perform precisely the same functions; nor is it easy for the Directors to conceive on what principle any line of distinction can be drawn between the various cases that should render one class of them less legitimate or less deserving countenance than the others.

It was stated on the part of the Proprietors, that peculiar convenience would be derived by the community at Agra from the substitution of paper for coin in pecuniary transactions of large amount, and it might have been added that not only base and light coin is most abundant at this Station, but as a further source of inconvenience, that in fact, no large sum can be safely received without having recourse to three different measures of minimum weight corresponding with three different coinages at present in circulation.

His honor is of opinion that if such inconveniences be felt, it is the duty of Government to supply the articles of

some currency which would remedy them; he admits, however, that this does not appear to be the conclusion arrived at by the British Government at home. The proposition has, indeed, been advocated by some respectable authorities, but judging by the result, it would appear that weighty objections has determined the Government against its adoption. The Bank at least is not aware that the justness of the principle advanced by His Honor has been recognized in any of the official proceedings of the Home or Local Authorities; and it seems hard that while Government refrains from admitting that such an obligation is incumbent on itself, credit should be refused to private paper on the ground of that very obligation.

If the principle adverted to should be adopted, there can be no question that a paper circulation at all times convertible into gold or silver, will afford to the community the same convenience in all respects, but that of representing commercial credit, whether issued by Government or by private Bankers. But if paper be thrown into circulation without representing a full equivalent, either in bullion or in goods, such an issue of spurious currency would be productive of mischief, because, being in excess of the existing circulation, capital, it must in so far have the effect of depreciating it. Banking is the only mode of introducing paper as the representative of any other commodity than bullion—and if Government merely exchanged notes for silver or gold of the same amount, it could only do so at a considerable expense of establishment for that purpose, and for the custody of the precious deposit, without any equivalent remuneration in the shape of profit or revenue.

For these and similar reasons it may be presumed, that Government will not undertake of itself to supply the convenience of a perfect paper circulation to the community, but leave that office to be performed by Banking establishments.

From a subsequent paragraph it would appear, that the Lieutenant-Governor conceives that the Bank of Bengal enjoys a privilege equivalent to that of giving to paper the worth and currency of coin. But the Directors would submit to the consideration of His Honor, that if that Bank really possessed a talismanic privilege of such value, its profits could scarcely be limited to a rate so moderate as nine per cent. per annum on its capital, which in the actual average of its dividends during an experience of upwards of thirty years, and which scarcely, if at all, exceeds the profits of the Union Bank, which enjoys no privilege whatever, and has comparatively scarcely any bank-note circulation.

The Lieutenant-Governor seems to apprehend that a general extension of the privilege sought by the Bank would be attended with so much inconvenience as would probably cause its limitation, and thus a monopoly would be established in behalf of a favoured institution, to the injury of others engaged in similar transactions. But the Agra Bank, though first in the field, lays no claim to be admitted to any favour from which others establishing otherwise equal claims, might be justly debarred. The services of an officer of Government, which are solicited by the Bank, differ but little in their nature or extent from those rendered habitually in all other branches of the Stamp Revenue, and which might be exacted by the existing Banks, were it not more convenient for them to arrange otherwise by an annual compromise with Government.

With respect to the refusal of Government to accredit the notes of the Union Bank as a precedent for similar demand to the request of the proprietors of the Agra Bank, it may be suggested, that, in all probability, the Union

Bank did not tender such a perfect guarantee to Government, and the community as that which has been offered by the Agra Bank. But were it otherwise, the Proprietors of the Bank of Bengal, together with Government itself in the capacity of their Partner, were parties interested in withholding from others participation in a privilege—which it might be alleged, formed a virtually part of the compact with the original subscribers, when they entered into partnership with Government in establishing the Bank. However judicious or otherwise might have been the connection then formed by the Government with the Bank of Bengal, it may have appeared that it cannot now be dissolved, or at least that its concomitant advantages cannot be taken away from the Bank without injury, nor, unless compensation is made without injustice to the proprietors. But if such, as seems probable, were the grounds of the refusal to the Union Bank, they are inapplicable to the case of the Agra Bank. No indulgence that may be granted to it by Government, can interfere with the monopoly which the Bank of Bengal has hitherto enjoyed; inasmuch as the circulation of Bank of Bengal notes—or of any notes payable only in Calcutta, is impracticable at this distance, where they necessarily cease to serve the purposes of notes payable on demand. They are in fact accordingly, always at a discount when offered for sale at this place; while cash can command payment of a larger sum at Calcutta.

Trusting that the importance of the subject, as a question of public and private interest, will be accepted as an apology for trespassing at such length on the attention of Government,

I have the honor to be, Sir,

Your obedient humble Servant,

G. J. GORDON.

Agra, May 22, 1837.

Secy. Agra Bank.

To G. J. GORDON, Esq.

Secretary to the Agra Bank.

SIR,—I am directed to acknowledge the receipt of your letter of the 23d instant, and to convey to you the following sentiments and remarks of the Hon'ble the Lieutenant-Governor in reply.

2. It does not appear to the Lieutenant-Governor that the rejoinder of the Directors of the Agra Bank to my letter of the 6th instant, alters in any respect the character of their first proposal. They still apply for the privilege of having their notes received as money in the collection of the public revenue: and the question for consideration still is, whether that privilege ought to be granted, or withheld.

3. In stating briefly, in reply to the first application of the Directors of the Agra Bank, his reasons for conceiving that it was the duty of the Government to withhold that privilege, His Honor did not intend to be drawn into a discussion on the abstruse question of paper currency; but as the Bank Directors seem to have misapprehended his meaning in some instances, His Honor thinks it right that a few remarks should be offered on the contents of their last letter, and this will be done most conveniently by following the order of the paragraphs in that document.

4. In the first paragraph, the Lieut. Governor is represented as objecting to the proposals of the Agra Bank, "relative to an issue of notes payable on demand." His Honor begs that it may be clearly

understood; that he has offered no objection to the issue of notes payable on demand. That was not the matter referred for his consideration. What the Lieut. Governor has objected to, is the grant to the proprietors of the Agra Bank of the exclusive privilege of having their notes received as cash in the public treasury. His Honor calls it exclusive, because practically it would be so.

5. In paragraphs 3, 4, and 5, the Bank Directors object to the Lieutenant-Governor having considered their application as one for the privilege of having their notes received as money in the collection of state revenue. If this be not in reality the purport of their application, His Honor does not know what is. They say that they only desire that their notes should be received as cheques;—but this is to be understood of all paper money that is not forced. Bank of England notes and Bank of Bengal notes are cheques, but are nevertheless received as money. In proof that they have no intention, that their notes should pass as money, they advert to the limitation of their views to the Collectorate of Agra, and to their declaration of their not undertaking to provide the means of cashing their notes elsewhere. But this does not in any way alter the nature of their application as regards the Collectorate of Agra; and only shews that they are disposed to proceed with prudent caution in their speculation. There is nothing to prevent its extension beyond that limitation, when desirable for the Bank; for the Government, if it acceded to the arrangement in the first instance, would hardly object to its extension on the same terms. In like manner they advance as another proof of their innocence of that proposal, that they did not request the Government to disburse their notes and declare them to be a legal tender. If their notes were received as equivalent to money in the state treasury, they would naturally and of course be disbursed from it, to all who might wish to receive them. To declare the paper of the Agra Bank to be a legal tender, is altogether another affair, which could not be contemplated, and would not be necessary for the currency of the paper, if it were received at the public treasuries, and obtained credit with the community. It is stated on the part of the Bank to be only asked, that their paper should not be discredited by the Government; but surely the privilege applied for of having their notes received as money at the state treasury is something more than that.

It is unnecessary to enter into any discussions of the relative uses of bank-notes, bills of exchange, bill-drawn on goods and other commercial bills, to which the 6, 7, and 8 paragraphs, of your letter refer. Those uses agree in some respects but differ in others. Bank-notes by universal consent have acquired the name of paper money, and are more especially used as substitutes for coin in general currency. The proprietors of the Agra Bank cannot suppose that the Lieutenant-Governor meant to apply to their proposed notes any other description than what he should conceive to be applicable to all paper money based on credit, and it was unnecessary on their part to strive to convince His Honor, that paper is not gold, and cannot be made equal to it by compulsion. Compulsory measures of the legislature to make bank-notes inconvertible and at the same time a legal tender, are quite out of the question in the present discussion. The Directors state, professing to regard all commercial bills as on the same footing, that they cannot conceive on what principle one class of bills or notes should be less legitimate or less deserving of countenance than the others. They seem to forget that they themselves are seeking to establish the superiority of one class over all others, seeking for bank-notes a privilege not accorded to other classes of bills.

Para. 9, 10, 11, 12; 7. The Lieutenant-Governor is not aware that there is any urgent call for paper money at Agra, or that such inconvenience exists in commercial or pecuniary transactions as to render necessary recourse to that substitute for coin. His Honor is disposed to consider the present application of the Bank as originating more in their own views, than in any call on the part of the community for the introduction of a paper currency. But if a paper currency be required at Agra, it must be required at other places in these Provinces, and it would be the duty of the Government to provide for it on a more extended scale than the limited one proposed by the Agra Bank, and it is inexpedient for the Government to embarrass itself by an arrangement so local and restricted. In applying for the receipt of their notes as money in the state treasury, the proprietors of the Agra Bank appear to His Honor to ask for a very great privilege, which cannot be granted without strong reason; and the Lieutenant-Governor cannot agree with the Directors of the Bank in their opinion, that it is hard to refuse such a privilege to private paper, for on whatever grounds the refusal may rest, there is no obligation to grant such a privilege and no one is entitled to expect it. The Bank Directors state it to be hard, that the exclusive right of the State to manufacture money should be objected to their application, when it is not intended to acknowledge the corresponding obligation. But the authority which makes that objection, would abide by the obligation, and an authority which would not acknowledge the obligation would not probably make the objection. It is not necessary that His Honor should enter on the question of the supply of paper money on the part of the State, no such measure being, as far as the Lieutenant-Governor is aware, in contemplation. If it were ever adopted, it would obviously require great prudence and caution, and it is not to be supposed that it would be undertaken without due regard to the important considerations by which it ought to be regulated.

Para. 13. 8. The Lieutenant Governor does not know why the Directors of the Agra Bank impute to him the supposition, that the Bank of Bengal has a talismanic privilege and boundless power of making paper money, without any reference to the regulations and restrictions, under which the paper money of Banks working on sound principles must be issued. This is surely putting a meaning on His Honor's words, which the Bank Directors must on reflection know they were not meant to convey. Nevertheless the power of issuing paper money, which shall be received as equal to coin in the state treasuries, is a vast privilege, and it is this that the Agra Bank applies for, without shewing any reason why it should be granted.

Para. 14. 9. There is nothing stated in the 14th paragraph that in any degree diminishes the probability, that the privilege if ceded to the Agra Bank would become a monopoly: it is right for the Bank not to entertain any such views; but the Directors must be well aware, that such would be the natural practical result.

Para. 15. 10. It is not requisite to enter into any discussion of the motives by which the Supreme Government was actuated, in refusing to the Union Bank the privilege granted to the Bank of Bengal, and now sought by the Agra Bank. If, as surmised by the Directors of the Agra Bank, a desire not to interfere with the monopoly of the Bengal Bank in Bengal, was a part of those motives, it is not clear, that the grant of the privilege to the Bank would not interfere with the monopoly of the Bank of Bengal; for it does not seem impossible, that the circulation of the paper of the Bank of Bengal might be extended to these Provinces.

Para. 2. 11. From these remarks the Directors of the Agra Bank will perceive that the objections to their

proposition, which have occurred to the Lieutenant-Governor, have not been removed by their last letter. Your letters of the 2d and 22d instant, therefore, will be submitted, as requested by the Directors of the Bank, for the consideration and orders of the Right Hon'ble the Governor-General in Council.

12. The Directors of the Bank appear to think that the Lieutenant-Governor has intended to attach something blameable to the application which they have made; but His Honor begs them to be assured that he has no such intention. They are naturally and laudably exerting themselves to benefit the institution under their management. That is their duty. It is His Honor's as the local representative of the Government, to consider whether sufficient reasons exist to justify the grant of the privilege which they seek. The difference is that the privilege appears to His Honor to be immense, and sure to be a monopoly, and that the Bank Directors seem to regard it as a little matter, which ought to be easily accorded.

I have the honour to be, Sir,

Your most obedient Servant,

R. H. Scott,

Offg. Secy. to the Lt.-Gov., N. W. P.

Agra, May 31, 1837.

INCREASE OF THE CAPITAL STOCK OF THE BANK.

It will be recollected that the proposition to increase the stock of the Bank was originally connected with that of a paper circulation.

The reason appeared so obvious to the Directors, that less pains were taken to explain their views, than it would seem, from what has appeared in the public prints, would have been satisfactory to some of the shareholders. Amongst so large a body there were some who had either not adverted to the published statements of the modes in which the funds of the Bank were invested or were not familiar with sound principles of Banking. To them it might have been well to point out that only a small portion of the funds of the Bank was employed otherwise than in loans repayable within long dates, the Directors relying on the balance in hand, and the monthly instalments of payment of those long loans for the means of meeting any calls from the depositors.

But though within certain limits, this was a safe and sound mode of conducting business, where the immediate liabilities were of small amount, the far greater part of the deposit funds not being claimable without two months previous notice, it is one that they durst not follow, with an issue of promissory notes payable on demand. It would be the height of imprudence, to issue notes of that description without having a much larger amount employed at short dates, in exchanges, discounts, loans for short periods on the security of goods, cash credits also realizable at short dates, &c., &c.

Now the question was, whence were to come the funds for those operations? The demand for further loans at long dates continued urgent, so that there was no doubt that even a larger amount than was already employed in that way, might be safely and profitably so invested.

The original stock had risen to a considerable premium, the moment almost the subscription to it was

closed. It is obvious, therefore, that if more capital was wanted it would be readily forthcoming, and the greater the increase of capital the greater would be the security of all parties—of the depositors, of the holders of the Bank's notes, and of the shareholders themselves.

The only point then, that remained to be determined, was the amount that might be easily raised by the shareholders, in the shape of new subscriptions within a moderate time, so as not to deteriorate the value of their present stock. On mature deliberation, the Directors resolved to recommend to the proprietors to double the present amount of stock. The proprietors at the last general meeting, adopted the recommendation of the Directors, and the result has proved the judiciousness of that counsel; for with a great demand for shares from the public, not one is to be procured at the rate of premium current before that resolution was adopted—and the premium now demanded is higher than before, shewing that none of the present shareholders on the spot, are willing to forego any part of their privilege of subscribing at par.

SHARES IN THE ORIENTAL LIFE INSURANCE SOCIETY.

The late secretary of the Agra Bank applied on behalf of the Directors to the Secretaries of the Oriental Life Insurance Office, for permission to pass applications for Life Insurance at once, instead of having to postpone applications for loans pending a reference to Calcutta. To this proposal the Directors of the Oriental replied, that they could not recommend such a delegation of authority, unless the Agra Bank took itself a large interest in the Oriental Office. In the expectation, that this would be acceded to, the Oriental society, on the occasion of their limiting their stock to 500 Shares, resolved that fifty should be expressly reserved for the Agra Bank.

The Directors of the Bank, however, postponed coming to any decision on the subject, till they should have an opportunity of consulting with the present Secretary, as to the expediency of the purchase. It appearing from his report that handsome dividends might be expected, it was agreed that the fifty shares, should be taken in the names of four of the Directors, two other shareholders, and of the Secretary, and that it should rest with the proprietors to consider those shares as the property of the Bank or not, as they might deem expedient.

The following statement will furnish the grounds on which a decision may be formed, one way or the other.

By assuming the shares as the property of the Bank, the privilege of taking risks in cases where a speedy decision is of consequence, will be obtained, that being left to a Committee formed of two of the Directors and the Secretary.

A considerable half yearly profit may be expected in the form of a dividend, and a further bonus proportioned to the share of business which the Bank gives to the Oriental.

The contribution for 50 shares is sicca rupees 12,500 to which the Oriental Society have added interest at the rate of 4 per cent. from the date of the preceding half yearly dividend, making sicca rupees 12,750, or Co. rupees 13,600. On the above Capital sicca rupees 12,500 or Co. rupees 13,333-5-4 a dividend of rupees 100 per share was declared at the last meeting, giving, after deducting interests as above, a net profit of rupees 4,733-5-4. To this will have to be added the Bonus above alluded to, the Bank's share of which has not as yet been communicated; but it is not likely

to be less than rupees 2,000, nor more than rupees 4,000. At all events, the aggregate dividend will probably amount to upwards of 50 per cent. on the price of the shares.

It is not to be supposed that so large a profit can be expected twice a year, but what has been already realized will, if accepted, enable the proprietors to increase the dividend for the current half year, by one per cent. at least, and thus tend to enhance the value of shares.

The only countervailing consideration is the risk supposed to be attached to the business of life insurance.

By the rules of the Oriental no dividend can be declared except of funds in excess of one and a half years' average payments on lapses. There can be, therefore, no call for a contribution unless such an unprecedented rate of mortality shall have taken place, as will cause all those reserved funds, as well as the incoming premium, to be absorbed.

The whole of Funds of the Oriental are invested in Company's paper in the names of three of the Directors.

G. J. GORDON,

Secretary Agra Bank.

Agra, June 1, 1837.

P. S.—By a letter from the Secretaries of the Oriental Life Insurance Office just received, it appears that the bonus above alluded to amounts to Co. rupees 3,802-8 making the total with dividend on Co. rupees 13,333-5-4, the price of the fifty shares, rupees 8535 13-4, or about 61 per cent.—*Agra Ukhar, June 10.*

After an attentive perusal of the correspondence between the Agra Bank and the Lieut.-Governor, which we have published, we do not quite agree with the *Agra Ukhar* about the weight of the reasoning on either side. Instead of being struck with "the strong contrast which the masterly reasoning and expanded views of the Bank afford to the trifling objections, the unscientific arguments, and the illiberality of the local Government," (the italics are ours) we perceive only on the one side a good plausible case made out, and on the other a statesmanlike view, even though perhaps mixed up with a little prejudice, of objections that ought not to be overlooked. Considering that there is something like a reaction in public opinion as to the utility of unrestricted Banks of issue, and that Parliament has deemed it necessary to appoint a Committee to enquire into the system of banking in England in consequence of the disturbed state of the currency, charged upon the over-issues of Joint-stock Banks—that not only the ministers of the day are of opinion that these require to be put under special controul, but the proposition was supported by a majority of three to one (121 to 42) in the House, including Sir Robert Peel, who took occasion to say, that "the power given to Country and Joint-stock Banks generally to issue paper had certainly a tendency to diminish the evil of a crisis, but it would also have the effect of diminishing the value of money, raising prices, and changing the value of property in all parts of the kingdom;"—it is rather bold in our brother to attack the objections of the Lieutenant-Governor as "reasons which belong not to the present advanced state of the science of Political Economy,"—as if the theory of money were now perfectly laid down. His Honor may be

theoretically wrong in saying, that "the proposal (to issue Bank notes accredited by Government) is tantamount to an application for permission to coin money," and Mr. Fullarton may have been very correct in his remark, that "bank-notes are not in fact money; they are merely a form of credit;" while in his admission in the next sentence, that "credit in a wealthy community is continually performing the offices of money and under a thousand shapes, even without the aid of a Bank circulation," he admits the principle that the notes of a Bank are at least a substitute for money—in other words, that they are either an addition to the amount of the circulation, or they displace a portion of it. If this be not *coinage* in a literal sense, it is doing more, for the stamp of the King is not a mere assurance that so much gold will be given on demand, but the gold goes with the stamp; they cannot pass into separate hands, and be paid away in two distinct purchases; whereas a bank of issue puts out its notes, not in exchange for specie to be held in deposit, but really upon its credit only and often to an amount many times in excess of the specie in store. The footing on which Mr. Gordon's proposal would place the notes of the Agra Bank, limiting the amount to the value of Company's paper deposited with Government, would no doubt be a very sufficient security both to the Government and to the public; but the mere fact of the existence of that security, though it would in every way greatly extend the facilities of circulation, would not prevent an influence upon prices, nor prevent possible embarrassment in cashing the notes at the Bank, in the event of a large issue of paper. Mr. Gordon in his second letter admits that, "If paper be thrown into circulation without representing a full equivalent, either in bullion or in goods, such an issue of spurious currency would be productive of mischief, because, being in excess of the existing circulating capital, it must in so far have the effect of depreciating it." Now this admission tells against a very probable state of things. The notes of the Bank may be issued in discounting short bills, which are not bullion, nor goods, but only another representative of credit; or they may be employed to purchase the very Company's paper that is to be lodged as the security for them: and a sudden demand for coin might, under such circumstances, very much embarrass the Bank, though its balance sheet showed a very prosperous state of affairs and no bad debts. However, it is not our purpose to raise up phantoms of alarm, but merely to show that the question is not one to be lightly dealt with. The Lieutenant-Governor rightly sees that the sanction required of him would in practice be an exclusive as well as an important privilege, and might possibly produce evil, and further, that it would interfere with the privileges of a chartered bank in which the Government is interested. It cannot therefore be matter of surprise that his Honor should demur, though we were not prepared to expect he would if a great measure rest his objections upon the contested principle, that "if paper money were much required by the community, it would become the duty of the Government to provide a sufficiency of the desired article, with due care and precaution, and this branch of its functions ought not to be transferred to others." Care and precaution in the way of legal or other restrictions are of indisputable propriety; but we do not see why the state may not make a bargain with a private corporation to do this duty for it, of course under proper controul. The bargain, if made, should be of an exclusive nature, and the parties receiving the privilege should pay a fair consideration for it. A mixed and unrestricted paper currency is an evil any where, and is now pretty generally admitted to be so in England.—*Cutwara Courier, June 21.*

No. 42 or 14th Quarter.

ABSTRACT of the Operations of the GOVERNMENT SAVINGS BANK to the 30th April 1887, comprising the Transactions of three Years and six Months.

	Names.		Tmro' Civil Functions etc.		Military thro' the Paymasters.		Miscellaneous		
	Numbers.	Amount.	Numbers.	Amount.	Numbers.	Amount.	Numbers.	Amount.	
2,772 Depositors,	646	2,36,996 8 54	41	34,161 4 9	581	5,19,899 1 11 1/2	1502	10,50,470 8 8 1/2	Total C. Rs. 16,51,547 7 11
Deduct Withdrawals.									
340 Absolute,	87	30,449 8 9 1/2	3	4,835 12 2	70	29,987 10 10	180	1,24,887 7 5 1/2	1,90,160 7 3
Partial,		1,00,634 12 5 1/2		2,183 5 11 1/2		29,207 4 1 1/2		2,95,850 0 1 1/2	4,27,875 6 8 1/2
		871,31,084 5 3 1/2	3	7,019 2 1 1/2	70	59,194 14 11 1/2	180	4,20,737 6 1/2	6,18,035 13 11 1/2
3,432	561	1,05,912 3 2 1/2	38	37,162 2 7 1/2	511	4,60,704 2 11 1/2	1322	6,39,733 1 2	12,33,511 9 11 1/2
Of this Sum is subscribed to the Government 4 per Cent. Loan,									
And there remains at Open Credit in the Bank, Balances amounting to.									
Amount of Open Balances brought forward,									
Add Net sum of Extra Receipts,									
Net Amount of Open Balances and Receipts in the Bank,									
Of which is—									
Loaned in the General Treasury,									
Debited Accountant Mgrs Presidency,									
" A. R. D. for " Revenue Branch,									
Paid Adjusted Interests on absolute Withdrawals since 1st May,									
Balance on the 30th April,									
Co's Rs. 3,04,150 6 8 1/2									
3,304 0 3 1/2									
5,207 4 6 1/2									
2,161 15 5 1/2									
81 3 2 1/2									
Co's Rs. 3,14,904 12 3									
3,14,904 12 3									
9,18,873 5 4									
3,14,638 4 7 1/2									
3,14,638 4 7 1/2									
286 7 7 1/2									
12,33,511 9 11 1/2									
Co's Rs. 3,14,904 12 3									
3,14,904 12 3									

E. E.

Government Savings Bank, Fort William, 30th April, 1887.

F. MACNAGHTEN Secy. G. S. B.
[Cal. Comm. June 7.]

BANK OF BENGAL.

NOTICE—BANK OF BENGAL.
6th May, 1837.

Notice is hereby given, that the Pamphlet containing the papers, ordered to be printed, for the use of the proprietors, agreeably to a resolution at their special general meeting of the 25th February last, is printed, and ready for delivery to the proprietors or their agents on application at the Bank.

Notice is hereby further given, that a special general meeting of the proprietors, will be held at the Bank at 11 A.M., on Saturday the 10th day of June, proximo, on the subject of the questions discussed in the said printed paper.

By order of the Directors.

(Sd.) G. UDNY,
Secy. to the Bank.

2d. Proposed by Mr. R. D. Mangles, seconded by Baloo Russomoy Dutt, and

Resolved,—That this meeting is entirely satisfied with the measures taken by the Directors to employ in the safest and most profitable manner the whole available Capital of the Bank, as reported in the preface to the printed papers.

3d. Proposed by Mr. H. T. Prinsep, seconded by Mr. E. Macnaghten, and

Resolved,—That Mr. J. A. Dorin and Mr. G. Udney be scrutineers for the purpose of ascertaining votes at this meeting.

4th. Proposed by Mr. H. T. Prinsep, seconded by Mr. E. Macnaghten, that, with reference to the proposition referred to in page vi. of the preface to the printed papers, in regard to realizing for constituents interest on Company's paper and other public securities deposited with the Bank, that the directors be empowered to entertain the necessary establishment to do this business for constituents gratis.

An amendment to this resolution was proposed by Mr. B. Harding, viz. that after the word constituent be inserted, instead of the word "gratis," the words "at a charge of one per cent." This amendment was negatived.

The original proposition was then put and there appeared by the report of the scrutineers—

For it.....	21
Against it.....	22
Majority against it.....	1

5th. Proposed by Mr. Jas. Cullen, seconded by Mr. Alexander Colvin, and

Resolved,—That, in the opinion of this Meeting, any further augmentation of capital is not necessary, unless the Bank should find it to be expedient to establish branch banks,

10th June, 1837.

At a Meeting of proprietors of the Bank of Bengal, held this-day, pursuant to the advertisement in the *Government Gazette* of the 6th ultimo, of which copy is in the margin.

Mr. J. Pattle was called to the chair.

1st. Proposed by Mr. E. Macnaghten, seconded by Mr. J. W. Cragg, and

Resolved.—That the proprietors approve of the proceedings and views of the Directors (as expressed in their letter to the Government of Bengal of the 15th December last) in regard to the Bank of India Scheme, and that the further consideration of that project is unnecessary.

6th. Proposed by Mr. E. Macnaghten, seconded by Mr. R. D. Mangles, and

Resolved,—That it is not at present desirable to extend the operations of the Bank either by way of branch banks or agencies, or in any manner to place the assets or responsibility of the Bank beyond the immediate controul of the Calcutta Directors, but it is nevertheless desirable that the Charter should confer the power of establishing such banks or agencies, should circumstances hereafter make such a measure expedient.

An amendment to this resolution was proposed by Mr. W. F. Fergusson, that it is desirable and expedient now to establish Branch Banks or Agencies, and that the Directors take measures to do so whenever and wherever practicable. This amendment was negatived.

7th Proposed by Mr. R. H. Cockerell, seconded by Mr. A. Colvin, and

Resolved,—That the proprietors will not object to receive the Deed of Incorporation in the form of an Act of the Legislative Council, provided there be inserted therein clauses giving a distinct pledge as to the period for which the Act shall continue in effect and in respect to the conditions of its revocability, and provided the Bank Directors shall be advised that the Local Act will be of equal effect in England as in India, in giving to proprietors corporate protection in the exemption from personal liability.

On this resolution there was, by the report of the scrutineers—

For it.....	17
Against it.....	15
Majority in favor of it.....	2

8th. Proposed by Mr. H. T. Prinsep, seconded by Mr. E. Macnaghten, and

Resolved,—That this meeting sees no objection in allowing the registered share to stand as the Draft Act at 1,000 rupees but does not think that less than a 4,000 rupees interest ought to be the qualification for a vote for the election of a Director, or at meetings.

An amendment to this resolution was proposed by Mr. J. W. Cragg, viz.

That this Meeting see no reason for making any alteration in the present value of the shares. The amendment was negatived.

A second amendment to this resolution was proposed by Mr. G. Udney, viz.

That the amount of stock to be entitled a share be reduced from 4,000 rupees to 1,000 rupees, and that the amount of stock necessary to qualify for a vote to be reduced from 4,000 rupees to 1,000 rupees, also. This amendment was also negatived.

9th. Proposed by Mr. H. T. Prinsep, seconded by Mr. E. Macnaghten, and

Resolved,—That the qualification for a Director be an interest of not less than 12,000 rupees stock.

10th. Proposed by Mr. W. F. Fergusson, seconded by Mr. A. Colvin, and

Resolved,—That Directors who go out by rotation ought not to be immediately re-eligible.

11th. Proposed by Mr. Alex. Colvin, seconded by Mr. R. H. Cockerell, and

Resolved,—That written votes, on special questions, be taken. That general proxies be allowed, and that

there be no restriction of number to the votes by proxy to be given by proprietors.

12th. Proposed by Mr. H. T. Prinsep, seconded by Mr. B. Harding, and

Resolved.—That this meeting do not consider it to be necessary to alter the existing rules under which the Directors have, by valuation of assets, full power to provide against contemplated losses, and that no special rule for allowing a reserve is required.

13th. Proposed by Mr. B. Harding, seconded by Mr. W. F. Ferguson, and

Negatived.—That, with reference to Clause 23d of the Draft Act (of which copy is in the margin) the words "or be in the service and pay of the Honorable Company," shall be inserted after the words "Government Securities." 14th. Proposed by Mr. R. H. Cockrell, seconded by Mr. Wm. Prinsep, and *Resolved*.—That that part of the 14th Clause of the Draft Act excluding Directors of other Banks from the Direction of the Bank of Bengal, be expunged.

By this report of the scrutineers there were for this resolution—

For it 11,
Against it. 14

Majority against it 3.

15th. Proposed by Mr. B. Harding, seconded by Mr. R. H. Cockrell, and

Negatived.—That, advertising to the late increase of the Bank Capital by public subscription, by which the relative proportion of the Government stock has been altered from one-fourth ($\frac{1}{4}$) of the whole to one-seventh ($\frac{1}{7}$) the number of Proprietary Directors be increased from six to nine, thereby giving the public one Director to every seven lakhs of stock, and Government one Director to $3\frac{1}{2}$ lakhs of stock.

16th. Proposed by Mr. B. Harding, seconded by Mr. R. H. Cockrell, and

Resolved.—That the number of the Government Directors be reduced from 3 to 2, giving one Government Director to every $5\frac{1}{2}$ lakhs of stock, and the public one Director for every $6\frac{1}{2}$ lakhs of stock.

17th. Proposed by Mr. R. H. Cockrell, seconded by Mr. H. T. Prinsep, and

Resolved.—That with reference to that part of the 24th Clause of the Draft Act (No. 3) regarding the "buying and selling of Bills of Exchange," that the words "payable in India," be added.

Thanks were then voted to the Chairman and the meeting broke up.

J PAITLF, Chairman.

Hurkara, June 15]

CHURCH BUILDING FUND FOR INDIA.

ESTABLISHED 1834.

Trustees.

The Lord Bishop of Calcutta,	The Honorable Henry Shakespear,	Henry
The Venerable Arch-deacon Dealtry,	Major Hutchinson	v
The Rev Thomas Robertson,	} Ex. Off.	
The Rev Henry Fisher,		

Secretary.

The Rev. Josiah Bateman.

The trustees of the Church Building Fund have been for some time anxious to render an account of their proceedings since the publication of the last report in 1835, and the recent arrival of the Lord Bishop at the presidency enables them now to effect their object. They propose to offer a brief summary of what has been actually accomplished, with a statement of the accounts, believing that this course will prove more generally acceptable than a long report. One glance will then enable subscribers to discern the progress of the fund, and to ascertain that its course, though unobtrusive, is practical and useful. Its influence, both directly, and indirectly, is widely felt, and the general impression of the trustees themselves, and the one which they would wish to convey to others is, that of cheerfulness and encouragement. They are sanguine enough to anticipate that ere many years have passed, there will not be a considerable station in India without a building dedicated to the honour of Almighty God, and set apart

for the public worship of our Protestant Episcopal Church.

For the erection of a Church at the hill station of Mussooree, the trustees made last year a grant of 1000 rupees. A very handsome subscription from the visitors, and residents in the neighbouring stations, raised this sum to upwards of 6,000 rupees. The first stone of a small Gothic building was laid by the Bishop in May, 1836, although the severity of the winter and other causes seem to have checked the rapid progress of the work, yet the Church will probably be opened for divine service during the present year. The business has been managed by a small local committee, and the work ably superintended by Captain Kirke, of Deyrah Dhoon. The name is Christ Church, Mussooree.

At Simlah, in like manner, a subscription of nearly 3,000 rupees was raised in July last, for the enlargement of a building then used for public worship, for adding a tower and chancel, and giving to the whole structure something of an Ecclesiastical appearance. The trustees voted and have paid 200 rupees towards this object. Captain M' Causeland, of Simlah, kindly undertook the work, assisted by a small committee, and the last report gives every reason to expect that the whole is now very nearly complete.

There is no Church at Lodanah, nor any building suitable for divine worship, though it has become a station of much importance, and with a considerable Christian population. The trustees have therefore made a grant of 600 rupees, which, with about 800 rupees subscribed there in October last, will suffice to build a Church upon a plan submitted and approved of by the

Lord Bishop's simple indeed and plain, but sufficiently large for the immediate wants of the station. The work is not yet begun, but the arrangement is confided to the care of a building committee in communication with the trustees.

At the station of Allyghur much anxiety has been expressed for the erection of a church, and some of the residents have most liberally come forward and raised upwards of 2,000 rupees for that purpose. The trustees have voted 200 rupees in addition. The work will be immediately commenced: the money is all collected; and a very neat and elegant plan has been submitted and approved. The church is of course very small. It will only accommodate from 50 to 70 persons, but that is at present sufficient.

Bareilly has never had a Church, not any suitable place for the worship of God. Divine Service has been for some time performed in the house of the Reverend Chaplain of the station. The Christian population is increasing rather than otherwise, and during the recent visit of the Bishop they spontaneously came forward and subscribed the handsome sum of 3,560 rupees for the erection of a church. The trustees have met this with a grant of 1,000 rupees: which with another 1,000 rupees recently obtained from Government, will be sufficient to complete the design. The management of the details is placed, as in all other cases, under a Local Committee in communication with our Trust Fund.

A church and chapel are now rising rapid at Cawnpore, the foundation stones of both having been laid during the Bishop's visit in February last. They are large, and calculated to accommodate about 800 persons each. The chapel is erecting at the eastern end of the cantonments and at the expense of Government. It is making excellent progress, and Captain Greene, to whose care and skill the execution of the work is intrusted, reports that it will be nearly completed before the ensuing rains. The church also is rising upon a wide and noble site given by Government. This building is likewise kindly superintended by Captain Greene assisted by a small committee. The architecture is Gothic, and the elevation very handsome. The work is necessarily not so far advanced as in the chapel, which is a very cheap and simple structure: but the progress is very satisfactory, and the building will probably be covered in before the end of this year, and completed early in 1838. It was stated in the last report, that the trustee had voted 12,000 rupees towards this object; but the conditional arrangement there also alluded to, having failed, the grant was not completed till this year. They have already transmitted 9,000 rupees to Cawnpore, and are responsible for 3,000 rupees more to the Church Committee. It is estimated that the church will cost about 25,000 rupees. The whole amount is available, by the handsome contributions of the Governor-General, the Lieutenant-Governor of Agra, the Bishop, the Commander-in-Chief, and the civil and military residents at Cawnpore and its neighbourhood, in addition to the above grant made by the trustees. In Cawnpore alone upwards of 7000 rupees were raised. Certain stores and military buildings also made over by government, have been found of essential benefit. So that the resources are quite sufficient to cover the outlay required. The names given to the sacred edifices were Christ Church and St. John's Chapel.

At Allahabad a church is being built under the management of the executive engineer and a local committee. The trustees have voted and paid 6,000 rupees in aid of the work, which is advancing in a very satisfactory manner. When completed, the church and spire will be very handsome. It is intended to accommodate

about 400 persons, and stands on a good site at a considerable distance from the fort.

The sum of 1200 sicca rupees, voted as a loan for the completion of the church at Barrackpore, has been considerably increased by the trustees from time to time. They have been induced to exceed the original sum by a desire to meet the wishes of the station, and to complete the work in the most satisfactory manner. The church is now finished. The whole sum drawn from the fund has been 3919 Co.'s rs. and the amount raised from local resources is 1,555 Co.'s rupees, leaving a balance of 2364 Co.'s rupees due to the fund.

The grant of 600 sicca rupees, mentioned in the last report, has been transmitted to Singapore. The exterior structure of the church at that station is finished but some delay having arisen from the want of sufficient funds to complete the interior fittings-up, it has not yet been opened for divine service. This, however, it is hoped, will soon be remedied, under the care and suggestions of the Rev. E. White, recently appointed Chaplain of Singapore.

Adverting to the present state of the funds, the trustees are almost afraid to mention that they have listened to applications for churches from Hazareebaugh and Chittagong. They are so anxious however to meet the present feeling upon the subject with all promptitude, that, when thoroughly informed of the intentions of Government and of the extent of the grant required from the Fund, they will prefer trusting to the continued support of their subscribers, and forestall their means, rather than seem backward in rendering their aid. They are especially called to consider the case of Hazareebaugh, a new and large military station, and likely from the healthiness of its climate to become of considerable importance. There are already about 1,100 Christians there, with a chaplain, but no place at all for divine service. It may also be mentioned in connection with this subject, that the grants for Loodjanah, Bareilly, and Allyghur have been made contingent, as to the time of payment, upon the receipt of the necessary supplies.

The trustees venture to indulge the hope that this brief account of their proceedings will meet with general approbation, and be considered an evidence that they have not been negligent in the duty confided to them. Grants have been made for eight new churches, and assistance has been rendered in the way of loan for a ninth. The information acted on, in every case, has been founded on personal inspection; and in making their several grants the trustees have gone to the utmost limits that prudence would allow. The ready and spontaneous local aid afforded in so many instances, will not, it is hoped, be allowed to interfere with the regular subscriptions on which the Church building Fund depends. The advantage of concentrated efforts, were it only in the calling forth and giving a direction to this local aid, is quite obvious: and the necessity of continued support and increased zeal both from collectors and subscribers to the fund is indispensable. On this it must depend for its future stability, for the fulfilment of the engagements already entered into, and for the accomplishment of the hopes so anxiously cherished.

The cash balance against the Fund, when its pledges are taken into account, is 1987 Co.'s rupees; but the receipts though not so large as was anticipated, are pretty steady, and will soon reduce the amount; whilst a recent change in the method of collecting will, it is hoped, when carried into full effect, increase them considerably.

A complete list of the names of present subscribers was impossible, without great delay, and a much longer report. This, therefore, has been postponed for another opportunity, and a general account substituted. The

very frequent changes of residence, occurring in every station, render any thing more than a careful statement of receipts and disbursements on the whole, very embarrassing. The sums acknowledged by the secretary to the collectors, can most conveniently be again acknowledged by them to the subscribers, and this, with the published accounts, will perhaps be considered sufficient.

The only other points to be mentioned are, first that C. W. Smith, Esq., C.S., having been compelled by ill health to resign his trusteeship and leave Calcutta, the Hon'ble H. Shakespear has been requested to become a trustee, and has kindly consented to accept the office

and secondly, that the present secretary, at the desire of the trustees, has resumed his former office, which in the interim has been so ably and efficiently supplied by Captain Marshall.

All communications, therefore, on the business of the fund may be directed as formerly to the Bishop's Palace.

By order of the Trustees.

J BATEMAN, M. A., Secretary.

Calcutta, May 25, 1837.

[Englishman, June 15.]

EAST INDIA AND CHINA ASSOCIATION.

We have been favored with the following copy of a letter from the President and Vice President of the E. I. and China Association to the Directors of the East India Company on the subject of the annual demand on this country for home payments. We understand that from a private communication with the chair and Sir John Hobhouse, it is understood the proposal is likely to be carried into effect, and certainly as regards the China Finance Committee —

TO THE RIGHT HON'BLE THE COURT OF DIRECTORS OF THE EAST INDIA COMPANY.

Honorable Sirs,—The Committee of the East India and China Association beg to state to your Hon. Court, that they have received a communication from the Bengal Chamber of Commerce requesting them "to endeavour to prevail upon the Court of Directors, and the Board of Control to fix in due time the sums to be raised at home by drafts on the Indian Treasury, and the supplement of remittance by the several presidencies on security of shipments, publishing to the community as early as possible such prospective arrangements, that those engaged in trade may take their measures accordingly, and that the tenor of its course may not be disturbed by abrupt interference, generating uncertainty, unnatural excitement," and the Committee in accordance with the recommendation of the chairs of your Hon. Court, at an interview with which the undersigned were honored, proceeded to bring the subject under the notice of your Hon. Court, because, although they believe there is every disposition on the part of the Home Government, to carry the India trade with it in its arrangement, without any desire to reap the undue benefit by exchange operations, or having in view any other object than that of securing the punctual receipt in this country of the amount required for the home charges, yet they are of opinion that the mode hitherto adopted has been in many respects, from its uncertainty, inimical to the interests of the trade between India, China, and the United Kingdom.

With this conviction the committee venture to submit to your Hon. Court the expediency of ascertaining at the earliest possible period the prospective wants of the Company, and of taking measures in advance at home for raising funds to meet the same so at the occasion as the management as possible of the usual course of the trade between the two countries, and they believe this effect would be attained by the adoption of a plan to the following effect

assuming that the financial arrangements of the Company for raising the £3,200,000, advertised for their home charges for 1837, to have been completed, it would be desirable,

1st. That the Hon. Company should in the first week in March next, advertise the sum they propose to raise for 1838, say, for illustration £3 200,000, and continue in each succeeding year to make a similar communication

2d. That the advertisement should declare that the amount so required should be raised in a specific manner, say for example, (leaving the precise sums for the future regulation of the Hon. Court,) £2,000,000 to be raised in London by selling bills upon India, the treasury to be opened for the sale on the 1st January 1838, a month previous to which the rate of exchange either to be announced by advertisement or left to be regulated by tender.

700,000	to be advanced in Bengal on goods hypothecated to Great Britain
200,000	do do Madras do
200,000	do do Bombay do

£3,200,000

And in the event of the proposed advances on hypothecation not being accepted to the extent specified, any one of the presidencies, the authorities at the others to have the power of the extending the amount of their advances so as to complete the remittances required from India for the season.

By this arrangement the mercantile community will be able to judge of the effects of these operations upon the India trade, and should the arrangements have tendency to militate against any particular interest the emergency will be met by the timely notice thus given.

With respect to the advances in China, it is the unanimous opinion of the Committee of the East India and China Association, that experience has shewn since the opening of the China trade, contrary, it is admitted, to the earlier anticipations generally entertained, that the establishment of a committee of the Hon. Company's servants at Canton for the purpose of advancing money on the hypothecation of goods, has been disadvantageous to the best interests of the trade between Great Britain and China, and they therefore, respectfully request that your Hon. Court will be pleased at the earliest opportunity to transmit directions to Canton that your servants employed upon that duty may be withdrawn and their operations cease at as early a period as may be practicable.

We have the honor &c., &c.

(Signed) G. G. de H. LARPENT, Chairman.
ARCHD. HAISTIE, Deputy Chairman

Couper's Court Cornhill, }
27th February, 1837. }

[Englishman, June 27.]

CALCUTTA PUBLIC LIBRARY.

At a monthly meeting of the proprietors and subscribers which took place at the Library Rooms on the 3d June, the following was the result.

It was resolved, that Mr. Dyce Sombre, having so liberally contributed to the vested Fund, should receive the thanks of the Curators, and the Librarian was directed to write to that effect.

It was also resolved that in consequence of the increased expense which had fallen on the printing of the Library Catalogues (and which was not contemplated at the time when the resolution limiting their price to one rupee was passed), the sense of the next meeting should be taken as to the propriety of charging two rupees per copy for each catalogue, that being in fact about the real prime cost price.

It was also resolved, that those subscribers who after being written to for their arrears should fail to pay, should have their names struck out of the list altogether.

The Monthly Report was then read.

The following contributions in aid of the vested Fund have been received —

Dyce Sombre, Esq.,	500
Baboo Radhamadub Bonerjee, 25	
Baboo Gopaul Lall Tagore....	25
Baboo Assotosh Day.	25
I. B. Higginson, Esq.,	16
R. J. Dring, Esq.,	10

Co's rupees 601
Previously contributed 2,652

Total Co's rupees 3,253

Balance at Credit on 1st May 1837.....1,826 3 0
Amount of Collections made during the last month, and sent into the

Union Bank,.....1,749 9 10
.. 3,575 10 2

Cheques drawn for payments of April .. 207 1 3

Balance in hand on open account in the Union Bank..... 3,363 8 10

Amount of Collections made during the last month and sent in the Government Saving's Bank, 206 8 6
3,570 1 4

Amount lodged with the Union Bank on fixed account 2,000 0 0

Ditto in Company's Paper for Vested Fund, Co's rupees... 500
1,066 10 8
533 5 4
2 100 0 0

Co's rupees 7,673 1 4
In the course of collection 2,630 0 0

10,309 1 4

Calcutta Courier, June 5.]

MEETING OF THE PROPRIETORS OF THE CHOWRINGHEE THEATRE

Our readers are aware that at a meeting of the Chowringhee Theatre Proprietors this day fortnight, a Committee consisting of Mr. C. R. Prinsep, Mr. J. P. Grant and Mr. Dorin was appointed to ascertain wherein the current and contingent expenses of the theatre can be reduced, and to report accordingly. This day the proprietors again assembled at the Town-Hall, and the report was brought up and read. It noticed several items of expenditure which had contributed to place the theatre in its present pecuniary position, for instance, the retention of a large establishment during the repairs of the house, a disbursement of between rupees 300 and 400 for silver gilt medals for managers; the average cost of the manager's breakfasts, and various other items, including the sum paid for the repairs of the house, which, it was stated, exceeded the amount of cost for which a new theatre might have been erected. The remarks contained in the report were not applied censoriously to the management; on the contrary it was admitted by all present, that with so unwieldy a body more frugal charges could not have been expected. "The past management," said Mr. C. R. Prinsep, "were such as under any circumstances could not have been successful." But Mr. Trower thought the report contained reflections on the management which were stronger than necessary, nor was he satisfied as to its accuracy on one or two points. He did not mean to question the good advice contained in the report, but he was inclined to think that the Committee had been misinformed with regard to several items of expenditure, and, under the circumstances, he thought it due to the management, to

allow the report to remain open to explanation for a fortnight. Mr. W. P. Grant declared he had no intention of casting reflections on the managers. He for one was quite ready to acquiesce in a vote of thanks to them for the trouble and interest they had evinced for the prosperity of the partnership. And with Mr. Grant all the proprietors present seemed to concur. Nevertheless Mr. Trower was not satisfied, he thought that no expenses had been incurred but such as were necessary, and he suggested that the items objected to, be submitted to Mr. James Prinsep and Mr. William Prinsep. But the gentlemen named by Mr. Trower not being proprietors of the theatre, Mr. W. P. Grant could not accede to a proposition which would submit the pecuniary affairs of the house to their approval or otherwise. He again declared that he did not blame the managers, but the system which allowed so many gentlemen to have a share in the management. While, however, he acquitted them, he was far from holding the four gentlemen equally blameless under whose direction the house had been repaired. He felt no hesitation in accusing those gentlemen of having led the proprietors into unnecessary expenses,—of having spent more money than they ought to have done. There was a little confusion during the time Mr. Grant addressed the chair, and the reporter heard indistinctly what fell from the speaker, but he believes Mr. Grant doubted the efficiency of amateur operatives, thinking the four gentlemen to whom he alluded, would have better consulted the interest of the proprietors had they determined on a plan and given it to a professional builder to execute by contract. Mr. Farmer

stated that the heavy work had been executed by contract. After much discussion, on the motion of Mr. Prinsep it was agreed to leave the report open to examination for a fortnight.

A proposition from Captain Hyde for a lease of the theatre for five years was next brought under discussion, and was, as we understood, rejected without a division. Mr. Prinsep and several gentlemen expressed their opinion that to let the theatre was tantamount to converting it into a place of amusement similar to Sadler's Wells. Mr. Farmer also tendered to rent the theatre from the 1st of July to November next, at rates 400 per mensem, and to place the performances under the control of managers appointed by the proprietors. But Mr. Farmer's proposition was not put to the vote.

The following resolutions were carried *unanimously*.

Resolved, that the suggestions of the committee for carrying on the theatre under three managers be acted on until the 30th April next, and that Mr. Parker, Mr. W. Palmer, and Mr. J. P. Grant be requested to undertake the duty of managers.

Resolved, that excepting the proprietor's tickets no free admissions be allowed when the theatre is let except such as shall be issued by the lessee.

Resolved, that the committee who had the kindness to prepare the report be requested to submit a scheme for the payment of interest thereon.

Resolved, that the committee be requested to take measures for ascertaining the exact state of the roofs, and the cheapest means of making them rain proof. —*Oriental Observer*, June 17.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held at the Town Hall this morning, June 14, at 9 o'clock.

PRESENT.

SIR E. RYAN, *President*, in the Chair,

Dr. Wallich,
Wm. Storm, Esq.
John Allan, Esq.
Dr. Corby,
C. K. Robinson, Esq.
Captain Leach,
E. Stirling, Esq.
A. Grant,
T. H. Gardiner,
J. W. Masters,

Dr. C. Hufnagle,
M. M. Manuk, Esq.
G. A. Prinsep,
C. Howel,
Captain Carter,
D. W. Spear,
C. Hutchins, Esq.
C. Deane,
G. F. Speed, and
John Bell, Esqs.

VISITORS.

Capt. NASH, and W. S. KELSALL, Esq.

[ERRATUM IN LAST MONTH'S REPORT.]

For E. Stirling, Esq., Visitor—read—Member.

The Proceedings of last meeting were read and confirmed.

The following gentlemen proposed at last meeting, were duly elected members of the Society.

Sir Benj. Malkin,
F. Robinson, Esq., C. S.
N. B. C. Baillie, Esq.
A. Oram, Esq.

W. A. Shaw, Esq.
Saml. Oram, Esq.
E. S. Hodges, Esq. and
H. Graham, Esq.

The following gentlemen were proposed, viz.

Lieut. J. Gilmore, Esq., J. P. Mackilligin, Esq., Allan Gilmore, Esq., proposed by Wm. Storm, Esq., seconded by John Allan, Esq.

John Maclean, Esq., proposed by W. Storm, Esq., seconded by J. S. Stopford, Esq.

Marian Mackenzie, Esq., proposed by W. Storm, Esq., seconded by A. Macarthur, Esq.

Robt. Watson, Esq., proposed by W. Storm, Esq., and seconded by Dr. Wallich.

R. H. P. Clarke, Esq., *Offg. Magistrate and Collector of Suvaivan*, J. Donald, Esq., *Banowla Factory via Suvaivan*, proposed by the Secretary seconded by Dr. Wallich.

W. F. Ferguson, Esq., proposed by the Secretary seconded by Sir E. Ryan.

A. Laruleta, Esq., G. DeGorastiza, Esq., Sook Saugor, proposed by H. Walters, Esq., seconded by the Secretary.

B. B. Garrett, Esq., C. S., proposed by C. K. Robinson, seconded by the Secretary.

Thos. S. Kelsall, Esq., proposed by C. Deane, Esq., seconded by Capt. Leach.

John Stewart, Esq., proposed by J. C. Wilson, seconded by A. Colvin, Esq.

The President read a report of the committee appointed at the last general meeting of the Society, to reconsider the suggestions of a former committee, on the best means of encouraging improvements in the breed of cattle and sheep in India.

The opinions of the committee, on the subject of the probable expense, of maintaining an experimental breeding farm being exceedingly conflicting, the members of the old committee, deemed it prudent to concede the point, for the present, and to subscribe to a Resolution, which it was thought, would meet the end contemplated, that of awarding premiums and medals to the public, for the best imported cattle, and that the amounts of such premiums should be adjusted, after the resolution had met the concurrence of a general meeting. The suggestion, which had the approval of the members of the committee when present, was thrown back by a minute of this body member absent, Mr. Robinson,—who took objection to the absence of specification in the amount of premiums, and Mr. Walters having adopted Mr. Robinson's views, the president proposed that the report be returned for amendment, to be again brought up at next meeting.

Dr. Wallich proposed, with reference to the numerous interesting and important questions which have come before the Society, that standing committees be appointed, to consider and report at once upon matters referred to them, by which means a more solid opinion might be given by members, who were conversant with the subject submitted, and thus rectify the inconvenience of constantly forming new committees, which were frequently composed of gentlemen, who, although well qualified to offer an opinion on one question, would be lost in taking an erroneous view of another.

Dr. Wallich's proposal was seconded by the Chair, and by the meeting generally. But the nomination of members was left for another occasion, although Mr. Stirling commented that no time should be lost, in bringing about so important and useful a measure.

Dr. Wallich reported, on behalf of the Agricultural Committee who inspected the Society's Nursery last week, that the sugar-cane plants were in a thriving condition, and that a resolution had been proposed, not to trench upon the young stock in at least 18 months, when the society might be able to supply all applicants.

COMMUNICATIONS.

In the report of proceedings for last month, the Secretary omitted to allude to an interesting extract contained in Dr. Wallich's communication of the 9th May—from London's *Gardiner's Magazine* for December 1836—page 684—on the mode of accelerating the growth of seeds by scalding. The extract is too long to quote here, but will probably appear in the Society's transactions.

The following are notes from Dr. Wallich to the Secretary—

No. 1. Dated 15th May, forwarding a note from Captain Jenkins, together with specimens of the Assam Red Bean.

No. 2. Dated 25th May, acknowledging the receipt of sugarcane, sent to the Secretary, by Dr. Montgomery of Singapore.

No. 3. Dated 26th May, enclosing a report by Mr. Masters on the condition of the sugar-cane from Singapore, which have arrived in excellent condition,—some packed in dry sand, and some simply wiped round with straw. They are very fine canes and resemble (if they are not,) the Otaheite cane.

No. 4. Dated 13th June, presenting to the Society in the name of Dr. R. Wight of Madras, some printed copies of a paper drawn up by that gentleman in the cultivation of cotton in the Peninsula.

No. 5. Dated 13th June, forwarding for presentation to the Society, in the name of Captain Jenkins of Assam, specimens of mazanhurry morayah, and of green, floss silk, and annexing extract of a letter from that gentleman, giving some information regarding these samples. Captain Jenkins suggested, that if any means could be adopted to reel the silk of the wild silkworm—which is now wound off by the hand—it might become a valuable acquisition to our best exportable resources. With a view to attract attention to the subject, Captain Jenkins offers to place 500 rupees at the disposal of the Society, for a premium or premiums, to encourage experiments—and suggested that the society, should set aside 5,000 rupees towards the same object.

Proposed by the President, and Resolved, that the Secretary be requested to convey the Society's best thanks for Captain Jenkins's liberal offer—and to accept it,—and that the matter be referred for consideration, to a committee consisting of Dr. Spier, W. Storm, Esq., G. T. F. Speed, Esq., C. K. Robinson, Esq., and Professor O'Shaughnessy.

No. 6. Dated 13th June, describing the curious mess of calafornia presented at last meeting by Mr. Bignell as approaching nearly to the species of *sympodium involvens*, and *pulvinatum*, having the property of beautifully expanding, when put into water.

Dr. Wallich has retained one piece for further examination.

From Rev. D. Mangles, Esq., dated 18th May, stating in reply to the Secretary's letter of the 29th April, that instructions have been issued to the Commissioners of Circuit, to cause to be forwarded to the Society's office, monthly returns of the prices of grain, in their respective districts.

From Dr. A. Campbell of Nipal, of dated 6th, 7th and 10th May, acknowledging receipt of American

maize forwarded by the Secretary, and forwarding, by desire, some specimens of the maize of Nipal.

From Dr. Montgomery of Singapore, dated 17th April, forwarding per "Gaulleidon," a box and two bundles of sugar-cane of two kinds the produce of the island, and requesting to be favored with a report as to their quality, and value in reference to the Otaheite cane.

From Sir Thomas Anbury, to Sir E. Ryan, dated Saugor, Bundelcund, 23d May, forwarding some seeds of a melon grown at a place called "Kooreapoor" (close on a small sandy stream) about 10 miles from that station.

Sir Thomas describes this melon to be decidedly superior to any he had tasted in Bengal, or in the N. W. Provinces, and having distributed the seed to several friends in Calcutta, Sir Thomas is of opinion that with care and good management it may be established here.

From Col. D. McLeod, of Engineers, to the Secretary, dated 13th June, forwarding two small parcels of melon seed from the same source as those received by Sir E. Ryan, one parcel superscribed "Rock melon of Saugor," 2 feet 2½ inches circumference, the other "high flavoured melon from Saugor."

From Mr. Millet, dated 23d May, furnishing an account of the mode, &c. adopted by him in the culture of the musk melons presented at last meeting.

N. B. Mr. Millet having fulfilled the conditions of the Society's resolution, the Secretary had paid, on receipt of this communication, 200 rupees to Mr. Millet, and presented him on behalf of the Society, a silver medal.

Memo—Erratum in last month's report. The motion of the President was to reward Mr. Millet with 160 rupees and a silver medal, but as Mr. M. had incurred an expense of 170 rupees, Mr. Storm proposed as an amendment, seconded by Capt. Leach, that 200 rupees be awarded, and it was resolved accordingly.

From Mr. Millet to the Secretary, dated 13th June,—sending six melons of the same description from seed, which was first planted, as the last crop attained maturity, and which are certainly superior in flavor to the former.

From Capt. T. P. Cawley, Superintendent of the Doab Canal, dated 10th May, mentioning his endeavours to introduce the cultivation of superior varieties of rice along the line of the Doab Canal, by the annual distribution of fresh grain (procured from a place N. of Nahan, famed for the kind called "Benemath"), to all the rice villages in the neighbourhood.

Mentions having successfully introduced the Otaheite sugar-cane, which will enable him to distribute it largely. Offers his services to advance the interests of the society.

From the same, dated 11th May, forwarding for the opinion of the Society, a sample of indigo, manufactured by Serjeant Pigott, an overseer on the Doab Canal.

From Major J. R. Ouseley, principal Assistant to the Commissioner of the Saugor and Nerbudda Territories, dated Camp Bantool, Hoshungabad, May 14th, in reply to the Society's circular under date the 31st March, forwarding a list of answers with reference to that part of the country, to the several questions therein contained.

From Colonel Dunlop, dated Head-Quarters Simlah, 15th May, remarking on the several varieties of fruits obtainable at Simlah, such as grapes, apricots, walnuts, &c., which are represented as tolerably good, but susceptible of great improvement by grafting and budding. Promises to collect specimens of grain and forest seed for the Society. Notices having been American

cotton growing at Ferozepore, on the Sutledges. States that more cane is much required in that quarter. Asks for a supply of garden seeds to reach Simlah by October or November.

From Major Garstin, dated Meerut 21st May, presenting the Society, for the sake of the seed, some dried raspberries of an inferior kind, the produce of his garden, and requesting information as to the best method of improving the species. Promising to give the result of some experiments with artichokes, asparagus and wild strawberries.

From J. P. Marcus, Esq., Naunsagar, 29th May, presenting to the Society two bottles of the *Rosa* grass seed, with a small phial of oil distilled by him from the grass. Stating that the process for manufacturing the oil will be found in the 3d volume of the transactions of the Medical and Physical Society of Calcutta.

Memo.—The oil being packed with the seed, was found broken on the packet being opened; but the colour would admit of it being called genuine oil.

From Captain Lysaght to H. Walters, Esq., dated Bolarain, 16th May, acknowledging receipt of garden seeds, forwarded by the Society. Forwards a phial of Simool cotton, and a sketch of and giving information regarding the method in practice in that part of the country of drawing water from wells.

From the Hon. Mr. Melville, dated Berhampore, 15th May, presenting a specimen of cotton grown at that station from Upland Georgia seed.

From the same, dated 1st June, forwarding a larger supply of the above cotton, with a specimen of the soil.

From Mr. J. W. Laidlay, dated Berhampore, 1st June, advising the establishment of an Agricultural Society at that station, and soliciting the co-operation of the Society of India.

From Mr. H. C. Hulse, Veterinary Surgeon at Muntra, dated 12th and 29th May, offering for the consideration of the society, some remarks, based on his own experience, in the rearing of sheep, horned cattle and horses in India, and tendering his further services in furtherance of the objects in view.

The Secretary was directed to pass these communications to the cattle improving committee.

From E. Bental, Esq., Magistrate and Collector of Dinageppoor, tendering his services towards establishing a Branch Society at that station, and requesting the co-operation of this Society.

From Lieut. J. Hannington, dated Pirula, 7th June, intimating the establishment of a new station in the Jungle Mehal district which seems to him well adapted for the growth of Upland Georgia cotton, requesting a supply of the seed and Otaheite cane.

From G. H. Smith, Esq., dated Mussoorie, 23d May, intimating his intention of trying experiments in the Doon with cotton, tobacco, sugar, indigo, &c.; requiring information upon the culture of these articles, and a supply of seed from the Society's stock.

From R. Lowther, Esq., dated Allahabad, 4th May, acknowledging the receipt of further supplies of cotton seed. Advises despatch of two quart bottles more of the Sandoway tobacco seed.

Mr. Lowther regrets his inability to establish a garden, at present, in consequence of the high price of ground rent in the vicinity of the station.

From J. P. Marcus, dated 3rd May, (Naunsagar) promising to furnish replies to the queries conveyed in the Society's circular, but stating his inability to form a Branch Society at present, as recommended by Mr. Walters, owing to the general poverty of the zemindars and others in that neighbourhood.

From Lieut. H. Bigge, dated Bissenath, 21st April, forwarding a paper on the destruction of several lime and orange trees in his garden, by a maggot, together with two specimens of the same, and three pieces of the trees destroyed.

From Captain S. F. Hannay, dated 12th May, mentioning that the hemp forwarded by Captain Macfarquhar of Tavoy, (alluded to in last proceedings) is the *shon hemp* largely cultivated in Upper Assam, and used for making fishing-nets, for which it is well adapted from its great strength and elasticity.

From Mr. C. Vellet, seedsman, Cape of Good Hope, dated 6th March, in reply to the Secretary's letter of the 20th December last, on the subject of a supply of vegetable and flower seeds, for the approaching season—states that the order was in a state of forwardness, and would be shipped by the first favorable opportunity. Explains the cause of not having sent any cauliflower seeds last year. The crop at the Cape had completely failed.

From Mr. A. Larten, dated Shahabad, 28th May, stating that the seeds required for the Madras Society will be despatched on the 8th proximo.

From J. Little, Esq., Secretary Agricultural and Horticultural Society at Bombay, dated 6th May. Acknowledging the receipt of the Secretary's letter of 7th March, and of the American cotton seed—which had been widely distributed over the cotton district.

Asks to have an efficient mallee sent round from Calcutta.

N. B. This is a most difficult commission, and the Secretary fears he can hold out no hopes of procuring an intelligent gardener.

From J. H. Stocqueler, Esq., dated 18th May, forwarding a reprint of the Society's transactions, vol. 1—100 copies.

From J. Davenport, Esq., Secretary to the Branch Society of Comilla, acknowledging the receipt of seeds sent by this Society, and desiring to be supplied with the transactions.

From Mr. J. W. Masters, dated 7th June, offering a few plain remarks on the different specimens of soils from the Valley of Nipal; presented to the Society by Dr. A. Campbell.

From the same, dated 12th June, presenting to the Society, specimens of the three primitive earths, which form the principal ingredients in all soils partly artificial, but supposed by Mr. Masters, to be useful in comparing soils.

From the same, dated 14th June, forwarding further specimens of cotton of kinds, the produce of the Society's nursery, grown out of season.

From Mr. J. Paterson, to Dr. Strong, forwarding a sample of Soondebund Mould.

From Thomas Bagley, Junr., to Captain Nash, dated 4th February 1837, presenting through Mr. Allan, some selected Sea Island Cotton Seeds.

From James Grant, Esq., Collector at ———, forwarding by instructions from Government, prices of grain for one month.

From the Royal Asiatic Society, its transactions, Journal No. 6.

Dr. Hufnagle, presented a specimen of cleaned cotton, the produce of his garden from Upland Georgia seed—also a skein of twist made of it, which was considered a very promising specimen.

The Society will soon have a standard by which to compare samples of cotton, from the twist and cloth, now under process of carding and weaving, at Fort

Glower, from the large supply of seed received from Colonel Calcutt

Specimens of Egyptian cotton from Mr. Bell's garden, showed a considerable improvement on the former samples from the same trees. Those now produced are from straggling branches left when the bushes were cut over, the ensuing crop will determine whether the Cotton degenerates in quality or not.

The Secretary also presented from his garden 14 quart bottles of tobacco seed, the produce of seed received

through Dr. Walkich, from Dr. Wight of Madras — likewise sent bottles of English clover seed.

The thanks of the Society were ordered to be offered for all the above communications and presentations

JOHN BELL, Secretary,

Ag & Hor Society of India.

Town Hall, Calcutta, 14th June, 1837.

[Harkeru, June 18-

PROCEEDINGS OF THE ASIATIC SOCIETY.

Wednesday Evening, the 7th June, 1837,

The Hon'ble Sir Edward Ryan, President, in the Chair

Dr J Swiney Lieut M Kittoe, Professor O Shaughnessy, & W Bicon, and Francis Robinson, Esqrs, were elected members of the Society

Mr Muir was proposed by Dr. Falconer, seconded by the Secretary,

M F Eidour, Leg Chev Hon, Naturalist of the Bonite Co vitte solicited through Professor Goodeve, the honor of being chosen a corresponding Member Referred to the Committee of Papers

The following reply from Government was received to the reference regarding the Mackenzie MSS

To James P Insep, Esq, Secy to the Asiatic Society.

Sir — With reference to your letter, dated 10th September 1836 I am directed to transmit to you the accompanying copy of a communication from the Government of Fort St George and to state for the information of the Asiatic Society, that the Right Honorable the Governor General of India in Council has authorized the Government of Fort St George to expend a sum not exceeding 7,000 rupees, in order to obtain from the Rev Mr Taylor an examination and collation of the manuscript work in the vernacular languages of India, collected by the late Colonel Mackenzie, and the restoration of any that may be found to deserve it

I am, Sir, your obedient servant,

H. T PRINCE, Secy to Govt

Council Chamber, 10th May, 1837.

Mr. Taylor estimates, that the preliminary collation and examination of the manuscripts, including the restoration and copying of those injured, decayed, or becoming illegible, as may appear desirable on investigation, may occupy about a year, and half a year more is allotted for those at Calcutta. Of the whole he is to give an anxious whence it will be determined what shall be translated or published in original. He ventures to anticipate "some results from the enlightened recommendation of the Asiatic Society, that will justify their decision to the literary world, and furnish an important addition to our knowledge of history, mythology, philosophy, ethics, and local customs, modes of thinking and other habits of the people of South India."

A letter from the Secretary of the Asiatic Society of Paris, M. E Barneof, communicating officially the grant

* We have none of the Tamil or Telugu MSS. in our library.

of 1,500 francs per annum, for the purchase of Sanskrit MSS. on account of the French Government, and requesting the Calcutta Society to undertake the commission.

The following letter from Capt. Harkness, Sec. Roy. As. Soc. of London, was read.

Royal Asiatic Society's house, 14, Grafton Street, Bond street, London, 24th January, 1837.

Sir,—I have the pleasure to acknowledge the receipt of your letter of the 6th of June last, enclosing a bill on Messrs Morris and Co. for £31 10s, the amount of your Society's subscription to the Oriental Translation Fund up to the year 1835, inclusive.

With reference to the last paragraph of your letter, I am requested to say that, as a body, the Oriental Translation Committee is precluded from taking any portion of the Oriental works (texts) you are now publishing, as it could not, consistently with the objects of its institutions, present them to its subscribers. Several of the Members, however, have expressed their intention of becoming, individually, subscribers to each edition, as completed, and I hope, also, to obtain a few subscribers from among the Members of the Royal Asiatic Society. In the mean while I trust that the powerful advocacy which the cause received in this country has been long and thus, productive of much benefit. It was supported by the united influence and exertions of the Royal Asiatic Society, and the Oriental Translation Committee, and the result was confidently understood to be, that the Bengal Government was to be instructed, at least, to defray all the expense attending the publishing of the works which it had commenced to print, but which it had transferred to your Society to complete.

I have the honor to be, Sir,

Your most obedient humble servant,

H. HARKNESS, Secretary.

Oriental Translation Committee

The Secretary observed, that

Captain Harkness's letter was the first official notice the Society had received from London of the state of their Memorial, regarding Oriental publications, sent through the Government here, and to duplicate through the Royal Asiatic Society, in 1836. It appeared that, from motives of delicacy, the Council of the Royal Asiatic Society thought it right not to publish what had been done in the Annual Review of its proceedings, while the subject was still under consideration; but that the favourable result of the application to the Court of Directors being now generally known, they ventured to announce the success of their intercession. He thought, therefore, that it implored the Society to notice the information they had long since possessed through the private correspondence of their English agent.

The committee appointed by the Royal Asiatic Society to wait upon the Chairman, and Deputy-Chairman, and upon the President of the Board of Control, consisted of the Right Honorable C. W. W. Wynne, President, Sir Gore Ouseley, Sir A. Johnston, Sir G. Staunton, Vice-Presidents, and Professor Wilson. Mr. Wynne opened the interview in both instances, and stated the case very clearly and sensibly, going into the general question—the impolicy of setting aside the native literature and institutions, and dwelling particularly on the assistance sought for the abandoned Oriental publications. Professor Wilson also delivered a long address the substance of which was published in the form of two essays in the *London Asiatic Journal*. Sir Gore Ouseley, and Sir A. Johnston, followed; and the high authorities replied in set speeches, expressing a disposition to favor the application without any pledge to the line that the Court or the Board would pursue. The Court's reply was understood to be delayed through the lamented death of Mr. Mill, the historian of British India, who had been empowered to draw it up.

This then was the moment for the Society, to show its gratitude to the distinguished individuals whose influence and talents had been so warmly exerted in supporting their memorial. Professor Wilson and Sir Gore Ouseley, were already on the list of their Members; to them, nothing more than their warmest thanks could be proffered; but to the Right Honorable President of the Royal Asiatic Society, to Sir Alexander Johnston, and to Sir G. Staunton were due the highest compliment the Society was capable of paying.

He begged therefore to propose, that these gentlemen be elected honorary Members, without the usual form of reference to the Committee of Papers, and that letters of thanks be addressed to each for the cordial support they had given to the cause of Oriental literature.

After a few objections on the score of departure from established form and want of full official information, the proposition was put from the chair and carried *Nem. Con.*

A letter from Professor Rain, Secretary of the Royal Society of Northern Antiquaries at Copenhagen, acknowledged receipt of Asiatic Researches, xiii. xviii., and forwarded the Society's Reports for 1836. One addressed to the English Members, contains an account of Iceland from the oldest Icelandic records.

Professor O. Frank of Munich, acknowledged receipt of the *Mahabharat*, vol. ii.

The Secretary of the Antiquarian Society, ditto of the xth vol. *As. Res.*

The following Report of the Committee of Papers on the subject of the Museum, was read:—

To JAMES PRINSEP, Esq.

Secretary to the Asiatic Society of Bengal.

Report of the Committee of Papers on the Museum Question.

The Committee having perused Dr. Pearson's Report on the operations of the Museum for the second experimental year, and having examined the state of the objects of Natural History, acquired, set up, and arranged under his superintendence, is of opinion that the Society is much indebted to his zeal and exertions, and that the sum voted for the support of the Museum in May, 1833, and renewed in May, 1836, has been well bestowed and profitably expended.

2. That nothing less than the actual demand for the Society's income on other objects imperatively necessary, such as the publication of its Researches, and the repair of its premises, would warrant the withdrawal of support

from a department every day becoming of greater magnitude and importance; but that the following estimate of the receipts and payments of the Society for the ensuing twelve months, renders this continuance of the Museum establishment on the Society's present means inexpedient.

Estimated Receipts, for 1837-8.

Cash balance in the Bank of Bengal, &c.	652 14 1
Interest on the papers deposited with the Government Agent, &c.	835 0 0
Quarterly contribution, &c.	6,500 0 0
Allowance from Government for Oriental library, &c.	930 0 0
	<hr/> 8,923 14 1

Estimated Charges.

Arrears of Establishment for March and April, 1837, &c.	563 11 0
The Museum allowance for April, &c.	213 5 4
Subscription to Journ. As. Soc., for 1836, not yet paid, &c.	1,293 0 0
Establishment and charges for 12 months, &c.	3,200 0 0
Subscription to the Journal Asiatic Society, for 1837, &c.	1,500 0 0
Ditto to the Oriental Translation Fund in England, 10 guineas per annum, &c.	200 0 0
To printing 2nd part of the 19th vol. <i>As. Researches</i> , &c.	2,500 0 0
Cleaning and painting the house exclusive of any alteration and repairs, &c.	900 0 0
	<hr/> 10,370 0 4

Deficiency, Co.'s Rs... 1,446 2 3 without estimating even a reduced allowance for the maintenance of the Museum.

3. That, viewing the maintenance of the Museum as a national object, and calculated to be of immense importance to science if placed upon a footing of efficiency, with a professional Naturalist at the head, directing researches and systematizing information obtained from various sources, both public and private, in all the branches of physical science, but more particularly in regard to the Natural History of British India and Asia at large; it is incumbent on the Society to make a full and urgent representation to Government on the subject, and to solicit such support as is accorded in most other countries to similar institutions of national and scientific utility.

That historical, antiquarian, and statistical researches, although they may not demand so large an outlay as the prosecution of physical inquiries, merit equally the Society's attention and the encouragement of Government, and should be included in the proposed representation, and that therefore a yearly grant of 10,000 rupees should be solicited in aid generally of the objects of the institution.

4. That pending the application to Government for pecuniary assistance, it is desirable to maintain the Museum on its present footing, and to retain the services of Dr. Pearson as Curator, from month to month, until the question be decided.

EDWARD RYAN.

For the Committee of Papers.

Proposed by Mr. W. Crockett, seconded by Mr. E. Surling, and carried unanimously, that the Report be adopted by the Society.

The Secretary then read draft of the proposed application to Government, which was ordered to be circulated in the Committee of Papers and forwarded without delay.

Library.

Baboo Nair Comul Se presented a copy of the catalogue of the Sanskrit works in the College of Benares for publication with the catalogue of the Society's books now in the press.

The Government of Bombay presented 5 copies of Lieutenant T. S. Cairless's Survey Report of the Indus navigation below Hyderabad.

The Right Honorable the Governor-General forwarded a copy of Professor Whewell's *Researches on the Indes*, 6th series with a request that the Society would undertake to promote inquiries on the Indian coasts to complete the theory of colidial lines for the Bay of Bengal, towards which the Government would be happy to contribute its aid.

Mr W H. Macnaghten presented two works in the Marhatta and Hindi languages the *Siddhanta Shiksham* prakasa by Subhaji Bapu, and the *Bhugolo saro tikhya*, by Mr Unkara Bhat Joshi, written for the purpose of explaining the correct system of astronomy to their countrymen.

Mr Macnaghten also exhibited to the meeting two handsome silver emblematical inkstands, representing a joshiki pandit seated between two globes, expounding their use from the Siddhantas—and around the stand, richly embossed, the twelve signs of the zodiac—a Sanskrit couplet on each expressing that it was presented by the Governor-General in Council in token of approbation of the astronomical learning and zealous endeavours of the pandits to enlighten their countrymen. The following extract of a letter from Mr. Wilkinson, Governor-General's Agent at Bhillai, describes what they had done to deserve so high a compliment.

"I had shortly before entertained in my private service a Siddhanti who possessed a higher degree of knowledge of his profession, and having had an opportunity of making myself whilst at Kota in some degree acquainted with the Hindu astronomical books, I had communicated a knowledge of them to my own Shastri, by name Subhaji Bapu, a man of wonderful acuteness, and intelligence, and sound judgment, and to Unkara Bhat, one of the principal Joshis of this part of Malwa. The arguments by which I had for the previous eight years of our connexion in vain endeavoured to impress on Subhaji Bapu a conviction of the truth of the real size and shape of the earth and of other important physical facts, now carried to his mind the clearest conviction when shown to be precisely the same as those of their own astronomical authors. His was the master mind, and it exercised its influence over the minds of all the other pandits. He was lost in admiration when he came fully to comprehend all the facts resulting from the spherical form of the earth, and when the retrogressions of the planets were shewn to be so naturally to be accounted for on the theory of the earth's annual motion, and when he reflected on the vastly superior simplicity and credibility of the supposition that the earth had a diurnal motion, than that the sun and all the stars daily revolve round the earth, he became a zealous defender of the system of Copernicus. He lamented that his life had been spent in maintaining foolish fancies, and spoke with a bitter indignation against all those of his predecessors who had contributed to the wilful concealment of the truths that once had been acknowledged in the land.

"Subhaji Bapu's first care was how he was to enlighten the people of Chandu and Nagpore, the land of his birth. At Bombay, Calcutta and Madras, and at Delhi and Agra, and here also, the truth he said must spread, but how will the mid-land of Nagpore, visited by no travellers from foreign countries, accessible to no ships from other islands, and maintaining no schools, —

how will the eye of its population be opened? I recommended by embodying all the facts he had learned in a treatise in Marhatta. He immediately undertook the work. I have got it printed, and I now have the honor of submitting two copies of his work, with a request that they may be presented to the Governor-General of India.

"It is a work which will bear the test of even a severe criticism. It is full of philosophical reflections. From the different productions of different countries mutually necessary he argues the intention of Providence to unite all mankind by commerce in the bonds of an interested affection. He hence infers the restrictions laid on Hindus against travelling to foreign countries to be violent and unnatural. He smashes the folly of astrological predictions, and upholds the wisdom and mercies of Providence in veiling the future from our curiosity, and in keeping us all in our duties by an unflinching hope. He leaves none of the numerous vulgar errors held by all Hindus in connection with his subjects of geography and astronomy to pass without a complete and satisfactory refutation.

"Unkara Bhat, who holds the next rank in talent and usefulness, has written a free Hindi version of Subhaji Bapu's book on the Pauranic, Siddhantic and Copernican systems."

Read a letter from Lieutenant Kittoe, stating that he had despatched a cart to Tamlook to take down the Bhudaneswar slabs, the restoration of which had given the greatest satisfaction to the priests and people.

Lieutenant Kittoe also forwarded copies of the principal inscription in the old Lat character at *Arawastuma* near *Dhoulas* in *Orissa*, with a short account of the caves and temples discovered there by himself and a map of the place.

Captain Smith, Engineers, forwarded accurate facsimiles of the inscriptions at the Buddhist monument of *Sanchi* near *Bhillai*, with a paper describing their position.

Captain W. Murray presented some beautiful drawings of this very curious mound, and of the highly ornamented stone sculpture of its gates and frieze.

The Secretary read a note on the inscriptions, which had proved of high interest from their enabling him to discover the long sought alphabet of the ancient Lat character (or No. 1 of *Allahabad*)—and to read therein the inscriptions of *Delhi*, *Allahabad*, *Bethnah*, *Girnah* and *Cuttack*—all intimately connected, as it turns out, in their origin, and in their purpose.

Lieutenant Kittoe also presented facsimiles of a copper grant in three plates dug up in the *Gumsur* country, of which the Secretary with the aid of Kamala Kant Pandit supplied a translation.

It relates to a grant of land by the *Bhanja* rajas to a Brahmin named *Bhandreswar*.

The Honorable G. Turnour transmitted a paper on an examination of the Bali Buddhistical Annals, including a translation of the *Attha katha* of Buddhihaghose, and a table of the *Pitakattayan*.

Major J. Sleeman communicated the first part of his History of the Gurha Mundela Rajas.

Lieutenant Siddons forwarded a translation of the commencement of the *Dadupausti Grantha*, with a promise to continue the same should it prove acceptable.

Professor Wilson formerly intended to have done the same thing—the translation of Dadu's moral instructions is highly interesting.

A list of the native tribes in *Sinde* and specimen of their language was communicated by Captain Alexander Burnes from *Bahawalpur*.

Physical.

G. Webb, Esq., C. S., forwarded for presentation to the Museum a second collection of the butterflies and insects of Sikkim.

Dr. T. Cantor presented some fragments of bones perfectly fossilised, extracted from the superficial clay at Bhangpalla below Diamond Harbour.

In these bones the animal matter is entirely replaced by iron and carbonate of lime, although they were imbedded in quite a modern alluvium. Their discovery throws a new light either on the period required for fossilization, or on the age of the alluvium.

Mr. W. T. Lewis of Malacca, presented the model of a Chinese double bellows for the museum; also some tin and gold ore.

The Tapir sent up by Lieutenant Mackenzie had, with the Committee of Papers' sanction been made over to the Secretary, it being out of the Society's views to keep living animals.

Mr. B. H. Hodgson forwarded some beautiful Zoological drawings for inspection on their way to Europe, also two bottles of snakes peculiar to Nipal.

Lieutenant Hutton presented a notice of the Indian Boa *Python Tigris*.

A letter from Professor S. Von der Busch, of Bremen, proposed exchanges of land and fresh water shells and other objects. Referred to the Curator.

Dr. T. Cantor presented drawings and a notice of one of the fossils in the Colvin collection which had been cleared from matrix for the purpose of examination.

It proves to be the skull of a gigantic fossil Batrachian, and by comparison of the relative measurements of the common frog, it must have belonged to an animal of 40 inches in length?—a proportion between fossil and recent species which has no parallel only in the neighbouring family of reptiles, the salamanders, of which the specimen, from the Oenningenschicht, known by the name of *Homo biluvis testis*, measured three feet in length.

The following notice of a curious optical phenomenon observed in the Red Sea was communicated by Captain A. Burnes from Bahrein.

Extract of a letter from Lieutenant W. Ford of the Indian Navy, dated Mount Sinai, September 26th, 1838.

"You once expressed a wish to know something of the Djibbel Norkana or sounding mountain, conceiving which there has been so much doubt and discussion in Europe. I visited it on my way here—it is situated on the sea shore about eight miles from Tor. A solid slope of the finest drift sand extends on the sea face from the base to the summit (about six hundred feet) at an angle of about 40° with the horizon. This is encircled or rather encircled, if the term is allowable, by a ridge of sandstone rocks running up in the pointed pinnacle, and presenting little surface adapted for forming an echo. It is remarkable that there are several other slopes similar to this, but the sounding or rumbling, as it has been called, is confined to this alone. We dismounted from our camels, and remained at the base while a Bedoin scrambled up. We did not hear the sound until he had attained a considerable height. The sound then began rolling down, and commenced in a strain resembling the first faint notes of an Eolian harp, or the fingers wetted and drawn over glass—increasing in loudness as the sand reached the base, when it was almost equal to thunder. It caused the rock on which we were seated to vibrate and our frightened camels (animals you know not easily alarmed) to start off. I was perfectly astounded, as was Captain W.—and the rest of the party. I had visited it before in the winter month but the sound was then so faint as to be barely evident, but now the scorching heat of the sun had dried the sand and permitted it to roll down in large quantities. I cannot now form the most remote conjecture as to the cause of it. We must not I had now refer it to the sand falling into a hollow, that might produce sound but could never cause the prolonged vibrations, as it were of some huge harp string. I shall not venture on any speculation, but, having carefully noted the facts, I shall lay them, on my arrival in England, before some wiser head than my own, and see if he can make anything out of them.—Journal of the Asiatic Society for May.

MEETING OF THE MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments on the 3d of June, 1837.

The following letters were read.

From Assistant-Surgeon R. Marshall and Surgeon J. Nisbet, 48th Regiment N. I., requesting that their names might be withdrawn from the list of members.

From the Secretary of the Medical Botanical Society of London, accompanied by a copy of the transactions of that body, and Karl Stanhope's address.

From Messrs. Jager, M. Moegling and H. Treg, missionaries of the Basle Evangelical Society, stating that they begged to present a treatise upon the fossil remains of Wurttemberg, by M. Jager, of Stuttgart, accompanied by a letter from that gentleman and the same question, with which they had been entrusted in leaving Europe for India. M. Jager's letter stated, that he had been much interested by Mr. Cuvier's account of animals and vegetable remains found in the Jura. He offered to procure for the

Society specimens of some of these fossils, and requested to receive in return any preparations of a similar nature which the Society might be able to furnish him with, together with any Indian publications which treat of this subject.

Dr. C. Haffnagle, proposed at the last meeting, was elected a member of the Society.

Professor Oersted was elected an honorary member, and Mr. Le Chevalier Eydon a corresponding member.

The following communications were then presented.

Description of a new species of *zygæna* (hammer-headed shark) with anatomical sketches illustrating the peculiar formation of the head, by Dr. Cantor.

2. Account of a preparation of Exostosis of the bones of the ankle joint taken from a patient whose leg was amputated, by G. Madden, Esq., Civil Surgeon Futteypore, which was presented for the Medical College Museum, exhibited one of the most beautiful specimens of the disease in question, perhaps ever beheld.

3. An anomalous case of small pox, by D. Manasse, Esq., H. M. 16th Foot.

4. Case of extra Uterine Pregnancy, terminating fatally by hæmorrhage, communicated by Allan Webb, Esq. This case was accompanied by a preparation of the parts which Mr. Webb explained to the meeting, in illustration of his paper.

Some very beautiful specimens of calculus extracted by Mr. Mackinnon of Larkhoo, were placed on the table.

Mr. Lindsay's case of necrosis presented at a former meeting, was then read and discussed. The patient at 30 had both legs broken by a wall falling on him: both fractures were much comminuted and the right tibia protruding about the middle of the leg. The man would not at first submit to amputation, but profuse suppuration and irritative fever ensued, and he at length consented to the operation, which was performed a fortnight after the accident. Both legs were removed on the same day, the right above, the left below the knee joint. At first the patient went on well and the left stump healed before the end of August, but the right stump

remained open and continued to suppurate with anæmia, running up towards the tuber ischi and groin. The femoral artery had degenerated into a mass of puriform lymph up to within an inch of Poupart's ligament, above that spot, it contained some long red clots. The vein was filled with an orange coloured coagulum and its coats thick and pale up to the same point. The femur was much enlarged, the shaft having the usual oblique irregular appearance of a new shell of bone, and it contained within it the osseous matter, which was some six inches in length. The femur itself formed a very interesting specimen of the disease and was exhibited to the meeting.

H. H. GOODRICH, M. D.

Secretary, Medical and Physical Society

[Larkhoo, June 7.]

BENGAL MEDICAL RETIRING FUND

PROPOSITION FIRST.

Proposed that Regulation XXIII of the Fund Deed be thus modified, viz to expunge the concluding clause, "or to accept double such annuity as the sum of his subscriptions and other sums of money which he may have paid into the said Fund, together with compound interest thereon as aforesaid, may be sufficient to procure, according to the rate contained in the Table of Rates hereinafter contained, and to substitute the following words

'Or to accept an annuity of £150, together with such additional annuity as the sums of his subscriptions and other sums of money which he has paid or may pay into the said Fund, together with compound interest thereon as aforesaid may be sufficient to procure according to the rate contained in the Table of Rates hereinafter contained. Provided always the aggregate amount of such annuity do not exceed the aforesaid sum of £300, except in such cases as may come under our 2d Proposition, should it be adopted. And provided also that no sums or sums of money once paid into the said fund, be afterwards withdrawn therefrom.

The following remarks are submitted in support of the above proposed modification of Regulation XXIII.

That since the Medical Retiring Fund has commenced its operations by declaring three annuities out of a large number at present in arrears, yet of the numerous subscribers who have completed seventeen years service, very few only have been found able or willing to accept the Fund pension on the terms offered.

That this unlooked-for result is in some measure owing to an expectation of obtaining the Pension certain, but it is equally certain that there are many who would gladly

accept the annuity were they not prevented by their inability to fulfil the required conditions.

It would therefore appear that the Medical Retiring Fund as it present constituted, does not entirely suit the circumstances of the persons for whose benefit it was designed.

Our Fund offers yearly six annuities of £150 each, provided the Retiring members pay in to the Fund a sum sufficient to procure an additional annuity of an equal amount. This is an undoubted privilege to all who possess the means and are willing to invest the requisite sum in a life annuity, for our Fund receiving from Government six per cent interest (the whole benefit of which goes or ought to go to the annuitant, is thereby enabled to grant annuities on much more favourable terms than any Insurance Office at home. But if the Retiring member be either unable or unwilling to avail himself of this privilege of purchasing an additional annuity of £150,—why should we refuse to give him the full amount of the pension which we are prepared gratuitously to bestow on other members, and by so doing reject steps that might otherwise be obtained at the usual price? The step of the one class of men is equal in value to that of the other, and ought in justice and policy to be purchased at an equal price, unless it can be satisfactorily shown that to do so would involve a serious loss to the Fund.

If a subscriber retiring on the diminished annuity here proposed, live a shorter time than the estimated number of years, the Fund will gain less by his death than it would have done had he been forced to buy up the full annuity. And on the other hand if he live longer than the expected time, the Fund will lose proportionally less. For example, A. an annuity on £200, lives four years less than the expected time—the Fund gains by his death £800 or £400 less than it would have done if A. had

taken the full annuity.—B an annuitant on £200, lives four years longer than the estimated time,—the Fund loses by him £800 or £400 less than it would have done had B. taken the full pension.—If therefore an equal number of "good and bad lives" were to retire on the diminished annuity, it appears to be matter of indifference to the interests of the Fund, whether they do so, or prefer purchasing the full annuity. For, suppose 20 "good" and 20 "bad lives" were to take the diminished annuities,—then the average losses on the long lives, would be counterbalanced by the average gains on those who die early—thus the Fund would pay gratuitously pensions of £150 to the whole 40 annuitants for periods equal to the average duration of their lives; and the sums set aside for the additional pensions, would on the average answer the purpose for which they were deposited,—and this is precisely the expected result of the full annuities.

But it may be argued that "bad lives" will generally prefer the diminished and "good lives" the full pension, and that this will deprive the Fund of a portion of the gains required to meet losses in another quarter. For example C., an annuitant on £200, dies four years sooner than the expected time; the Fund gains by his death £800; D a full annuitant, lives four years longer than the calculated time—the Fund loses by him £1,200 or £400 more than it gained by C. But if bad lives take the full, and good lives the diminished pension, the result will be reserved thus.—E. a full annuitant, dies 4 years sooner than the expected time—the Fund gains by his death £1,200.—F. an annuitant on £200, lives 4 years longer than the calculated time, the Fund loses by him only £800 £400 less than it gained on E.—Now in all these cases the Society out of its own funds deposits precisely the same amount on account of premium to the retiring Officer.

As the fear that a greater proportion of "bad" than of "good lives" will prefer the diminished annuity, seems to be the only objection of weight which can be made to the proposed alteration, it is necessary to consider it at some length.

That a subscriber in bad health would generally prefer a Bonus is probable; the temptation to do so being greater to all who doubt the value of their own lives.—Such persons would at once carry off a large portion of the Society's funds, no part of which could ever return to it.—But he who has only the power of taking the diminished annuity is differently situated; he can carry away none of the funds, and has consequently much less inducement to follow this course on the single ground of presumed bad health. It is seldom that any one is disposed cordially to agree with his friends or Medical advisers in the opinion that he has only a few years to live; unless indeed this opinion be backed by the prospect of some immediate gain. A dying man resigning the Service to secure a Bonus, would gain a considerable advantage for his heirs, and cause a serious loss to the Fund;—but what object could such a person propose to himself by declaring for the diminished annuity? For these reasons therefore we are of opinion that other motives than a consciousness of being a "bad life," would generally influence subscribers in their determination to accept the reduced pension. Such as want of funds;—a design to settle in some one of the colonies, where a certain command of ready cash is so necessary to insure success;—a laudable disinclination on the part of fathers of families to sink their whole capital in a life annuity, &c. &c. But admitting that some undue proportion of "bad lives" were to take the diminished annuity and so cause some loss, or more correctly speaking some diminished gain to the Fund; it is contended that this disadvantage would be more than counterbalanced by the accelerated promotion caused by enabling

many to leave the Service, who under the operation of the existing regulations are precluded from doing so. If we were a common Insurance Company calculating on deriving a certain profit to ourselves on the result of our transactions, it would then be inadmissible to permit any member to take the proposed reduced annuity—but as we profess to derive no gain, our only concern should be to guard ourselves against loss;—or we may incur a certain extent of risk of loss, to obtain a greater benefit in the shape of accelerated promotion.

Government which pays the 6 per cent interest might reasonably object, if we were to propose allow all members to lodge money to procure higher annuities than £300, but it cannot object to their being satisfied with smaller pensions.

It is especially to be kept in view, that the proposed alteration cannot of necessity continue to have effect more than a limited number of years, because in the course of time, members will have paid up their minimum subscriptions before getting the offer of the Fund pension;—its effect must therefore decrease in extent year by year, until at last it die a natural death.

Our present experience clearly proves that something must be done fairly to commence the operations of the Fund as a scheme intended to accelerate promotion—for it can hardly be doubted that out of about fifty subscribers at this moment having the offer of the pension, there are many who would willingly retire to their native country on a consolidated annuity of about £350 (namely, the Fund premium annuity and Compy's Retiring Pension) but who find themselves forced to remain in India from want of means to purchase the remainder of the Fund. This is a condition, which if not proved to be necessary to prevent serious loss to the Fund, must be admitted to be as cruel to the individuals so situated, as it is impolitic with regard to the general interests of the members.

PROPOSITION SECOND.

It is a subject worthy of serious consideration whether the Medical Retiring Fund would not be materially improved by granting, in the manner to be hereafter explained, a limit number of increased pensions to Superintending Surgeons actually in India, who may be willing to retire before, or at the expiration of five years' service in that grade.

One great object of the Fund, is accelerated promotion; it is therefore reasonable that all ranks should participate in this benefit in as equal a manner as may be consistent with the other objects of the Society.—But if the Pension prove (as it is feared it will) too small to tempt the highest grades to resign their lucrative situations, it will generally be accepted by Surgeons (probably young ones) and the scheme will turn out to be a promotion Fund to Assistant Surgeons only.

It is not probable that any pension we could afford to give to members of the Medical Board would be sufficient to induce them to retire sooner than they would otherwise do,—besides their time being already limited the step is not worth the sacrifice of much money. But unless we can tempt more Superintending Surgeons to quit the Service than would do so if no such Fund existed, the Senior Surgeons will scarcely gain a step. The great object should be to prevent Superintending Surgeons from remaining more than a few years in that grade, and thus to give all ranks a reasonable prospect of enjoying for a time the almost only lucrative situation our Service holds out. For the Board is at too great a distance to be generally contemplated by the juniors.

The Major of a Regiment receives more money for his step than any one junior in rank; first, because he causes greater promotion by his resignation, and, secondly, because he gives up a more valuable appointment. Why may not Superintending Surgeons be bought out on a similar principle? If it be asked, why we do not extend this to members of the Board?—the answer is that their steps would cost more money than the promotion caused by their resignation would compensate. At present our Fund really pays much more for the Surgeon's step, than it does for that of the Superintending Surgeon, although the one vacates an appointment of 700 and the other one of nearly 2,000 rupees!—for the sum which is required to procure an annuity of £300 for a man of forty years of age, would very nearly purchase an annuity of £400 for one of 55, the average age of our Superintending Surgeons. So that to give Superintending Surgeons £400 a year, would hardly cost us more money than the sum we are now prepared to deposit, to provide the regulated annuity for young Surgeons.

Had all Surgeons been members of the Fund, a donation to go towards the increased pensions for the Superintending Surgeons, might have been demanded from the Surgeon who gained his promotion by the step; but in our present circumstances (all Surgeons not being subscribers to the Fund) such a rule is inapplicable, though such a one eventually may become available.

The following proposed new Regulation, it is believed, would not only provide a remedy for the present evil, without increasing the Subscriptions of the members, but also secure the profitable employment of funds which would otherwise lie in abeyance and in a state of uselessness as far as regards the objects for which they were subscribed. In concurrence with these views and with the terms of the preceding Proposition herewith submitted (supposing it to be approved and adopted) the following would be our second

PROPOSED NEW REGULATION.

"That in the event of two or more of the six annual premium annuities of £150, with the authorized purchasable addition, not being accepted, the whole or any part of the funds applicable to such unaccepted annuities, shall be appropriated to the purpose of providing one or more increased premium annuities of £200 each, to be offered to all Superintending Surgeons actually in India, who shall resign the Service on or before the 31st October 1838, and subsequently to such Superintending Surgeons only as may have held that rank not more than five years,—together with such additional annuity as the sum subscribed by each of such Superintending Surgeons and other sums of money which each may have paid or may pay into the said Fund, with compound interest thereon, may be sufficient to procure:—provided always that such aggregate annuity do not exceed the sum of £400;—and provided also, that no sum or sums of money once paid into the said Fund, be withdrawn therefrom."

Or, supposing the first proposition herewith submitted to be rejected, the following would then be our second:

PROPOSED NEW REGULATION.

"That in the event of two or more of the six annual annuities of £300 not being accepted, the whole or any part of the funds applicable to such unaccepted annuities be appropriated to the purpose of providing one or more augmented annuities of £400 each, to be offered to Superintending Surgeons actually in India at the time, who shall resign the Service on or before the 31st October 1838, and subsequently to such Superintending Surgeons only as may have held that rank not more than five years, on condition of their fulfilling with regard to this augmented annuity, all such terms as are required by the Regulations from the accepters of the smaller annuities of £300 each."—*Calcutta Courier*, June 14.

UNIVERSAL ASSURANCE SOCIETY FOR LIVES, &c. &c.

ESTABLISHED IN LONDON AND CALCUTTA, 1834.

CAPITAL £500,000 in 5,000 Shares of £100 each.

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AGENTS AND SECRETARIES,
Messrs. Bagshaw and Co.

BOMBAY. { Messrs. Leckie and Co. Agents.
William Mackie, Esq. Surgeon.

MADRAS. { Messrs. Hall, Rainbridge and Co. Agents
Thomas Moore Lane, Esq. Surgeon.

The Directors of this Society have caused investigation to be made with great care into the existing Institutions for Life Assurance, &c. &c., and they trust they have been fortunate in selecting from each what as a whole will place their Establishment on the most secure, judicious, and satisfactory footing both to the Proprietors and the Assured.

The plan of this Society is to transact all its business on such terms as to leave, in all human probability, a small but certain excess of profit on the general result of its transactions. A small portion of that profit is set apart as a compensation to the proprietors, who have advanced the capital necessary for defraying the unavoidable expense of the Institution and who have pledged the subscribed amount of their capital in order to afford that responsibility, which relieves the assured from any contingency of loss to which they might be liable without the intervention of such a guarantee.

* The Society makes a natural distinction between persons exposed to the hazards of Military and Maritime occupations, and those whose occupations are of a Civil nature; but Members of the Military Service holding offices purely Civil, and subject to no extra risk, will be admitted to Assurance, or continuance of Assurance, at Civil rates of premium, while engaged in duties purely Civil. In all cases it will be in the discretion of the Directors, whether to require the higher or the lower rate of premium, and that discretion will be regulated by the the circumstances of each particular case.

Persons assured with this Society for the whole term of Life, will be entitled to three-fourths of the profits, after they shall have made five complete annual Payments: in every subsequent year a similar division will take place, the profits being estimated from the average of the five preceding years: thus one year's average profits will be annually divided. Separate Tables, both Military and Civil, have been adopted for the whole of life at reduced rates for such persons as may prefer a lower rate of premium to participation in the general profits.

Premiums are ordinarily payable half yearly in advance, but policy holders are at liberty to make arrangements with the Society to pay their premiums in one amount,

in annual or quarterly payments, or during a given number of years; viz. 5, 10, 15, or 20 annual payments. Many persons may wish to avail themselves of a present season of prosperity and adopt the latter course, and although their contributions will thus cease to with the expiration of the term they may fix upon, their share of the profits will continue to be added to their policies annually during the remainder of life.

An assurer on a policy for whole life having paid premiums in India for a period of not less than five years, shall on returning to England, be entitled to continue his policy on the payment of the English rates of the Society corresponding with the age at which he originally assured.

An assurer on a whole life policy on which premiums have been paid in India for a period less than five years, shall be entitled on his return to England to continue the same at English rates in like manner on payment of the Indian rate of premium for one year after arrival in England.

In either case no reference will be had to the state of health of the party but the conditions of the assurance will be those of the Home Policies.

When application is made for assuring a life subject to more than ordinary hazard, an augmented Premium will be charged proportioned to the increased risk, which will be regulated by the strictest attention to justice between the Society and the Assured, according to the circumstances of the case.

The parent Institution being in London with a similar establishment in Calcutta for granting Policies, Premium, as well as Claims, are payable in either country at the entire option of the Policy holder. The establishment of Sub-Agencies at Madras and Bombay, under the management of the Calcutta Branch, affords similar facilities to persons residing at either of the Sister Presidencies.

Where the application for Assurance makes no mention of the date from which the Assurance is desired to take effect, the Policy will be issued on the date of the risk by the Directors; no Assurance to be binding on the Society until the first Premium shall have been actually paid to the Agents.

Every proposal for Assurance will be immediately attended to, and the Assurance completed generally within a few days after the application is made.

The accounts of this Society, after being investigated by Auditors, chosen as well by the Assured as by the Proprietors, will be laid before a General Meeting to be convened for that purpose: in like manner the accounts of the Parent Society will be regularly transmitted to India for the same purpose, — the India Branch enjoying reciprocal advantages with the parent Society.

All policies becoming Claims on the Society will be discharged within 3 months after proof of the Assurer's death has been furnished to the Directors, either in London or Calcutta.

The Directors of the India Branch of the Society are empowered, after a lapse of any number of years, to treat for the purchase of Policies, or to advance, if required, on any Policy by way of loan two-thirds of its estimated value, and also to appropriate the profits at the option of the assured in the augmentation of the amount of Policies in diminution of the Annual Premiums, or in permitting them to accumulate till all further payment of Premiums becomes unnecessary.

All applications for assurance must be accompanied by a Medical Fee of eight rupees.

The Tables, Blank Forms, and other particulars requisite to enable persons to effect assurance, may be had on application to the Agents.

By Order of the Directors,

BAGSHAW AND CO.
Agents and Secretaries.

STATEMENT.

Showing the Amount of Premium paid in the Oriental and Universal Insurance Societies, during five years, under the various forms of those Societies, as compared with the Amount paid in the first instance, and subject to refund under the simple form of the Laudable Society, beginning at the respective ages 20, 40 and 60.

		No. 1.		No. 2.		No. 3.		No. 4.	
		Under Oriental and Universal Tables of five years.		Under Oriental and Table of 7 years renewable after six without fresh certificate.		Under Oriental and Universal Tables for Life.		Under Universal Table, entitling parties after insurance of five years to participate in $\frac{1}{4}$ of the profits.	
		Civil.	Military.	Civil.	Military.	Civil.	Military.	Civil.	Military.
20 Years.	Oriental Rs.	145	170	150	175	190	225	..	..
	Laudable	176	176	176	176	176	176	..	..
	Laudable + Oriental	31	6	26	1				
	Laudable - Oriental .....	..	..	..	..	14	49	..	..
	Universal	140	170	..	..	190	210	210	255
	Laudable	176	176	..	..	176	176	176	176
	Laudable + Universal	36	6						
	Laudable - Universal .....	..	..	..	..	14	34	34	69
	Oriental	215	255	225	265	265	315	..	..
	Laudable	284	284	284	284	284	284	..	..
40 Years.	Laudable + Oriental	69	29	59	19	19	..	..	..
	Laudable - Oriental .....	..	..	..	..	..	31	..	..
	Universal	200	250	..	..	265	285	295	315
	Laudable	284	284	..	..	284	284	284	284
	Laudable + Universal	84	34	..	..	19	..	..	..
	Laudable - Universal .....	..	..	..	..	..	1	11	31
	Oriental	395	470	425	510	430	515	..	..
	Laudable	555	555	555	555	555	555	..	..
	Laudable + Oriental	160	85	130	45	125	40	..	..
	Universal	350	375	..	..	465	475	515	525
60 Years.	Laudable	555	555	..	..	555	555	555	555
	Laudable + Universal	205	180	..	..	90	80	40	30

No. 1. In this class parties insured in the Oriental and Universal receive no refund (unless in the Oriental he is at the same time a proprietor; in which case he is entitled to his proportion of quarter of the profits) and cannot continue their insurance at the expiration of the five years without fresh certificate of health. In the Laudable, the insurance goes on and each party insured is entitled to his proportion of the whole surplus in the ratio of the amount premium paid. The amount of this refund is estimated at 1-4th.

No. 2. This class is confined to the Oriental and Laudable. In it an insured in the Oriental can obtain renewal of his insurance at the expiration of six years on increased rate of premium, but he gets no return profit except as above. In the Laudable as before the insurance goes on as a matter of course, and the party is entitled to his share on the whole profits.

No. 3. In this class, as before parties insured in the Oriental and Universal are entitled to no share of the profits except as above in the Oriental. In the Laudable they as before have a share of the whole. But limiting the payments to five years in this and the following class does not afford a fair comparison.

No. 4. This refers to the Universal and Laudable only. Parties insured in the Universal in this class are entitled after having paid premium for five years to a participation in $\frac{1}{4}$ of the profits. In the Laudable of course they participate in the whole.—Hurkay, June 23.

SUPREME COURT.

JUNE 19, 1837.

This was a very busy day in the Court, the Judges sitting till half past 5, hearing equity motions. The following were the most important.

THE KING V. JANOOZE DOPE.

The Advocate-General applied for the judgment of the Court regarding the bailing of the defendant and not requiring him to attend at the new trial. He stated that there was a distinction in England between criminal informations and indictments. In criminal informations the presence of the defendant was not required; but they were tried on the civil side of the Court, which was not the case in an indictment. The Chief Justice desired the Clerk of the Crown to search for the order which had been made on the last trial when the defendant did not attend, and judgment was postponed until it was produced.

JOHANNAS STEPHEN, THE YOUNGER, AND OTHERS, *versus*

EDWARD KENT HUME.

In this suit Mr. Clark moved for an attachment against Mr. Bird of Dacca, for a breach of the injunction of this Court, in not giving up possession of lands in the Mofussil to the receiver of this Court, appointed in the suit. The learned Counsel stated that Mr. Justice Grant had refused this motion in Chambers on the ground that Mr. Paulin, the Attorney of Bird, was dead, and that no other attorney appeared on record for Bird although Bird had been personally served with the rule nisi (the injunction). The grounds for Mr. Clark's application, we understood to be. 1st, that the established practice of this Court has never been to stop the progress of a cause because the attorney on record for one of the parties was dead. 2dly, that the practice of the Court of Chancery at home, which was relied upon as a ground for refusing this motion, does not apply here, for there is no Clerk in Court here, and his functions are performed by the Registrar; (Equity) and the learned Counsel cited three Peere Williams Rep., and the 9th Vesey, in support of this ground. 3d, that the conduct of Bird was a contempt of the authority of the Court, a defiance of it; and that Mr. Bird had been personally served with the order of the Court, and that therefore the Court ought immediately to act upon it, and punish the individual whether party to the suit or not.

Mr. Grant. You see there are two points of view, under which to consider this case, and there is no question at all of any conflicting jurisdiction, between this and the provincial Courts. 1st. If you consider Bird as a party to the suit who has appeared, and who has taken out grounds to oppose the appointment of a receiver, but who did not come in and persist in his opposition at the argument, then he is in the situation of a person who has admitted the jurisdiction of this Court, and who has recognized its former order, but who has now refused to obey this last order. The other view is that of considering him as a sort of third party, the receiver we believe of the Mofussil Court. Rep. not a party to the suit who has committed a contempt of Court by disregarding the order of this Court.

Mr. Clark continued, and as we understood him, treated Bird as a person who had admitted the jurisdiction of this Court by appearing in the suit. The learned Counsel was heard at great length.

Chief Justice. We have not gone into the merits of this case; we decided upon the application as a point of practice merely. We think Mr. J. Grant is right in requiring, previously to our granting the attachment, that an order should be served on Bird, requiring him to appoint another attorney to appear for him in the suit, he having no one at present appearing on record to represent him in this Court.

We will take the order calling upon him (Bird) to appoint an attorney obtained previously to this motion as part of the grounds, but there is no evidence before the Court, that this order was personally served, although there is an indorsement on the back, shewing that it has been served only through the Post office—which service would have been inefficient service of subsequent orders, had we any proof that this first order had been personally served. After all, the best way perhaps will be to give you leave to amend your grounds, and in the mean time that this motion do stand over, this course will save expence. Motion stands over.—Hussain, June 20.

SREEMUTTY JOYMONY DOSSEE BOHOO RANEE V. SREEMUTTY SEBOOSOONDERY DOSSEE BOHOO RANEE.

The complainant and defendant are the two widows of rajah Sibchunder Roy. The suit was instituted by complainant alleging that the rajah had previous to his death given her verbal directions to adopt, after his decease, her grandson Collycoomar Mullick as son to him, and praying the court to decree accordingly. The suit came on for hearing on evidence in July last, when, in consequence of the conflicting testimony adduced, the court directed certain issues to be tried on the plea side of the court to establish the fact of the alleged direction of adoption. The issues were tried in November last, and after a trial of five days, the court found a verdict in favour of the complainant Joymony establishing her claim to adopt Collycoomar Mullick. Defendant Seboosondery thereupon filed a cross bill against Joymony which has since been dismissed by the court. The original suit afterwards came on for hearing and decree on the finding of the issues, when the court made their decree on the 30th of March last in conformity with the finding of the issues, and directing complainant to perform the ceremony of adoption within one month.

Seboosondery Ranee now files a petition of appeal against the verdict on the issues, and also against the dismissal of her cross bill, likewise against certain portions of the decree of the 30th March last. The motion now was that the appeal be allowed. The court were engaged hearing the arguments of counsel when our reporter left. For complainant, Mr. Advocate General, Mr. Prinsep, Mr. Leith, and Mr. Grant. For defendant Mr. Clarke, Mr. Osborne, and Mr. Nott.—Englishman, June 20.

JUNE 20, 1837.

EDWARD WHYTE V. WILLIAM LYALL AND OTHERS.

Complainant is one of the executors of James Napier Lyall, deceased; defendants are partners in the firm of Lyall, Matheson and Co. The bill was filed for an account.

The Advocate-General and Mr. Clarke for the Complainant, entered at length into the facts of the case, as they appeared in the argument on the caveat, before Mr.

Justice Grant, in Chambers. The learned counsel argued, that defendant's reluctance in giving up the will, together with there appearing a sum of only £1,600 in it in England at the credit of the estate, subsequent to the time that Mackenzie, Lyall and Co. had paid by instalment Rs. 60,000 to Lyall, Matheson and Co. in liquidation of the amount due by them to the testator, compelled Mr. Whyte to file this bill.

Mr. Prinsep and Mr. Cockburn for Lyall, Matheson and Co. insisted that complainant had been too precipitate. The first application for the delivery of the will was on the 19th September; on the 21st defendant offered to give up the will; the caveat was argued on the 29th, the bill filed the same day. There was therefore evidently no delay as to giving up the will that could justify the imputation of a fraudulent intention. It is positively denied that the account had ever been applied for, while on putting in the answer the account was admitted to be correct, and proceedings would have terminated if defendants had consented to pay their own costs. The learned counsel argued that where a party never demands an account, but rushes into equity and then finds the account correct, it is the rule that he shall pay the defendant's costs.

Mr. Leith and Mr. Grant who appeared for Mr. Robert Lyall, and Mr. William Lyall, where stopped by the court, their lordship being quite clear that the parties were entitled to their costs.

Mr. Advocate-General replied at length, insisting that the conduct of defendants compelled the complainant to file the bill; and that the costs should fall on the parties who had occasioned them. The late hour at which the argument terminated compels the reporter to be brief, and will not admit of further notice of the learned advocate's reply.

Chief Justice.—What do you ask for Mr. Advocate-General?

Advocate-General.—We ask to dismiss the bill, and be paid our costs.

Mr. Justice Grant.—Did you ever hear of a case where that was allowed?

Advocate-General.—Well, my lords, if I cannot have that, I will ask that all the prayer of the bill be carried into effect.

Chief Justice.—This is a novel and an extraordinary proceeding. Mr. Advocate-General says at the end of a long argument, first, let the bill be dismissed, and he be paid his costs; secondly, if he cannot have that, let the whole prayer of the bill be granted. I apprehend this is a most novel proceeding. In the opening this was stated to be a question of costs, and the whole answer has been received as true. This of itself is *prima facie* ground for believing that the bill was unnecessary. It is quite clear that the bill must be dismissed; but is the party who filed it to have his costs? Circumstances may occur to induce a court of equity to allow costs where a party asks to have his bill dismissed; but it is a very unusual proceeding. Now what are the circumstances here? James Napier Lyall went to England in 1835; on the 19th of September 1836, accounts are received of his death; on the same day Mr. Whyte, who was largely indebted to the estate, applies for the will; on the 23d of September the will is given up; the caveat is entered on the 22d, overruled on the 30th, when Mr. Whyte became fully armed, and could have taken out probate, and obtained an account. But what does he do? He does not wait for the hearing of the caveat, but on the day before the hearing he files this bill which he now applies to have dismissed.

The bill (which must have taken some time to prepare), charges fraud throughout, in the strongest terms and is put upon the file before the complainant demanded even an account from the defendants; and now that the bill has been filed, the answer of Lyall, Matheson and Co. is not impugned. The result is that the defendants have acted honestly and fairly; that they have most properly disposed of the found of the testator as his agents; and instead of a large sum remaining in their hands, it is shown the sum is a small one and that invested. The complainant asks for his costs because, as he says, the conduct of the defendants, rendered the filing of the bill necessary. I am of opinion that the defendant's conduct as to the caveat was improper, but it is not without excuse considering the circumstance of Mr. Whyte being largely indebted to the estate. But what excuse is put forth for filing this bill? It has been hurried on the file before asking for account or explanation. It is not a light matter that fraud should be charged so indiscreetly against these defendants, and they have done right as any person in their situation would have done, in coming boldly before the court, to deny fraud upon oath, and they have done so most satisfactorily. We are of opinion that this bill must be dismissed, and that the complainant do pay the costs.

SHEEMUTTY JOYMONKEY DOSSEE BOHOO RANEE V. SHEEMUTTY
SEBOSOOMEDERY DOSSEE BOHOO RANEE.

The argument on the motion in this cause was not concluded until half past five on Monday, when their lordships decided that the petition of appeal should be amended; that the parts of the petition appealing against the finding on the issues and against the dismissal of the cross bill be struck out, and that the petition so amended be allowed; each party paying her own costs.—*Englishman*, June 21.

JUNE 22, 1837.

IN THE GOODS OF T. D'O'LY, DECEASED.

The testator was one of the sufferers in the *Charles Eaton*. Previous to his departure from India he made his will, and amongst other property therein mentioned, is a sum of Rs. 14,000 in the hands of Cruttenden and Co. with a memorandum placed opposite the item, in substance, or to be lent to Mr. J. A. Currie for twenty months, from the 1st of May 1834. Testator did not name an executor to his will, but the night previous to his departure from this country, he folded the will in an envelope, and directed it to Mr. J. A. Currie, who is married to the sister of testator's wife. Mr. Currie applied for probate, and the order was made, but stopt on a caveat being entered by the Ecclesiastical Registrar of the court. The direction on the envelope addressed to Mr. Currie, was, "to be opened and acted on only in case of my death."

During the argument the court remarked that the paper of the will and the envelope were of two different descriptions; that there was written on the will and not on the envelope, "opened in the presence of us. C. D'O'ly, R. Powny," though there were not any affidavits before the court sworn by those gentlemen. The Court took time to consider.—*Englishman*, June 23.

JUNE 26, 1837.

IN THE GOODS OF THOMAS D'O'LY, DECEASED:

Application for probate made by Mr. J. A. Currie, and caveat entered by the ecclesiastical registrar. The caveat was argued on Thursday last and briefly noticed

in our publication of the following day. The court took time to consider, and this day their lordships decided that there was not a sufficient appointment of an executor by the will, and that the caveat must be allowed; moreover their lordships intimated, that in a future proceeding it would be necessary to prove the will, and evidence must be given of the death of Mrs. D'Oily.—*Caveat allowed without costs.*

IN THE GOODS OF ALLAN GILMORE, DECEASED.

This was an application for probate supported by an affidavit sworn by Mr. Limond, which set forth that testator made his will, and in May last directed deponent to add a codicil thereto. Mr. Limond added the codicil and when doing so, it appeared to him expedient and proper that Mrs. Limond, one of the legatees nam-

ed in the will, should have the amount of her legacy settled on herself. Mr. Limond added to the codicil words to that effect, intending to submit the same for Mr. Gilmore's approval; but from the date in May when Mr. Limond received the will for the purpose of adding the codicil thereto, to the 9th instant, on which day the testator departed this life, Mr. Gilmore remained in a state which rendered it inexpedient to submit the codicil and addition for his approval or otherwise.

The court of course could not recognize the addition made by Mr. Limond, and required a more explicit affidavit before they granted probate on the testamentary document which had been handed to Mr. Limond for the purpose of adding the codicil.—*Englishman*, June 27.

INSOLVENT COURT.

JUNE 24TH.

IN THE MATTER OF FRANCIS LEWIS BARBER.

Mr. Leith appeared for the insolvent. The discharge was opposed by Mr. Advocate General on behalf of the Bank of Bengal.

The insolvent deposed that he had, as secretary to the Hooghly River Insurance Company, discounted two notes at the Bank of Bengal for rupees 708, and rupees 874; the money was applied to the discharge of policies due by the Company. Insolvent was a member of the Company, so were John D'Cruz, Dr. Rifer and Robert Fleming. But these parties had not any knowledge of the discounting at the Bank or of the existence of the notes. Stapleton who endorsed the notes, is not a member of the Insurance Company. Does not know Stapleton. He looks like a man. Does not know that he is under age. When the letter of demand came, Stapleton said he was a minor. Insolvent merely wanted an endorsement, being short of cash. Witness had often raised money in a similar manner without the knowledge of the other members of the Company. The office is still in existence, but insolvent, at least witness thinks so; nevertheless the Company would continue to insure if any one offered a premium. (In reply to Mr. Leith) I have raised money before at the Bank on notes which have been paid. I do not know if any demand has been made on the solvent members by the Bank. Stapleton stated himself to be under age, but he may be of age. He is an assistant in the Surveyor General's office. The Bank when they discounted the Bills, did not enquire as to the endorsement. (To the Advocate General.) Stapleton was paying his addresses to my daughter; she refused him, I did not.

Mr. Advocate General submitted that on this evidence the court would remand the insolvent. Mr. Leith was heard in reply and insisted that there was no evidence of fraud or nothing to show that Stapleton was under age, or if he were that the insolvent was aware of it.

Mr. Justice Malkin in giving his decision, said, there was evidence of misconduct on the part of the insolvent, but not of sufficient misconduct to stay his discharge. Insolvent was discharged.

Muddosooden Day was remanded for four months from the date of filing his petition, and Calclough St. Kiernan was declared entitled to the benefit of the act.

IN THE MATTER OF FERGOUSON AND CO.

This was an order nisi, obtained by Mr. Clarke on the 10th instant, that Samuel Gregson and Edward Edwards, assignees of David Clark, a bankrupt, be at liberty to prove their claim of the sum of sicca rupees 6,54,029 appearing admitted on the amended schedule of the insolvents.

Mr. Advocate-General and Mr. Leith opposed the rule being made absolute on this ground,—that the house was not in solvent circumstances at the time Mr. Clark retired from it; and that it was well known at the time to the members of the firm that the assets were not sufficient to meet the obligations of the firm.

Mr. Thomas Hyde Gardiner was sworn and examined by Mr. Leith. The witness spoke to the signature of the various members of the firm on a document, bearing date the 28th March 1828, purporting to be a statement of the affairs of the house made out from the books. The document contains a variety of names of debtors with amounts specified opposite to their respective names. In the first column of figures is inserted the amount of debt due by each individual or party; in the second is inserted the amount which at a similar investigation in 1824 was considered a fair deduction from the value of the several debts, and in the third is inserted the amount of deduction which was considered necessary in 1827.

From the statement it appeared that the debts, and estimated value of property belonging to the firm, such as houses, indigo factories, &c. left a balance in favor of the firm to the amount of rupees 5,55,43,939, besides a suspense account of rupees 7,92,448, which was composed principally of the accumulations of interest upon the diminished amount of doubtful debts, and which made together an apparent surplus in favor of the firm of rupees 63,36,387. Against this, however, had to be placed the deduction made from the doubtful debts in the statement, amounting to rupees 66,16,000, and a further sum of rupees 3,84,100 to be deducted on other accounts, making together rupees 700,00,000, and thereby leaving a deficiency of assets to meet the obligations of the firm amounting to rupees 6,63,612.

Mr. John Smith, in the statement, subjoins this note to the deficiency carried out:—

— “ which I think may be made up from the profit and loss account of the present year; and notwithstanding the large sum allowed in this statement we must not flatter ourselves that even this will bring the

concerns of the house to a fair par valuation, which I consider a most desirable object to attain; and I trust it will be carefully kept in view by all parties concerned, though it would eventually fall rather hard upon some of us if it were done all at once. In the mean time I do believe the accounts to be much more strictly assessed now, and more fully allowed for than they ever have been before, and I think any excess upon 65 lakhs may consequently be divided on 30th April next, leaving the unappropriated two anna share at the credit of the general stock account; and going on upon our present shares, and interests for a further period of three years or say to the 30th April 1831, when with care and a tolerable share of good fortune, some further dividend may probably be afforded, and leaving the concern in a still progressive state of improvement.

(Signed) JOHN SMITH.

25th March, 1828.

"I have only to say that the above meets with my entire concurrence."

(Signed) W. F. Clark, W. Melville, J. Gilmore, W. F. Fergusson.

Mr. T. H. Gardiner also spoke to a letter in the hand writing of Mr. D. Clark, from which it appeared

that the writer was aware of the statement, and of the affairs of the house being in the state therein represented.

At the request of Mr. Clarke, the matter stands over till next court day.

IN THE MATTER OF — BECHER.

The insolvent is an officer in the army. At the time of his discharge the usual order was passed directing him to pay over to his assignee one-third of his pay and allowances. The insolvent had stated his inability to comply with the court's order, alleging that the paymaster had deducted, and is deducting one-half of his pay, to satisfy decrees of a Military Court of Requests, although the debts for which the decrees were made, had been inserted in the schedule of the insolvent.

An application having been made on a former day for an attachment against Lieut Becher, the court took time to consider.

Mr. Justice Malkin now pronounced his decision, that the deduction by the paymaster is illegal, the decrees of the Military Court having no effect after the insolvency.—*Englishman*, June 26.

SUDDER DEWANY ADAWLUT.

MAY 1, 1837.

BEFORE W. MONEY AND R. W. RATTHAY, ESQS., JUDGES.

Rajah Anund Kishwur, Bahadoor, Appellant.

Baboo Chutter Dharee Sahoo, Respondent.

Appellant's Vakeels J. C. C. Sutherland, Esq., and Moonshee Hussain Allee.

Respondent's Vakeels N. B. E. Baillie, M. A. Bignell, and A. A. Seve-tre, Esqs., Moonshees Ubbas Allee, and Ram Praun Roy.

Plaint for the possession of the Purgunahs of Rujwahsee and Sumrahee, situated in Zillah Sarun, estimated at upwards of rupees 5,925, triennial amount of jumma.

The respondent in this case was the original complainant in the Provincial Court of Appeal at Patna, where he filed his plaint on the 27th of September 1828, and stated in his plaint that the afore-stated two purgunahs were his ancestral property, and the purgunah of Mujoovah is the ancestral property of Rajah Anund Kishwur, Bahadoor; and the River Gunduck which flows between the two purgunahs is the natural boundary of the property of these litigating parties. Whilst this complainant was a minor, and consequently could not attend, as requisite, to his affairs, the father of Rajah Anund Kishwur, Rajah Beer Kishwur Sing, Bahadoor, seized on these two disputed villages, on the plea that they were included in his family estates, and formed a portion of the villages of Majooovah, Sippah and Cowvadee, in the B. S. 1198; and the validity of this complainant's claim will appear manifest by the perusal of a decree which the complainant obtained in the Zillah Collectorate Court, for the possession of the village of Doomahatta, in which estate the aforesaid 2 villages of Rujwahsee and Sumrahee are situated, and form a portion of it. The complainant further stated, that the main

stream of the river Gunduck, which forms the boundary of their respective estates, formerly flowed to the south of these 2 villages, but that now it flows to the northward of them, and his estates extend to its banks. In conclusion, he added, that the period of 12 years, allotted by the Government Regulations, to parties deprived of their rights, to institute a suit for their repossession, had not as yet expired.

Rajah Anund Kishwur, in his reply to the plaint of Chutter Dharee Sahoo, asserted that these 2 villages, for the possession of which this plaint has been filed against him, are his ancestral property, and that they are included in his estate of Majooovah; and his ancestors, from time immemorial, have enjoyed undisturbed possession of them; and consequently by the 2d clause of the 3d section of the 2d Regulation of Government, of the year 1805 A. D., this plaint of this complainant cannot be admitted, as upwards of 12 years have evidently elapsed since these villages have been possessed by this defendant and his ancestors, as a part of their ancestral estates. Further, these two villages were allotted to and formed a portion of the estate of Majooovah, before the 10 years' settlement of B. S. 1198, and these two villages are mentioned in the Government settlement with this defendant's forefathers, and are included in the pottah granted to them by the Government for their estates in zillah Sarun. And if these two villages were the ancestral property of Baboo Chutter Dharee Sahoo, why did he discontinue paying the Government ground-rent for them? and further, when he complained against this defendant for the possession of the village of Doomahatta, why did he not then include these villages in his plaint, if he had been illegally deprived of them? And this defendant further added, that when Baboo Chutter Dharee Sahoo, complained against him in the Mofussil, for the possession of the Purgunah of Doomahatta, he then, by his plaint in that case, admitted that these two villages, Rujwahsee and Sumrahee, were a portion of this defendant's property,

exclusive of the villages of Majoovalah, Sippah and Cowvadee.

This case was first heard on the 30th December 1830, when Mr J Harrington, one of the Judges of the Provincial Court, dismissed the plaintiff's case on the plea, that upwards of 12 years had elapsed since the time this complainant had been dispossessed of these villages, for the re-possession of which he has instituted this suit, to the date of its institution.

Dissatisfied with this decision, Baboo Chutter Dharee Sahoo, appealed to the Sudder Court, in the miscellaneous department, on the 4th of April 1831, and he stated in his petition, that the Judge of the Provincial Court had refused to hear the testimony of his witnesses, who could depose to the fact of Rajah Beer Sing Kistiwur, taking forcible possession of these villages from this complainant, and on the 18th of July 1831, this petition being read in the Sudder Court, (present H Shakespeare, Esq) it ordered the proceedings to be returned to the Provincial Court of Patna, with instructions to the Judges of that Court, to take the evidence of this petitioner, on the point stated in his petition, and afterwards to give the case a re-hearing, and then pass their final decision on its merits.

The Provincial Court, in conformity to these instructions of the superior Court, upon completing the depositions of the complainant's witnesses, gave the case a re-hearing on the 3d January, 1832, when they reversed their former decision and decreed the case in the plaintiff's favor.

Against this award the appellant appealed to the Sudder Dewanny Adawlut at Calcutta, in 1833, and it was primarily heard on the 28th of March, 1837, before Mr W Money, one of the judges of the Sudder Court, who after perusing the documents filed in the case, and scrutinizing the new maps of these estates as sketched by the Canoongoes of the district, and the old map filed by this respondent in a former case, likewise the old maps of Mr Baddon and Ramderi Sing, who were deputed as Aumeens to go to these villages, and after examining the locality of the respective estates to deliver a plan of these estates from the result of their enquiries on the spot. The judge gave the preference to the report and map of Mr Baddon, and he further opined, that the main question to be decided is, whether these disputed villages are the ancestral property of the appellant Rajah Anand Kishwer Bahador, or whether he has forcibly and illegally wrested them from the respondent Baboo Chutter Dharee Sahoo, as stated by him, in his replication, and whether the old, dried stream of the river Gunduck, which was the former main channel, was the boundary of the two estates, as stated by the appellant, or is the present main stream the real boundary as agreed by the respondent, and is the boundary to vary with the variations of the main channel of the river, or to hold firm to one partition, and lastly, are these two villages included in the state of Doomahatta, which appertains to the respondent's landed tenure, or do they form a portion of the villages of Majoovalah, Sippah and Cowvadee, and as such are attached to the estates of the appellant, and whether this decision of the Provincial Court, which is based on the evidence of twelve villagers, who have deposed to the appellant's father having deposed the respondent from these villages forcibly, is correct or not. It appears to this Court that the testimony of these twelve men, who are hirelings of the respondent, is not worthy of credit, and they must have evidently perjured themselves, for their depositions clash with the facts sworn to by each other, as is evident on examination of the report and plan of Mr. Baddon, drawn up on the 6th and 7th of April, 1836, which were executed previous to the institution of this suit,

and the boundaries of the estates of these litigating parties, are minutely defined on that map, and it is clearly stated that these two villages of Rujwahes and Sumrohes, were in B. S. 1111 included in the estate of Sippah in zillah Sarun, and appertained to the landed tenure of this respondent's ancestors, but in B. S. 1151, they were detached from the estates of the respondent's ancestors, and attached to the estates of the appellant's ancestors, and are still in the appellant's possession, and the respondent has no claim whatsoever to them, and therefore it is evident, that the Collector of the zillah of Sarun separated these two villages from the estate of Sippah, which belonged then to this respondent's forefathers, and included them in the state of Majoovalah, which appertained to the estate of this appellant's ancestors. And the Collector was empowered to do so on these grounds, because all the landed property of Rajah Futeh Sahoo, the ancestor of this respondent, were, previous to B. S. 1151, confiscated, because he had rebelled and fought against the Government of the H. E. I. Company, and it became Government property, consequently Government was justified in disposing of it as they pleased. And when the Governor-General in Council in B. S. 1210 restored to Baboo Chutter Dharee Sahoo, on his petition, his ancestral property, that was the period, if any of the villages which were formerly included in his ancestral property had been omitted in the restored grant, to him he had the error brought to the notice of Government, and had them re-included in his grant, this opportunity he has neglected to profit by, and it is now too late for him to object to the tenor of that grant. And it does not appear from the documents filed for the Sudder Board of Revenue in this case, that these two disputed villages are included in this renewed grant to Baboo Chutter Dharee Sahoo, and if the appellant had forcibly deposed the respondent from these villages, and they had formed a portion of his estate, and he had a right to them, the respondent, when the Collector separated them from his ancestral property, should have complained against this partition at the Collector's Court. This he has not done, and thus it appears clearly, that the respondent could not have been forcibly dispossessed of these villages by the appellant, for he never was in possession of them, nor can this Court award him possession of what he never did possess. Besides this, it appears by a recognizance this respondent gave on the 5th March, 1816, in the Criminal Court of the Mofussil, regarding the disputed property of these litigants, that this respondent has in that document acknowledged that these two disputed villages appertain to the estates of this appellant, and these documents are testified by the depositions of numerous witnesses without any prevarications or clashing in their testimony, these, therefore, fully invalidate the evidences of the twelve witnesses, who have sworn in this case, that the appellant's father forcibly deposed the respondent of these villages. And the Sudder Board's order, on the subject of the restoration of Futeh Sahoo's estates to this respondent in 1798, as per Government order of 1791, expressly states, that if any portion of the former estate of zillah Sahoo has been farmed out to any persons they cannot revert to him, but only those villages which are still undisposed of by Government, are to be restored to him. On which order, the collector of the district of Sarun, after instituting enquiries on the spot, gave in his report to the Sudder Board. The villages of Kallampoor and Cowvadee, which are estimated at 84,737 rupees yearly rents, and the Government revenues of which are 8,473-11-4, and the village of Sippah, the rents of which, estimated at 32,557 rupees, and the Government rents of which are rupees 3,855-11-4 are in conformity to the Government orders of 1791, restored as the remaining undisposed portion of the late zemindary of Futeh Sahoo, deceased, to his son Baboo Chutter Dharee Sahoo, and these two disputed villages are, not

included in this schedule of the estates of Futeh Sahoo, restored to this respondent; and this schedule is attested by this respondent; and this appellant's forefathers, it appears, held possession of these two villages, long before this respondent had his father's estates restored to him, therefore this respondent has no plea to ground his claim on; and so far from being dissatisfied, he ought to be thankful to Government that they have restored to him what he now held; for if they chose to have done so, they could have disposed of the whole of this confiscated property. Nor did the respondent in his complaint against this appellant's father, for the possession of the village of Doornahatta, include these villages in that suit; on the contrary, it is in that decree, dated 27th November, 1804, plainly stated, that these villages are separate from Doornahatta and appertain to this appellant's estate, nor is there any document filed in this court, which can in any wise tend to establish this respondent's allegation regarding these villages. Further, it is established, that the main stream of the river Gunduck, has deserted its former channel and removed two or three coss to the Northward, and that it has taken a circuitous route. From the reports of Mr. Braddon of 1806 and of Mr. J. Pringle of March 1828, it appears that the former main stream of the River Gunduck, forms the boundary of the estates of the litigating parties, and from the part of Deosah on the south, of the river where it curves to a point, near the two embouchures of the river, to near the north bank, where there is a mangoe tope near the village of Heeroghur, extend the estates of the respondents; and from the north banks of the river Gunduck near Deosah, to the two and three curves of the river at Dhurumpoor and Rajhwahee, extend the estates of Rajah Beer Kishwung; and although the river might have subsequently changed its course, still the boundaries of the two estates must remain unaltered, and the new channel of 1834, which this respondent states is the renewal of the old bed of the river, is an incorrect statement; and the case no. 274 of the printed reports of the Sudder Dewanny Adawlut, which is referred to by the respondents as bearing on the case, is not analogous to this case, because the river referred to in that case, was invariably shifting, whereas this one, after once changing its course, remained stationary. Lastly, as these villages by the permanent settlement of 1810, were without any objection on the part of the respondent assigned to and included in the appellant's estate, and even in the survey of this district by the Assistant Surveyor General, they appear still to form an integral portion of this appellant's estate; it appears to this court that there was no necessity on the part of the respondent to have instituted this suit in the Provincial Court, as he has no title whatsoever to the villages he claims in this suit; therefore this court orders that, this appeal of the appellant be decreed in his favor, and the decision of the Provincial Court of Appeal at Patna of 3d July 1833, be received, and the appellant be established in possession of these villages, and the respondent pay all the legal costs of this suit with interest thereon. This order of Mr. Money's was subsequently confirmed by Mr. R. W. Rattray on the 18th May, 1837.—*Hurkaru*, June 22.

MOFUSIL JUSTICE

As an instance of the manner in which justice is meted out to individuals in the Mofusil Court, the case of Budder Odden Ostagur, and others, appellants, and William Smith Esq., respondent, is here adduced for the information and opinion of the public.

In this case, Mr. William Smith purchased from Radapersad Doss, (the buyer at the Sheriff's sale) the rights and title of Budder Odden Ostagur to four lower rooted houses and a piece of ground situated in Kurriah and in Jaunagar Banrahpoorkur, in the suburbs of

Calcutta, and now forming a portion of the zillah of 24-pergunnahs. His right to the possession of these houses was contested by the two sons of Budder Odden Ostagur, on a fictitious deed of gift, and by Calysunker Palit, money lender, on a pretended bill of sale executed to him by the sons of Budder Odden Ostagur, but which document has never been produced throughout the whole of the proceedings of the case.

Eventually Mr. W. Smith instituted a suit against Budder Odden Ostagur in the Zilla Court of the suburbs of Calcutta. This case was non-suited by Mr. J. Master for want of parties, and the plaintiff was desired to sue not only Budder Odden Ostagur, but all the claimants likewise, who had put in their claims in the former suit.

This second action was decreed in the plaintiff's favor by Mr. W. N. Garrett, the then acting judge of zilla 24-Pergunnahs, the zilla of the suburbs of Calcutta in the interim having been amalgamated with the zilla of 24-Pergunnahs, under the latter denomination. Mr. Garrett, in decreeing the possession of these houses to the plaintiff, further ordered that the defendants be made to pay to the plaintiff's the rents of these houses from the 3d May, 1837, the date of sale by the Sheriff to Radapersad Doss, whose representative the plaintiff was, up to the date of the plaintiff being put in possession of them. Against this decision the defendants appealed to the Sudder Dawanny Adawlut, and on Calysunker Palit's presenting a petition for a separate appeal, H. Shakespear, Esq., the judge before whom his petition was read, gave his opinion that there was no ground for a separate appeal: ultimately, one joint appeal was admitted by the said judge. This appeal was primarily heard by T. C. Robertson, Esq., and eventually by C. W. Smith, Esq., both of whom concurred in confirming the decree passed in plaintiff's favor by W. N. Garrett, Esq.

Subsequently, on a petition of C. French, Esq., the respondent's vakeel, D. C. Smyth, Esq., issued an order that the zilla Judge depute an Aumeen to assess the rents of these houses, and make his report to the zilla judge, who, after investigating it, is to issue an order for the payment of what sum he may consider just from the appellants to the respondent. On this order being read before C. R. Martin Esq., the zilla judge, he deputed Moonshy Mahomed Cauzim, as an Aumeen, to assess these rents, when the respondent appeared by his mooktars, Mr. R. F. Smith and Moonshy Shereaut Alla; but the appellants did not appear before the Aumeen; and Kasinath Palit, the son and representative of Calysunker Palit, one of the appellants, presented a petition to the zilla judge to be exempted from the payment of these rents on the plea of his being a purchaser of one of the houses. This petition was forwarded by Mr. C. R. Martin to the Sudder Dewanny Adawlut, where it was heard by D. C. Smyth, Esq., who, as the case had been originally decided by T. C. Robertson, Esq., referred the petition to him; and this judge on hearing the petition read on the 9th of June, 1836, ordered that the petitioner was not to be exempt from the payment of these rents. In the interim the Aumeen made his report to the zilla judge, stating that the rents appeared to have been fluctuating, and he could not fix on a precise sum. This report was read before E. R. Barwell, Esq., who fined the Aumeen 20 rupees, and ordered him to revise his proceedings within 15 days; he likewise declared his opinion from the tenor of the appellant Kasinath Palit's petition and the order of T. C. Robertson, Esq., on it, that the petitioner must pay the rents of the house he had claimed.

Before Moonshy Mahomed Kazim could revise his report he died, and Gour Mohun Roy was then deputed as an Aumeen by Mr. Barwell to assess the rents of these houses, and before him both the appellants and the respondent appeared by their mooktars. The respondent's mooktar, Mr. R. F. Smith, before this Aumeen, examined many European and native witnesses, viz. the former tenants of these houses, their servants and the

neighbours. He further filed authenticated copies of 18 agreements of these houses, which were filed in this suit by the appellants themselves, as a part of their evidence and which copies were obtained by Mr. R. F. Smith officially from the Sudder Dewanny Adawlut on stamped paper, and authenticated as true copies by the Registrar of the Sudder Dewanny Adawlut.

The agreements went to show, that these houses, were generally tenanted from the 3d May, 1827, the date of the Sheriff's sale; and that their rents varied from sa. rs. 55 to sa. rs. 30 per mensem, and the tank was let at 5 rs. per month. The depositions of the witnesses likewise established that all these houses were occupied most of the period of litigation, and that rents of the one Palit claimed, and the two at Kurriah, varied from 50 sa. rs. to 40 sa. rs. per month, and that the 4th house was occupied by three of the appellants as their dwelling house during the same period, and its rents might have been averaged at 8 or 10 rs. a month. In closing his investigation, Gour Mohon Roy averaged the rents of the three houses at sa. rs. 45 per month each, and the three appellant's dwelling house and the tank together, at sa. rs. 10 per month, and as such sent in his report to the Zillah Judge.

Whilst this investigation was carrying on, Mr. R. F. Smith, the respondent's mooktar, filed a petition before T. C. Robertson, Esq., protesting against the construction Mr. E. R. Barwell, the Zillah Judge, had put on his order of the 9th 1836, regarding the payment of the rents by Kasinath Palit, the son of Colysunker Palit, and stated in his petition, that this construction was against the tenor of the decree passed in the respondent's favor, which decreed the rents to be paid jointly by all the appellants. This petition was heard on the 12th September, 1836, when T. C. Robertson, Esq., explained his order of the 6th June thus that as the petitioner Kasinath Palit had in his petition only mentioned one house, and the order was given on that petition, it might have led the judge into the error mentioned in the respondent's mooktar's petition, but such was not the intention of the judge in passing that order. On the contrary, the meaning was that the decree be executed according to its tenor, without the least deviation in favor of any of the appellants all the appellants be held jointly and separately liable for all the rents. Against this order Kasinath Palit petitioned and prayed for a division of rents; but T. C. Robertson, Esq., the judge, rejected his petition, and confirmed the order of the 12th September, 1836. Palit then again presented another petition, which being read, T. C. Robertson, Esq., said that he did not think it necessary to pass any order on it as the two former orders on this subject of the 12th and 20th September, 1836, had fully explained the manner in which the decree was to be executed as regarded the rents. This petition was, after Mr. T. C. Robertson's departure for the Cape, taken up by Mr. J. R. Hutchinson on the 21st January, 1837, who acted in his place, and who put an interpretation on Mr. T. C. Robertson's order of the 9th, June, 1836, in direct contradiction to Mr. T. C. Robertson's own construction of it, as shown in his order of the 12th September, 1836, and confirmed on the 20th September 1836; and against the regulation, which directs that no order passed in the regular proceedings of any case can, after the confirmation of the order by two judges and the final disposal of the case, be reversed by any subsequent miscellaneous proceedings that may be held on it. Mr. Hutchinson, in his order of the 21st January, wrote that the respondent's plaint in the Zilla states that the appellant Kasinath Palit is claimant of only one of the houses; which is not the case, for the plaint says that Palit says that he is a claimant of only one house, but the plaint itself is filed, against all the parties in one joint suit, and as such it has been decreed in the Zillah Court, and confirmed by two judges in the Sudder Court, one of whom, T. C. Robertson, Esq., in three orders passed

by him subsequent to the decree, has already fully explained the matter as to the realization of these rents. These objections were all urged by the respondent's mooktar, Mr. R. F. Smith, but in vain. This is as yet, the last order passed on this case in the Sudder Court.

In the Zillah Court, shortly after Gourmohun Roy, the Aumeen, had sent in his report, Kasinath Palit, one of the appellants' petitioned Mr. C. R. Barwell, the Zillah Judge, stating that the Aumeen had not taken the depositions of the persons residing in the neighbourhoods of these houses, whereas the witnesses, Wagh Thakoor, Azem Odden, Bendabua Mundal, were all neighbours, and are still residing in the neighbourhood. On this petition being presented, it was heard during the absence of every person authorized to appear on the behalf of the respondent, and without any intimation to him or his mooktar, Mr. R. F. Smith; and although Goury Sircar, one of the vakeels of the Zillah Court, was the respondent's vakeel, during the proceedings of the equity suit regarding the possession of these houses, yet as he either by his ignorance of the law or wilful neglect, had been the cause of the respondent's loss of the first case he had instituted in the Mofussil, after the equity suit had been disposed of in the Zillah Court, no fresh vakeelutamas had been given to him in this case, nor was he in any way authorized to conduct the proceedings still pending with regard to the realization of the rents of these houses. Mr. Barwell thus, without giving the respondent an opportunity of confuting the statements made in Kasinath Palit's petition, deputed a third Aumeen, Mouly Fuzil Rubee, who, in addition to being the Futwa Maulvy of the Zillah Court, a duty which obliged him to attend the Session Judge's Court in every criminal trial, is the Moonsiff for the Entally division of the 24-Pergunnahs, which division extend from Gownagar to Gurriah about 70 miles in length. Yet in addition to these multifarious duties, for which he is paid, sa. rs. 210 per month, he can spare time to assess rents and sell seized property in the Zillah. The purwannah to this third Aumeen differs from the purwannah sent to Gourmohun Roy, which likewise differs from the purwannah sent to the first Aumeen, Mouly Mahomed Kazim, so there is in one case regarding one matter three separate purwannahs, differing from each other in their tenor and none tallying with the decretal order, as passed by the Zillah and confirmed by the Sudder Court, directing three Aumeens, who have taken about six months to settle these rents, being paid one sicca rupee per day, besides being found conveyances, and 6 sa. rs. a month for peons, by the respondent.

This Mouly Fuzil Rubee has taken the deposition of four or five corn dealers, who were pointed out by the appellants' mooktars as living in the neighbourhood of these houses. None of them have ever been employed in collecting the rents of any similar house in or out of Calcutta, ever lived in or possessed any similar house, nor did any of them know any of the tenants who lived in any of these three houses; but they have sworn that they have heard from the domestics of the tenants that these houses rented from 25 to 30 rs. a month, yet none of them can tell the name of any of these domestics, nor the name of any of the tenants, nor the motives which could have induced them to ask these domestics any question regarding these rents. It does not even appear whether this information was spontaneously supplied, or whether it was sought for; yet this Mouly rejects the respondent's mooktar's petition to file the evidence of the witnesses examined before the Aumeen Gourmohun Roy, on the plea that this evidence was not taken before him and cannot be depended upon, although some of the parties are admitted generally to be respectable persons, viz. Mr. Vincent Rees, of the Surveyor General's Office, Mr. George Cattell, Deputy Registrar of the General Department, Mrs. Henry Black, wife of Mr. Black of the Pilot Service, who have sworn to having rented one of these

houses from 50 to 55 rs. a month for 4 years collectively. He has likewise refused to admit the copies of the agreements although authenticated by the Registrar of the Sudder Dewany Adawlut, on evidence, and further to take the respondent's evidence to show what has been the depreciation of the rents of houses on the Circular Road from 1827 to 1837, and if a house now rents for 27 rs. a month, what might have been its rent in 1827. He has further refused to take evidence to show that Kaly-sunker Palit used to lend money on interest at the rate of 12 per cent. per annum, and that it is not likely that he would buy a house for sa. rs. 4,000, as admitted by himself in his replication in this case, the rents of which would fall under 40 sa. rs. per month at the time of his purchasing it, although this Aumeen himself once made this remark. He now estimates the rents on the vague assertions of these corn-dealers at 27 rs. a month for each house; and one of which witnesses, named Roopchand Mundel, he fined, when about to take his evidence, 10 rs. and after detaining the man some time in custody at his house, remitted the fine. Thus he clearly, by estimating the three houses on the Circular Road at 27 rs. a month, shows and agrees with the former Aumeen in so far that he considers their renting to have been equal; then throwing away the evidence of attested documents,

viz. the copies of agreements, and the evidences of Messrs. Rees and Cattell, and Mrs. Black, he fixes them all at 27 rs. a month, on the hear say evidences of four or five corn-dealers; and moreover, out of six years and eight months, he awards only one year and three months rents for the house which Kosinath Palit says his father claimed, and the full period of the six years and eight months for the other property; and he, although there is the copy of an agreement to show that the tank rented for 5 sa. rs. a month, awards only one rupee a month for it, and has similarly reduced the rents of the house occupied by the three appellants themselves, without assigning one single reason to the respondent's mooktar for his strange conduct. The deduction of 5 years and —months for vacancy he has voluntarily taken upon himself to make, as nothing about it is stated in his purnannah.

This Aumeen's report was sent to the Zillah Judge, W. Cracroft, Esq., on Monday the 5th June, when it was the respondent's mooktar's intention to present a petition to the Judge, stating his objection to this Aumeen's report, and whatever order was passed by the Zillah Judge we will try to obtain.

June 3d, 1837.

[Hukaru, June 7.]

SUDDER BOARD OF REVENUE.

CONSULTATION, — TUESDAY, 16TH MAY, 1837.

ENDOWMENT — BHAGULPORE.

Mr. Commissioner Brown, of Bhagulpore, on the 15th of March last, transmitted copy of a letter from Mr. Special Deputy Collector Travers, dated the 27th ultimo, embracing all the information he was able to obtain regarding the estate of pergunnah Obbehpore, Zillah Moonghyr, granted by Mahomed Allee Verdee Khan to Shah Golam Moulah, for religious purposes.

Mr. Special Deputy Collector Travers, in reporting upon the pergunnah, said it was subsequently confirmed by Mr. Warren Hastings to Shah Mahomed Bheek, descendant of the original grantees, and to his heirs forever.

This tenure was decreed by Mr. Travers in favor of the Lakherajdar on the 6th September last. Its recorded rugbah amounts to 55,704 biggahs, and the jumma has averaged according to the returns of the putwarree from four to five thousand rupees per annum during the last seven years. It was especially intended by the grantor, that the profits of this estate should be devoted to the exercise of religious duties, taken more peculiarly in the sense of devotional acts, rather than for purposes of public benefit and usefulness. A school, however, has always been kept up, and in the course of Mr. Travers's progress through the districts to visit some other estates, he took the opportunity of looking at Obbehpore.

The number of boys at present entertained upon the establishment amounts to fifty, and Mr. Travers was informed that they generally average about this number.

Two masters are kept at fixed salaries, who give instruction in Arabic and Persian respectively. These are the only two languages taught, and of the former few seemed to take any advantage; in the latter several boys appeared to be highly proficient. The reading, Mr. Travers observed, was fluent and correct, and some excellent specimens of writing were shewn to him.

Books of religious instruction claim their first attention of course; and after these, the standard of composition appears to be taken from the form commonly observed in the Mofussil Courts. Copies of petitions and roobocaries invented for the occasion, perwannahs, thannah reports and such like, were brought for Mr. Travers's inspection. Hindoos and Mussulmans are alike admitted, though Mr. Travers saw but a few of the first named.

The greater number of boys come from a distance of 20 or 30 miles, remain at school 10 or 11 months, during which time they are provided with Board and lodging gratis, as well as clothes in case they require them, and visit their homes usually once in a year for a month or thereabouts. Those who are sent from the immediate neighbourhood are scholars, and do not depend upon the establishment for any thing beyond mere instruction. On the whole, Mr. Travers was very much pleased and satisfied with his inquiries, and not a little surprised to find any thing even half so systematic as the method of education employed. With some care and attention on the part of the local agent, Mr. Travers thought the advantages of the place could be made more extensive, and he had reason to believe that any proposal on the part of Government to place the school upon a more efficient footing, would meet with ready acquiescence from the present proprietors of Obbehpore.

The Board on the 11th of April last, transmitted the above report for the information of the Right Hon'ble the Governor-General, observing that the estate, though comprising 55,704 biggahs of land, yields only from four to five thousand rupees,—that the resources of the grant must have been misrepresented, or else that the estate is altogether mismanaged; but as the objects of the grant appeared to be religious and not directly educational, it would be a question for His Lordship whether it would be proper for Government to interfere in any respect in the management of the estate and the application of the proceeds. We give the concluding correspondence in full in accordance with the orders of the Board.

To F. J. HALLIDAY, Esq.,

Secy. of the Sudder Board of Revenue.

Sir, I am directed by the Right Honorable Revenue } Governor of Bengal, to acknowledge the receipt of your letter dated the 11th instant, with its enclosures, and to request that you will inform the Board, in reply, that with reference to the last sentence of Mr. Travers's letter of the 27th of Feb. last, and to the opinion entertained by them, "that the resources of the grant must have been misrepresented, or else that the estate is altogether mismanaged," His Lordship is inclined to think that it would not be difficult for the local agents, acting under Mr. Officiating Commissioner Brown's immediate directions, to induce the administrators of the property to devote a larger part of it to purposes of education, including, possibly, instruction in the English language, and in the principles of mechanics, surveying, &c. At any rate the attempt should be made, and the Governor relies with much confidence upon Mr. Brown's judicious management and knowledge of the people for its success.

2. The Governor requests that the result may be reported for his satisfaction, and for communication, if necessary, to the Committee of Public Instruction.

3. The enclosures of your letter are herewith returned, copies having been kept for record.

I am, Sir, your most obdt. servt.

For William, } (Signed) ROSS D. MANGLES,
25th April, 1837. } *Secy. to the Govt. of Bengal.*

To G. F. BROWN, Esq.,

Officiating Commissioner of Bhagulpore.

Sir, With reference to your letter dated } *Miscellaneous.* } the 15th March last, on the subject of the Obbehpoore endowment, I am directed to transmit to you the records noted in the margin.*

You will perceive that the Right Honorable the Governor of Bengal, with reference to the last sentence of Mr. Travers's letter of the 27th January last, and to this Board's opinion, that either the resources of the lands have been misrepresented, or that the estate has been altogether mismanaged, "is inclined to think that it would not be difficult for the Local Agents acting under Mr. Officiating Commissioner Brown's immediate directions, to induce the administrators to devote a larger part of it to the purposes of education, including, possibly, instruction in the English language, and in the principles of mechanics, surveying, &c.," also that his Lordship has the greatest confidence in your discretion and judgment in the execution of orders requiring the exercise of so much delicacy and intelligence for their satisfactory fulfilment.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. L. TREVELYAN, *Additional Secy.*

Sudder Board of Revenue, the 16th May, 1837.

CONSULTATION, — 25TH APRIL, 1837.

REVENUE IN THE SETTLED AND UNSETTLED DISTRICTS
IN THE LOWER PROVINCES FOR THE YEARS 1833-34
AND 1834-35.

To ROSS DONNELLY MANGLES, Esq.,

Secy. to the Govt. of Bengal, Revenue Dept.

Sir,—I am directed by the Sudder Board of Revenue to submit, for the consideration and orders of the Right Hon'ble the Governor of Bengal, the following state-

* A copy of this Board's letter to Government, dated, the 11th, and of a letter from Mr. Secretary Mangles in answer, dated 25th ultimo.

ments prepared by the accountant in the Revenue Department, shewing the results of the management of the land and sayer revenue in the settled and unsettled districts in the Lower Provinces, during the two past years of account 1833-4, corresponding with the Bengal year 1240 and with parts of Fussillee year 1240-41; and 1834-35, corresponding with the Bengal year 1241, and with parts of the Fussillee year 1241-42.

No. 1. Statements of the demands, collections, and balances of Land Revenue for the year 1833-34 or 1240 B. S. and 1240-41 F. S., and of the additional collections up to the 30th of June 1834.

No. 2. Do. Do. for the years 1834-5 or 1241 B. S. and 1241-2 F. S., and of the additional collections up to the 30th of April 1836t

No. 3. Annual statement of the gross and net revenue of the above mentioned provinces for the year 1833-4.

No. 4. Do. Do. for the years 1834-5.

No. 5. General comparative statement of the amount of jumma, or demand on account of land revenue of the abovementioned provinces, agreeably to the jumma Wost Bukee accounts for the year of account 1832-33 and 1833-34.

No. 6. Do. Do. 1833-4 and 1834-5.

No. 7. Abstract comparative statement of the gross and net revenue for the year 1832-3 and 1833-4, with particulars of receipts and charges with explanations of increase and decrease in each district.

No. 8. Do. Do. for the years 1833-4 and 1834-5 with do. do.

No. 9 and 10. Statements of the Bakya Towjee demands, collections and balances for 1833-4 or 1240 B. S. and 1240-1 F. S. agreeably to the Collector's Bakya Towjee accounts.

No. 11 and 12. Ditto Ditto for 1834-5 or 1241 B. S. and 1241-2 F. S. ditto ditto.

2nd. The following is an abstract statement of the general results exhibited in these accounts, contrasted with those of the preceding year.

1st Jumma or land assessment.

	1832-33 or 1239-40	1833-34 or 1240-1	1834-5 or 1241-2
Jammah, . . .	3,00,22,473	3,00,92,204	3,01,64,462
	Increase in 1833-4	69,731	
	Do. in 1834-5		72,258

2nd. Collections on account of the current year upon the assessment.

	1832-33 or 1239-40	1833-4 or 1240-1	1834-5 or 1241-2
Collections, . .	2,37,76,057	2,25,44,685	2,25,75,674
	Decre. 1833-4	12,31,372	
	Incre. 1834-5		30,989

3d. Gross Balance outstanding.

	1832-33 or 1239-40	1833-34 or 1240-1	1834-5 or 1241-2
Gross Balance,	62,46,416	75,47,519	74,65,444
	Incre. 1833-4	1,30,11,003	
	Decre. 1834-5		82,075

4.—GROSS RECEIPTS, LAND REVENUE AND SAYER.

	1832-3 or 1239-40	1833-4 or 1240-1	Increase in 1833-4	Decrease in 1833-4	1834-5 or 1241-2	Increase in 1834-5	Decrease in 1834-5
Land Revenue,.....	2,37,76,057	2,25,44,685	"	12,31,372	2,25,75,674	30,989	"
Ditto of last year,.....	45,56,752	48,12,230	2,55,478	"	55,79,599	7,67,369	"
Ditto of former years,....	2,31,923	4,15,139	1,83,216	"	4,34,732	19,593	"
Surplus Collections not included in the Towjee,...	6,17,310	3,62,776	"	2,54,534	4,13,656	50,880	"
Collections from Military Bazaars,.....	8,058	4,919	"	3,139	"	"	4,419
Abkare Collections,.....	16,84,238	14,34,950	"	2,49,298	13,79,837	"	55,113
Sayer ditto,.....	5,01,758	4,66,567	"	35,191	6,06,070	1,39,503	"
Interest on arrears of Revenue,.....	67,146	68,853	1,707	"	34,063	"	31,790
Penalty on ditto, under Regulation XII. of 1824.	8,737	43,915	35,178	"	2,251	"	41,664
Under Regulation VII. of 1840,.....	8,26,207	11,54,849	3,28,642	"	10,24,845	"	1,30,004
Fees for Researches, &c. of the Committee of records,.....	2,707	2,958	261	"	3,529	561	"
Batta, Fees, Fines and other contingencies,...	4,59,258	2,43,009	"	2,16,249	3,67,391	1,24,382	"
	3,27,40,151	3,15,54,860	8,04,482	19,89,773	3,24,24,647	11,33,277	2,63,490
Deduct Increase,.....				8,04,482	Decrease	2,63,490	"
Difference in each year,.....							
Decrease in 1833-4,.....				11,85,291	Increase in 1834-5	8,69,787	

5TH CHARGES.

	1832-33 or 1239-40	1833-4 or 1240-1	Increase in 1833-4	Decrease in 1833-4	1834-5 or 1241-2	Increase in 1834-5	Decrease in 1834-5
Charges general and ordinary contingencies,.....	17,25,605	16,46,841	"	78,764	17,33,487	86,646	"
Charges of Cannongoes,...	23,880	22,126	"	1,754	22,712	586	"
Expenses for Committee of Records,.....	75	"	"	75	500	500	"
Special Commissioners,....	1,59,055	1,55,919	"	4,036	1,21,104	"	33,915
Poolbundee,.....	2,79,112	1,79,164	"	99,948	2,06,417	27,253	"
Pensions and Charitable allowances,.....	4,24,203	3,41,987	"	79,216	2,25,927	"	1,19,060
Compensation for Sayer abolished,.....	58,858	56,354	"	2,504	1,56,488	1,00,094	"
Extraordinary,.....	2,00,289	4,37,116	2,36,827	"	4,56,549	19,433	"
Presidency Sudder Board of Revenue including Secretary and Accountants offices and Stationary charges, A moiety of the charges of the Commissioners of Revenue and Circuit,.....	3,33,079	3,15,045	"	18,034	2,71,957	"	43,088
	3,00,535	2,34,541	"	15,994	2,19,900	"	64,641
	35,04,691	34,41,193	2,36,827	3,00,325	34,15,001	2,34,512	2,60,704
Deduct Increase,.....				2,36,827	"	"	2,34,512
Deduct in 1833-4,.....				63,498	in 1834-5		26,192

6TH.—NET RECEIPTS AFTER DEDUCTING CHARGES.

	1832-3	1833-4	1834-5
Net receipts,	2,92,35,460	2,81,13,667	2,90,09,646
Decrease, ..	A 11,21,793	"	"
Increase, ..	"	B 8,59,979	"
A Decrease in Gross Receipts,		11,85,291	
Increase in Charges,		63,498	
		11,21,793	
B Increase in Gross Receipts,		8,69,787	
Decrease in Charges,		26,192	
		8,95,979	

Gross balance, Rs. 75,47,519 3d. The statement
Deduct of Bulloah, .. 67,187 marked No. 1, sub-
Rs. 74,80,332 mitted herewith,
Deduct Remissions, .. 1,45,621 shews in the eleventh
Rs. 73,34,711 column an amount of
Subsequent Collec- rupees 25,12,381 col-
tions up to 31st of lected between the
Dec. 1834, .. 48,10,203 closing of the ac-
Rs. 25,24,508 counts and the 30th
June, 1834, on ac-
count of the year
1833-4, and the

statement A, furnished by the accountant in the Revenue Department, under date the 21st September, 1835, [No. 1,647], exhibit a further amount collected up to the 31st of December, 1834 of rupees 22,97,822, which, after making a deduction of rupees 1,45,621 on account of authorized remissions, according to towjees and established kularee remissions, and excluding the district of Bulloah, amounting to rupees 67,187, leaves the sum of rupees 25,24,508 to be recovered subsequently to the 31st of December, 1834, on account of the official year 1833-4, as shewn in the margin, of which sum rupees 14,16,271 had been realized by the 30th April, 1836.

Gross balance, Rs. 74,65,444 4th. With respect
Deduct Remissions, .. 1,74,749 to the remaining
Rs. 72,90,695 balance or account
Subsequent Collec- of the year 1834-5,
tions up to 30th the eleventh column
of April 1836, .. 57,04,162 of statement No 2,
Rs. 15,86,533 now submitted, ex-
collected subsequently hibits a sum of
to the closing of the rupees 27,26,834, as
accounts up to the 30th June, 1835 since which up to April, 1836, a
further sum of rupees 29,77,328, has been collected,
whence, after making a deduction of rupees 1,74,749 for
authorized and established remissions, there remained a
balance on the 30th of April last, of rupees 15,86,583,
to be recovered on account of the official year 1834-5.

* Chittagong, .. 35,702
Hidglee, .. 8,523
Pattaspore, .. 7,233
Cutlack, N. D. 1,161
Moonghyr, .. 8,129
Tirhoot, .. 7,907
Dhurum-pore, .. 615
Hooghly, .. 5,431
Burdwan, .. 1,031
Jessore, .. 1,859
Backergunge, .. 1,695
24-Pergunnahs, 1,780

5th. The increase
of the jumma of
1833-4, compared
with 1832-3, the last
year reported on, is
rupees 69,731, oc-
curring principally*
in the Chittagong,
Cutlack, Moonghyr,
Moorshedabad and
Calcutta provinces,
with a small amount
of 234 rupees from
mowza Uleepoor

in Rungpore under Regulation II. of 1819. There
would also have appeared an increase in the
Patna division from a number of small mehals; but
that the Collector of Shahabad has charged a sum of

rupees 2,971 as a real decrease in pergunnah Chounsah
in anticipation of the authority of Government for
doing. The accountant however, states he has been
desired to re-add them to the rent roll until that sanc-
tion shall have been obtained. The increase in Chitta-
gong arises almost entirely from the Nohabad mehals of
pergunnah Chittagong, to which is to be added the
Neemuk Gardee mehals, the revenue of which used to
be paid in salt, and rupees 607 from pergunnah Rus-
soolnugur, hitherto excluded from the Towjee without
authority. Against this accession of revenue appears a
sum of rupees 8,048, directed by the orders of Govern-
ment, dated the 1st January, 1833, to be made in the
Nohabad Mehals. In Hidglee the increase is to be
found in the Estates of Mooinamootah and Jellamootah,
with a small sum in that of Doordumuan, the rest being
made up of the petty resumptions of lakraj lands, and a
nominal increase of rupees 443 arising from alterations
in the monthly kists not affecting the annual jumma,
against which appears a decrease in mouzah Koolega-
chuah of 82 rupees under authority of Government
dated 8th September 1829. In Pattaspore the increase
is made up chiefly of small sums, of which the account-
ant has been called on for a further explanation, with a
nominal sum of rupees 3,333, being the sum of an in-
crease on the first seven months of 1240, which causes
a corresponding charge of nominal decrease in the follow-
ing year, against which is a small decrease in pergun-
nahs Kamadachoar, Grudaubar, Kismut-gedauchur,
and pergunnah Shabunder Bishenpore, for explanation
of which a reference has been made. The increase in
Cutlack is under authority of the Government orders
dated 31st January 1832 in pergunnah Maunkbunt
Talookhan; that in the northern division being from
sundry mehals not included in the Mustabood or Towjee
accounts, while a decrease appears under the orders of
the 10th of February 1834 in talook Bissenpore, pergun-
nah Secaree. The increase in the southern division is
merely nominal arising from alterations in the monthly
kists. The real increase in Moonghyr amounts to only
rupees 240 in pergunnah Bullnah and Nyepore, the rest
being nominal, and the result of alterations in the month-
ly kists, as is also the small amount in Bhaugulpore.
In Tirhoot the only amounts desiring particular
notice, are the increase in mouzah Karopore, pergun-
nah Boochee Mayori Mulsurabad, Jswantpore Bulthee
in pergunnah Dhurpur, and mouzah Punnchau Kissen
in pergunnah Ram Ghurwund, the remainder being a
small sum. On the other hand a decrease appears of
rupees 1,650 rupees 908 of which is from mouzah
Nethenpore Punglis under the orders of Government
dated 12th April 1833, and the remainder arising from
alterations in kists, and hence merely nominal. The
entire increase of Dhurum-pore is from one mehal mouzah
Sumjunh, in zillah Nathpore, under orders of the 10th
June 1833. In Hooghly the increase consists of rupees
2,507 from talook Digra, and rupees 2,345 from Chin-
surah, with two or three small amounts, and the decrease
is rupees 426 in chur Bunsburea, whilst Burdwan
shews the increase in Chur Majdeea Pergunnah Patoo-
lee, and chur Maltipoor pergunnah Rannahattee. The
increase in Jessore arises chiefly in mehals newly settled;
that in Backergunge from some newly cultivated Soon-
derbund mehals of pergunnah Jafferabad, and small
increase in the farming settlement of Mahanund Hyat,
and that in the 24-Pergunnahs on various small estates.
Against these are a few items of decrease, consisting of
the sum of rupees 50 in Dhee Calcutta, 502 rupees on
Khas mehals in Jessore, and rupees 220 from sundry
estates in the 24-Pergunnahs, for explanations of the
two latter of which a reference has been made.

6th.—With the exception of
Rajmahal 3,732 some large amounts in the Jes-
Moonghyr 5,237 sore and Moonghyr provinces,
Tirhoot 7,570 and the unsettled districts of

Backergunge .. 16,753 Cuttack, the increase of jumma
24-Pergunnahs. 22,833 in the second official year, in-
Hidjee 1,092 cluded in this Report, to rupees
Southern Divi- } 72,558, is distributed in small
sion of Cut- } 20,319 sums through the districts,
tack } rupees 4,884 of the increase
in Moonghyr is merely nominal, one half of it arising
from alterations in the monthly kists, and the other in
the demand on account of Bukyah Towjee, and the rest
consists of small amounts; while that in Rajmahal is
entirely from the estate Towfeer Harpursad in pergun-
nah Teles Guree. The increase in Tirhoot compre-
hends rupees 2,870 in Muthee Burhur pergunnah
Suresna, and 1,084 rupees in Havee Bhowarah pergun-
nah Havee, the rest being made up entirely of small
amounts. Backergunge shews an increase of rupees
15,366 from Muhulut Durree Abaddee, and rupees
1,387 from Kureeza pergunnah Bazoorgomedpore
Badooree Syllaboonah Sawkureeah mouza; and in the
24-Pergunnahs the following are the large items of
increase, the rest being made up of small amounts.

Pergunnah Turf Bantra Talook, Calcedas.	
Dutt &c. &c.....	Rs. 7,236
Pergunnah Myda Gobareeah &c., &c.....	2,845
" Halleehighur Belpokeera	
Talook Turraee Churn	
Muteelol &c.....	2,686
" Khakaleejungle Talook	
Rajnaram Bose &c....	949
" Kurbul Talook Sunkoo-	
sa Des.....	2,596
" Magoora Chuck Bare	
Mooghly, Talook Ram-	
narin Mitter.....	942

rupees 928 out of the rupees 1,092 of increase in
Hidjee, arise in the Jellamoolah estate and that in
southern Cuttack is obtained from Kilah Koordah.

7th.—It is with regret that the Board notice the
decrease in the collections upon the assessment of
1833-4 to so large an amount as rupees 12,31,372 as
compared with the previous year 1832-33; but this may
in some measure be accounted for by the severe cala-
mities which attended that disastrous year, a belief that
is borne out by the increase found in the second year
under report, which though small, (rupees 30,989), is
perhaps as much as could be expected from the slow
recovery that would follow such a season of loss, and the
effect of which it requires a long tranquility and contin-
ued prosperity entirely to overcome.

Bukyah of 1832-3	Rs.	8th.—The Bukyah col-
realized in 1833-4		lections are much greater
more	2,55,478	in the two years now under
Do. of former years		review, than in the preced-
ditto	1,83,216	ing one 1832-3; but with-
Bukyah of 1833-4		standing the Board's last
realized in 1834-5		report of the 11th July.
more	7,67,369	1834, shewed them in that
Do. of former years		year to have greatly ex-
ditto	19,593	ceeded the amount collect-

ed on this account in its
predecessor: the second
year under review in fact shews an increase of realizations
on this account, over those of the last year reported upon,
to the extent on account of the year immediately pre-
ceding that of report, of rupees 10,22,847 and on ac-
count of former years of rupees 2,02,809. Nevertheless,
the Board regret to observe that the gross balance had in
the first of the two years now under report, increased
very considerably from the causes noted in the preceding
paragraph, and which had received a check in its suc-
cessor when the gross balance was less by rupees
82,975.

9th.—The surplus collections not included in the
Towjee, exhibit a large decrease* in the first of the years
now reported, over its predecessor.* This decrease is
chiefly made up of large amounts, and arises as follows:—

Rupees 34,775 on account of chur lands in Bulloah,
rupees 14,853 on the Puteetabodee lands in the 24-Per-
gunnahs; rupees 10,112 on account of the decreased
collection from resumed jageers and villages not included
in the Towjee in Behar: rupees 84,107 realized from
talook Tajpore in Tirhoot; rupees 14,768 in the salt
revenue of Southern Cuttack; rupees 25,671 of Nemuk
Sayer in Tirhoot; and rupees 82,388 of decreased col-
lections in Sumbulpore. In the next year 1834-35 a
small increase† is discoverable, of which rupees 5,569 is
from resumed lakraj lands in Beerbhoom; rupees 15,403
from jagheer mehals formerly belonging to the Newaib
of Dacca; rupees 9,105 part proceeds of sale of pergun-
nah Barceeghattee; rupees 13,982 on small mehals in
Behar; rupees 3,923 on account of malgoorzree lands
from the heirs of invalid jageerdars in Bhaugulpore,
besides an addition to the chur lands in Nuddeeah.

10th.—The increase of consolidated penalty and inter-
est under Regulation VII., of 1830, that appears in the
year 1833-4 over its predecessor, corresponds with the
increase in the amount of gross balances, as does the
decrease in the second year under review 1834-5§ with
diminution in those balances, aided also by the de-
ermined by Government to forego this charge from the
sufferers by the calamities already referred to.

11th.—A great falling off appears in 1833-4¶ in the
item of collections, as "batta, fees, fines and other con-
tingencies," which may be best explained by a reference
to the accounts of the previous year, which exhibit an
increase to a more than equal amount.

The year 1834-5|| however, shews an increase in its
predecessor against rupees 1,24,382.

1832-3. Rs.	3,27,40,151
1833-4. "	3,15,54,860

Rs.	11,85,291
Land Revenue of the	
year decreased, Rs.	12,31,372
Increased Collections	
on account of former	
years.....	1,38,694

Rs.	7,92,678
1832-3. Rs.	16,84,238
1833-4. "	14,34,950

Rs.	2,49,288
1834-5 Rs.	3,24,24,617
1833-4 "	3,15,54,860

Rs.	8,69,787
Decrease in Abkaree	
Collections.	

1832-3. Rs.	1,35,962
1833-4. "	2,49,288
1834-5. "	55,113

Rs.	4,40,363
-----	----------

count of the land revenue of the previous year. This
year also shews a decrease, though not to so great
an extent as in previous years, in the Abkaree Collec-
tions; the sum of deterioration being in this year rupees

12th.—The gross
amount of revenue
collected in 1833-4,
falls short of that
received in its prede-
cessor by rupees
11,85,291; of which
sum rupees 7,92,678
are on account of de-
creased revenue col-
lections and rupees
2,49,288 are accounted
for in the deterioration
of the abkaree collec-
tions, which are under
the head of Customs
Salt and Opium. This
decrease on the gross
collections is however
nearly made up in the
second year now under
report, as shewn in
the margin, the net
increase being rupees
8,69,787—of which no
less a sum than rupees
7,67,369 are on ac-

* Rupees 2,54,534.

† Rupees 50,880. ‡ Rupees 3,28,642.

§ 1,30,004. ¶ 2,16,249.

|| Rupees 2,85,345.

55,113, so that the average deterioration during the last three years in this department, has been rupees 1,46,788 per annum.

13th.—The charges in both the years under review have experienced a slight diminution, amounting in the first year 1833-4 to rupees 63,498, and in the second year 1834-5 to rupees 26,192; the result, however, is not so satisfactory as could be desired, since the former year shews a deficiency in the net receipt as compared with 1832-3, amounting to rupees 11,21,793, and although the latter year included in our report exhibits an increase in the net receipts of rupees 8,95,979, yet even this is rupees 2,25,814 less than the net receipts of our last report of 1832-3.

14th.—The accumulation of arrear in the several districts under control of the Board, is best shewn by the following memorandum :

District.	Jumma.	Balance.	Rate p. c.
Purneah.....	8,92,269	364	3
Rajmahal.....	43,915	50	1
Rajeshye.....	12,56,645	60,042	4
Rungpore.....	10,33,684	4,829	4
Patna.....	2,22,985	1,918	8
Maldah.....	2,24,143	30,571	13
Moorsheadabad.....	11,95,645	63,069	5
Beerbhoom.....	6,91,877	10	0
Hooghly.....	11,21,762	1,93,116	17
Burliwan.....	28,55,177	353	1
Dacca.....	4,08,252	26,513	4
Mymensing.....	6,91,026	39,609	5
Sylhet.....	3,03,516	9,924	3
Chittagong.....	5,61,451	44,204	7
Tipparah.....	8,48,953	1,70,089	20
Cooch Behar.....	62,721	19,147	30
Calcutta.....	64,899	46,328	7
Nuddesah.....	11,66,951	17,987	1
Jessore.....	11,77,563	19,520	1
Backergunge.....	8,25,016	54,652	6
24-Pergunnahs.....	11,61,599	6,32,205	54
Muzareebaugh.....	1,24,587	449	1
Patna.....	3,51,930	22,664	6
Behar.....	16,14,201	1,84,383	11
Shahabad.....	12,78,411	30,098	2
Sarun.....	14,81,529	31,268	2
Dpt. Collectorship of Behar.....	51,751	14,506	28
Moongyr.....	3,79,351	14,318	3
Bhaugulpore.....	3,32,941	2,592	3
Tirhoot.....	13,47,305	3,375	3
Midnapore.....	13,07,513	3,69,390	28
Hidjlee.....	3,39,527	2,22,652	62
Puttaspoore.....	74,306	7,544	10
Cuttack (Central).....	7,91,358	55,514	7
Ditto (Northern).....	2,93,026	1,09,299	37
Ditto (Southern).....	4,26,643	27,678	5

which exhibits the rate per cent. of outstanding balances on the 31st December 1834 for 1833-4 on the jumma of the year, premising however that in making these calculations, fractions have been rejected. In five districts, viz. Dinagepore, Bugoorah, Burdwan Deputy Collectorate, Bogree and Dhurrumpore, to which may be added Beerbhoom, the amount unrealized being under ten rupees, all arrears had been cleared off, and the average proportion of arrears amounts to 8½ per cent. on the jumma; so that of those districts in which balances were still remaining at the period above mentioned, the amount in twenty-four instances fell short of the average, while it was exceeded in twelve districts.

15th.—The outstanding arrear on account of 1834-5 is a little more favorable, and the Board subjoin also a

sketch of the rate per cent. of the accumulation in April last, the period at which the accounts were closed :

District.	Jumma.	Balance.	Rate p. c.
Rajeshye.....	10,95,507	5,268	4
Dinagepore.....	17,03,908	2,340	1
Rungpore.....	10,33,684	7,841	7
Bugoorah.....	1,68,108	2,825	1
Patna.....	3,03,169	477	1
Maldah.....	2,33,610	6,868	2
Moorsheadabad.....	11,95,645	62,191	5
Beerbhoom.....	6,91,877	399	1
Hooghly.....	11,21,890	46,968	4
Dacca.....	4,08,455	20,048	4
Mymensing.....	7,19,284	25,814	3
Sylhet.....	3,03,516	15,271	5
Chittagong.....	5,63,425	39,661	7
Bullooah.....	4,58,956	67,546	14
Tipperah.....	8,48,953	70,417	8
Calcutta.....	64,903	40,898	63
Nuddesah.....	10,02,861	7,969	1
Jessore.....	10,34,764	13,566	1
Backergunge.....	8,41,469	34,428	4
24-Pergunnahs.....	14,06,012	44,206	10
Bogree.....	1,98,000	3,763	1
Muzareebaugh.....	1,77,475	2,871	1
Patna.....	3,51,930	14,152	4
Behar.....	16,82,169	1,07,301	6
Shahabad.....	12,77,968	21,215	1
Sarun.....	14,81,529	23,821	1
Moonghyr.....	4,15,338	21,991	5
Bhaugulpore.....	3,01,058	5,311	1
Tirhoot.....	13,51,095	3,128	1
Midnapore.....	13,03,513	4,35,046	33
Hidjlee.....	3,04,620	2,07,870	6
Puttaspoore.....	71,041	8,813	12
Cuttack Central.....	7,91,359	75,946	9
Ditto (Northern).....	2,93,351	25,195	8
Ditto (Southern).....	4,46,962	12,640	2

In six districts the balances have been entirely cleared off by time of closing the accounts; they are Purneah, Rajmahal, north-east Rungpore, Cooch Behar, Dhurrumpore, and the Deputy Collectorate of Burliwan, and in that of Burdwan an amount of only 8 rupees remained unrealized. The average proportion of arrears on account of this year, is on the total jumma of rupees 3,01,64,462, only about 5½ per cent., and it appears that in thirteen districts the arrears exceed this rate, while in twenty-two they fall short thereof: on making a comparison too, with the average rate of the previous year, viz. 8½ per cent., it will be found that the present exhibits as many as twenty-seven districts in which the rate of arrears falls short of that amount, exclusive in both instances, of such places as shew no arrears whatever, which, if included, would make thirty-four of the present against thirty of the first year now under report. The latter part of paragraph three above, further shews that the balance outstanding on account of 1833-34 on the 30th of April, 1836, or two years after expiry of the year of the demand, did not exceed 3½ per cent. on the total amount of jumma for the year.

16th.—The remissions on account of khalarree rent, &c., during the years under review, amounted in the year 1833-34 to ½ per cent. — and in 1834-35 to ¼ per cent. on the jumma.

17th.—The Board have now nothing further to observe with reference to these accounts, than to bring to the notice of the Right Honorable the Governor of Bengal, the proportion that the cost of collection bears to the amount collected, which was in 1833-34 10½ per cent. and in the following year (1834-35) a still more favorable rate of 10½ per cent; and it may be worthy

of remark that this in both instances falls short of the average rate whereat the revenue of the United Kingdom is computed to be collected, and which is estimated at 11½ per cent.

I have the honor to be, Sir,
your most obedient servant,

(Signed) C. E. TREVELYAN *Additional Secretary.*
Sudder Board of Revenue, Fort William, May 23, 1837.

CONSULTATION, — TUESDAY, 16TH MAY, 1837.

INACCURACIES IN THE PERSIAN AND BENGALIEE TRANSLATIONS OF TWO REGULATIONS.

Mr. Commissioner Lewis, of Moorshedabad, on the 18th of March last, submitted, for the consideration of the Board, a letter in original from the special deputy collector of Burdwan, pointing out inaccuracies in the Persian and Bengallee translations of clause 2 Section 111. Regulation XIV. of 1825, and clause 1 section 11. Regulation XIX. of 1793.

Mr. Special Deputy collector Tayler, sets out by stating that, Clause 1, Section 2, Regulation XIX. of 1793 declares "all grants made previous to 12th August 1765, by whatever authority, and whether by a writing or without a writing, &c., shall, with certain provisions, be deemed valid."

Also, that Clause 11, Section 111, Regulation XIV. of 1825, provides, that "Lakhraj tenures, of which uninterrupted possession shall have been held exempt from assessment, at and subsequent to the several dates thereafter mentioned, shall be considered to be *valid*, without evidence to any formal grant, or confirmation of the same."

Without attempting to impugn the propriety of the term "*valid*," as above applied, and which Mr. Tayler conceived to be essentially correct, it would yet, he (Mr. Tayler) thought be no difficult task to shew that this singular, has, in its application, given rise to many conflicting and contradictory decisions, to much of the doubt and uncertainty which has perplexed resuming officers, and to much of the dissatisfaction and disgust now ranking in the minds of the Lakhraj-lars.

That the word refers only to the *primary validity* of the *original grant*, which has nothing to do with the confirmation of the tenure in favor of any other but the original grantee, further than being an indispensable precedent condition of that confirmation, one would imagine. (Mr. Tayler observed) that the succeeding clause in both the regulations quoted, would have been amply sufficient to demonstrate this, and keep the interpretation of the word within its prescribed limits; but as Mr. Tayler happened to have seen several decisions of the higher authority (the Special Commissioner's) in which tenures have been continued to *heirs*, without any proof or evidence of hereditary right having been demanded, simply and solely on the strength of these two clauses, Mr. Tayler was justified, he thought, in asserting that the wording has contributed to the misunderstanding of their intent.

But, however this may be, as regards the English expression, there could be no doubt (Mr. Tayler thought) that the transaction into the native languages, is grossly incorrect: On a reference to the Persian translation of Clause 11., Section 111., Regulation XIV. of 1825, Mr. Tayler found the word rendered *جایز* this being in some degree

calculated to mislead particularly as its opposite *نا جایز* is the particular word in use among the natives to denote an unsound and resumable tenure. The translation however has the merit of being at least tolerably accurate.

The Bengalee version of the same word, however, in Clause 1., Section 11., Regulation XIX. of 1793, proves that the translator at least utterly misunderstood the purport of the term, and to this point, Mr. Tayler directed particular attention.

By a reference to the Bengalee regulation, the Board would perceive that instead of the word *অব* as in clause 11. Section 111., Regulation XIV. of 1825, the translator renders it by an unjustifiable paraphrase or "shall be confirmed," taking a very large leap of 60 years from the validity of the original grant as having been made and held previous to 1765, to the confirmation of the tenure subsequent to 1825.

This unwarrantable deviation from the English version has also entered into the Persian translation of the same

clause; in which it is rendered, *بلستور سابق بحال* *و برقرار خواهد بود* thus again confounding the pre-existent validity of the tenure, which is all that is intended with the subsequent continuance thereof, which depends on many other contingencies.

As nothing is (Mr. Tayler believed) so calculated to excite dissatisfaction and disgust in the minds of those who suffer by the enforcement of the law, as any incongruity in the law itself, or uncertainty in its application, Mr. Tayler begged earnestly to recommend that this point should be referred for the consideration of Government, in order that the translation above referred to may, if incorrect, be rectified, and the misapprehension which has arisen from the erroneous rendering of the translator be removed.

Mr. Tayler concluded by observing, that it cannot be thought unimportant that the officers of Government should be cleared from every appearance of acting contrary, or even on a forced construction of the law.

TO THE COMMISSIONER OF MOORSHEDABAD.

Miscellaneous.

Sir,—The Board have considered Mr. Tayler's letter to your address, of the 14th February, on the subject of a supposed mistranslation of Regulation XIX. 1793.

You have not favored the Board with any opinion on the question, and neither from Mr. Tayler nor from yourself have the Board received any distinct suggestion for the amendment of that which the former officer supposes to be wrong.

The Board direct me to say, they admit some little fault may be found with the translations of Clause 1., Section 11., Regulation XIX. 1793; but that any person could be deceived as to its meaning who had read the succeeding clauses, the Board can by no means allow: taken in connection with the exceptions and limitations which succeed it, clause 1., of the Section alluded to seems, even in the translation objected to, to be quite clear enough for common apprehension. Were, however, the versions open to all the animadversion which Mr. Tayler has bestowed upon them, the Board would look upon them as better let alone, than changed, or otherwise interfered with after the lapse of so many years.

It has always been ruled, that the English version of the regulations is alone to be considered the law, and that the law cannot be affected, or in any shape altered, by defects in its versions in other languages, which are made for the assistance of the natives and with as much attention to accuracy as may be from time to time attainable.

To correct the versions now found fault with in a manner which some might think favorable to the Government claims, and adverse to their own, would, in the opinion

of the Board, be more likely to engender disgust and disaffection, than the occasional misconstruction of existing terms by a few hasty and ill judging individuals.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN, *Addl. Secy.*

Sudder Revenue Board, the 24th May 1837.

CIRCULAR—(No. 31.)

TO THE COMMISSIONER OF REVENUE FOR THE DIVISION OF

Mis. Dept.

SIR,—The Sudder Board of Revenue have had before them several references, shewing the inconvenience experienced by the Special Deputy Collectors in consequence of their not being at liberty to draw on the Treasuries of the districts in which they are respectively located. To remove that inconvenience they are pleased to direct, with the advice of their accountant, that you will authorize the Collectors in your division to advance to Special Deputy Collectors such sums required for temporary disbursement as have previously received your sanction, and instruct them to hold such advances in their inefficient balances, in the name and at the responsibility of the officers drawing the money, until audited bills are furnished for the adjustment of accounts.

2. In compliance with a suggestion of Mr. Dorin, the Board direct me to request that you will call the attention of the Special Deputy Collectors to the necessity imposed by the orders of Government in the Financial Department, under date the 26th January 1835, of obtaining in all practicable cases, *monthly* audit for all advances received by them from a Collector's Treasury.

3. You will, of course, understand that these orders do not confer on you any power to sanction charges either temporary or permanent with which you were not previously vested, and that any new demands that may arise for the disbursement of sums under the head of miscellaneous charges beyond 500 rupees must be reported in the usual manner to the Board. The object of this order is to enable the Special Deputy Collectors to obtain without delay from the Treasuries sums of which the disbursement has been regularly sanctioned under existing orders.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN, *Addl. Secy.*

Sudder Board of Revenue, Fort William,
the 26th May 1837.

CIRCULAR—(No. 35.)

TO THE COMMISSIONER OF REVENUE FOR THE DIVISION OF

Mis. Dept.

SIR,—I am directed by the Sudder Board of Revenue to forward to you, for your information and guidance, the accompanying copy of para. 2, of a letter from the Secretary to Government in the Revenue Department, modifying the rules at present in force, respecting the purchase on the part of Government of small shares of Mehals under Butwarra when the bids of the public do not cover the balance, and directing that such purchases of such shares shall be left to the discretion of the Local Authorities, instead of being imperative.

2nd. You are requested to communicate these orders to all the Revenue Authorities in your division whom it may concern.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN, *Addl. Secy.*

Sudder Board of Revenue, Fort William,
the 23d May, 1837.

Extract from a letter from the Secretary to Government
of Bengal dated 2d May 1837.

(No. 572)

Para. 2d. It is obvious that inconvenience may often result from the purchase of small shares of Mehals under Butwarra, and the orders to which the Board refer render that measure obligatory when the bids of the public do not reach the amount of balance. His Lordship is therefore pleased so far to modify those orders, as to leave the purchase of shares of Mehals under Butwarra to the discretion of the local authorities.

Sudder Board of Revenue, Fort William,
the 23d May, 1837.

(True Extract.)

(Signed) C. E. TREVELYAN, *Addl. Secy.*

CONSULTATION,—30TH MAY, 1837.

CIRCULAR—(No. 36.)

TO THE COMMISSIONER OF REVENUE FOR THE DIVISION OF

Mis. Dept.

SIR.—Numerous instances having lately been brought to the notice of the Board, in which estates have been advertized for sale before the expiration of the prescribed period of one month from the date of the arrear falling due. I am directed to request that you will caution the Collectors subordinate to you, to pay the most particular attention to avoid so great an injustice.

2nd. You will also be pleased to add the "date of the arrear falling due," and "date of receipt of the advertisement in the Mofussil" to the particulars directed by the Circular Orders of the 27th April 1835, to be inserted in the margin of reports on sale appeals.

3rd. The specification in the margin will, therefore, for the future, be as follows :

_____ Division Zillah _____
_____ } Appellants.
_____ }
sale of _____

Date of the arrear falling due _____
Date of receipt of Advertisement in Mofussil _____ }
Date of Sale _____ }
Date of confirmation _____

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN, *Addl. Secy.*

Sudder Board of Revenue, Fort William
the 30th May, 1837.

N. B. The advertisement must be published 30 clear days exclusive of the day of receipt and the day of sale.
—Hurkaru, June 8.

CONSULTATION, — TUESDAY 30TH MAY, 1837,

RULE FOR THE LISTS OF PETTY ESTATES — SYLHET.

The Board on the 26th of November last, promulgated by circular to the several Commissioners, the adaptation of the following rule passed by Government on the 8th November last regarding the kists of petty estates, viz.

For estates with a sudder jumma of 10 Rs. } 1 kist.
or under..... }
Do. above 10 and not exceeding 50 rupees..... 2 do.
Do. above 50 and not exceeding 100 rupees..... 3 do.

Mr. Commissioner E. M. Gordon, of Dacca, on the 5th April last, communicated the above order to Mr. Collector Mytton of Sylhet, trusting he would set about preparing a new kistbundy with as little delay as possible.

Mr. Gordon could not take upon himself to dispense with the signatures of the parties concerned without a reference to the Board, but recommended Mr. Mytton to commence the work in hand, while he made a reference.

Mr. Collector Mytton on the 6th of the same month replied, stating, that in attempting to carry the orders of Government into effect he had been met by difficulties which were not perhaps contemplated when the above orders were passed.

In the first place, Mr. Mytton submitted, that it is not mentioned on what date the jumma from those estates on which the Revenue is leviable in one kist is to be demanded, but he concluded that it is intended that it should be at, or soon after, the date of the last kist as it now stands. This appeared to him to be the most equitable course, but in pursuing it the uniformity which appears to be one great object of the order in question will not be attained, for the former kistbundy was drawn out on no fixed plan, and the revenue of one estate of 10 rupees jumma may be payable in the first three months of the year, while that of another may be spread over 9 months. This difficulty Mr. Mytton thought was not insuperable, the kists of all such talooks could be fixed so late as not to fall before the last kist as it now stands of the talook of the class, whose last kist falls the latest of the year.

Mr. Mytton observed that the Majority of the estates in Sylhet are split up into fifties and hundreds of shares. A great many of these are called "*Hissa Karija*" but are sold with the original estate, according to Mr. Tucker's report of the 16th March 1827, and the orders passed thereon. These "*Hissas Karijas*" have distinct kistbundies, and while on the one hand a complete amalgamation of their jumma with the original estate would cause the greatest confusion and be objectionable as leaving undefined the exact sum due from each *Hissa*, in each month, which is now well known and understood, still on the other hand (Mr. Mytton went on to state) the forming a separate kistbundee for each "*Hissa Karija*," would be a work of time and expense, and would probably be looked upon as acknowledging that which has been denied, viz., the legality of the separation of these *Hissas*.

The copying out the kistbundee which was formed by Mr. French is said to have taken eight mounhurs for nearly a twelve month, and three of the head Omiah afterwards were required to compare them, which must also have been a work of time.

Mr. Mytton concluded by saying that although it is undoubtedly an object of importance to obtain uniformity, still it should be taken into consideration, whether

it is of such importance as to be worth obtaining at such an expense and with such difficulties in the way: Mr. Mytton's opinion was, that it is not.

Mr. Gordon, in replying to Mr. Mytton's communication, observed that although no reasons are set forth, either in the letter from the Secretary to Government, or in that from the Sudder Board, for the proposed alteration in the mode of paying the instalments of the Government Revenue, Mr. Gordon nevertheless felt satisfied, that not a desire of uniformity, but a humane regard for the comfort and convenience of the land holders, was the chief motive that led to the issuing of the orders now under consideration.

It was felt by the ruling authorities to be a great evil, that men should be compelled to leave their homes frequently and to make considerable journeys, to pay into the Treasury very small sums; and so just and proper did Mr. Gordon look upon the orders of Government to be, that it ought not to be ordinary difficulties which should deter the local authorities from carrying them into execution.

Mr. Gordon scarcely understood why it should not be practicable to form the kistbundies with the proprietors of the original estates, making both these and the holders of the separations sign them. This seems necessary to secure the latter from the encroachments of the former. If the plan Mr. Gordon proposed should be practicable, a separate kistbundee with the separate holders would not be necessary, — a distinct kistbundee with these appeared to be obviously objectionable, as in some degree recognizing the legality of the separation.

After a little more correspondence on the subject, the whole of it was submitted to the Board on the 5th of May last by Mr. Gordon for consideration and orders.

TO THE COMMISSIONERS OF DACCA.

Miscellaneous.

Sir, — The Sudder Board of Revenue having had before them your letter No. 117, dated the 5th instant, on the subject of their circular orders of the 26th November 1836, direct me in reply to communicate as follows.

The Collector must make his arrangements for his own office, apportioning the payment of the Kists after the principal harvest. When there is one Kist the payment of it should be after the Ouse harvest, where there are two, after the Ouse and Amun, and where three, after Ouse and Amun and miscellaneous crops. The time of each payment should be appointed by the collector according to local circumstances, so as to suit the convenience of the people. —

In being required to sign the kistbundees, the Board consider that parties can affix their signatures to printed Kistbundies as they come in to make payments of Revenue, and that it is not either expedient or necessary that they should be sent for our purpose.

In cases of rules for arrears, or in consequence of decrees of court, the new proprietors will be required to sign the Kistbundies as a matter of course.

On the subject of illegal separations touched upon by the Collector, the board direct that such separations will be where a sale of such separated portion has actually taken place, and been confirmed in all other cases of illegal separations, re-annexation should take place at once, and the whole estate should be held "*Ijmalas*," the entire property being held answerable for the entire Sudder Jumma.

It will be advisable for you to require the collector to report monthly on the progress made by him in the preparation of the new Kistbundles.

I have the honor to be, Sir,
your most obedient, humble servant,
(Signed) C. E. TREVELYAN.
Additional Secretary.

Sudder Board of Revenue, }
the 30th May, 1837. }

TALOOK SHIBNARAIN GOOPT SYLHET.

Mr. Gordon, on the 25th of March, submitted copies of correspondence relating to the mode in which it is proposed to put in force the registration laws in the District of Sylhet, and that a doubt is expressed as to the meaning of the order communicated in the 9th paragraph of the Sudder Board's letter, "to register only specific and ascertained portions of original estates."

Mr. Collector Mytton, on the 25th March last, in acknowledging the receipt of Mr. Gordon's letter enclosing the order above referred to with regard to Talook Sheebnarain Goopt, and, with reference to the correspondence respecting the sale of that estate, directing him immediately to put in force the registration laws in order that Mr. Mytton should have a recorded proprietary body to deal with in the disposal of claims to fazilaut. The recent orders of the Board, extending the Provisions of Section IV., Regulation I. of 1801 to this District, render the complete registration of the proprietors of every state in the district an object of the first rate importance, and in order to effect this, Mr. Mytton's best endeavors should not be wanting.

Mr. Mytton had come to the conclusion that ordinary Dhakhil Karj proceedings, and recommending for fine by the Governor-General any person omitting to register transfers, will not answer the required purpose. Many transfers are of such a small portion of land, that it would not be worth the purchasers while to present a petition and incur the expenses of serving the Ishlahars, the payment of Registration fees, &c.

Mr. Mytton proposed to send copies of the present towjees to the Putwarries of the several zillahs, and require them to institute local enquiries respecting the names of the holders of the different talooks, and the proportions of jumma demandable from each. The information they will embody in the form of a statement, and on receiving it, Mr. Mytton will publish it in an Ishlahar in the particular pergunnah, and at the Sudder station, and all objections to this record will form the subject of a summary investigation.

Mr. Mytton requested that if the plan met with the Commissioner's approbation, he should sanction the temporary but immediate entertainment of two mohurirs on 7 rupees per mensem each, to prepare copies of the towjees, and by the time they have forwarded this work, the present busy time to the Putwarries of measurement will be over, and they will have leisure during the rains to perform the other part of the duty.

In the 9th paragraph of the Board's letter under notice, Mr. Mytton said, there is some obscurity, or rather that it is at variance with the tenor of the rest of the letter. It directs Mr. Mytton only to register specific and ascertained portions of original estates as three annas, two annas, &c., which is in fact only to register portions of estates divided by Butwarrah, whereas the rest of the letter evidently contemplates the registration of the name of every holder of Malgoozary land, be his portion adjusted by Butwarrah or not. The Board

must, Mr. Mytton apprehended, intend to caution him against registering as *distinct estates* any portions, the partition of which has not been effected under the Butwarrah laws.

The Commissioner, in reply to Mr. Mytton, sanctioned the employment of the Mohurirs, and gave him other instructions of a minor nature.

TO THE COMMISSIONER OF DACCA.

Miscellaneous.

SIR,—The Sudder Board of Revenue having had before them your letter of the 25th March last, No. 71, direct me in reply to explain their views as follows.

In putting in force the registration laws in Sylhet, the Collector must be very cautious in observing the provisions of Clause 2, Section VII. Regulation XLVIII. of 1793, in order that illegally separated me hals may be registered as separate estates, independent of those of which they originally formed a part. He should also ascertain as carefully as possible and record the portion of each estate which each Shikmee Shercek or coparcener may hold, and the portion of the original jumma assigned to it if regularly separated.

When no specific portion of the Jumma has been sold, or otherwise transferred, the petty holders in actual possession must be registered in a lump as joint proprietors, and the whole of the estate considered responsible.

You will be pleased to instruct the Collectors to enforce to their utmost extent the provisions of Regulation XLVIII. of 1793 and VIII. of 1800, when he will be enabled to know the parties with whom he has to deal. He must also be informed that he will be held answerable that the Putwarries do not pervert the duty on which they are employed, viz. ascertaining who are the present occupants and holders of the lands, to the purpose of extortion.

When the Collector has ascertained the fact of actual possession, he need not make tedious summary enquiry, or take upon himself the office of a judge as such a procedure is no part of his duty. It will be sufficient to refer the parties claiming and opposed to his orders, to the Civil Courts to establish their right to the share claimed.

Finally, the Board will be glad to hear from time to time of the progress made in the renewal of the Registers.

I have the honor to be, Sir,
Your most obedient humble servant,

(Signed) C. E. TREVELYAN, Additional Secretary,
Sudder Board of Revenue, the 30th May, 1837,

CONSULTATION,—30TH AND 31ST MAY, 1837.

No. 37.

(CIRCULARS.)

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } You will inform the Collectors in your Division that, whenever a defaulting proprietor may be entitled to an adjustment of accounts during the attachment of his estates, previously to the Lands being brought to sale in liquidation of arrears, a notice written in the vernacular language of the district should be served on him, acquainting him that his attendance in person or by Vakeel is required at the Collector's Cutcherry for the purpose of adjusting his account, and that

in default of attention to the notice, the adjustment will be made in his absence. Further that serious responsibility will attach to any omission in this respect as tending to occasion all the difficulties and embarrassment consequent on a sale of lands being reversed on the score of illegality.

I have the honor to be, Sir,
Your most obedient servant,
(Sd.) C. E. TREVELYAN,

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 30th May, 1837. }

No. 38.

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } I am directed by the Sudder Board of Revenue to transmit the accompanying copy of a letter from the Secretary to the Government of Bengal in the Revenue Department, No. 663 dated the 16th instant, and to request that you will not allow any delay which can be avoided to occur in the transmission of the required Return of mehals likely to be open to settlement at the commencement of the season for the Mofussil operations 1837-38, and of the number of Settlement officers requisite to bring them speedily on the public rent roll. A rough Estimate, prepared with all the accuracy which the urgency of the requisition will admit, is all that is required, and the functionaries concerned ought to be able from the records of their respective offices, to answer the call with immediate despatch and to put you in possession of full data to enable the Board and Government to calculate with some certainty upon the extent of additional aid which it may be necessary, as the season for field operation approaches, to provide in order to meet the exigencies of the public Service.

2nd. You are also earnestly requested to direct the officers subordinate to you in the Khas Mehal and Settlement Department to be careful on all occasions (and you will exercise a vigilant Superintendence in your own office, of their proceedings in this respect) that measures are taken to secure the Government Revenue during the interval between the date on which a resumed tenure may become liable to assessment, and that on which the Settlement may be concluded.

3d. You will cause to be reported to you and will report to them definitely whether the system of check prescribed in their Circular orders of the 17th June 1834 No. 13, is strictly maintained in the offices of your Subordinates and your own.

4th. The Board, however, request that you will not delay your report regarding the extent of Settlement work and of officers required for it in order to reply to the orders adverted to in the two preceding paragraphs.

I have the honor to be, Sir,
Your most obedient servant,
(Sd.) C. E. TREVELYAN,

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 23d May, 1837. }

To C. E. TREVELYAN, Esq.

Additional Secretary to the Sudder Board of Revenue.

Revenue }

Sir, } The Right Hon'ble the Governor of Bengal thinking it to be extremely desirable that timely arrangements should be made to enable the Revenue authorities to settle promptly the great number of mehals which will be open to assessment next season in almost every

District of these Provinces, I am directed to request that the Board will call upon the several Collectors and special Deputy Collectors to submit through their respective Commissioners, with the least possible delay, a rough estimate of the number and probable area of the mehals which will be in the abovementioned predicament at the commencement of the ensuing season for field operations and of the number of settlement officers requisite to bring them speedily upon the public rent-roll.

2nd. In forwarding to the Governor the returns to this requisition, the Board need not wait until they can submit a general statement, but will be pleased to send up the report of each Commissioner separately.

3d. The operation reports will of course be separately rendered. All that is now required is a statement in the most abstract form.

4th. His Lordship thinks that the Board will do well to take advantage of the opportunity to impress upon the several Commissioners and Collectors the great importance of making secure arrangements for the Government Revenue during the interval between the date on which a resumed tenure may become liable to assessment and that on which the settlement may be concluded.

I have, &c.

(Signed) ROSS D. MANGLES,
Secretary to the Govt. of Bengal.

Fort William. }
The 16th May 1837. }

Sudder Board of Revenue, }
Fort William, the 23d May 1837. }

(TRUE COPY.)

(Signed) C. E. TREVELYAN,
Additional Secretary.

No. 39.

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } I am directed to request that you will yourself observe and instruct the Officers subordinate to you to observe the directions contained in the Circular Orders of which copies are annexed

I have the honor to be, Sir,
Your most obedient servant,
(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue. }
Fort William, the 30th May 1837. }

(COPY.)

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } I am directed by the Sudder Board of Revenue to request that you will observe the following address in your communication to this Office.

"To the Sudder Board of Revenue", without any enumeration of names.

I have &c.

Sudder Board of Revenue, } (Sd.) G. A. BUSHBY,
Fort William the 28th May. 1829 } Junior Secretary.

* See also circular orders, 26th Sept. 1834, No. 416
29th Aug. 1836, No. 39, 16th Jan, 1837, No. 7.

To the Collector of

Mis Dept. } The Board's attention has been drawn to
Sir, } great inconvenience to the Public Service
and risk of injury to the rights of individuals arising
from European public officers writing their Official
signatures so illegibly as to render it very doubtful
whether the Public authorities will be hereafter able so
sufficiently to decypher their imperfect official attestations
as to be satisfied of their being genuine and authentic,
I am directed to require you will take particular care
that your Official signature is always so distinctly and
readily legible as to remove all apprehension as to per-
plexity in respect to its appearing genuine to future
public authorities.

I have, &c.

(Signed) R HUNTER,

Board of Revenue, } Secretary
Fort William, the 16th March, 1821 }

Sudder Board of Revenue. }
Fort William, the 30th March, 1837 }

True Copies.

(Signed) C E TREVILYAN

Hurk. June 12]

Addl Secy

The Sudder Board of Revenue have recently had before them a communication from the Commissioner of Patna conveying information called for by the Board, on certain points connected with the sale of Mouzah Choelah, in reply to which the Board have informed the commissioner, that as the restored proprietor did not attend when summoned to adjust his accounts, they consider that he should be held responsible for the payment of interest to the purchaser at the cancelled sale. The board, however remark, that the *istamut* was essentially defective in as much as it did not mention for what purpose the proprietors were summoned, and as they were defaulters, they might have imagined, that some measure of severity was the object of the requisition for their attendance.

A circular has been issued for the information of collectors in substance as follows—that whenever a defaulting proprietor may be entitled to an adjustment of accounts during the attachment of his estates, previously to the land being brought to sale in liquidation of arrears, a notice written in the vernacular language of the district should be served on him, acquainting him that his attendance in person or by *vakeel* is required, at the collector's cutcherry, for the purpose of adjusting his accounts, and that in default of attention to the notice, the adjustment will be made in his absence. Further that serious responsibility will attach to any omission in this respect as tending to occasion all the difficulties and embarrassment consequent on a sale of land being reversed on the score of illegality.

The commissioner of Dacca has recently submitted copies of correspondence in connection with the Board's Circular Order No 55, dated 26th November 1836, and stated that although the difficulty of getting the land holders to sign the new *kistbandy* still exists, he is yet of opinion the obligation should not be dispensed with.

The Board in reply. The collector must make his arrangements for his own office, apportioning the payment of the *kist* after the principal harvest. When there is one but the payment of it should be after the *ouse* harvest, where there are two, after the *ouse* and *amun*, and where three, after the *ouse*, *amun* and miscellaneous crops. The time of each payment should be appointed by the collector according to local circumstances, so as to suit the convenience of the people.

In regard to signing the *kistbandee*, the Board consider that parties can affix their signature to printed *kistbandees*, as they come in to make payments of revenue, and that it is not necessary that they should be sent for on purpose.

In cases of sales for arrears, or in consequence of decree of court, the new proprietors will be required to sign the *kistbandees* as a matter of course.

On the subject of illegal separations, the Board direct that such separation should on no account be upheld. The only case that will justify the confirmation of an illegal separation will be where a sale of such separated portion has actually taken place and been confirmed, in all other cases of illegal separations, re-annexation should take place at once, and the whole estate should be held '*Ikmalte*,' the entire property being held answerable for the entire *sudder jumamah*—*Englishman*, June 12.

No 40

(CIRCULAR)

To the Commissioner of Revenue for the Division of

Mis Dept. }

Sir, } I am directed to transmit for your information copy of a letter from the Special Commissioner for the Moorshednabad Division and of my reply of this date from which you will perceive it to be intended that every description of business connected with Resumption on cases is to be performed by the Special Deputy Collectors within their respective jurisdiction.

2nd You will be pleased to instruct your Subordinate Officers accordingly and also to direct that all papers in the Collector's Office connected with cases pending before the Special Commission be made over to the Special Deputy Collectors to whose jurisdiction they belong.

I have the honor to be Sir your most obdt servt

(Signed) C E TREVILYAN

Sudder Board of Revenue } Addl Secy
Fort William, the 30th Mar 1837 }

To the Members of the Sudder Board of Revenue,
Fort William

Presy Special Com Moorshed Division }
Gentlemen, }

I have the honor to request that you will communicate to me the nature of the orders which have been issued to Special Deputy Collectors with regard to resumption cases decided before their appointments to their present offices, in order that I may be able to determine when the orders of this Commission in cases in appeal before it ought to be addressed to Collectors and when to the Special Deputy Collector.

The Special Deputy Collector of Burdwan, &c. appears to consider that he has no concern with the proceedings in appeal in cases decided by the Collectors or Deputy Collectors before his appointment, and I should imagine that in general it would be inconvenient that such cases should be removed from the Collector's offices, but when further investigation is considered necessary, which often involves as much labor as the original proceedings, it will probably be the intention of your Board that the cases shall pass through the office of the Special Deputy Collectors.

I have, &c.

(Sd.) T. H. MADDOCK.

Special Com for the Moorshed. Divn.

Fort William, the 25th April, 1837.

To the Special Commissioner for the Moorshd. Divn.

Mis. Dept. }

Sir, } In reply to your letter dated the 25th ult., I am directed to state that in the opinion of the Board all references on the subject of resumption cases ought to be made to the Special Deputy Collector, to whose jurisdiction the cases belong, whether they were made over to the Special Commissioner before or after the Special Deputy Collector's appointment.

2d. A copy of a Circular order which has been issued by the Board on this subject is annexed for your information.

I have, &c.

(Sd.) C. E. TREVELYAN.

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 30th May, 1837. }

TRUE COPIES.

(Signed) C. E. TREVELYAN.

Additional Secretary.

Sudder Board of Revenue, }
Fort William, the 30th May, 1837. }

No. 41.

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } I am directed to transmit copies of a Pottah in Bengalee and English for ryots of Government Estates under Khas management, which it is proposed to have printed on durable English paper, and to supply in sufficient numbers to each Collector in Bengal and, after it has been translated into Hindoe, in Behar also.

2d. A form of agreement to be signed by the ryot is printed at the end of the Pottah, which is intended to supersede the necessity of a separate Kubooliyut. It is proposed that the entire instrument shall be executed in duplicate, and that one copy shall be given to the ryot while the other is recorded in the Collector's office.

3d. The Board request that you will suggest any alterations in the above form which may appear to you to be required, and that you will inform them how many copies are likely to be wanted for the use of the different Zillahs in your division during the ensuing year. A few extra copies have been sent for transmission to any of the officers subordinate to you whom you may wish to consult.

4th. You are requested to answer this reference with all practicable dispatch.

I have the honor to be, Sir, your most obdt. servt.

(Signed.) C. E. TREVELYAN.

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 30th May, 1837. }

No. 42.

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } The Board having learnt that their Circular orders No. 13 of the 14th March, 1836, have met with no attention from the Collectors of Mymensingh and Dacca, who entirely neglected to fulfil their exigency, I am directed to request you will ascertain a report whether similar neglect has prevailed in your

division on the part of any of the Collectors subordinate to you.

I have the honor to be, Sir,

Your most Obedient Servant.

(Sd.) C. E. TREVELYAN.

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 30th May, 1837. }

No. 43.

To the Commissioner of Revenue, for the Division of Settlements. }

Sir, } Much inconvenience having been experienced by the Sudder Board of Revenue, when employed in testing settlements owing to the omission on the part of settlement officers acting under Regulation IX. of 1825, to submit to the Commissioner of the Division their proceedings in all cases of rent-free holdings, heard and determined by them in favor of the parties, as directed in Clause 4 Section 4 Regulation XI. of 1828, the Board having no jurisdiction or right of interference in such cases, however erroneous the decision may appear to them, you are requested to call the attention of all the settlement officers in your division to this point, instructing them to hold distinct proceedings in each and every case decided by them, and where that decision may be against assessment, to transmit the case for your orders within 15 days from the date of their decision.

2nd. On your part, you will be pleased to record in a roobocary to be filed with the settlement papers to be transmitted to this office, the result of your review of the settlement officer's proceedings, whether for confirmation, or for an appeal to the Special Commissioner.

I have the honor to be, Sir, your most obdt. servt.

(Sd.) C. E. TREVELYAN.

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 1st June 1837. }

No. 44.

To the Commissioner of Revenue for the Division of Mis. Dept. }

Sir, } I am directed to request that, whenever you apply to Government for leave of absence for yourself, or grant leave of absence to a subordinate officer, or recommend to Government to grant it, you will at the same time report the circumstance to the Board, and state when and for how long a period the applicant last had leave.

I have the honor to be, Sir, your most obdt. servt.

(Sd) C. E. TREVELYAN

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 30th May, 1837 }

No. 45.

To the Commissioner of Revenue for the Division of

Mis. Dept. }

Sir, } I am directed to state that, in the opinion of the Sudder Board of Revenue, the proper time has arrived for taking effectual measures to substitute, as far as may be unobjectionably practicable, the English and vernacular languages for the Persian, in the business of the Revenue Department.

2nd. The subject naturally divides itself into two branches; 1st. The correspondence carried on by the Revenue Officers among themselves; and 2d, their communications with the people.

3d. It is the wish of the Sudder Board that the European Officers belonging to the Department, as well as the native officers who are qualified to do so, should carry on their Official Correspondence with each other in the English language only. English is strictly the language of the Revenue Department, and all the Revenue proceedings are forwarded in English to the superior authorities at home. Correctness and accuracy will also be promoted, and the influence of the corrupt Omra will be diminished by the circumstance that every draft will be either written or revised by the European Officer in his own language.

4th. You will therefore be pleased to instruct the European Officers subordinate to you to correspond with each other, as far as possible, in English, and whenever the want of leisure and of qualified Clerks prevent them from writing in English, the Board desire that they will write in the vernacular language of the district, whatever that may be. The Persian language is in no case to be used in correspondence between European Officers.

5th. All orders, whether original or passed on petitions or other papers, addressed to European Officers, must be invariably written in English.

6th. The other branch of the subject relates to the communications between the Revenue Officers and the people.

7th. As regards this division of the subject, the Board desire that all orders, advertisements, notices, summonses, in one word, all documents which are intended for the information of the people, be written in the vernacular language of the district, whatever that may be, and in no other.

8th. Petitions and other papers presented or sent to the Revenue Officers by the people, must, for the present, be equally received and attended to, whether they are written in the vernacular language, or in English, or in Persian.

I have the honor to be, Sir, your most obt. servt.

(Sd.) C. E. TREVELYAN.

Sudder Board of Revenue, } Addl. Secy.
Fort William, the 30th May, 1837. }

[Hurkaru, June 13.]

CONSULTATION, — TUESDAY, 6TH JUNE, 1837.

RESUMPTION OF LAKHIRAJ LANDS RAJESHYE.

Mr. Special Deputy Collector W. P. Goad, on the 3d of April last, submitted through the Commissioner of his division, several observations with a view of obtaining their instructions as to the mode of proceeding he is to observe.

Section XII. Regulation III of 1828 declares, that the non-registry of a Lakhiraj Tenure in the manner prescribed by the regulation, renders such tenure liable to assessment. This law, Mr. Goad observed, is clear enough in its application in all Zillahs, where a regular Register exists; but in the several Zillahs included in his jurisdiction, he is at a loss to know how it is to apply. In Rajeshye, for instance, Mr. Goad says, a few Registers containing only 15,500 entries are to be found, almost entirely unauthenticated, and altered in numerous places; whereas, it is evident from examining an immense mass of old, worm-eaten papers, which are better than a heap of dust, that so many as 60,000 entries might have been made, had the Registers been duly prepared. The laches here, is evidently on the part of the Government servants, and it is hard to make the Lakhirajdar now suffer for their fault. The principle, Mr. Goad believes, is that the Lakhirajdar

is to prove, that the non-registry of his sunnud was occasioned by the neglect of the collector, but the long lapse of years, has in most instances, removed all living witnesses; and fires and other accidents destroyed such documentary evidence as might have enabled him to prove his due observance of the law. This difficulty would have been easily overcome, had the Registers been properly prepared, but how, asks Mr. Goad, is he to act as the case stands? The owners of 16,500 tanures which have been duly registered, have the option of reference to the Register; but the remainder are totally deprived of such advantage. In Dinajpore and Rungpore the principal registers were burnt along with the Collector's cutcheries: the question therefore is, how is the non-registry principle to be applied where it is difficult, nay impossible, to decide on whom the charge of laches is to be fixed.

Mr. Commissioner Hawkins, in forwarding Mr. Goad's letter to the Board, entirely concurred in attaching the laches to Government, and bore out the destruction of the Dinajpore and Rungpore Registers by fire, also the fact of only 16,500 registries having been made out of 60,000.

Mr. Hawkins further stated, that on receipt of Mr. Goad's letter, he asked that gentleman to know, whether he did not derive some assistance from this number of the Register, and the Collector's initials appearing on the sunnud purporting to convey the grant. That gentleman's reply showed that the circumstances alluded to will not materially assist him in the investigation, as he apprehends that none of the sunnuds will be found to have been signed by the Collector, and that the numbers on them cannot be depended on.

The only thing that struck the Commissioner as likely to supply the deficiencies in the offices of the several Collectors of the Division, is that copies of the Lakhiraj registers of Rajeshye, Rungpore, and Dinajpore may possibly be found in the Karkoon Duffer at the presidency.

Should none such be forthcoming, Mr. Hawkins would not recommend a better course, than to direct the Special Deputy Collector to put aside altogether the question of Registry, and decide every case on its merits independently of that particular point. It would scarcely be just, Mr. Hawkins observed, to call upon a man to prove that his sunnud had been registered, and proceed to resumption, in failure of such evidence, when the means of proof were placed in the hands of the Government officers, and are not now forthcoming.

To J. HAWKINS, Esq.,

Commissioner of Bhauleah.

Miscellaneous.

Sir, — In reply to your letter of the 9th April last, I am directed to transmit copy of a report, which has been furnished by the native officer in charge of the Karkoon Duffer. If any further information indicated by this report to be forthcoming, is required, it shall on your application be immediately furnished.

With regard to the course of proceeding to be adopted in consequence of the total, or partial destruction of the Registered sunnuds, I am directed to observe, that in Dinajpore and Rungpore, where the Registers have been burnt, the case is clear. The penalty for a non-registry cannot be enforced, against those who may declare they have registered, or against whom no doubt exists of non-registry, and the cases must be enquired into and decided accordingly.

In Rajeshye further explanation is needed. There are registers there it appears, containing upwards of 16,500 entries, but the evidence on which it is presumed, that there might have been many more entries made,

than actually exist, is not stated with sufficient clearness. You are requested to call on Mr. Goad for a more particular explanation of that portion of his letter dated

"It is evident from examining an immense mass of worm-eaten papers, which are little better than a heap of dust, that as many as 60,000 entries might have been made, had the Register been duly prepared."

I have the honour to be, Sir,

Your most obedient, humble Servant,

(Signed) C. E. TRUVELYAN, *Additional Secretary*.

Sudder Board of Revenue, }
the 6th June 1837. } [Englishman, June 14.]

CONSULTATION, TUESDAY, 30TH MAY, 1837.

SALE OF MOUZA CHEELA—SAHABAD.

Mr. Commissioner Davidson, of Patna, on the 2nd of April last, submitted a copy of a report from the Collector of Shahabad, furnishing information respecting Mouza Cheela, called for by the Board on the 21st April 1836.

Mr. Collector Taylor, in reference to the records of the office, stated that it does not appear that any reply was ever made to a letter referred to by the Board, and he therefore would proceed to furnish the required.

The queries put by the Board were as follow:—

"Whether any process was issued requiring the defaulting Proprietor to attend for the adjustment of accounts; and, whether any and what adjustment of accounts took place in consequence of the measures adopted by the Collector as mentioned in paragraph 6, of his letter of the 25th May 1835?"

To the former Mr. Taylor replied in the affirmative, and, as directed in the Board's letter, enclosed the original italanamah, or notice issued on the 4th May 1836, for the attendance of all the parties, and the Nazir's return to the same, reporting that the Suzawul was present, but that the Proprietors were not to be found. On the face of it an istithar was also issued warning the latter to appear within the term of eight days, or on failure, that their case would be thrown out, but that up to this date nothing further has been heard of them.

In reply to the latter query, he added that the proprietors having failed to appear on the above notices, no adjustment of accounts has as yet taken place.

TO THE COMMISSIONER OF PATNA.

Miscellaneous.

SIR—The Sudder Board of Revenue having had before them your letter, No. 80, dated the 22d ultimo, I am directed to inform you that as the restored proprietor of Mouzah Cheela did not attend when summoned to adjust his accounts, they consider that he should be held responsible for the payment of interest to the purchaser at the cancelled sale, and you will be pleased to instruct the collector of Shahabad accordingly.

The Board, however, direct me to remark, that the italanamah was essentially defective, in as much as it did not mention for what purpose the proprietors were summoned; and as they were defaulters, they might have imagined that some measure of severity was the object of requisition for their attendance.

The Board request your attention, and that of your subordinates, to the enclosed circular bearing the present date."

I have the honor to be, Sir,

Your most obedient humble servant.

(Signed) G. E. TRUVELYAN, *Addl. Secy.*

Sudder Board of Revenue, }
the 30th May 1837. }

CONSULTATION, —TUESDAY, 6TH JUNE, 1837.

RESUMPTION OF LAKHIRAJ LANDS—RAJESHYE.

Mr. Special Deputy Collector W. P. Goad, on the 3d of April last, submitted through the Commissioner of his division, several observations, with a view of obtaining their instructions as to the mode of proceeding he is to observe.

Section XII. Regulation III. of 1828 declares, that the non-registry of a Lakhiraj Tenure in the manner prescribed by the regulation, renders such tenure liable to assessment. This law, Mr. Goad observed, is clear enough in its application in all Zillabs, where a regular Register exists; but in the several Zillabs included in his Jurisdiction, he is at a loss to know how it is to apply. In Rajeshye, for instance, Mr. Goad says, a few Registers containing only 16,500 entries are to be found, almost entirely unauthenticated, and altered in numerous places; whereas, it is evident from examining an immense mass of old, worm-eaten papers, which are little better than a heap of dust, that so many as 60,000 entries might have been made, had the Registers been duly prepared. The laches here, is evidently on the part of the Government servants, and it is hard to make the Lakhirajdar now suffer for their fault. The principle, Mr. Goad believes, is that the Lakhirajdar is to prove, that the non-registry of his sunnud was occasioned by the neglect of the Collector, but the long lapse of years, has, in most instances, removed all living witnesses, and fires and other accidents destroyed such documentary evidence as might have enabled him to prove his due observance of the Law. This difficulty would have been easily overcome, had the Registers been properly prepared; but how, asks Mr. Goad, is he to act as the case stands? The owners of 16,500 tenures which have been duly registered, have the option of reference to the Register; but the remainder are totally deprived of such advantage. In Dinajpore and Rungpore the principle Registers were burnt along with the Collector's Cutcheries: the question therefore is, how is the non-registry principle to be applied where it is difficult, nay impossible, to decide on whom the charge of laches is to be fixed.

Mr. Commissioner Hawkins, in forwarding Mr. Goad's letter to the Board, entirely concurred in attaching the laches to Government, and bore out the destruction of the Dinajpore and Rungpore Registers by fire, also the fact of only 16,500 registries having been made out of 60,000.

Mr. Hawkins further stated, that on Receipt of Mr. Goad's letter, he applied to that gentleman to know, whether he did not derive some assistance from the number of the Register, and the Collectors' initials appearing on the sunnud purporting to convey the grant? That gentleman's reply shewed that the circumstance alluded to will not materially assist him in the investigation, as he apprehends that none of the sunnuds will be found to have been signed by the Collector, and that the numbers on them cannot be depended on.

* Vide Circular, No. 37, published in Monday's *Hurkaru*, dated 30th May, 1837.

The only thing that struck the Commissioner as likely to supply the deficiencies in the offices of the several Collectors of the Division, is that copies of the Lakhraj registers of Rajeshye, Rungpore and Dinajpore may possibly be found in the Karkoon Duffer at the Presidency.

Should none such be forthcoming, Mr. Hawkins would not recommend a better course, than to direct the Special Deputy Collector to put aside altogether the question of registry and decide every case on its merits independently of that particular point. It would scarcely be just, Mr. Hawkins observed, to call upon a man to prove that his sunned had been registered, and proceed to resumption, in failure of such evidence, when the means of proof were placed in the hands of the Government Officers, and are not now forthcoming.

To J. HAWKINS, Esq.,

Commissioner of Bhauleah.

Miscellaneous.

SIR—In reply to your letter of the 9th April last, I am directed to transmit copy of a Report, which has been furnished by the native officer in charge of the Karkoon Duffer. If any further information indicated by this report to be forthcoming, is required, it shall on your application be immediately furnished.

With regard to the course of proceeding to be adopted in consequence of the total, or partial destruction of the Registered sunnuds, I am directed to observe, that in Dinajpore and Rungpore, where the Registers have been burnt, the case is clear. The penalty for a non-registry cannot be enforced, against those who may declare they have registered, or against whom no doubt exists of non-registry, and the cases must be enquired into and decided accordingly.

In Rajeshye further explanation is needed:—There are registers there, it appears, containing upwards of 16,500 entries, but the evidence on which it is presumed, that there might have been many more entries made, than actually exist, is not stated with sufficient clearness. You are requested to call on Mr. Good for a more particular explanation of the portion of his letter dated the 3d April last, quoted in the margin, as the Board are desirous to know the exact grounds for the opinion expressed.

It is evident from examining an immense mass of worm-eaten papers, which are little better than a heap of dust, that as many as 60,000 entries might have been made, had the Register been duly prepared.

I have the honor to be, Sir,

Your most obedient humble Servant.

(Signed) C. E. TREVELYAN.

Additional Secretary.

Sudder Board of Revenue, }
the 6th June 1837. }

SALE OF THE RIGHTS OF GOVERNMENT TO AMANUT INVALID LANDS—BHADOLPORE.

Mr. Commissioner Brown, of Bhadulpore, submitted to the Board, on the 5th of April last, copies of several reports made to him by Mr. H. C. Hamilton, the officer in charge of the Khas and resumed mahals in that district, relative to the proposed sale of the rights of Government as maliks, or proprietors of sundry portions of amanut invalid lands scattered over a vast number of estates in Purgunnah Bhagulpore, Chye, Furkeeah, Colgaug, &c.

* Vide Circulars of the Sudder Board of Revenue, dated 24th Aug. 1830.

Mr. Brown, on the 21st of February last, brought this subject to the notice of the Board in transmitting a similar proposition from Mr. Hamilton for the sale of lands in like predicament, situated in Pergunnahs Carey and Jehungyah, but the reports since received from Mr. Hamilton and now submitted on the orders of the Board, have induced Mr. Brown to reconsider the matter, and he now sees reason to believe, that if Mr. Hamilton's proposition can be complied with consistently with the instructions issued by Government on the 27th July 1830*, it will be the best course that can be devised for the good of the state.

The quantity of land alluded to in the reports now forwarded, is 10,754 beegahs, which are scattered over an area of 156 distinct villages; there being in many villages not more than one or two beegahs, in some less even than that; and in others five hundred beegahs and upwards. But the whole so dispersed, and (with regard to the waste lands particularly) so divided into small, insignificant patches apart from each other, and the soil of each varying with its locality, that it is no easy matter to form an assessment which will in future stand good, or admit of being efficiently controlled.

It further appears, that that these lands have yielded Government no return, since the time they were purchased from the original Zemindar, and that no persons are willing to come forward and take a temporary lease of them; as an order to reap a profit it will be necessary in the first instance, to incur a considerable outlay in order to bring the waste portions into cultivation.

The arrangement now proposed by Mr. Hamilton, Mr. Brown believes, the only one calculated to yield without further trouble or expense, a certain revenue to the state, and Mr. Brown therefore recommends it, if it be feasible, for the approval of the Board.

TO THE COMMISSIONER OF BHADOLPORE.

Miscellaneous.

SIR,—The Sudder Board of Revenue having had before them your letter, No. 786, of the 5th April last, direct me to observe, that they are sensible of the great inconvenience of managing small estates scattered over a considerable extent of country; but the recommendation to dispose of them by sale is inconsistent with the principal of the orders of the Court of Directors, and of the Governor on the subject. There is, consequently, no alternative but that of granting leases of 20 years, which should be on a progressively increasing jumma, when the lands require any outlay to bring them into a state of cultivation, as pointed out in their orders of the 4th April last.

I have the honor to be, Sir,

Your most obedient, humble Servant,

(Signed) C. E. TREVELYAN.

Additional Secretary.

Sudder Board of Revenue, }
the 6th June, 1837. }

[Hurkaru, June 14.]

ABOLITION OF PERSIAN IN THE REVENUE DEPARTMENT.

(NO. 31.)

To C. E. TREVELYAN, Esq., Additional Secretary,

Sudder Board of Revenue, Fort William.

Mis. Rev.

SIR,—I am directed by the Sudder Board of Revenue, North Western Provinces, to acknowledge the receipt of your letter, No. 90, of the 9th instant, and in reply to inform you, that no inconvenience has been experienced in these provinces from the disuse of the Persian

language in the Revenue Department, beyond a very trifling delay in the transaction of business at the outset. On the contrary, it has been ascertained that all the district officers are well satisfied with the change, and all the people highly gratified.

2nd.—Copies of the correspondence which has passed between the Board and the subordinate authorities on this subject, are herewith forwarded at your request.

I have the honor to be, Sir, yours most obdt. Servt.

H. ELLIOT, Secretary.

Sudder Board of Revenue N. W. P. }
Allahabad, the 23d May, 1837. }

ENCLOSURES.

Sudder Board of Revenue's Circular Order No. 52, dated 29th July 1836, addressed to Commissioners 1st to 5th and Dehlee Divisions.

Ditto separate letter to Officiating Commissioner of Saugor, dated 29th July 1836.

Commissioner 1st division to Sudder Board of Revenue, dated 19th August, with copy of correspondence with Mr. Deputy Collector Muir.

Sudder Board of Revenue's Orders in reply, dated 6th September.

Officiating Commissioner Saugor to Sudder Board of Revenue, dated 30th August with enclosures.

Sudder Board of Revenue Orders in reply, dated 9th Sept.

Commissioner 4th Division to Sudder of Revenue, dated 4th October.

Sudder Board of Revenue's Orders in reply, dated 11th idem.

Commissioner 3d Division to Sudder Board of Revenue, dated 12th December.

Sudder Board of Revenue's Orders in reply, dated 21st December 1836.

ABSTRACT

Reply to 9th May, No. 90—Forwards copy of Correspondence on the disuse of the Persian language.

(COPIES.)

No 52.

TO COMMISSIONERS 1ST TO 5TH DIVISIONS AND DEHLEE REVENUE.

Sir,—The Sudder Board of Revenue, North Western Provinces, having carefully watched the progress and result of the experiment of adopting the Hindoostanee language as the medium of official transactions in the Revenue Department, in the districts in which the attempt has been made, are satisfied that the time for abandoning the Persian in favor of the vernacular idiom has fully arrived.

2. We have no law, the Board observe, which requires the maintenance of Persian as a language of record in the Revenue Department. All the oral communications of the Revenue officers of every class with the people, are in the vernacular dialect.

It is obviously desirable that all the records and written communications, should be in the same language, similarly intelligible to the great body of the people, and affording to them every facility of free intercourse with their European masters.

3. In the Revenue Department, in which so much information and assistance is to be obtained from the people themselves; in which a congruity of the principles and practice of the administration which their usages and opinions is so much to be desired; and in

which a popular mode of introducing and conducting any measure, or the contrary, so materially affects its failure or success; the adoption of their familiar idiom as the medium of transacting official business throughout the whole department, cannot fail to produce satisfactory result.

4. The Board observe, that from its first introduction the change can be either inconvenient or irksome to two classes of persons only. These are, the native officers, who have become accustomed to read and write in Persian, and will dislike any departure from an established and habitual routine; and the European officers, to whom at first, the unfamiliarity of the Omlah with Hindoostanee as a written language, and the consequent change to slowness and hesitation from ease and rapidity of communication, will create some loss of time and increase of trouble.

5. The Board trust that there is no officer under their superintendence, who would not indignantly repudiate the idea of holding the most interesting concerns of a whole people fettered in the trammels of a foreign tongue, and debarring the population from understanding the orders and arrangements which involve the very continuance of their most cherished property, for the mere sake of saving himself a little temporary extra trouble.

6. For the native officers, they must be made to understand, that their continuance in office, and the favor of their employers, depends on their exerting themselves with energy and good faith, to carry through a plan so obviously fraught with advance to their countrymen.

7. The Board propose that the Persian character shall be retained, at any rate for the present, except in those very few districts, Bundelcund perhaps, in which the Nagree has obtained an established and almost universal currency.

8. The Board wish you to understand and to explain to the officers under your control, that it is not the mere substitution of Hindoe verbs and affixes, while the words and idiom remain exclusively Persian, which they desire to see adopted. They desire that every paper shall be written in the phrase, in which a well-spoken respectable man, altogether unacquainted with Persian would express himself.

9. The Board trust that the European officers, and especially the Native Deputies, will watch and set themselves against the attempts of the Omlah, to keep up a foreign jargon, almost as unintelligible to the people as that which they have forsaken, and oblige them in all cases to use their best endeavours to write as they would speak. Especially they trust, both the European officers and Native deputies, will themselves set them the example of recording their meaning in brief and simple terms. They are satisfied if this be carefully attended to, that instead of the long, circumlocutory, pedantic sentences in which their ignorance of Persian obliges the Omlah to conceal their poverty of language under an exuberance of formal phrases, learnt by rote, simplicity, brevity, and precision may soon be attained.

10. The Board have often been struck with the facility, felicity, and force with which a common zemindar would express himself, contrasted with the farrago by which, a Persian deposition-writer would misrepresent his discourse.

11. A little attention to this matter will speedily abbreviate the prevalent, useless, and wearisome lengthiness of official records and writings, and amply compensate for the time and pains devoted to effect so desirable an object.

12. The Board desire that the district authorities should give every possible encouragement to those native officers, who heartily co-operate with them in carrying

through this alteration, and mark with their displeasure those, who, by neglect or perverseness, impede or thwart these efforts. The change is to commence from the month of October (or Koor) next, from which date every official paper is to be written in the Hindoostanee language and Persian character throughout the Revenue Department both Sudder and Mofussil.

13. I forward herewith an Ishtahar to which you are requested to give full publicity in your own and the Collectors' Offices, setting forth that applications to the Board from the date above-mentioned, are to be in the Hindoostanee language, and in the Persian or Nagree character, and the order thereon will be engrossed in the language and character of the petition.

I have the honor to be, &c.,

(Signed) J. G. DEEDES, Secretary.

Sudder Board of Revenue, Allahabad, 29th July, 1836.

No. 49.

To Officiating Commissioner of Saugor.

SIR,—I am directed by the Sudder Board of Revenue, N. W. P., to transmit for your information a copy of their Circular Orders No. 52, of this date, issued to the Commissioners noted in the margin, directing the discontinuance of the use of the Persian language as a medium of Official transactions in the Revenue Department.

I have the honor to be, &c.,

(Signed) J. G. DEEDES, Secretary.

Sudder Board of Revenue, N. W. P., Allahabad,
July 29, 1836.

No. 202.

To J. G. DEEDES, Esq.,

Secretary to the Sudder Board of Revenue, Allahabad.

SIR,—I beg to submit for the Board's information and orders, copies of the correspondence per margin, regarding the substitution of the vernacular for the Persian language in Mr. Deputy Collector Muir's Office.

Mr. Deputy Collector Muir's letter, No. 54, dated 17th August, 1836. Commissioner's reply No. 206, dated 19th ditto.

I have the honor to be, &c.,

(Signed) J. R. HUTCHINSON, Commissioner.

Commissioner's Office, or Meerut Division, Augt. 19, 1836.

(COPIES.)

No. 54.

To J. R. HUTCHINSON, Esq.,

Commissioner of Revenue, Meerut.

SIR,—From a letter received by the Collector of this district, I learn that the Sudder Board of Revenue have directed the introduction of the Hindustani language into the Revenue Department from the month of Koar next.

2d.—I should be very happy to think that this order, though it has not been communicated for my guidance, is equally applicable to my office. The provisions in Clause I., Sec. VI. Regulation II. 1819, that proclamations are to be written in Persian as well as Hindoostani, and in Sec. XX. of the same Regulation, as well as in Sec. IX., Regulation III. 1828, that the final roobucaries are to be in Persian, may however stand in the way of so desirable a change in the Lakhraj department.

3d. In these circumstances I beg to be instructed how to proceed.

I have &c.,

(Signed) J. MUIR, Deputy Collector.

Office of the Depy. Collr. under
Regulation II. 1819, &c. 1st Division;
Saharanpore, the 17th
August 1836.

No. 206.

To J. MUIR, Esq., Deputy Collector, Saharanpore.

SIR,—In reply to your letter No. 54, of the 17th instant, I have the honor to inform you, that the provisions of the Regulations quoted appear to preclude the adoption of the vernacular language to the entire exclusion of Persian in your proceedings. I-lithers and final roobucaries must still be written in the latter, but depositions may be recorded in the former at your discretion.

I have &c.

(Signed) J. R. HUTCHINSON, Commissioner.

Commissioner's Office, 1st or Meerut
Division, the 19th August, 1836.

(True Copies.)

(Signed) J. R. HUTCHINSON, Commissioner.

No. 160.

To the Commissioner of the 1st Division.

SIR,—In reply to your letter No. 202, dated 19th ultimo, with enclosures, I am desired to inform you, that until the law is altered Mr. Muir, (his office being a Judicial one,) must draw up in Persian whatever the Regulations require to be written in that language.

I have the honor to be &c.

(Signed) J. G. DEEDES, Secy.

Sudder Board of Revenue,
N. W. P. Allahabad, the
6th September, 1836.

No. 84.

To J. G. DEEDES, Esq.,

Secy. to the Sudder Board of Revenue, Allahabad.

Revenue.

SIR,—I have the honor to acknowledge your Circular No. 49, dated 29th July, regarding the discontinuance of the Persian language in the Revenue Department.

2. The Board are probably aware that the change from Persian to Oordoo or Hindoostanee has been already made in these territories. I annex copy of a letter, addressed by me to Government on the 29th October last; and of the instructions issued to the district officers in consequence of the permission given, date 21st November, 1835. For the last seven months the business, including trials in Sessions forwarded to the Nizamut, of every sort, has been conducted in Oordoo.

3. The next question is the character which should be employed. In these territories Persian, either language or character, is utterly unknown, and the consequence of its introduction has been the almost entire exclusion of the natives of these parts from official situations. The late Commissioner denied this, and stated that of 578 officers 265 were native of the country;

but in order to swell the latter item, all Kanoongoes, Hindes and Maratta Naweesses, which three must almost necessarily be natives of these parts; Gunga Jullees, Moolla Kooranees, down to Jemadars of Police, whose pay is under 5 rupees a month, are included. The item is almost made up of these classes, and contains very few of the superior grades. The Maratta language and character is, excepting among a few of the country people in Seonee and Baitool, as foreign to the majority of the inhabitants of these territories as Persian: with the above exception, the only people acquainted with that language are the remnant of Mahratta officers and pundits to be found in some of the towns.

4. The Deva Nagree is universally written and understood; and I have accordingly been making every effort to introduce it into our courts, in which I have been zealously seconded by several of the subordinate officers. We have adopted a system of encouragement by publicity, noticing and praising in court those of the old omlah who have arrived at any proficiency, at the same time intimating that those who will not learn must make way for others. Nearly half the business of the whole territories is now conducted in Nagree, even roobukarees are written in it; and so far from realizing the anticipation of the late Commissioner, that the attempt would lead to the discharge of all the existing native omlah, not a man has been discharged yet on this account; and probably not a dozen in the whole territories will be discharged, and those old, worn-out men who are unfit for service of any sort.

5. The people are delighted at the change, and at being able to write their own petitions, and to understand the papers they receive from the office. In some of the Civil Courts of the Sudder Ameen the business is wholly in Nagree, i. e. where the Sudder Ameen is a man whose original education was in Sanscrit or Nagree: the others, whose original education was in Persian and who have only lately learnt Nagree, are allowed to write the final robakaree and the evidence of witnesses, provided they themselves write these in the Persian character for the present, all other papers being in Nagree. The prospect of employment added to the establishment of Government schools, has wonderfully increased the desire for education; so much so, that even the chuprassess and other inferiors about the Court are now learning to read. This feeling would not exist were the Persian character adopted; first, because it is disliked as foreign; and secondly, because it is a much more difficult character than the Nagree.

6. This, it may be observed, is against the general opinion which is formed from the facility with which Persian writers read and write official papers, and the slowness of a Hindes reader. But the comparison has never been fairly made; we forget that the Persian writers had been for hours daily reading and writing Persian for from 20 to 40 years; while the Hindes writers, from there being no demand for that knowledge, merely learn a little as boys and scarcely look at writing above once a week afterwards on an average. If any one doubts that it is practice and not the superiority of the Persian which enabled the writers of that language to display such rapidity, he has only to try the experiment in calling for one of the inferior mohurrirs of an office, who performs his duty in the duffur as a copyist so as to give entire satisfaction, and desire him to sit down in Court to read off petitions and write the orders dictated or to take depositions: he will find the man utterly unable to do any thing of the sort without some practice.* I enclose, to show what progress we have made, several

* I have always made a point of doing this occasionally, in order to break them in and render them *au fait* so as not to delay business, in the event of one of the superior Omlah being ill or on leave.

Nagree papers written by different individuals of this office, none of whom ever looked at a Nagree letter until a few months ago. I much doubt whether men would be able to write proceedings in the Persian character granting their own vernacular language, in so short a time. The Board would have been astonished to have seen the manner in which our Nagree writers in Gurwall read off petitions and wrote the orders passed upon them.

7. I grant that all this has not been effected without some trouble or tact. Not only have we had opposition to encounter from the existing Omlah, but I have not received that assistance from one or two of the officers which I might have expected. One advantage is, that, excepting Major Low and his assistant Lieut. Browne, every English officer of the division is acquainted with Nagree; and with the exception of Lieut. Cornish and Captain Murray, who have only joined a few months, are good scholars; particularly Mr. McLeod. All these have strenuously aided the object in view. Still it requires constant attention to prevent the old Omlah adopting the Persian idiom in their writings. The native Omlah have been one and all opposed to any part of the new system. They dislike to give up the Persian because this breaks up their monopoly, and they are averse to the change of character because, naturally enough, they do not like the trouble of learning a new one. The opposition has, I have reason to believe, been fostered by an idea that I was only officiating, or that the whole affair was only a fancy of mine, and that I should probably be succeeded by an officer who would revert to the good old system of conducting the business in a language neither understood by governors or governed. The promulgation of the Board's orders now under consideration, has dispelled this idea, and has had great effect in reconciling them to the new order of things.

8. To give the Board an instance of the opposition that has been carried on, I may state that for a considerable time after the permission had been given to present petitions in Nagree, they were nevertheless all written in the Persian character. Being surprised at this, I one day questioned some respectable looking people whether they could write, and on receiving a reply that they could write Nagree very well, why they did not write their own petitions instead of paying a petition-writer; discovered that the Omlah and petition-writers who were connected with the former had given out that although the language might be Oordoo the character must be Persian, in order to preserve their monopoly.

9. It would be a grand step towards the improvement of the people of India in every point of view, could we adopt one language and one character. The English Officers would then be able to learn to do what very few can now; that is read and understand themselves the proceedings which they sign. There can be little doubt that ere long the Oordoo or Hindoostanee will be the language of the whole of the Government Courts and Offices of the Bengal and Agra presidencies, excepting Bengal proper and Orissa. Why should not the character of the people, i. e. the Nagree, be introduced also. It is probable even now that for one who understands the Persian character ten are acquainted with the Nagree. The majority of those who fill the Government Offices are Hindoos, most of them Kaitis, who cannot possibly have any hereditary respect or feeling in favor of Persian: (the wish to maintain it in order to preserve their monopoly is a very different question) they would soon acquire that which was declared to be the road to employment.

10. Doubtless, now that Hindoostanee is to be the language of the Courts, more will learn the Persian character than was the case formerly: many will learn

a character in the hope of employment who could not afford time or money to learn a foreign language: still the members that will acquire a foreign character will be infinitely less than those who will learn their vernacular. What a check the existence of two characters opposes to the publication of books for the information of the people; since in many instances the expense of a double publication would not be repaid; whereas if the whole edition were in one character, it might cover its own expense. If Government were only to intimate that after a certain time (a year or eighteen months or two years) the whole business should be carried on in Nagree, it would, I am convinced, be carried into effect with scarce any changes in the Offices: particularly if some public mark of approbation, such as Neknasee Purnannah, or Khilluts and turbans were to be bestowed on those who qualified themselves before the prescribed time.

11. The objections to the Nagree are, that it is written slowly: I have only to express my conviction that when the writers shall have had equal practice, they will write it as fast as Oordoo can be written in the Persian character, or as quickly as English; and even if it should take a little more time, if this have the effect of reducing the voluminousness of our proceedings, it will be extremely beneficial. Another more solid objection is the variety of letters used and the establishment of a recognized Orthography. These defects may be easily obviated. With respects to the first, we have already succeeded in these territories. I enclose a paper A, which I drew up and circulated to all those in this part of the country who were competent to give an opinion. After receiving their replies I drew up and circulated the paper B, and the alphabet therein contained is now that of our offices and schools, and is gradually spreading among the people.

12. A recognized orthography does exist, only the mass of the people are too ill-educated to be properly acquainted with it, and too poor to buy grammars and dictionaries. To obviate this, I am now, in conjunction with Mr. Macleod (and perhaps some others may assist) preparing a vocabulary of some six or eight thousand words, which will be enough for common practice to begin with, and which I intend to print at my own expense should the Education Committee decline the work. My next step will be to procure the translation of some easy works of instruction for the benefit of the people. What an advantage it would be if Government and the Education Committee would patronize the alphabet and orthography so as to make it general. It might without delay be introduced among putwarees, Kanoongoes and Village Schools.

13. At any rate I hope I shall have authority to complete the general introduction of the Nagree character into the courts and offices of this division. The copy of the proclamation mentioned in your 13th paragraph of circular No. 52, did not accompany the letter.

I have the honor to be, &c.

(Signed) F. J. SHORE, *Offg. Commissioner.*

*Inhalpoor Commr's. Office,
S. and N. Territories
30th Aug. 1836.*

(Copy.)

No. 1603.

To C. MACSWEEN, Esq.,

Secretary to Govt. Judicial and Revenue Depts.

Judl. Civil.

SIR,—I beg now to offer my opinion on another of the propositions contained in Mr. Bird's report on the state of these provinces, dated 31st Oct. 1834, viz. the substitution of Hindoostanee for Persian as the language

of the Courts and Offices: it is alluded to in the 66th, 69th and 70th paragraphs of the report in question.

2. I beg to intimate my entire concurrence in Mr. Bird's proposition, and in the statements on this point made in the report. To conduct the business of any country in its own vernacular language and character, is *so prima facie*, consistent with common sense and justice to the inhabitants, while the introduction of a foreign language and character is completely the reverse, that very cogent reasons indeed must be adduced in support of the latter.

3. The evils of such a course have been great all over India; the consequence of having two languages to learn are, that neither are learnt correctly by the English functionaries, very few of whom could transact business, without the assistance of Natives to read, explain, and write for them; all which tends to introduce what Mr. Bird justly and aptly calls the "Juggle of the Kutcherie; and to make the English functionary virtually of secondary importance to the native Omrah.

4. In those parts of the country in which before our acquisition the official language had been Persian, there might be some plea for retaining it; but here it was positively unknown; the business in these provinces was transacted in Hindoostanee and Mahratta in the Devanagree and Mahratta, (which is only a variety of the former) character; but no sooner did we acquire these districts than we introduced the Persian language and character; which has had the effect of filling all the higher situations with a set of harpies from the provinces, some of whom would never have been employed at all there; and few of whom would ever have been placed in any but inferior situations; to the almost entire exclusion of all the inhabitants of this part of the country.

5. Mr. Bird's assertion that a very pure Hindoostanee is spoken in these provinces is as far I have been able to ascertain perfectly correct: I have had communication with people from every province without finding any difficulty in understanding them or making myself understood. There are certain insulated words in use here which are unknown in the Regulation Provinces, but these are soon learnt; they appear to be a remnant of the old Hinddee; and it is a curious circumstance that many of these words are current in the Himalayah districts of Gurhwall Kamaon, and are quite familiar to me.* All the people to whom I have spoken, express great delight at the prospect of a change; and a hope that the change will not only be made in the language, but that the Dewanagree will be substituted for the Persian character. Some of the wild tribes of Goonds certainly have a peculiar dialect, but to object on that score to the use of Hindoostanee, seems like objecting to the use of English in England, because the Welsh and the Highlanders speak a different dialect.

6. I would therefore propose to introduce the Hindoostanee as the official language; and to prevent delay in business to do it gradually: the petition writers who attend about the offices should be instructed to write all the petitions in Hindoostanee; it should next be

* The following is a curious fact, in proof of the wide spread of this language. The dialect of Gurhwall is the old Hinddee, with some words peculiar to that province; particularly the termination of certain tenses of verbs ending in *ta* is changed into *nda*, as *denda*, *lenda*, *anda*, giving, bringing, coming, for the *deta*, *leta*, *ata*, the whole pronunciation being very harsh, broad, and with a nasal twang. To the Natives of Rohilkund, the Doonab and that part of the country, it is at first quite incomprehensible. In the beginning of 1829, being in Bengal, I by way of experiment spoke to the parents several sentences in the Gurhwall dialect and found myself understood generally, although they might not perhaps know the meaning of every word.

introduced into the short orders, roobakaries, depositions and particularly the longer roobakaries.

7. I hope to see this followed by the general substitution of the Dewanagree for the Persian character, but at least with respect to the last two documents. I would urgently beg permission to make the change, the people would then know what orders were issued to them. At present a Chuprassee is sent in to a district with a notification, or order to arrest certain persons, search their homes, &c.; he may do almost what he pleases with his perwanah as his ensign, for neither he himself nor perhaps a single soul in the whole pergunnah or for miles round, can read a word of it. The Dewanagree used here is in general very well and clearly written; papers and petitions are even at present constantly presented in that character; and even two of the seven independent Chiefs attached to this Agency, besides several of those who, though subject to the Courts, are privileged to send letters on business, usually do so in Hindoostanee and Nagree. Although the Persian language is in its own character written more quickly than Hindoostanee; the latter is as quickly written in Nagree as in the Persian character. It would require no additional establishment; merely an intimation to the existing native Amleh that they must learn the Nagree or make way for others, as has been proved by those of my own office, who have begun to learn it on my only expressing a wish that they should do so. In Kamaon almost the whole business was conducted in Hindoostanee and Nagree without any difficulty.

8. I am aware that some petty difficulties would be found at first; the natives having never written their own language would often use the Persian idiom; and it would be some little time before they would write the new language as quickly as they did the former one, but all these would soon be smoothed; and should Government consent to allow the experiment to be made, the result would probably be productive of more benefits than are at first easily imagined.

I have, &c.,

(Signed) F. J. SHORE.
Officiating Commissioner

Camp Teerree, Zillah Jubbulpore,
Office of the Commissioner, the }
29th October, 1835.

No. 1678.

TO THE THREE PRINCIPAL ASSISTANTS AND THREE 1st JUNIOR ASSISTANTS.

Judicial and Revenue.

SIR,—The sanction of Government having been obtained to the gradual introduction of the use of the Hindoostanee in lieu of Persian as the Official language in the Saugor and Nerbudda territories, the following memoranda are forwarded by way of rules for carrying this object into effect.

2. In order to prevent delay in business it must be done gradually; in the first instance all petitions should be written in Hindoostanee; after a little time it may be adopted in short orders, roobakaries, and depositions; particularly in perwanahs, and written orders sent into the interior of the districts, and finally the longer papers and roobakaries will be written in Hindoostanee.

Second. Communications to Courts in the Regulation Provinces had for the present better be written in Persian.

Third. The Persian character will for the present be retained but the whole of the Omlah are to be distinctly told that they must learn to read and write the Dewanagree; a little pains should be taken to teach them to write clearly, and above all to introduce the English

custom of writing every word separately instead of running them all into one another. As soon as it can possibly be effected, all perwanahs, orders or notifications, &c. sent into the interior, are to be written only in the Dewanagree character.

Fourthly. As soon as the Omlah are qualified to read them, the people should be encouraged to give petitions in the Dewanagree character, which will enable them often to transact their own business instead of being at the mercy of an office petition-writer.

3. It is probable that some petty difficulties will be found at first; the natives who understand Persian having seldom written their own language will often in attempting to do so, make use of the Persian idiom and Persian words, to obviate which they should be urged to write as they would speak. They will not perhaps at first write the Hindoostanee as quickly as they will the Persian. To conclude, however, the business of any country in its own vernacular language and character, is so prima facie consistent with common sense and justice to the inhabitants, while the introduction of a foreign language and character is completely the reverse, that very cogent reasons must indeed be adduced in support of the latter. I confidently anticipate your cordial assistance, and it is probable that the result of the experiment will be productive of more benefits than are at first easily imagined.

I have, &c.

(Signed) F. J. SHORE, Officiating Commissioner.
Office of the Commissioner,
Saugor and N. Territories, }
the 21st November 1835.

(True Copies.)

(Signed) F. J. SHORE, Officiating Commissioner
No. 28.

To Officiating Commissioner Saugor and Nerbudda Territories.

SIR,—I am directed to acknowledge the receipt of your letter No. 84, dated 30th ultimo, with enclosures reporting the progress that has been made in the territories under your superintendence in the substitution of the vernacular for the Persian as the language of business.

The report is extremely satisfactory, and I am desired to inform you, that you are fully authorized to use the Dewanagree character, and that the Board never contemplated the employment of any other in the Saugor and Nerbudda Territories. They considered the measure enjoined by their circular of the 29th July for the N. W. Provinces to have been already carried into effect in Saugor, and for that reason the circular was merely transmitted for your information.

I am desired by the Board to transmit for promulgation throughout your division, a proclamation in the Dewanagree character to the effect that the Sudder Board will receive all petitions presented in Hindoostanee in the Nagree character, and that the orders passed on such petitions will be in the same language and character.

I have &c.

(Signed) J. G. DEEDER, Secretary.
Sudder Board of Revenue, N. W. P. Allahabad, the
19th Sept. 1836.

No. 214.

To the Sudder Board of Revenue N. W. P. Allahabad
GENTLEMEN,—With reference to an application from the Officiating Collector of Futehpoor requesting permission to procure a supply of printed advertisements

in the Hindoostanee language, I have the honor to solicit the favor of your Board's instructions as to the legality of complying with the request.

2d. Under the provisions of clause 2, sec. VII. and XV. of Reg. XI. of 1822, it would appear that the Persian language cannot legally be dispensed with in advertising lands for sale or in recording the particulars of the sale when effected.

3d. I also beg to be favored with instructions regard ing the language in which all judicial investigations conducted by Revenue Officers under the Provisions of Regs. II of 1819 and III. of 1828 should be recorded, since the Persian language would appear to be distinctly prescribed by sec. XX. and XXI. Reg. II. of 1819.

I have, &c.

(Signed) T. J. TURNER, Commissioner.

Commissioner's Office 4th division, Cawnpore, the 4th Oct. 1836.

No. 204.

To the Commissioner of the 4th Division:

SIR, In reply to your letter No. 214 of the 4th instant, I am desired to request you will authorize the Officiating Collector of Futehpore to procure the required printed advertisements in the Hindoostanee language and the Persian and Nagree characters. As the word language is not used with reference to the Western Provinces, and Nagree is the name of a character not of a language, it is to be presumed the term Persian refers to the character also.

The proceeding required by sec. 15 Reg. XI. of 1822, may likewise be written in the Hindoostanee language, it being intended solely for the authorities in the Revenue Department by whom the use of Persian has been dispensed with.

The Board's orders directing the abandonment of Persian in the Revenue Department are not applicable to proceedings under Regs. II. of 1819 and III. of 1828 which must follow the rules laid down for judicial processes, with which neither the Sudder Board nor Commissioner have any concern.

I have, &c.

(Signed) J. G. DERDER, Secretary.

Sudder Board of Revenue, N. W. P., Allahabad, the 11th Oct. 1836.

No. 393.

To the Sudder Board of Revenue, N. W. P., Allahabad.

GENTLEMEN,—Having had several petitions presented to me in the Persian language, the writers of which plead their inability to express themselves readily in the Hindoostanee, I request the favor of your Board informing me if I am to consider myself prohibited from filing such petitions by your circular orders No. 52 of 29th July last.

I have, &c.

(Signed) S. M. BOULDERSON, Commissioner.

Commissioner's Office, 3d or Bareilly Division, the 12th Dec. 1836.

To the Commissioner of the 3d Division.

SIR,—I am directed to acknowledge the receipt of your letter No. 393 of the 12th instant, and in reply to inform you that the Board desire their circular orders of the 29th July No. 52 to be uniformly and implicitly acted on.

They can conceive no instance of a native of Hindoos^{an} being sufficiently versed in Persian to write a petition in that language and yet unable to state the substance of his plaint in his mother tongue.

The petitions referred to in your letter should be returned to the parties.

I have, &c.

(Signed) R. ALEXANDER, Assistant Secretary.

Sudder Board of Revenue N. W. P.
Camp Moondlanak, Kohtuk Division
Dehli Territory, the 21st December, 1836.

(True copies)

H. ELLIOT, Secretary.
[Hurkaru, June 15.]

CONSULTATION,—MAY 30, 1837.

DELINQUENT TREASURER OF THE JESSORE COLLECTORATE.

Mr. Commissioner Pigou, on the 1st April last, addressed the Board, stating that on the 25th January 1833, the Sudder Board directed that the heirs of the sureties^{*} of Cossenath Bunnerjee, late treasurer of the Jessore Collectorate, could not be held responsible for the amount embezzled by the said treasurer, and the only reason Mr. Pigou can discover (and a very valid one it is in his judgment) on which that decision could be founded, is, that by the terms of the security bond, the liability does not rest upon the heirs of the parties exacting the deed, they must be considered exempt from the responsibility.

The Sudder Board, however, having on the 23d May last come to a totally different determination upon this same point, Mr. Pigou felt himself precluded from adopting any course of proceeding until he was favored with further instructions. A copy of the security bond was transmitted by Mr. Pigou with a remark that the heirs of these securities do still possess property which can be proved to have belonged to them at the securities period of their decease.

With reference to the Board's orders of the 19th December last, informing the Commissioner that he is competent to pass orders relative to the sureties of the late treasurer, Mr. Pigou observed that the case was brought under the notice of the Board, in his letter of the 6th June, 1835, in consequence of a reference from the Collector of the 20th May preceding, soliciting instructions as to the proportions which the different sureties should respectively bear in liquidating the amount embezzled, and that on this point he has not as yet been favored with orders.

To H. M. PROOV, Esq., Commissioner of Jessore.

Miscellaneous.

SIR,—The Sudder Board having had before them your letter No. 150, dated the 1st ultimo, on the subject of the responsibility of the sureties of Cossinath Bonnerjee, direct me to enquire whether their orders of the 23d May 1836, in the case of the sureties of Loharam Mookerjee have been carried into effect.

At the time the orders of the 25th January 1833, were issued in the case of Cossinath Bonnerjee, it appeared that three security bonds had been given: viz., one by Berjkishur Moojoomdar, Doorgapersaud Chowdree, and Bimonath Bose, conjointly, in which they do not bind their heirs or pledge any specific property; the second

* Beny-Kishmur Moojoomdar, Bishonath Bose, and Doorgapersaud Chowdry.

by Radamohun Chowdree, binding his heirs, and the third by Prannath Chowdree, in the same terms as the second. It was with respect to the first, that the Board ruled, that they could not demand payment from the heirs of the sureties. But this did not interdict the attachment of any property which might be proved, to have belonged exclusively to the surety up to the date of his death.

The security bond; which was enclosed in your letter of the 1st November last, executed by Rajas Bunnee Kant, and Goopeneauth, does bind their heirs. The orders issued by the Board on the 23d May last, are not, therefore, at variance with the former orders, and there is no reason why you should not act up to them.

In reply to the last paragraph of your letter, I am directed to observe, that where several individuals are jointly and severally, and without separate specification of responsibility, liable, they are each liable to the whole extent. But of course the public officer enforcing the responsibility, will, from a sense of equity and partiality, endeavour, by making all responsible, to levy the amount in rateable proportions, although one individual could legally be made responsible for the whole amount to the exemption of the others.

You will be pleased to use every exertion to realize in the mode indicated, the dues of Government from all the estates on parties answerable for the same, reporting the result of your measures in six weeks from this date.

I have the honor to be Sir,

Your most obdt. humble servant,

(Signed) C. E. TREVELYAN, *Addl. Secy.*

Sudder Board of Revenue. }

The 3d May, 1837. }

CONSULTATION,—6TH JUNE, 1837.

KHALARY REMISSIONS—JESSORE.

Mr. Officiating Collector Donelly of Jessore, on the 13th April 1836, addressed Mr. Commissioner Pigou in reply to his predecessor's letter of the 21st April, 1834, which Mr. Donelly says, remained unanswered thus long, in order that the Zemindars might have every opportunity of bringing forward their proofs, and to prevent any excuse on their part at a future period. Mr. Donelly offered them months ago, every assistance in his power to procure hopes from the Sherishta; but the only document discovered, which they appeal to in support of their claim, is a report of Mr. Cunningham to the Board of Revenue, enclosing a statement of the Sudder Revenue of Essupore, the Zemindar of Rajah Sree Kaunt Roy, as appointed on the different Pergunnahs of the estate from their actual produce during the years 1,200 and 1,201 B. S. of which and of the reply of the Board thereto Mr. Donelly forwarded copies.

The letter of Mr. Cunningham was erroneously dated as it ought to have been, 1796 A. D. instead of 1766.

Mr. Donelly has compared the figured statement of the Board with the Tahood of the whole of the Raja Sree Kunt's property, dated 1297, B. S., and finds that the remissions on account of Khalaree rents in the Tahood amount to sicca rupees 9,000. His estate was subsequently partitioned and sold in 1203 B. S., in conformity with the report of Mr. Cunningham above alluded to. The statement forwarded by him, was, as he mentions, in his letter made up from the papers furnished by the Putwarries, and contains item of sicca rupees 10,843-10—remissions on account of Khalaree rents. But as in the Tahood of 1197, B. S., for the whole estate 9,000 sicca rupees above was deducted. Under

this head Mr. Donelly concludes, under the Board's letter, that sicca rupees 1843-14, must be considered as rent for *Khalary lands*, not as a compensation for the loss suffered by proprietors, in consequence of the Company's monopoly of the salt manufacture, and consequently that when the manufacture of salt on those lands ceases, so ought the rent.

Assuming this to be the case, Mr. Donelly has endeavoured to ascertain, what Pergunnahs of the whole estate have enjoyed the remission of the 9,000 rupees from 1188. The statement forwarded by the Board shows that Essupore and Koymungle i. e. the whole estate of the Raja, had a remission of 9,000 rupees up to 1201, when it appears to have increased in the exact amount regarding which Mr. Donelly now writes, and for which no authority is to be found save Mr. Cunningham's statement based on the report of interest putwarries. In 1203, 9,000 sicca rupees again appears in Roymungul and new items of 212. In Bagulpore sicca rupees 60. In Nonaugur sicca rupees 1287-1-15 in Mallia sicca rupees 394-12-5 in Rungluah, but in 1204 Roymungul decreases to 7,106-13-7-2, and with the exception of 1208, which Mr. Donelly fancies must be an error, continues at this rate up to 1225, the last year of the statement, why, Mr. Donelly could not state, unless it were to make out a *prima facie* case for the Pergunnahs Bagutpore, Neerungur, Mallia, and Rangdua, as up to the present time the proprietor Roymungul receives in cash from the Jessore treasury sicca rupees 1,893-2-12-2, which, added to the other sum of sicca rupees 7,106-13-7-2, makes exactly sicca rupees 9,000—the amount entered in the column for 1203 B. S., and in the original Tahood, of the whole property. By referring to the copy of Mr. Cunningham's statement, it will be perceived that there were no musasil collections whatsoever in Roymungul Pergunnah, which induces Mr. Donelly to believe, that this sum of 9,000 rupees was granted on account of the Company's monopoly, and that the proprietors of Roymungul are entitled to the whole amount under this head.

The balance of sicca rupees 2,843-14, received by the holders of the other Pergunnahs of the Rajah's estate, being a surplus amount above the 9,000 rupees, Mr. Donelly considers merely rent of land for Khalarees; and as the proprietors have not been able to shew any document by which they have been declared entitled to a perpetual remission, Mr. Donelly has, under that part of the Board's orders, referring to clause 13, Section ix., Regulation I. of 1824, directed the remission to be discontinued from the close of 1242 B. S., and would submit for the consideration of the Board, whether if any decisions regarding these sums be correct, the amount remitted since the manufacture of salt, was discontinued in this district, ought not to be recovered from the several zemindars. Bagulpore having been transferred to the 24-Pergunnahs, Mr. Donelly has written to the Collector, requesting him to discontinue the remission. The statement of the Board does not regularly up to 1225 B. S., shew the remission granted to Mallia and Rungdua, nor the sum paid in cash to the proprietor of Roymungul,—how this happened is left for the consideration of the Board. Those proprietors, who were in fear of their remission being discontinued, may have caused these omissions through the amlah, in the hope that as a reference to the grand total would shew a decrease, this would prevent the authorities from making any further enquiries. Mr. Donelly further mentions, that there is not any note of the sums now discontinued by him in the Tahoods of the Pergunnahs executed 1233 B. S., after the subdivision of the Rajah's property.

Cheeroobia and Mohdoodhees shew a decrease in 1225. Myhutti has been transferred to the 24-Pergunnahs. The remission in Syedpour shews the same

amount through the whole series of years under review up to 1225; those on account Jamsara are sicca rupees 817-10-30-3 in 1206, and 2,661-4-10-3 in 1201 B. S., but in the same year sicca rupees 1843-9 is stopped in Myhatty and Jamsarah, so that this increase is accounted for and continues to 1225. Pygotty and Angurpoo-rah have been transferred to the 24-Pergunnahs. In 1208 sicca rupees 107-12 appear for the first time as a remission to Talbooneesh; but in the same year this amount was deducted from Cheerootea, Modhoodea, and remains so to the last year of the statement.

In conclusion Mr. Donnelly remarked, that from 1196 to 1200, the grand total of remissions keeps at the same amount. In 1201 B. S. it rises without any apparent cause to 21,014-12-4-3 and again sinks in 1204 to rupees 17,277-11-3—and in the next year again rises to 17,539-11-13, at which amount it stands in 1225. If the sum of 1,727-11-13 be added the sicca rupees 1893-2-12-2 amount of cash paid from this collectorate to the proprietor of Roymungul, we have the exact amount of the total remissions from 1196 to 1200, and the sum now resumed by Mr. Donnelly is thereby shewn to be a surplus amount unaccounted for as a perpetual remission. Besides which, so far back as 1191, the grand total never exceeded 19,602-14-11-3 in any year; so that there is no trace in the Board's statement of this sum after that date.

Mr. Donnelly has issued notices to the proprietors of all those pergunnahs in which the khaliars were formerly established in this Zillah, and whose remissions he has continued offering to compromise with them in the manner proposed by the Board. Should they object to do so, Mr. Donnelly would recommend that enquiry be made during the next cold season regarding the situation of the lands, and that they be measured by the making the enquiry, to prevent encroachments on the part of the land holders, after which resumption suits can be recommenced from their recovery.

Mr. Commissioner Pigou, in forwarding the above communication, entirely accorded with the view taken by Mr. Donnelly, and the Sudder Board have passed the following order.

To H. M. PIGOU, Esq., *Commissioner of Jessore.*
Miscellaneous.

Sir,—The Sudder Board of Revenue having had before them your letter No. 189, dated the 14th May, 1896, direct me to inform you, that they can come to no conclusion from the papers submitted regarding resumption of khaliars remissions in Jessore.

The Board remark that the officiating Collector asserts that the parties have no documentary evidence to adduce in support of their case, but forgets that the circumstance of their having been for a long period in the enjoyment of these remissions, is of itself a strong title. Under such circumstances it is necessary that regular proceedings should be held, at which the parties concerned should be in attendance to offer such objections as they deem proper, and which should be duly recorded.

I am further directed to observe, that as the greater part of the officiating Collector's argument consists of conclusions and inferences, and not of facts, it was necessary to have procured from the salt agent and the salt Board, whatever information would be obtained from their records. Standing as you do, in the place of the late Board of Revenue, it should be your care to see that enquiries of this description are, entirely followed out, and then to present the results for the consideration of the Sudder Board, accompanied by the grounds on which your opinions or recommendations are based.

I have the honor to be, Sir,

Your most obedient, humble servant,

(Signed) C. E. TREVELYAN, *Additional Secy.*

Sudder Board of Revenue, }
The 6th June, 1837. }

CONSULTATION,—6th JUNE, 1837.

CIRCULARS.

* No. 64.

To the Commissioner of Revenue for the Division of

Mis. Dept.

SIR,—I am desired by the Sudder Board of Revenue to request that you will report whether their orders, conveyed by a circular letter under date the 7th August 1832. (No. 27) instituting an efficient check on the receipt and regular crediting to Government of the fines levied within your division, have been duly attended to by your subordinates. If not, the Board request that you will ascertain and report the reason of such neglect.

I have the honor to be, Sir,

Your most obedient Servant.

(Signed) C. E. TREVELYAN, *Additional Secy.*

Sudder Board of Revenue, }
Fort William, the 6th June, 1837. }

No. 47,

To the Commissioner of Revenue for the Division of

Mis. Dept.

SIR,—Owing to the large increase in the number of uncovenanted Deputy Collector's it has become a matter of importance that the Sudder Board should be kept constantly informed in regard to their character and qualifications, and the extent and success of their exertions in the public Service, with a view to enable the Board to bring distinguished merit to the notice of Government for its appropriate reward, and to employ each individual in the manner in which his particular qualifications are likely to be turned to the best account.

2d. You are therefore requested to observe the following rules which have been devised with a view to this object in the spirit of the Government orders of the 20th December last.

1st. On revising any settlement or other proceedings held by an uncovenanted Deputy Collector, his immediate Superior shall record his opinion of the manner in which the duty has been performed for the consideration of the Local Commissioner, and the Local Commissioner shall in like manner record his opinion on the subject for the consideration of the Board.—

2d. The annual Division Reports, shewing the business that has been done in the Department of Resumption and settlement during the past year, and the plan of operations for the approaching cold season, shall contain particular mention of the manner in which each uncovenanted Deputy Collector has been employed during the past year as far as those departments are concerned, as of the quantity of work performed by him and of the manner in which he has performed it. It will also, of course, be stated how it is intended to employ him during the ensuing cold season.

31. Whenever the services of an uncovenanted Deputy Collector are likely not to be much longer required in any Zilla, his immediate superior shall report the circumstance to the Commissioner with a particular detail of the services, qualifications and character of the Deputy Collector, with a view to enable the Board to judge whether he is deserving of employment elsewhere, and, if so, in what manner he may be employed with the greatest public advantage.

31. I am also directed to take this opportunity of requesting, that, in making nominations of persons to be Deputy Collectors under Regulation IX. of 1833, you will yourself adhere, and require your subordinate Collector to adhere, strictly to the rules published in the Government Gazette, dated October 5, 1833.

I have the honor to be, Sir,

Your most obedient Servant,

(Signed) C. E. TREVELYAN, Additional Secy.

Sudder Board of Revenue,
Fort William, the 6th June, 1837. }

[Hurkaru, June 19.]

PRESIDENCY SPECIAL COMMISSION.

BEFORE E. R. BARWELL, ESQ., SPECIAL COMMISSIONER.

Lakhrāj Cases.

Government Appellant v. Kuwuldussberagee and others respondents.

ZILLAH MYMENSING.

The possessor alleged 842 koor of land situate in Mooga, Ombla, &c., Pergunnah Shareepoor, to be Lakhrāj Dewnton Lands, and produced 5 sunnuds of 1183-1186 1189-1190 and 1899 B. signed by Sumboonth Cherod hree, &c. and one sunnud of 1169 B. bearing the signature of Rughoonarain Chowdhree, &c.

The decision of the Collector, dated 12th February 1835, adjudged the contested lands not to be liable to assessment on the ground that they were held exempt from the payment of Revenue anterior to the British rule. The proceedings were submitted to the local Revenue Commissioner of Dacca, who, disapproving of the Collector's adjudication, preferred an appeal to this Court.

On the 30th November, 1836, Mr. T. H. Maddock, the late Officiating Special Commissioner, on examination of all the records of the case, reversed the decision of the Collector, and confirmed the appeal of the local Revenue Commissioner for assessing the lands in question on the ground, that of 6 sunnuds produced by the respondents in support of their claims, 5 were of dates subsequent to the accession of the Hon'ble Company to the Dewanny, viz. for the years 183, 1186, 1189, 1190, 1199 B. S., and the sixth bearing date 11 Phalgun 1169 B. S. although anterior to the period above quoted, was, (exclusive of its not having been duly registered) evidently fictitious, having been written with fresh ink upon old paper, and bearing *prima facie* every appearance of a fabricated document.

On reference to Mr. E. R. Barwell, the Officiating Special Commissioner, that Officer, on a full consideration of the case, concurred on the 27th April, 1837, in the judgment passed by Mr. T. H. Maddock, the late Officiating Special Commissioner.

Government Appellant versus Raittee Kant Choudhary, Respondent.

ZILLAH—MYMENSING.

The possessor alleged some land estimated at about 60 koor, situate in Mouza Oobbhayapoor, Pergunnah Shareepoor, as Lakhrāj Bermuttee land, granted by Rameewun Chowdhree to Hurreenath Turkbagee, and produced a sunnud of 1042 B. and the nature of tenure as described in the Tenure appeared to be hereditary, and that the present possessor held the lands by inheritance.

The Decision of the Collector, dated 25th March, 1835, adjudged the disputed lands not to be liable to assessment, on the ground that they were held exempt from the payment of revenue by the ancestors of the respondent prior to the accession of the Hon'ble Company to the Dawanny.

The Dacca Revenue Commissioner, dissatisfied with the decision of the Collector, preferred an Appeal to this Court on the 13th February 1837. Mr. Maddock, the late Officiating Special Commissioner, finding that although the copy of the Register tendered by the respondent, bore date from the year 1202 B. S., yet that it was unauthenticated by the signature of any officer of the Government, and that the sunnud itself likewise unauthenticated had every appearance of a fabricated document, being written with fresh ink on smoked paper, reversed the decision of the Collector and confirmed the appeal of the Revenue Commissioner for the assessment of the land in question.

The case being referred to Mr. E. R. Barwell, the present Officiating Special Commissioner, that officer concurred, on the 5th April 1837, in the judgment passed by Mr. T. H. Maddock.

Government Appellant, versus Mirtoonjoy Banerjee Respondents.

ZILLAH 24 PERGUNNAHS.

The respondent alleged 383 biggahs and 6 biswas of land to be Lakhrāj Bhermuttee Lands.

The decision of the Collector dated 18th November 1835, declared the disputed lands not to be liable to assessment on the ground of their having been held under what he, the Collector, considered to be valid titles, viz. a perwannah bearing date 2d June 1786, or 22d Jeyte 1193 B. S., authenticated by the signature of Mr. Cammack, the former Collector, a Ch. har, dated 2d Aghhun 1196 B. S. signed by Mr. Pye, and a grant for excavating a tank bearing date 19th February 1801, or 9th Phalgun 1207 B. S. under the official seal and signature of Mr. Fitzroy.

The proceedings were forwarded to the Local Revenue Commissioner, who disapproving the collector's adjudication appealed the case to this Court. The case having come before Mr. T. H. Maddock, the late officiating special commissioner, that officer disapproving of the collector's proceedings on the ground, that collectors had no power to grant perwannahs for rent-free tenures, reversed the collector's decision, and confirmed the appeal of the revenue commissioner for assessing the lands in question on the 11th February 1837.

On reference to Mr. E. R. Barwell, the present officiating special commissioner, that officer concurred, on the 9th April 1837, in the judgment passed by Mr. T. Maddock.

Ram Kishore Rao, Appellant, versus Government Respondent.

ZILLAH DACCA.

The appellant alleged 2 kanes, 4 gundas and 2 cowries of land situated in Kismustwuxee, Pergunnah Rajnuggur, to be lakhiraj included in the mal lands, and produced a copy of an Ekwall Butwarrah of 1198 B. in support of his claim.

The Decision of the collector dated 31st March 1836 adjudging the contested lands to be liable to assessment on the ground of their being held under an invalid tenure was reversed by Mr. T. H. Maddock, the late officiating special commissioner, on the 16th March 1837, on the ground they were included in the appellant's permanently assessed estate, and were less than 100 beegahs, consequently in conformity to section VI Regulation XIX. 1793, they could not be considered to be subject to any additional revenue on account of Government.

The case was referred to Mr. E. R. Darwell, the present officiating special commissioner, who, on examination of all the records, concurred, on the 25th April 1837, in the judgment passed by Mr. T. H. Maddock.—*Hurkaru, June 29.*

No. 50.

To the Commissioner of Revenue for the Division of

Sir,—I am directed to request that you will transmit to the Sudder Board with the least practicable delay, forms of all the ordinary revenue papers which you think may with advantage be printed in the vernacular and English, or in the vernacular language, in order that they may be furnished in the number required to each commissioner's and collector's office.

2nd You are requested to revise them carefully and to transmit them exactly in the form which you think best for them to be printed in.

I have, &c.

(Signed) ———, Addt. Secy.

Miss. Dept. Sudder Board of Revenue, }
Fort William, the 13th June, 1837. }

No. 51.

To the Commissioner of Revenue &c. for the

Sir,—I have directed to remind you that under the circular orders dated the 27th July and 5th September last, all settlements and farming engagements, all accounts and statements in short, all proceedings of whatever kind connected with the land revenue must from the 1st of the last month, be according to the English months and English year of account.

2nd. It is requested that you will strictly enforce the previous detailed orders on the subject.

I have &c.

(Signed) ———,

Miss. Dept. Sudder Board of Revenue,
Fort William, the 13th June, 1837.

No. 52.

The following letter is circulated by order of the Sudder Board of Revenue for the information of all officers subordinate to them.

(Signed) C. E. TRIVELIAN, Addt. Secretary.

The 10th June, 1837.

No.

To the Commissioners of Revenue for the Division of Outack.

Sir,—I am directed to acknowledge the receipt of your letter dated the 4th ultimo with the enclosed copies of correspondence with Mr. Special Deputy Collector Crawford, and to state in reply as follows.

2nd. The Board are of opinion that you may legally call upon a Special Deputy Collector to furnish you with any information necessary to enable you to form your own judgment as to the sufficiency and validity of the grounds assigned by the collector for considering the lands exempt from assessment. Without this power you could not properly fulfil the duty entrusted to you of appealing to the special commissioner those cases in which the claims of Government may appear to you to have been improperly set aside.

3rd. The Board, however, conceive it to be utterly beyond your authority to direct a revision of a special deputy collector's decrees. The existence of such a power would be manifestly unjust unless the holders of rent free tenures had a corresponding guardian of their interests vested with similar authority to direct a revision of decrees given against them, and the attempt to add to the severity of the resumption laws by the introduction of such a plan of proceeding, would be highly objectionable and inexpedient.

4th. The year allowed for appealing dates from the receipt of the record of the case by the local commissioner, but it is within the direction of the special commissioner to allow a prolongation on sufficient reason being shown. In the Patna case referred to by Mr. Crawford the year had expired pending a reference back to the resumption officer. The special commissioner would not hear of this plea, and rejected the appeal, not because such a reference had been made back to the resumption officer, but because the year of appeal had expired. It will therefore be incumbent on you on receipt of a resumption officer's proceedings, to review them without loss of time, that in case you find it necessary to call for any further information, the case may be completed and the appeal preferred (if it be proper to appeal) within the year, or the special commissioner be applied to, to grant further period for preferring the appeal beyond the year.

5th. The Sudder Board fully admit that, with the exception pointed out, special deputy collectors are in every respect as completely subject to your control as any other collectors or deputy collectors.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) ———,

Sudder Board of Revenue, }
Fort William, June 6, 1837. }

No. 53.

To the Commissioner of Revenue for the Division of

Sir,—A case in appeal having been recently decided by the Sudder Dewanny Adawlut against the revenue

authorities, principally on the ground that a pottah had not been granted to, nor a kubooleat received from the party from whom julkar revenue on a Khass Mehal was demanded. I am directed by the Sudder Board of Revenue to request that you will impress on your subordinates the necessity of granting pottahs and taking kubooleats on all occasions of letting out lands or fisheries or the part of Government, and that they will be held answerable for any deviation from these orders, and for all loss that may be incurred in consequence of not taking the prescribed written

engagements in all cases of letting or forming lands or fisheries under sanction of a superior.

2nd. All pottahs and kubooleats must hereafter be expressed in the vernacular language of the district.

I have the honor to be,
Sir, your most obedient servant,
(Signed) _____

Miss. Dept. Sudder Board of Revenue: ?
Fort William, the 13th June, 1837.

Englishman, June. 30.

MISCELLANEOUS.

CALCUTTA.

CAUTION TO TRAVELLERS.—The people in the district of Jessore have lately become so outrageous, that passengers cannot travel the district with safety. In broad day light the most daring outrages are committed with impunity. An occurrence has recently come under notice of a gentleman passing to Jessore, who was attacked, about 7 o'clock in the morning on the public high road, by a numerous body of men, armed with various weapons, and very roughly treated. It has subsequently been ascertained that a Thannadar, or Mohurer, and his peons, were on the spot at the time, but did not come forward to render any assistance. The gentleman was paraded from village to village, amidst the scoffs and jeers of the rabble, and was only saved from worse treatment, by a magistrate's sowarry passing by, which intimidated his persecutors.

THE HON'BLE F. J. SHORE.—The Hon'ble F. J. Shore, Commissioner of Saugor and the Nerbudda, and the author of the able letters on Indian affairs signed a Friend to India, died at Spence's Hotel on the 29th instant.

THE AUSTRALIAN ASSOCIATION.—The Australian Association recently formed, gets on very well; already upwards of fifty shares have been taken.

CAPTAIN HARRINGTON.—That old and meritorious officer Captain Harrington, who was appointed by the Local Government to officiate as Master-Attendant on the death of Captain Jamieson, is coming out as head Assistant and Superintendent of Semaphores, with the reversion to the office of Master-Attendant on the next vacancy. This act of justice has been communicated by the Hon'ble Court of Directors to the Supreme Government, in one of the late dispatches.

APPREHENSION OF AN ASSASSIN.—The assassin who fired a gun at Baboo Radharant Set on the 28th of September last, has been apprehended. The villain was induced to perpetrate this cruel deed in hopes of receiving from one Lungar Raj, an up-country man, who bore deadly enmity to the Baboo, a reward of one hundred rupees. It is also said that about three years ago Baboo Ram Mully was murdered by the same inhuman wretch for a recompense of twenty-two rupees.

THE MEDICAL COLLEGE.—Those who feel any interest in the progress of the Medical College will be glad to learn, that some of the more advanced students have formed themselves into a club entitled the "Chemical Demonstration Society." They meet on every Friday evening when one of them previously selected by the Professor, lectures on a particular subject assigned to him, and performs all the experiments in illustration of it. Most of the pupils attend this meeting and a new lecturer is chosen every week.

SIR WILLUGHBY COTTON.—On the evening of the 13th instant, Major-General Sir Willoughby Cotton, landed in Calcutta at six o'clock under the usual salute from the fort.

DECISION ON AN APPEAL CASE.—Late letters from England mention, that the case in which Kirteeschunder Roy and others were appellants, and the Bengal Government and Mohunnee Mohun Tagore respondents, has been decided by the Privy Council's confirming the decree of the Sudder Dewannee. The appellants opened their case on the 13th January, and on that day the 15th and the 16th, their counsel were heard at length. The respondent's counsel were not called on excepting to hear judgment on the 18th January, when the appeal was dismissed.

DR. TWINING.—The mural tablet intended to perpetuate the memory of the late Dr. Twining has arrived from London, and is beautifully executed, being of the gothic order, and the design neat and appropriate. The members of the Medical and Physical Society also will be pleased to learn, that there is still a prospect of their possessing for the Society's rooms a painting of Mr. Twining.

DISCOVERY OF COAL BEDS.—Mr. Homfray, who was lately sent to explore the coal district of the Soane, has made some further discoveries of coal beds; but the most interesting discovery he has reported, is the existence of a stratum of lias limestone of great extent, which is considered a sure indication of coal.

A CANNIBAL.—On the morning of the 4th instant, the thanadar of Hautcolah brought before the Superintendent of Police a fakeer, stating that the man was seen at Nimtollah Ghaut eating of a human carcass! The cannibal was ordered forthwith to be sent out of the precincts of the town.

SHIPWRECK.—A letter has received yesterday from Captain Koenigs, the commander of the brig *Mapoon*, announcing the loss of that vessel on the night of the 28th ultimo, upon the coast a few miles to the Southward of Manickpatam. The brig was bound for Calcutta, out eleven days from Moulmien.

BALLQUONCE TANK CASE.—The Sudder Authorities have after all handed up this case to Government, maintaining the inherent power of a magistrate to punish an offender, thereby obviating the necessity of a new law to bring British Subjects under criminal jurisdiction in the Company's Courts.

OYSTERS.—On the return of the Pilot despatch vessel from False Point, whither she had been sent with Government stores, her commander, Mr. Patterson, brought up with him a quantity of fine small oysters, which was obtained from a very extensive bed. With a very little trouble, and less expense, the good folks of Calcutta might have their tables constantly and plentifully supplied with this delicacy.

OPIMUM SALE.—An almost unprecedented number of individuals attended the opium sale on the 12th instant, and the prices given for the drug averaged much higher than the state of the market warrants. The next opium sale is fixed for the 12th instant.

THE HEAT.—The heat has been intolerable. On the 1st instant it was 98° in the shade, 108° in an open verandah, and 115° in the sun. A co-temporary's devil makes it appear, that the heat has been so great as 950° in the shade! The ditchers must indeed be endowed with a terrible portion of salamanderine power to endure such roasting weather.

FIRES.—Reports of the occurrence of several fires have been received during the month; but the damage sustained by the flames, does not appear to have been of very considerable amount. Some few human lives, however, have been lost.

THE CROPS.—The excessive drought which still continues, has entirely destroyed the hopes of the cultivators and planters of realizing tolerable crops from late sowings. Complaints are pouring in from all sides of the want of water, and in Chittagong the element has been selling at the rate of eight pitchers for the rupee.

THE PICE PLAGUE.—The groans of the sufferers from this horrid disorder, are heard on all sides, and no relief seems likely to be afforded to them. Five pice in each rupee are now the amount of suffering.

SERIOUS ACCIDENTS.—Four European seamen belonging to the ship *Francis Smith*, took a dingy at the Custom House Ghaut on the 5th instant, while they were under the influence of liquor, for the purpose of going on board. The dingy had hardly shoved off, when they all jumped overboard. The men belonging to the dingy succeeded in saving the lives of three of them, but the fourth, whose name was James Williams, met with a watery grave.

A charitable Moosulman named Daood Khan, and an African servant of his, met their deaths in a well on the premises of the former on the 6th instant. Daood Khan went down to the well to bring up certain of his goods which he had deposited in it for safety from fire. Being long down, the servant went down, to ascertain what the matter was, but did not return so soon as he was expected: seeing this, a syce in the same employ, followed the example of the African; but before he had gone half way down, he screamed out complaining of suffocation, when he was helped out of the well. The bodies of the other two men were afterwards fished out.

An unfortunate circumstance occurred on board of the ship *Dumtless* on the 3d instant. It appears that the chief mate of that vessel was on his knees, looking down the hatchway and giving directions to the people in the hold, to look for some packages which were wanted for delivery, when all of a sudden he was observed to draw back, fall on his side, and in a few moments was a corpse.

The bodies of six Moosulmans were a few days ago found on the banks of a tank situate in the middle of an extensive waste, called Cauzoeparah, in the purgunnah of Aunurpoor. The supposition is that these men were travelling through the place, and being overpowered by thirst, and the excessive heat of the sun they went to refresh themselves at the tank, but there being no water in it, and unable to walk further they became quite helpless and died.

On the night of the 17th instant, between eleven and twelve, a native budgerow was upset off Smith's Ghaut, by running foul of one of the ships at anchor. The boat had thirty-five persons in her at the time, by report of the native who hired her, going to see the Chaun Jatra festival at Moyes near Ishera. Of these, ten were drowned, including several women. Many individuals also lost their lives on the river, by the swamping of their boats, when returning from Moyes.

A cotton boat was burnt on the 18th instant, off Sulkas, and fourteen people lost their lives in her.

Mr. Lumley, who had been appointed by the Committee of Public Instruction, second master to the Seminary at Chittagong, on a salary of one hundred

and fifty rupees per month, died of apoplexy in Tolly's Nullah, whilst proceeding to Chittagong.

A DOUBLE TRIAL.—A Master Pilot has lately been regularly tried by a *Marine Committee*, composed of five persons—viz. Capt. E. Ellis, President, two Commanders of ships, and two Branch Pilots, with a Judge-Advocate to conduct the proceedings. The charge was for "bribery." The Committee, after going into every particular, acquitted the Master Pilot, and transmitted their proceedings and verdict to the Marine Board, who, it would appear, are not satisfied with them. It is difficult to say what is intended, as not a word has been said to the Committee. Some say the Board have written to an individual who is up the country for his evidence, and a new trial; in the meantime the Master Pilot is kept from his duty and in a state of suspense,—of course most trying to his feelings, although acquitted.

CORONER'S INQUEST.—A coroner's inquest was held on the 16th instant, on the body of Capt. J. M. Forth, who was reported to have died from the effects of Morrison's pills. The jury, after a patient investigation, returned a verdict of natural death, acquitting the Hygeist's panacea from having any participation in causing the demise of the Captain.

STATIONING OF PILOTS AT FALSE POINT.—It is reported that the Marine Board have recommended to Government, the removal of the Pilot Establishment, or at least a part of it, to Dudeswell's Island, an extensive sandbank surrounding False Point, which at high spring tide is entirely under water or nearly so. This singular proposition, it is said, emanates from the Board's Secretery. The Master attendant, and nine of the Branch Pilots, have put in their vetos against Pilots being located upon his "dismal swamp" which is in every way unsuited for a human residence.

THE PLAGUE.—Further accounts have been received during the week of the rapid subsidence of the Plague, and the present hot weather, which is so inimical to the agricultural interests, will not, by totally eradicating the infection, be wholly divested of good.

THE PLAGUE AND CHOLERA.—Further accounts have reached us during the week, confirmatory of the report of the rapid declination of the Plague in Rajpootana, and we hope in a short time to hear of its total annihilation. The Cholera, however, is making fearful ravages all over the country, and the recent showers of rain, have not tended to check the virulence of this horrible disorder, the mortality created by which, is indeed most fearful. All the places on the river side for the accommodation of the dying sick when carried thither, are occupied, and funeral piles are seen day and night blazing almost without intermission at the burning place at Nuntulla. Indeed in one instance fourteen dead bodies were carried there at a late hour at night to be burnt, thirteen of which had been the victims of cholera and almost all of them had been taken ill that very day.

ROBBERIES.—About three weeks ago the house of a *sunnasye* at Tribanee was attacked at night by a gang of about twenty robbers. It appears that the villains had received information of there being 2,000 rupees in the possession of the *sunnasye*. Owing to the cell of the hermit being close to the large and populous bazar, a number of people collected near the spot by the time the robbers had broken open the chest in which the box containing the rupees was shut up. They therefore dispersed only with a trifling booty of a few rupees, some clothes, &c. The *sunnasye* lost one of his ears from a sword cut. Although a number of people were collected together, no attempt was made to pursue the robbers.

The indigo factory of a French gentleman at the village called Hooda in Zillah Nuddeah was, in the dead of night, about eight or ten days ago, stormed by a gang of dacoits, who carried away money and

other property to a considerable amount. It is stated that on the night that the affair took place, the gentleman was absent from the factory; which circumstance must have encouraged the villains to commit the atrocity.

A few days ago, a dacoity was committed in the house of a Mahafun, at Nimtullah, Zillah Nuddeah. The ruffians not only made themselves masters of all the poor fellow possessed, but set fire to his body, after rolling it up in joot. The man escaped death; but he was so dreadfully burnt, that his sufferings were almost insupportable.

MOFUSSIL.

MEERUT.—A disturbance occurred recently in the town, originating in a quarrel between a Mussulman and a Hindoo bunceah, in the course of which the former threw a piece of meat into the shop of the latter. The friends and brethren of the Hindoo instantly raised a hue and cry and proceeded in a body to the kutchery of the Magistrate. That officer pointed out to them the impropriety of the manner of the complaint and informed them, he would investigate any charge which might be brought against individuals, by urree on stamped paper. The bunceahs obeyed, and the case having been heard, the Mussulman offenders were sentenced to fifteen rupees fine, or two months' imprisonment. The bunceahs considering the punishment inadequate, resorted to an old expedient of stopping the supplies by shutting their shops. The Magistrate prudently took no notice of this proceeding, thus shewing them that by keeping their shops closed, they would gain nothing, but most likely suffer a positive loss by their contumacy. The measure has been successful.

A private of His Majesty's 10th Lancers was drowned in a well in rear of the barracks.

A serious assault was committed upon the person of a young female of eleven years in the barracks of His Majesty's 3rd Buffs. A private took the opportunity of the father being on duty, and the mother absent, to commit this diabolical deed. Some apprehension was entertained for the life of the girl; but the Surgeons have reported her out of danger.

MUTTRA.—The statement about a man being cut down by the quarantine peons for resenting rudeness offered to his wife, is not true, and the sanitary cordon has hitherto been maintained without opposition or disturbance. The report on which this statement was advanced, was very prevalent amongst natives of all classes, and originated, probably, in the dislike entertained by them against the quarantine regulations in force.

The ablution annually performed by numbers of Hindoos in the tank at Goverdhan, has this season been interdicted by the Magistrate of Muttra, in consequence of the unwholesome quality of the water, which communicates fever to those bathing in it.

ALLYGHUR.—On the 5th instant, at 7 P. M., a meteor of a circular form, very large, and of a brilliant blue colour, was seen near this town. It moved in a S. Easterly direction, and was visible for nearly three quarters of a minute. It was vividly luminous, so much so as to startle all who saw it, and presented a disc the apparent diameter of which was nearly three feet.

ALTAHARAD.—The celebrated frequer who inhabited a place on the north esplanade for a great number of years, without any protection from the weather but that of a small chatta, has just died. He has left behind him cash to the amount of Rs. 14,000.

MIRZAPORE.—The cotton market continues firm, and considerable sales are daily making to native dealers, principally for country consumption. A heavy amount of business was transacted about the middle of April,

in consequence of intelligence having been received from Calcutta that extensive sales had been effected with banyans and others connected with the export trade. The stock of cotton in bond is by no means large, and the imports during the last week averaged but 800 maunds daily, which is considerably short of the ordinary imports at this season.

GYAN.—The Oordoo paper printed at this town states, that the cholera is devastating the place and that thousands are daily falling victims to it. Several conflagrations have taken place and considerable property has in consequence been destroyed.

COEL.—Fever and small pox are devastating this town and district. The deaths caused by the latter amount fully to forty per cent. on those attacked.

BEHAR.—The mortality is abating in this town. According to native calculation it embraced 55,000 deaths.

PAUROOH.—The darogah of the thannah of Paurooh brought to the notice of the Magistrate the following circumstances connected with the murders of a man and a woman, husband and wife, whose bodies were sent to the sudder station. It appeared that on the night of the ninth ultimo, they went to bed between eight and nine o'clock; but the following morning being unusually late in bed, some of the other inmates of the house entered their bed room, and found them both murdered. There were several wounds on the persons of both, but those on the forehead of the woman and under the right ear of the man, were much greater than the others. The woman had ornaments on her person; but none of them nor a single other article in the room, was missed.

RANAGHAUT.—Six men were on the 17th ultimo committed to the sessions for trial, on a charge of burglary and murder.

AGRA.—The plague is rapidly on the decline, and the virulence of the disease abating in an equal degree. This favourable change has led to a relaxation of the severity of the sanitary regulations on the frontier cordon; and a period of fourteen days is now fixed for quarantine and the disinfection of goods, instead of twenty as before. Persons and property from Bhurtpore and Dholpoor do not now suffer detention, and every restraint, consistent with safety, has been removed.

A considerable sensation has been caused among the sporting community of Agra and its vicinity, regarding the locality of the Club house for the Indiau Turf Club. An endeavour appears to have been made by the officers of the Lancers to remove the Club house from Allyghur, the place first fixed on and the most central for all parties, to Meerut. This has caused much dissatisfaction, as many of the original subscribers reside at Agra and in its vicinity, who would be unable to avail themselves of the Club house were it removed; and these subscribers have signified their determination of withdrawing their names should it be removed. Many others also who would be happy to enrol their names, have declined to do so until the cause be decided; and all of them lean towards Allyghur.

The Race Meeting held on the 5th instant, was very respectively attended, and nearly rupees 1,600 subscribed on the spot.

DELHI.—It has been rumoured about Delhi that Rung Rao, Tehsildar at Rawarree, had been charged with committing a very heinous offence, whereby the sufferer subsequently died, and that, in order to suppress investigation, his friends have been basely engaged to obtain a written denial of his participation in the crime, as an acquittance.

CUTTACK.—The dearth of rice at Cuttack and its environs has lately decreased a little, and the distress to the pilgrims will not, in consequence, be so great as

was feared. They will only be put to about twice the usual expense for their travelling. A number of pilgrims to Juggernaut, however, have returned home for fear of accident from want of water on the way. In certain places within zillah Cuttack the want of water has been very severely felt.

MELANCHOLY ACCIDENT.—Mr. R. Howsden, of the Customs line at Shamlee, accidentally shot himself recently, while travelling dak. He lingered a few days and then expired.

TIRHOOT.—A meeting of the Indigo Planters of this district, is summoned for the 20th instant, for the purpose of framing a code of bye-laws for mutual observance in their transactions with one another.

MOORSHEDABAD.—Two men, master and servant, were poisoned in this place on the 13th of May. The wife of the former, who had an illicit intercourse with the servant, being tired of the barrier her husband opposed to the full enjoyment of her criminal desires, endeavoured to remove it by poisoning him by drugging his victuals. She was too successful—both master and servant partook of the food and soon after expired. The woman is in custody.

NATIVE STATES.

BEKAWTER.—A combination to resist over-assessment by four Thakoor Chiefs, was recently entered into against the Seekur Raja, who called in the aid of Major Forster, who sent a troop to reduce them. They refused to cross swords with this detachment, and having set fire to their villages, five in number, retired to an old fort which was immediately blockaded by the Shekawattee risalla, and the combined quotas of Beekhaner and Shekawatt, Major F. having himself retired to Joonnoo to bring up a couple of guns. During his absence the combined Thakoors made several sallies, in which they suffered much loss, and on the approach of Major F. they evacuated their position, having obtained a free passage through the Shekawatt and Beekhaner posts. They were, however, pursued by Major F., and a few of their force cut down.

KANDAHAR.—A tribe of robbers, who subsisted on the trade between Kandahar and Cabool, have so suffered by its falling off, that almost the whole body has perished. A few of the younger and more athletic who survived, threw themselves on the protection of the Chiefs of Kandahar, who have converted them into soldiers—a profession at but little variance with their former one.

ERAN.—The merchants of this country trading with Bombay, have written to their correspondents at that Presidency to discontinue their periodical consignments, in consequence of the wretched state of the intervening territories of Bokhara and Khorashan. Yet the pacification of these countries is no object with the Government of British India.

AMRAWULPOOR.—Captain Burnes has reached this town, where, with his usual and useful desire to diffuse information, he held a convocation of the principal Sirdars, to whom he unfolded many of the mysteries of knowledge. A Mr. Matheson, an English merchant, under instructions from Runjeet Singh, will join him at Ahmudpoor and proceed thence with him to Cabool.

LUCKNOW.—Messrs. Brandon and Derusett, who had been confined by order of the King, have been released from confinement and dismissed the councils of his Majesty. Their successors have not yet been long enough in office to exhibit their characters, but from what they have done, they appear to be as alive to their own interests as persons in their respectable situations generally are. They do not, however, "boo" with effect equal to their predecessors, nor are they likely to

pander with equal delinquency and unscrupulousness to their royal employer. Economical measures are about to be adopted, the first of which will be the dismissal of 1,000 or 1,200 persons: the philanthropic object of them is to enable the King to recruit his exhausted treasury and thus be able to command a fresh supply of his peculiar pleasures. The chief butler has just been dismissed for dereliction of his duty as deputy-pander to the King.

THE SHEIKS AND AFFGHANS.—There was a mistake in the last account given of the battle between the Affghans and Sheiks. It appears that the fort of Jumrood was occupied by some of Hurree Sing's troops, and that the Affghans attacked them. The Affghans were led by Mahomed Khan who had been ill treated by Hurree Sing three years back, and in revenge had joined Dost Mahomed, for the purpose of regaining possession of the fort of Jumrood, which had been taken from him. He succeeded in persuading the Affghans and Dost Mahomed to give him assistance, and made the desperate attempt to regain possession of his birth-right. The action is described as being very gallantly contested on both sides. Several European officers were present in the Affghan Army, and the Sheiks ascribe the determined character of this invasion, the unusual efficiency of the enemy's artillery, the vast assemblage of troops, and undaunted assault of the Affghans in a great degree to the encouragement and daring inspired by the courage of these European officers. Hurree Sing's armour saved him against sword wounds and arrows, but Mahomed Khan, thirsting for revenge, sought him throughout the contest, and having met with him, fired a carbine at him and wounded him. On seeing who had aimed the fatal shot, Hurree Sing rushed sword in hand at his antagonist, and with one blow cut his body in two! Two sons of Dost Mahomed and ten of Runjeet Sing's chief officers, are said to have fallen: two of the Maharajah's Regiments were literally cut in pieces, and the Affghans captured for guns. Flour was selling at Jumrood after the contest at the rate of one rupee a seer! At the time when the battle was being fought, Maharajah Runjeet Sing was at Guzerat; and on hearing the intelligence of the defeat, he sent all his Chiefs to Peshawur together with all his available forces and guns. On the arrival of Khoshal Sing Jemadar, Sham Sing, and others, the Affghans retreated.

The great action between the Affghans and Sikhs, on the 1st Feb., commenced by an attack made by the Sikhs, under the command of Hurree Sing Nulwa, on the Fort of Jumrood: a breach was made in the walls, and Hurree Sing's force attempted to storm it, but was beaten back with considerable loss. Hurree Sing received two sword and one gun shot wounds, from which he died. He appears to have behaved very gallantly, and is reported, when dying, to have told his attendants not to mention his death until they had deposited his body in the heart of the enemy's citadel. The Commander of the Affghans, Mahommud Uzyl Khan, was also killed in action. Seven thousand men on each side are said to have been slain; the victory was dearly purchased by the Affghans. Jemadar Khooshal Sing, with a large and efficient army, had proceeded to the spot, and the Affghans, not liking the appearance of his innumerable host, commenced a retreat, and were pursued for three days, but eventually succeeded in getting clear away. On hearing this bit of joyous intelligence, Maharajah Runjeet Sing ordered a liberal supply of powder to be distributed amongst the army for the purpose of enabling them to fire salutes!

The ukbars, however, mention that the Affghans have again surrounded the Fort of Jumrood, and that daily skirmishes take place; the Peshawur force was much discomforted at the death of Hurree Sing, but Muha Sing, the Thanadar, and other Military chiefs, administered consolation and encouragement.

The troops of Runjeet Sing, near Shubu Ghur, are opposed by the Affghan Chiefs, Suddut Khan and Mahomed Khan, and are engaged in constant skirmishes.

It is reported that Meer Alum Khan, of Bijour, with a force of 30,000 followers and no end of guns, at the request of the son of Dost Mahomed, has arrived near Durra Mujnee, and seems inclined to cross the river Sindh: and Payindu Khan, of Dhurbund, in the provinces of Gondghar and Mirralee, has formed an insurrection, and plundered, sacked, and burnt several of the Maharajah's villages.

GWALIOR.—One John Fren, an officer in the Maharajah's service, had, in consequence of clamorously demanding his pay, been discharged; he had remained at Gwalior for a month, when, one night, at twelve o'clock, he, with forty followers, encamped at a garden belonging to the Mama Sahib; about three o'clock in the morning he seized one gun and a flag belonging to Secunder's regiment. Oomrao Sing and Zalim, and other Officers, accompanied by a company of soldiers, surrounded his camp, and having explained to Monsieur John Fren, that he had duly been paid up and discharged, enquired why he had committed the act of violence: they seized the gun, on which an engagement ensued, in which John Fren and eleven of his followers were killed, and the rest dispersed, and two of the Gwalior troops were killed and nine wounded.

Three Mahrattas, on behalf of the Baiza Baie, attempted to raise a disturbance at Gwalior lately. They were seized and confined by the Mama Sahib. A soldier named Maharaj Sing, who had been in confinement three months at Gwalior, destroyed himself by running a sword into his body. Colonel Jacob has succeeded in reconciling the Maharajah with the Mama Sahib; there had been some quarrels between them.

CABOOL.—Letters from Cabool mention, that Dost Mahomed wrote to the Khybur Walla that an Army is being assembled in Peshawur for the purpose of invading the country of Lahore and attacking Jellalabad, urged him strongly to join the force and to fight desperately, that he would quickly send two thousand Toorks and a large body of Cavalry, and that whenever Runjeet Sing passed the Attock, he himself would join his force. When the Khybur Walla had read the note, his courage rose, an agreement was made between the two potentates, that they should fight in such a manner as to become renowned throughout the world.

LAHORE.—Maharajah Runjeet Sing has crossed the Chunab. The Zemindars of Wuzerabad made some complaints to the Maharajah—he soothed them and desired the authorities to refrain from any harsh exactions.

BURRUPPOOR.—The Rajah has contracted the prevailing epidemic—a desire for quarantine restrictions, which he has established to the westward of his dominions, so as to detain travellers and goods from Rajwarra and Meywar.

BURDWAN.—In consequence of the intolerable heat recently experienced, the mortality in Burdwan from cholera has been very great—thirty to forty people dying every day. No rain had fallen up to the 18th instant, and in many places the people have in consequence been obliged to work in the night instead of the day.

MADRAS.

INJUDICIOUS ASSESSMENT.—The Government have, within the last year, most injudiciously assessed all the petty cultivation of the Neighbouries; the consequence of which is, that the patches of little gardens for the

growth of potatoes and vegetables, have already decreased round Quatamund, from about fifty to one-tenth of the number; and will shortly wholly disappear: to the great annoyance of the inhabitants, and the serious disadvantage of invalids, resorting to the hills in search of health.

COURT-MARTIAL.—It is said that two Assistant-Surgeons are likely to be brought to a court-martial, for misconduct during the late disturbances at Mangalore. These disturbances, it appears, have been greatly magnified: it is doubted whether fifty armed rebels simultaneously attacked any one point of Mangalore; and there appears to have been a great deal of ammunition expended by both sides, on one particular occasion, without producing any corresponding effect.

BRIGADIER CONWAY.—Brigadier Conway, C. B., died on the 13th instant of cholera.

LORD AND LADY BRUDNELL.—The *Drongan*, with Lord and Lady Brudenel on board, arrived at Cochin on the 12th ultimo.

EIGHTH REGIMENT OF NATIVE INFANTRY.—The 8th Regiment of Native Infantry arrived on the 8th ultimo at the Red Hills, where they are halted for the present. They have lost about 27 men by cholera.

CONSTRUCTION OF A NEW ROAD.—A new road is about to be constructed leading from Parry's Castle to Mr. Huddleston's gate, which will be a great convenience to the inhabitants of Madras, and complete the coast road from the Fort to the Adyar.

CAPTURE OF THE COORG PRETENDER.—The Coorgs have captured the Pretender. He was taken on the 13th ultimo, in a small village in the north of Coorg, bordering on Mysore, by a native district officer of Coorg. His name is Poota Buaupah and he is not a brother to Appamunpara, the prisoner at Trichinopoly, as was alleged, but an unknown and unheard of villager in the northern District of Coorg—not Coorg proper, but one of the provinces ceded to it by Mysore many years ago.

He has told a very plain and unvarnished tale as to the part he has taken. He says that he was taken from his village into the low country and then mounted on a white horse and had a cluttry carried over his head, and was made King, because others would have it so. Upon being questioned as to the motives for creating this disturbance, his reply was that the people were so much oppressed by the Collector and Zillah Judges, that they were driven to desperation, that the latter summoned the poor people from their homes and families to a great distance, as witnesses, and kept them for months at Mangalore without means of subsistence; and the former had levied duties and taxes that had never been heard of.

The troops have all returned from the expedition.

Mr. Lewin lately sent to Baupoo, the Coorg Chief, a letter of thanks for his exertions, with a present of 500 rupees. The money he returned, stating that the exertions made by him and his countrymen have been made not for money, but to secure the confidence of the English Government in their new subjects. We sincerely hope it will reward them by preserving to the people the continuance of the present mode of Government, which seems most acceptable to them. That division of Coorg which has been transferred to Canara is the rebellious district—all the rest of the kingdom of Coorg has most abundantly evidenced its fealty to the English. Baupoo has succeeded in recovering the plate chest of the 2d Regiment of Native Infantry, which he sent to Major Dowker.

MELANCHOLY OCCURRENCE.—A detachment of the 4th Regt. M. N. I. proceeded to a place near Kaseergode to rouse out some two or three score of rebels; it was commanded by Lieutenant Stokes, who had under him Ensign Seppings. On the march a sepoy, Lieutenant

Stokes's orderly, fell to the rear, for which Lieutenant Stokes punished him, report says by blows of a musket—and, ultimately, the man having shown restive symptoms by staying behind and diverting himself of his belts, he took a sword and cut him down, nearly severing his head from his body on the spot. Lieutenant Stokes is now under a guard at Mangalore awaiting investigation of the matter.

serious accidents.—A most shocking accident happened on the 25th ultimo, on the beach opposite the Custom House. A boatman was bathing in the sea in a depth of water just above his knees, and as he stooped down was seized on the breast by a shark. He was observed to strike the shark with both his hands, and the monster then quitted his first hold and bit off first one of the man's hands just above the wrist, and afterwards the other arm. At this instant a surf rolled both the man and the shark up on the beach, the former got upon his legs and walked a few steps, towards his comrades, whilst the shark regaining his upright position got off with the retiring wave. The whole business did not occupy two minutes, and although the boat's crew were close to the spot they could render no assistance. The man was put into a palanquin for the purpose of being sent to the Monegar Choultry, but a large body of the boatmen surrounded the palanquin and carried him by force to his own home, where he died in a few minutes.

On the 27th ultimo, a Musnah boat was upset in the surf and an officer belonging to the *George the Fourth*, a brother of Mr. Phillips of the Civil Service, was unfortunately drowned. Mr. Phillips was on the beach at the time and was an eye witness of the awful calamity.

On the 28th, the *Clairmont* arrived from Bombay and Cochin, completely dismasted, having experienced very severe weather on her passage. A signal was hoisted on board of this ship for an accommodation boat just as one was returning, which went alongside and took Colonel Passmore, Capt. Dunbar and his lady, Mr. Quieres, and a servant of Colonel Passmore's on board. The boat had passed the second water surf and was pulling for the shore, when she broached to, the boatmen instantly jumped out of her, and left the passengers in a powerless boat to contend with an approaching surf; the result was that the boat capized and was broken to pieces, and the gentlemen and lady were left swimming in the surf. Boats and cattamarans were forthwith ordered off to pick up the unfortunate individuals, and they succeeded in laying hold of the Captain of the ship and his lady (which latter had her nose severely cut): they were safely brought to the shore and have since perfectly recovered. Colonel Passmore was picked up below Royspoo-ram (after having been in the water, about 15 minutes), and although the Assistant Master Attendant got the aid of two medical gentlemen who used all means to save the body, it was too late—and Colonel Passmore was buried on the evening of the 27th ultimo. The bodies of Mr. Quieres and a native servant have not been found."

TRIAL OF JEEVAN TOTY.—The trial of Jeevan Toty, for having wilfully polluted the Sudder Bazar Mosque at Hyderabad, by placing therein a slaughtered pig and smearing the walls with blood, has terminated, and the prisoner has been found guilty, and sentenced to be transported beyond sea for his natural life.

A NEW PAPER.—A new paper, called the *New Times*, issued from the Madras press on the first instant.

MAJOR GENERAL FOULIS.—The statement of the death of Major-General Foulis, of the Cavalry, is wholly unfounded in truth.

THE MUNRO STATUE.—The statue of Sir Thomas Munro, by Chantrey, is almost ready, and may be expected by one of the last ships of the season from Europe.

MR. JOHN CROOKSHANK.—At a Meeting of the Justices in Sessions held on the 7th of June, Mr. John Crookshank was unanimously appointed to act as Collector of Assessment for the Town of Madras.

SUICIDE.—A Mr. Zscherpel, went, on the 9th instant, into the shop of Mr. Scaife, the chemist, where he asked a youth in attendance to furnish him with some laudanum, which, as he said, he required to use in straitening furniture. The boy sensibly took the bottle into an inner room where his master was, and asked whether the laudanum should be supplied. He was told, not; but, on returning into the shop to communicate the refusal, he saw Zscherpel in the act of walking out, and a glance at an opened family medicine chest on the counter, shewed that its bottle of laudanum had been abstracted. He returned to inform his master, who desired him immediately to run after Zscherpel and get the bottle back. He followed him accordingly into an inner room of a house, where he saw the unhappy man deliberately unfastening the cover of the bottle. The boy called two natives who were about the place to come and help him, and made a rush to get hold of the bottle. Zscherpel quietly knocked him down, treated one of the natives who came up to him in the same manner, and then, having succeeded in getting the bottle (either an ounce or an ounce and a half) open, he swallowed down the whole contents. Medical assistance was soon obtained, and the usual remedies, with the stomach pump, administered, but without avail. The tremendous dose he had taken too soon operated with fatal effect! The cause of the rash act appeared to have existed in extreme depression of spirits, caused by pecuniary difficulties, and family disagreements. The jury returned a verdict of died from swallowing laudanum while in a state of temporary derangement.

MURDER.—The wife of a labourer who had deserted her husband and was living with one of the lascars attached to the 45th Regiment N. I., was murdered by the husband. The husband had come up to Madras to endeavour to reclaim her, and exhorted the woman to return with him to the charge of a young family she had left behind. His counsels and entreaties were vain—she refused to quit her paramour; and when after repeated interviews he found her purpose unchanged, he gave way to a fit of ungovernable fury, and taking a knife, inflicted on her numerous stabs in the head, neck and body. They must have caused almost immediate death.

BOMBAY.

COL. KENNEDY'S APPEAL.—The Court of Directors have passed a favorable decision on the appeal of Col. Kennedy, and have ordered the immediate appointment of that officer to a situation somewhat similar to the one he formerly held, viz—an oriental translator to Government.

FIRE.—The whole of the hay market of Bombay opposite the Babool Tank, containing twenty-nine large stacks, was burned on the 14th instant. The *Jame Jamshed* estimates the value of the hay at 30,000 rupees. The destruction of such a large quantity of hay and straw has already led to an increase in their prices.

HIGH PRICES OF GRAIN.—All kinds of grain and other necessaries are now sold 25 or 30 per cent dearer than before the occurrence of the fire at Surat. As a considerable quantity must have been exported from Bombay to that place, we suspect advantage is taken of the circumstance by native shopkeepers to raise the prices,

though a portion of the rise is due to a deficiency caused by the quantity actually sent out.

A DUEL.—A duel was fought at Mangalore lately between two officers of one of the regiments sent there on duty. Both parties were wounded, one in the leg and the other very severely in the abdomen.

THE SYED KHAN.—The *Syed Khan*, on her passage from China to Bombay, met with an accident not exactly of every day occurrence. On the 3rd April, in latitude 5° 45' longitude 80° 49', the ship being nearly becalmed, two sword fish were seen from on board, and on the 14th, whilst setting studding sails in the evening, about 14 inches of the sword of a fish was observed sticking in the ship's bows. Eight inches were then extracted, the remainder upon her being put in dock at Bombay.

COL. KENNEDY.—Col Kennedy has been permitted to remain at Bombay on leave of absence.

SUPREME COURT APPOINTMENTS.—The following alterations rumoured amongst the officers connected with the Supreme Court. Mr. Phillips to act as Master in Equity during the absence of Mr. Fenwick for the benefit of his health at the Cape; Mr. Compton, Ecclesiastical Registrar; Mr. Davies, Clerk of Court of Small Causes, and Mr. Ketterer to resume his former appointments of Sealer and Clerk to the Chief Justice. By the death of Mr. Farrier, Mr. Smith also will succeed permanently to the office of Prothonotary.

THE LATE FIRE AT SURAT.—It appears that the accounts of the loss occasioned by the late fire at Surat, have been much exaggerated. The number of burned houses was only one thousand instead of 20,000, and the loss of lives not more than 75 persons altogether, including several who are reported to have been literally baked in which they had taken refuge.

DISURBANCE AT BHOWNDY.—In consequence of the fracas between the Mahomedans and Hindoos, regarding their respective creeds, on the 17th of May several Mussulmans threw some lighted hay upon the warehouse of Mukhun Shett, a Banian merchant, whereby that, with his dwelling house and 15 others in the vicinity, were totally destroyed. This has thrown the Hindoos into such a state of consternation, that every man seems to consider his life and property as held only upon the tenure of the pleasure of the Mahomedan population, against whom from their superior numbers, greater wealth and influence, the Hindoos are afraid to prefer any charges in a public court. Such an alarming aspect do things bear, that a vast number of Hindoos have resolved upon leaving the country, should no check be placed upon the present scenes of violence and insult.

COOLY INSURRECTION.—A cooly insurrection in the Subankanta has taken place and been suppressed within the last three months. We were not cognizant of the affair until it was over.

DISPATCH OF THE ATALANTA.—It is reported that the *Atalanta* will positively be dispatched to the Red Sea on the 1st proximo. The *Hugh Lindsay* is about to be brought into dock, to undergo several improvements.

TRANSIT DUTIES.—It is reported that the Supreme Government is about to abolish the transit duties in Bombay at an early period.

BURMAH.

The Prince of Tha-ya-wottee, in spite of the many obstacles that were at first opposed to him, has obtained the

throne of the Burmese Empire, without a single battle being fought, and very few sanguinary executions. He has laid his hands on hordes of wealth, which the want of vigour in the Indian administration left untouched, and which he obtained from the ministers, every one of whom he has had imprisoned. The old king and queen have gone down into private life. As to where the heir apparent Tsek-ya-mong is, report is silent. The new king has two sons. The eldest has held an important command in the revolutionary forces, and has probably made up his mind to succeed his father. The second son has been appointed Governor of the city of Ava.

CEYLON.

Letters from Kandy, dated the 25th of May, state that a flood similar to that of 1834 has been experienced in that country. Peradenia Bridge was at that time safe although the river had risen one time in the course of that day 7 feet 8 inches beyond the greatest height of the flood of 1834. Gordon's bridge at the foot of the Kadougauawa pass, and another bridge near Ballapana had been altogether carried away, and also the Nana Oya bridge on the road to Gampola. The lake in Kandy has overflowed its banks, and the damage in Kandy and in the country generally, though the extent cannot be ascertained, is supposed to be greater than in 1834.

SERIOUS ACCIDENT.—Three highly esteemed and respected officers of H.M. 61st regiment, Lieutenants Shaw, Harkness and Walker, and six natives, met with watery graves by the upsetting of a boat in which they were on the 22d of May. The squall which upset the boat in which these ill fated gentlemen were sailing, was so violent as to cause H. M. Ship *Andromache*, to drag her anchors, and drive towards the shore. She was fortunately brought up in time by her third anchor.

Lieutenants Shaw and Harkness have each left a wife and children to mourn their melancholy and untimely fate.

PENANG.

THE EX-RAJAH OF KEDA.—The ex-Rajah of Keda, in his own brig the *Julia*, was got underweigh on the 5th of May, by the crew of the gunboat *Diamond*, and under convoy of H. M. sloop *Zebra*, immediately sailed out of the harbour to the southward, and when off midchannel the artillerymen who were placed as a guard over his person, returned on shore. It would appear that the rumour of an intended rescue of his highness by some five or six hundred of his partizans, who were stated to be collected off Pulo Jerajah and Battu Moam, in several prahus, rendered necessary this precaution of their retention on board to the last extremity.

Since the short sojournment in the harbour of his highness, subsequent to his capture at Bruas, it was pleasing to be told the numerous natives who flocked on board daily to pay his highness their respects. The rajah has made two energetic appeals against the ill-treatment he has received from the British Government.

THE RECORDER.—The Honorable the Recorder and Court establishment returned from circuit down the Straits on the 11th of May, in the *Diana*, which vessel steamed up from Malacca in thirty-six hours. His Honor and Lady Norris landed at nine o'clock under the usual salutes.

SINGAPORE.

DUTCH MANŒUVRES.—It is said that the Singapore authorities are likely to receive an early visit from the Resident of Rhio, on some question connected with the island of Lingin. Major Koff, formerly a Commissioner for the suppression of Piracy, being associated in the business with him. The nature of the question to be discussed relative to Lingin is not known, but a recent communication from Batavia mentions the fact of a son of the Rajah of that island having been there some time ago and that it was reported and understood at Batavia that an offer had been made to the Netherlands Government of the sovereignty of Lingin. It is therefore not improbable the gentle Allynheers are about sending this mission to Singapore to sound our inclinations on the subject. It is needless to remark that the possession of Lingin by the Dutch would be no small detriment to the interests of Singapore, as not only

would the whole tin of Singkip be monopolized, and other articles of native produce be thereby diverted from this market, but our manufacturer would be excluded, as in the other minor ports of their government in the Archipelago. Ambassadors from Acheen had also been at Batavia for some time. The object of their mission had not been allowed to transpire. But daily experience teaches us that our government in the Straits cannot be too vigilant in watching the proceedings, and fathoming the designs of the Dutch.

CHINA.

The news from China received during the month, is similar to what was previously obtained. The same vigilance to prevent the opium trade was preserved, and the fulminations against the foreigners, were as loud as ever.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, June 24.)

INDIGO.—The periodical rains seem to have set in at length and rather moderately in Calcutta and in the near neighbourhood on the 20th instant. Much too late it is to be apprehended to retrieve the Indigo prospects in any important degree. At present indeed there has not been time to ascertain accurately how far even these late rains have really extended, although some indistinct accounts are in circulation of the want of rain still in some parts so late as the 20th, while the river is said to have been rising too rapidly in others.

RAW SILK.—Nothing doing for England; the high prices demanded by holders preventing operations. We observe a purchase of a small parcel Radnagore by a Native for the Bombay Market.

SILK PIECE GOODS.—The market continues inactive. A purchase of 400 pieces Radnagore Corahs by a native is the only transaction reported since our last for shipment to Bombay at our quotation.

COTTON.—Several shipments have been made during the week on the *George the Fourth* and *Abercrombie Robinson* for China on account the owners of those vessels. The prices of the produce throughout the assortment are quoted at an advance of 8 annas to 1 rupee per maund on last week's rates.

SALTPETRE.—The transactions during the week are reported, principally for London and Liverpool, we have, however, no change in prices to notice.

SUGAR.—Remains in limited enquiry for Europe. The purchases during the week have been of secondary quality by natives for shipments to Bombay, and the prices show a shade of decline on our last quotations.

LAC.—The only reported transaction in this is a purchase of 50 chests Shell Lac for shipment to Liverpool at unaltered price. The demand for both Shell and Dye continues languid.

SAFFLOWER.—Continues to engage attention, and the purchases reported are for England and France at our last quotations.

GRAIN.—Fine Patna and Patcherry have been enquired for during the week for shipments to England, at a slight improvement in prices.

Amongst the operations during the week we observe a purchase of 8000 maunds Moonghy Rice by Government for Shipments to Penang, Malacca and Singapore.

OPPIUM.—A few lots of the June sale have changed hands during the week for shipments.

The prices of the Drug are quoted at an advance on Benares, and active Shipments are going on in the Clippers.

The quantities remaining in the Hon'ble Company's Godowns up to yesterday are

	of January	February	March	June	Total
	Sale	Sale	Sale	Sale	
Behar,	445	1,190	1,354	3,037	6,036
Benares	312	589	745½	1,924	3,570½
	767	1,779	2,099½	4,961	9,606½

ALUM.—Without report of sale since our last.

CLOVES.—A sale has been effected at a slight improvement in price.

MACE AND NUTMEGS.—A sale of the former has been effected at our quotation.

PEPPER.—Is in limited transaction, at our last quotations.

TIN.—Has been inquired for, with improvement in prices.

MULE TWIST.—Considerable sales of this Yarn have been effected during the week, at a further reduction in prices throughout the assortments.

TURKEY RED AND ORANGE YARNS.—Have also given way in prices.

CHINTZES.—The market for these fabrics continues flat, and sales of Bengal Stripes and Pines have been effected during the week, at a reduction in prices.

WHITE COTTONS.—The market continues favorable for white Cottons, and the descriptions sought for during the week consisted chiefly of Books and Jaconets at better prices than in the last.

WOOLLENS.—We have not heard of any transaction in these since our last.

COPPER.—The prices of this metal compared with those of last week, show still a further reduction nearly throughout the assortments.

The transactions during the week consist of a few sales Sheathing and Tile.

IRON.—Several Sales have been reported this week, but the prices of round, Square and Nail Rods have slightly declined since our last.

STEEL.—Is quoted below last week's prices throughout the assortments.

LEAD.—Pig Stamped, has also given way in price.

SPELTER, TIN PLATES AND QUICK SILVER.—Without sales and remain as last quoted.

ALIEN LAW—DECISION OF THE PRIVY COUNCIL.

Extract from the Judgment of the Lords of the Judicial Committee of the Privy Council, delivered by Lord Brougham, on 22d February, 1837.

The first and by far the most important question brought before us in this case is whether or not the Testator being an alien could devise his real property; in other words, whether or not portion of the English law which incapacitates aliens from holding real estates to their own use, and transmitting them by descent or demise, extends to Calcutta, and to the Mofussil.

As the argument for its extending to Calcutta, is very much stronger than for its extending to the mofussil, it may be well to consider the former in the first place.

It is agreed on all hands, that a foreign settlement obtained in an inhabited country, by conquest or by cession from another power, stands in a different relation to the present question from a settlement made by colonizing, that is peopling an inhabited country. In the latter case it is said that the subjects of the crown carry with them the laws of England, there being of course no *lex loci*. In the former case it is allowed that the law of the country continues, until the crown or the legislature change it. This distinction to this extent is taken in all the books. It is one of the six propositions stated in *Campbell, versus Hall*, 1 Cowper 204 as quite clear, and no matter of controversy in the case, and it had been laid down in *Colvin's case*, 7 Reports, 17, as in *Dutton versus Howell Shower*, Parliamentary cases, page 24, in *Blanchard versus Galdy*, Salke's Reports, 441 by Lord Holt, in delivering the judgment of the Court, and no where more distinctly and succinctly, than in the decision of this Court (of Privy Council) of which Sir Joseph Jekyll gives a statement in 2 Peere Williams, 75.

Two limitations of this proposition are added, to which it may be material that we should attend: one of these refers to conquests or cessions. In *Colvin's case* an exception is made of infidel countries, for which it is said in *Dutton versus Howell*, (Showers Parliamentary cases 31) that though Lord Coke gives no authority yet it must be admitted as being consonant to reason. But this exception or restriction of the principle is treated in terms as "an absurdity" by Lord Mansfield in delivering the Judgment of the Court) in *Campbell versus Hall*, in page 209. The other limitation refers to new plantations. Mr. Justice Blackstone, in the first volume of his commentaries, page 106, says that only so much of the English law is carried into them by the settlers as is applicable to their situation, and to the condition of an infant colony; and Sir William Grant, in the case of the Attorney General *versus Stewart*, 2 Merviale, page 161, applies the same exception even to the case of those conquered or ceded territories into which the English law of property has been generally introduced. Upon the ground he held that the Statute of Mortmain does not extend to the colonies governed by the English law unless it has been expressly introduced there, because it had its origin in a policy peculiarly adapted to the circumstances of the mother country.

Then is Calcutta to be considered as an uninhabited district settled by English subjects, or as an inhabited district obtained by conquest or cession? If falls within the latter description, has the English law incapacitating aliens ever been introduced? If that law has never been introduced has there been such an in-

roduction of the English law generally that those parts of it which have been introduced draw along with them the law touching aliens?

Answers to these three questions, if they do not exhaust the argument, seem to carry us sufficiently near to the conclusion at which we seek to arrive, and it will include a consideration of the only reason for the propositions upon which the judgment below is mainly rested, viz., that the Royal prerogative extends necessarily, and immediately to all acquisitions, however made, and that the forfeiture of aliens' real Estate is parcel of that prerogative.

With respect to the first question, namely, what is the proper description of Calcutta?—the district on which Calcutta is built, was obtained by purchase from the Nabob of Bengal, the Emperor of Hindoostan's Lieutenant, at the very end of the 17th century. The Company had been struggling for nearly 100 years to obtain a footing in Bengal, and till 1696 they never had more than a factory here and there, as the French, Danes, and Dutch also had. Till 1676, the Company's whole object was to obtain the power of trading, and it was only then that they secured it by a firman from the Emperor. From that year till 1696 they in vain applied to the native Government for leave to fortify their factory on the Hooghly, and it was only then that they did make a fortification, acting upon a kind of half consent given in an equivocal answer of the Nabob. Encouraged by the protection they were thus enabled to afford the natives, many of those natives built houses as well as the English subjects, and when the Nabob on this account was about to send a Cazy or Judge to administer justice to those natives, the Company's servants bribed him to abstain from this proceeding. Some years afterwards the Company obtained a grant of more land and villages from the Emperor with renewed permission to fortify their factories; during all this period tribute was paid to the Emperor or his officer the Nabob, first for leave to trade, afterwards as Zemindars under the Emperor, and in 1757, the year memorable for the battle of Plassey, the treaty was entered into with Jaffir Ally indemnifying them for their losses, ceding the French possessions and securing their rights, binding them to pay their revenues like other "zemindars." Eight years later they received likewise from the native Government a grant of the Dewanny or Receivership of Bengal, Behar and Orissa, and of their subsequent progress in power it is unnecessary to speak. Enough has been said to shew that the settlement of the Company in Bengal was effected by leave of a regularly established Government in possession of the country, invested with the rights of sovereignty and exercising its powers; that by permission of that Government, Calcutta was founded and the factory fortified in a district purchased from the owners of the soil by permission of that Government, and held under that Government by the Company as subjects owing obedience, as tenants rendering rent, and even as officers exercising by delegation a part of its administrative authority.

At what precise time and by what steps they exchanged the character of subject, for that of sovereign, or rather acquired by themselves or with the help of the Crown and for the Crown the rights of sovereignty, cannot be ascertained. The sovereignty has long since been vested in the Crown, and though it was first recognized in terms by the legislature in 1813, the act 53, Geo. 3. c. 155 s. 95 is declaratory and refers to the sovereignty as "undoubted" and as residing in the Crown. But it is equally certain that for a long period

of time after the first acquisition no such rights were claimed nor any of the acts of sovereignty exercised, and that during all that time no English authority existed there which could affect the land or bind any but English subjects.

The Company and its servants were then in the situation of the Smyrna or the Lisbon factories at the present time.

The next question is, has the English law incapacitating aliens ever been introduced? It follows from what has been said not only that Calcutta was a district acquired in a country peopled and having a Government of its own, but that for a long course of time no such law as that which incapacitates aliens could be introduced any more than it could now be introduced into such part of the Asiatic or Portuguese territory as those factories may occupy. But even when the sovereignty vested in the Crown, there is every argument of probability against a law being introduced so inapplicable to the circumstances of the settlement. Sir William Grant's reasons for confining the Mortmain act to England have a manifest application to this; for though they are mainly drawn from the provisions of that act being adapted to the peculiar circumstances of the mother country, yet they plainly proceed upon the assumption that the intention of the legislature to confine the operation of the act may be gathered from thence, and it should seem that such intention is even more directly to be gathered from the fact that the provisions in question are manifestly inapplicable to the circumstances of the settlement than from the fact upon which the judgment in the case of the Attorney-General v. Stewart proceeds, namely, the circumstances that gave rise to the act being peculiarly British.

At whatever time the sovereignty was acquired and the power of introducing the alien law became vested in the Crown, the real property of Calcutta must have been held indiscriminately by subjects and by foreigners. The sudden application of such a law is in the highest degree improbable, because it would work great inconvenience and grievous injustice. But if the sovereignty were gradually acquired, if the transition of the Company from the state of subjects under the Mogul to an independent authority was slowly made by imperceptible steps, the introduction of the alien law becomes still more improbable, for no act could then be done by the party obtaining the dominion, nor any stipulation made by the party becoming subjects to secure the rights of the one or restrain the power of the other. This may always be done where a conquest or cession at once vests the sovereignty of a district in one state which had previously belonged to another. The treaty may ascertain and almost always does ascertain the relative rights of the parties as to the property of the country; but in the present case in which the property was gradually and imperceptibly acquired, no such definition could possibly take place, and this exceedingly increases the improbability of such a law ever having been introduced at all.

Nor does the argument rest here; the well known facts are wholly inconsistent with the supposition that this law ever was in operation, and the acts of the sovereign power, the legislative acts of the Crown, and those whom its authority has been delegated, and the acts of the Parliament itself, plainly proceed upon the footing of this law never having extended to Bengal.

The facts must of necessity be numerous and of constant occurrence, for every foreigner holding a house by lease or by freehold tenure affords an instance of the law not being in operation, and no instance has been produced, indeed it is agreed on all hands, that no instance

has ever existed of a forfeiture to the Crown for this cause. There is no such thing known in those parts as an inquisition of office or any analogous proceeding or any proceeding whatever for entitling the Crown or those exercising its delegated authority to the real estate or the chattels real of aliens within the district: when those foreigners die their real estates have descended to their heirs, or been taken by their devisees, or been administered as assets by their executors without any claim ever having been made by the sovereign power which would here, in England, have been entitled without any office. Ejectments have been brought and the parties in possession have never been advised to set up the defence that the lessor of the property claimed by descent from an alien, and dower has been assigned to widows alien also.

Previous to 1826, which is long after the present proceedings were instituted and after the first decree in the cause was made, no mention of the subject appears ever to have been made in any place or in any court of justice. Assuredly if the law be as is contended and the Crown by law is entitled, no one can contend that it is too late to declare the law and enforce the right. But the whole question turns upon this, has the law in question been introduced? and the non-claim is material to shew that it has not been introduced, because it has not merely the acquiescence of a party, it is the acquiescence of that power which alone possessed the right to introduce the law and affords strong proof that this power never had introduced it.

But the acts of the same power afford positive evidence yet more distinct. The Charter of the 13th George 1st expressly sets forth that the intention of the Crown is to induce foreigners to settle within the district. No other meaning can be collected from the preamble to that Charter the words are these:—"Whereas the East India Company have, by a strict and equal distribution of justice, very much encouraged not only our own subjects but likewise the subjects of other powers, and the natives of the adjacent countries ('the subjects of other powers,' are clearly put in contradistinction to the native's) to resort to and settle in the said towns, factories and places especially in Calcutta, Madras and Bombay." Then, in order to enable them the better to administer justice, (the due and equal administration of which had, as is stated, the effect of attracting strangers,) Corporations of Mayor and Alderman are constituted in the three presidencies, with power to administer justice, and it is expressly provided that of the nine Aldermen in each presidency, consequently in Calcutta, seven shall be natural borne subjects and two may be subjects of any other prince or state in amity with the Crown; and all of these nine Aldermen, when the provisions come to be made for electing them in case of vacancies, are to be chosen from the principal inhabitants of the presidency.

In the successive renewals of this Charter down to the end of George 2d, the only change that is made in this provision, is adding the qualification, that of the nine Aldermen, the two foreigners shall be Protestants. This Charter could hardly have been so worded had the Crown intended that all aliens should be incapable of holding lands, and it certainly could never have contained the provision that two aliens might hold offices of trust under the Crown, or have directed that all the Aldermen including the aliens should be chosen out of the principal inhabitants, if the general incapacities of aliens by the English law had been introduced into Bengal. For even if their disqualification to hold office can be traced no higher than the statute, there can be no argument raised in favour of the introduction of this part of the English law into Calcutta before the statute of William the 3d was passed.

Observe too, in what way the supreme authority in Bengal, exercising the delegated powers of sovereignty, regards aliens, and mark if it views them as at all on a different footing from subjects in respect of rights of property. The Regulation 38, 1793, was made, as the title states, to enforce the "existing rules against Europeans of any description, holding lands without the sanction of the Governor in Council," and the 3d Section enacts that "no European of whatever nation or description shall purchase, rent, or occupy directly or indirectly any land out of the limits of the Town of Calcutta, without the sanction of the Governor General in Council; and all persons now so holding land beyond the limits of Calcutta, without having obtained such permission in opposition to the repeated prohibition of Government or who may hereafter so purchase, rent, or occupy land, shall be liable to be dispossessed of the land at the discretion of the Governor-General in Council, nor shall they be entitled to any indemnification for buildings, which they may have erected on any account."

No statute made for England could have been so framed. It would have been absurd to prohibit Europeans "of whatever nation or description" doing that which only one class of Europeans, namely, British subjects, could by law do. The provision of the Bengal regulation manifestly proceeds upon the assumption, that persons other than subjects could but for the prohibition and the former rules which it is made to enforce, have held lands. It declares, that aliens as well as subjects shall be liable to be dispossessed of lands purchased contrary to the enactment, which would have been wholly absurd if aliens had been liable to be dispossessed upon offence found, whether the prohibition had been issued or not. It would be difficult to produce a clearer recognition that the sovereign power did not consider that the alien law had never been introduced into Bengal. But it seems also to admit, that in Calcutta, and notwithstanding the prohibition, foreigners as well as subjects might hold lands without licence, for it confines the prohibition to the Mofussil—"out of Calcutta," are the words.

The same inference is still more strongly raised by the statute passed in the year 1528-9 Geo. 4 c. 33; the title is "for declaring and settling the law respecting the liability of the real estates of British subjects and others, (that is, persons other than British subject) within the jurisdiction of the Supreme Courts in India, as assets for the payment of the debts of their deceased owners." It declares and enacts "that whenever any British subject shall die seized of, or entitled to, any real estate in houses, lands or hereditaments, or whenever any person not being a Mahomedan or Gentoo shall die so seized or entitled," then "such real estate of such British subject or other person as aforesaid shall be assets; and it afterwards declares the executor or administrator "of such British subject or other person," entitled to sell and dispose of such real estate, and to convey and assure the same to a purchaser in as full and effectual a manner as the Testator or Intestate could or might have done in his life time."

Surely, this could have no meaning, unless persons other than British subjects, that is, aliens, could by law "be seized of or entitled to real estate," and nothing could be more absurd than to declare that the Executors and Administrators of aliens should be entitled to sell the real estates of alien testators or intestates in as full and effectual a manner as the testators or intestates could have done if those testators or intestates could not in any manner or way have sold or demised or in any way dealt with such estates. Suppose such an enactment to have been made in any statute relating to this country and see how absurd it would have been. This seems strongly to prove that our laws as to aliens was

not understood by the legislature to have been introduced into India before the year 1828, and yet the earliest of the cases, the only one before the case at bar, had been decided at Calcutta, I think the year before.

But it seems to be contended both here and below, that there is something in the law incapacitating aliens which make it, so to speak, of necessary application wherever the sovereignty of the Crown is established, as if it were inherent in the nature of sovereign power, to which a sufficient answer has been already afforded, if the acts of the sovereign power to which we have referred show that no such application to Bengal ever was contemplated, unless direct authority can be produced to shew that this right is inseparable from the sovereignty and, as it were, an essential part of it. Now there is no intimation of any thing of the kind in these cases, where the whole subject is discussed most at large, as in Colvin's case, where all the doctrines connected, however remotely with each head of the argument are broached in Lord Hale's famous judgment in *Collingwood v. Pace* in 1st Ventris, in Lord Mansfield's judgment in *Hall v. Campbell*, nor in the later cases of *Doe v. Acklan*, &c. But in the absence of any such authority the distinct recognition by the sovereign of the capacity of aliens is itself a strong authority against the position which affirms the title of the Crown to aliens' estate to be inseparable from the sovereignty. At the very least it shews either that the right in question does not exist or that it has been waived and renounced.

It should seem, however, independently of these considerations, that there is no variant in the nature of the thing, for the position that this right is an inherent of sovereignty. In several other countries the sovereign has no right. In France, for example, aliens can hold lands without entitling the Crown, and can transmit them to their heirs, the *droit d'aubaine* having been abolished at the Revolution and the proviso of reciprocity at the Restoration, the law providing that the heir of the alien possessed of lands in France shall succeed to those lands upon his decease, provided that the same law holds in the country to which the alien belongs in favor of a French subject claiming to transmit by succession to his heir in that country. But that has been repealed in 1814 upon the Restoration, and now the law stands discharged, as it were, of that proviso. Besides, if reference be made to the prerogative of the English Crown, that prerogative in other particulars is of as high a nature being given for the same purposes of protecting the state, and it is not contended that these branches of the prerogative are extended to Bengal. Mines of precious metals, treasure, the royal fish are all vested in the Crown for the purpose of sustaining its power and enabling it to defend the state. They are not enjoyed by the sovereign in all or even in most countries, and no one has said that they extend to the East Indian possessions of the British Crown.

Can it then be contended in the third place, that the general introduction of the English law draws after it or with it that branch which relates to aliens? This is the third question proposed, and to this an answer or the materials for an answer have already been furnished; for had the negative position only rested upon want of instances, where the right of the Crown had been enforced, it might have been said that the general application of English laws, implied that of the portion in question. But the acts of the power which alone could introduce this portion, and which alone introduced the English laws generally, shew, that it was introduced not in all its branches but with the exception of this portion at the least. This must be admitted, unless it can be maintained, that there is no possibility of introducing the English law at all without introducing every part of them, which clearly cannot be asserted, for not-

withstanding the extent to which these laws have been introduced, it is allowed on all hands, that many parts of them are still unknown in our Indian dominions.

The arguments to which we are advertent assumed, that the English laws regulating real property generally, have been introduced, and for this position the case of *Freeman v. Fairlie*, has been cited; but that case only decided that the estate in laws and tenements of a British subject in Calcutta, was of such a nature as descend to him according to the English law of succession.—That it was freehold of inheritance. It is true that this conclusion was reached by the adoption of the largest position that the English law had been introduced into the settlement, but whatever went beyond the point of the land, being freehold of inheritance, was *obiter*, and cannot be said, to have been decided. It must further be observed, that the grounds of the more general position were chiefly the practice of the settlement in regard to the mode of conveyance, viz., by lease and release with the course of succession, and also the Charters of the Company with acts of parliament referring to them, the Charter of the 13th Geo. 1st (1726) being the one principally cited. Now, no one who reads that able judgment can entertain a doubt that the same learned judge, had he been, called upon to determine whether or not the law extended to alien incapacities, if he found the practice wholly against this extension, on which practice he had mainly relied in disposing of the question as to whether the land was freehold of inheritance or not,—if he had found that without any exception the practice was wholly against this usage,—if he had also found the language of the Charters especially that of 1726, as well as the provisions of the Regulations of 1793 and of the act passed in 1828, all proceeding upon the supposition, or assumption, or understanding of aliens being equally capable with subjects of holding and transmitting real property, there is no doubt that he would have decided against extending and applying to the law of alienage the proposition which in the want of one class of cases and in the presence of an opposite class of cases he had laid down upon that branch of the English law connected with the case then under his immediate consideration.

If indeed the whole English law of real property, of even all its principal provisions, have been introduced into these settlements, an event which must have taken place many years back, how came it to pass, that as late as 1819, there could have been any question made whether or not, wills to pass real estate must be witnessed according to the provisions of the statute of frauds? Yet it was then,—and while *Freeman v. Fairlie* was pending before the same Court for the first time,—determined that those provisions extended to Calcutta, determined too upon a full enquiry into the facts; and examining evidence of persons conversant with the Indian law and its, is plain from the enquiry which Sir William Grant had directed, and from what Sir Thomas Plumer afterwards says, in giving judgment in *Gardiner v. Fell* in 1st Jacob and Walker page 29, that the mere proof of property being fee simple, and inheritable by the English law, was not sufficient to prove that the statute of frauds touching its transmission to devisees, extended to property in that country. But a further enquiry was directed, whether it passed by the will without more than two subscribing witnesses: nor can any distinction be taken between that case and the present, upon the ground that there the question related to the introduction of a statute, and that here the introduction of the common Law is in dispute; for in *Freeman v. Fairlie* and in almost every question that can be raised, touching the application of the forms of conveyance known in our law, the agreement is confined entirely to assurances which are the creatures of statute, no instance ever having been produced of land passing in Calcutta by the common law

conveyance of Feoffment and Livery. The introduction of the English law is proved by shewing that the mode of conveyance is adopted by lease and release, that is upon the statutes of uses.

Reference has been made both here and in the Court below to the opinion of Sir F. Norton in 1764, and the true account of that opinion was given here, though it does not seem to have been accurately understood below. It holds very distinctly, that the subjects of a conquered or a ceded territory are only to be considered as not being aliens by virtue of the treaty, which gives them the rights of subjects, and that none but such as can claim the benefit of the treaty, can hold or transmit lands. We say this is the purport of the opinion, and that it was so represented here, for indeed the argument maintained by the Crown, requires the proposition to be carried thus far—requires to be contented that upon a conquest or cession, all the inhabitants continue aliens after the change of dominion, unless and until the conqueror or purchaser grants them naturalization.

But this position seems wholly untenable, for all the authorities lay it down, that upon a conquest the inhabitants *ante nati* as well as *post nati* of the conquering country, become denizens of the conquered country. It is so laid down in Colvill's case in two several parts of it; and to maintain that the conquered people become aliens to their new Sovereign, upon his accession to the dominion over them, appears extremely absurd—almost as inconsistent with common sense, as it would have been to hold English inhabitants aliens under James the first, at a time when there was even a question raised, whether the *ante nati* of Scotland did not become by his accession denizens of England. The Court below, it must be observed, distinctly admit, that conquest operates as a virtual naturalization. But Sir F. Norton holds without expressly stating his opinion, he proceeds upon the supposition, that without express provision in a treaty the subjects conquered are aliens.

Even if all the rest of the argument be admitted, still it cannot be denied, that the Crown may relinquish its prerogative; and, indeed, whenever the inhabitants of conquered provinces are held to obtain the right of subjects by treaty, even Sir F. Norton has no doubt of this being possible, those who hold the doctrine most rigorously must say, that the treaty is a voluntary abandonment of a right of the Crown. It evidences the will of the sovereign, to exempt the conquered territory from this branch of his prerogative. But the same will or the Sovereign may be collected from other circumstances, and the like abandonment of the prerogative be thus evidenced. The Charters, the Regulations, and the Act of Parliament, to which reference has so often been made, appear sufficient circumstances from which to collect this will of the sovereign and to prove the abandonment in the present case, and this even upon the supposition that in consequence of the prerogative being generally admitted the proof lies on those who would set up an exemption on those who would shew that the English law of forfeiture was not introduced into Calcutta rather than on those who undertake the affirmative proposition.

Upon the whole, their Lordships are of opinion, that the law incapacitating aliens from holding real property to their own use, and transmitting it by descent or devise, has never been introduced into Calcutta. There appears still less reason to hold that it has ever obtained a footing in the Mofussil, but into the additional grounds for differing from the Court below upon that part of the case, it is unnecessary to enter, as we consider that the decree must be reversed upon the part relating to the Calcutta property, and therefore can have no doubt as to pursuing the same course with the part relating to the Mofussil property.

Upon this branch of the cause, therefore, it will be necessary to reverse that part of the decree which declares, that the testator having been an alien at his decease, his lands and houses in Calcutta could not pass by his will, and that there was not evidence sufficient to determine whether or not the testator's lands and hereditaments in the mofussil could pass by his will together with the consequential directions, and then to declare, after reversing that, that all the real property of which the testator died seized within the Presidency of Fort William, whether in Calcutta or not, except in Chandernagore, passed by his will and formed part of the residue; and an enquiry must be directed as to the nature and tenure of the property at Chandernagore and the usages and laws prevailing there touching the right of an European alien to devise the same, but confining the enquiry directed by the decree to such property—that is the property at Chandernagore, and also to ascertain what part of the funds now standing to the account of the cause has arisen from the rents and profits of the property at Chandernagore and the interests of those rents and profits.—*Bengal Harkaru, July 3.*

AT A MEETING OF THE JUDICIAL COMMITTEE OF HIS MAJESTY'S MOST HONORABLE PRIVY COUNCIL.

Council Office, Whitehall, Friday 16th December, 1836.

YOUNG AND OTHERS, ASSIGNEES OF PALMER AND CO.—*Appellants.*

AND

THE BANK OF BENGA.—*Respondent.*

Copy from Mr. Gurney's short hand Notes.

JUDGMENT.

LORD BROUGHAM.—This was an appeal from the Judgment of the Supreme Court of Calcutta, in an action brought by the Assignees of J. Palmer and Co. against the Bank of Bengal in which a verdict had been taken by Consent subject to the opinion of a Court on a special case.

The case stated that Palmer and Co. had been in the habit of obtaining loans from the Bank on the deposit of Company's negotiable paper as well as on the discount of their own and other securities. That in the month of November, 1829, Palmer and Co. obtained in this way six several loans from the Bank, amounting in the whole to 417,000 sicca rupees, depositing Company's paper to the amount of 460,000 sicca rupees, and giving their own promissory notes at three months' date for the sums thus advanced by the Bank. By these six promissory notes Palmer and Co. engaged to pay the several sums advanced with interest, and each note contained a further statement that so much Company's paper had been deposited for the reimbursement of the Bank at the expiration of the three months' credit, rendering to Palmer and Co. any surplus arising from such sale, and with an undertaking of Palmer and Co. to make good any deficiency, and to pay 12 per cent interest from the expiration of the credit until the debt should be discharged or the paper be sold.

The several credits expired in February 1830,—the first on the 15th of that month and the last on the 28th, and on the 4th of January, whilst the whole of the loans remained unpaid and the whole of the deposits were in the hands of the Bank unsold, Palmer and Co. were adjudged

Insolvent under the 9th of Geo. 4th, and the plaintiffs were appointed Assignees of their Estate and Effects.

At the same period, the 4th of January, the Bank held two promissory notes of Palmer and Co.'s at three months' date for 40,000 and 60,000 sicca rupees, payable, the former the 24th of January and the latter the 7th February 1830. These notes the Bank held as indorsees for value, Palmer and Co. having discounted them with the Bank in the ordinary course of business and before the first of the six loans, viz. on the 21st of October and the 4th November 1829.

None of the loans being paid by the Insolvents or their Assignees, the Bank proceeded to sell the paper deposited according to the terms of the agreements, and there remained a surplus upon the six sales of 30,176 10 8, after paying off the several loans with the interest stipulated. For this sum with the interest at 5 per cent. after the dates of the several sales the action was brought. The Bank sought to set off the sum due upon the two promissory notes which they held as indorsees for value, and which remained unpaid against the surplus of the deposits made upon the subsequent loans, and the Court, on the case reserved, being of opinion that this set off was competent to the Bank, gave Judgment for the defendants, which was entered up the 29th of August 1833, and is now brought before this Court by appeal.

The Act under which the proceedings were had upon Palmer and Co.'s Insolvency (9th Geo. 4 chap. 73) contains a provision sect. 36, similar to the 50 sect. of the English Act 6. Geo. 4th, chap. 16, touching mutual debts and credit, and although there are some words of the latter omitted, particularly those respecting "mutual debts between the parties" and those requiring the Commissioners to state the amount between them, "yet as there is a very general declaration that all such debts due and claims as may be proved and a commission of bankruptcy according to the Act of 6. Geo. 4th may also be proved in a proceeding under this act in the same manner and subject to the like deductions and provisions as in the 6. Geo. 4th, are set forth and described, it is manifest that the proceedings are entirely assimilated that the difference in the preceding portion of the section is immaterial, and that the present question is to be dealt with and disposed of exactly as if it had arisen in a proceeding in bankruptcy under the English Acts.

It is equally clear that in this case the question turns upon the right of set off given by the Statute, which extended the set off recognized by the Common law (anonymous one *Modern* 215 and *versus* two *Vernon*.) But for that extension it never could be contended that the Bank had a lien upon the securities deposited beyond the amount of the money advanced upon the credit of those securities, since even in the most favourable view which could be taken, that of the Bank being Palmer and Co.'s Bankers, the lien per the general balance of the customers account would, in this case, be restricted by the circumstances in which the deposit was made. This is clearly admitted in *Davis versus Bowsher*, 5 Term Rep. 488 where the general lien of Bankers was first distinctly ascertained. Nor can it be said that the debt due by Palmer and Co. on the promissory notes discounted had any connection with their deposit of the Securities; for that debt was contracted before those securities were deposited, and the Bank could not have had them in contemplation when it discounted the notes.

The claims of the Bank is accordingly rested upon the 50 sect. of the Bankrupt act, which is taken from the 28 section of the 5 Geo. 2d chap. 30, with such additions as were supposed necessary for enabling contingent debts

to be set off since these were by the new act made proveable. Every debt or demand made proveable by the act against the estate of the bankrupt, may by this 50th sect. be set off "against such estate," that is against any debt or demand of the Bankrupt's Estate. But the former provision is retained with the addition of the said "demand" taken from 46 Geo. 3d, namely, that where mutual credit has been given by the Bankrupt and any other person, or where there are mutual debts between the Bankrupt and any other person, the Commissioners shall state the account between them and one debt or demand may be set against another, and the balance only be claimed or paid on either side.

The question then is whether or not there were mutual credits or mutual debts between the parties to the transaction now under consideration. That there was both a debt from Palmer and Co. to the Bank and a credit from the Bank to them is undeniable. The Company were both previously indebted on their notes discounted, and by the money advanced on the deposits, but that is not enough, unless either the Bank was admitted to them or they had in the Bank credit. The only question then is had or not the Company given the Bank credit before the bankruptcy within the meaning of the Act—in other words was the deposit of the negotiable paper with power to sell, and pay over the surplus in case the advance made on it, should not be repaid a credit given by the bank to the Company? If it was a credit we may further observe that it was so only to the extent of the surplus, for as far as regarded the monies advanced to secure which the deposit was made—that deposit was only in present a bailment and even in future a payment of Palmer and Co.'s debt to the Bank. The question is whether or no the deposit quoad the surplus amounted to a credit given, whether or not Palmer and Co. giving the Bank a power to possess themselves of the surplus after repaying themselves their own debt when that debt should become due, can be said to be a giving of credit to the Bank.

Now although generally speaking debt and credit are co-relative terms and A giving credit to B may seem to imply that B is indebted to A, yet it may be admitted that the introduction of the words "mutual credit" extends to the right of set off to cases where the party receiving the credit is not debtor in present to him who gives the credit, accordingly the relation contemplated by the statute has been held to be established where the debt is immediately due from the one party and only due at a future day from the other. It was so held in *ex parte Prescott and Atkyns*, where the mutual credit was constituted by simple contract debts presently due on the one side and a speciality debt not due on the other. *Smith v. Hodson*, 4 term Rep. *Hankey v. Smith* 3 term Rep. and many other cases affirm the same doctrine, but in none of those cases was there any uncertainty as to the party said to receive the credit becoming sooner or later debtor in present to the other, in none of them did the existence of the relation of debtor or creditor depend upon the pleasure of one party,—in all of them the party said to have given the credit had placed the other party in a situation which he himself could not alter, had given him funds of which he could not dispossess him, or which is the same thing, a power over funds which he could not revoke. The case is materially different where one of the parties has actually become indebted to the other and can only cease to be so by paying the debt; but the other has only acquired a power which may end in making him debtor, or not, according as the donor of the power pleases. A is indebted to B and B is neither actually indebted to A, nor under any liability which must needs end in his being A's debtor; but has only been intrusted with a power over A's funds to be executed at a future time if A pleases, but if A thinks proper never to be executed at all, admitting that in the event of A never revoking the

power a debt will arise, the existence of that debt is de-seizable; the only certainty is, that A in order to revoke the power must do an act wholly unconnected with giving B any credit, namely discharge a debt due to B. Now it is not denied that Palmer and Co. could at any time have prevented the Bank from ever receiving the surplus, in respect of the possibility of which surplus arising, the credit is supposed to have been given by repaying the monies advanced, they could regain possession of the deposit and the power of sale was determined without any consent of the Pawnee.

Again not only did the existence of any debts at any time depend upon the depositor, but he had no such debts as could have been proved under a commission against the Pawnee. The words added "and every debt or demand hereby made proveable" to the recent act for the purpose of including contingent debts, shew that debts in order to be set off are supposed proveable, which indeed appears to follow from the nature of the case. Suppose the Bank of Bengal had been made bankrupt before selling the paper, it is clear that Palmer and Co. could not have proved against their Estate for the contingent surplus. The paper was deposited to answer a specific purpose, and if any use had been made of it, inconsistent with the terms of the deposit, the Pawnee would have committed an offence, a breach of trust, certainly a transportable offence if the Bankers Act (52 Geo. 3d) extends to Bengal.

But unless the power of sale was executed by the Pawnee (in which case he became the debtor at once) however could he said to have contracted a debt either present or contingent to the Pawnee and consequently the pawner could make nothing.

Next it must be observed, that though the question is on the statute, and though the statutory right of set off extends, the right known to the common law, yet the Common law principle of mutuality which is of the essence of set off, must prevail, and if the deposit or rather its surplus could not be set off against the demand of the pawnee, so neither shall the pawner's debt be set off against the surplus. Lord Hardwicke appears to have mainly proceeded on this view in *ex parte Ackendon Atkyns*. Could the Miller, he asks, have refused to deliver up the corn in an action at the Cornfactor's instance, by claiming to set off a debt due unconnected with the deposit, and vice versa, could the Cornfactor have set off the value of the corn in an action by the Miller for money lent at a former time? Holding that both questions must be answered in the negative, he considers this as decisive against the Miller's right to set off the debt antecedently due from the Donor, and Lord Mansfield, in giving the Judgment of the Court of King's Bench, some years after in *Green v. Farmer*, in 4 Burr. 2,324, after reading his own note of *ex parte Ackendon*, observes that Lord Hardwicke, though he could not construe a dealing to be within the mutual credit clause of the bankrupt act, unless it could be so construed in an action of Trover; and adds "That certainly is so." But if the same test be applied to the present case there is an end of the question. For first no one contends that had Palmer and Co. repaid the monies advanced on the deposit, the Bank could have retained the paper for their antecedent debt, which is one of the points made by Lord Hardwicke, and next had the Bank brought their action upon the notes which they held as indorsees, it is manifest that Palmer and Co. never could have set off the surplus which might arise from the sale of the paper deposited, which is the second of Lord Hardwicke's points.

No doubt the case would have been altogether different had the Bank actually sold the paper and received the surplus prior to the bankruptcy; for then they would

have been debtors in that amount to Palmer and Co. and the case would have been one of mutual debts; supposing the notes discounted then due, or supposing them not yet due, it would have been a case of credit given to Palmer and Co. by them, and of debt due from them to Palmer and Co. and so clearly within the statute—this is the case of *Atkinson v. Elliott*, in 7 Term Rep. but is wholly different from the case at bar.

There is nothing inconsistent with what has now been advanced in this decision, or in the language used by the Court of Common Pleas in the case of *Rose v. Hart*, 8 Taunton 499, where the former case of *Olive v. Smith*, 5 Taunton 55, was reconsidered and a material qualification added to the generality of the doctrine which had there been laid down. In *Cvile v. Smith*, a broker had been allowed to set off a debt antecedently due from his employer against the losses recovered from the underwriters on Policies deposited in his hands. In *Rose versus Hart*, the Court held that such a set off is only competent to the Pawnee in cases where the thing alleged to be a giving of credit either constitutes a present cross debt or must end in one. This limitation of the case of *Olive versus Smith*, has in subsequent cases been approved and followed, *Sampson versus Burton* two Brodks. and Bing.—*Rose versus Sims* one Barnewall and Adolphus, and although the Court in *Easum versus Cato*, five Barnewall and Adolp. appeared to hold that it was enough if the transaction would most likely terminate in a debt, yet it is to be remarked that the argument went entirely upon other grounds, and the decision cannot be justly said to have relaxed, the restriction by which the Court of Common Pleas had in *Rose versus Hart* qualified its former opinion. If it be admitted that there can arise no right of set off in respect of mutual credit unless the dealing be at the time of the Bankruptcy such as necessarily and at all events to terminate in creating the relation of debtor and creditor, between the parties; then is the present case out of that rule and the Bank's claim of set off defeated—nor will the reversal of the judgment below be found repugnant to any of the cases except *ex parte Doize* and *Olive versus Smith*, of which the latter appears to have proceeded almost, if not altogether, upon the authority of the former, not to mention that it falls in some manner within the scope of Lord Mansfield's observation in *French versus Fenn* to be afterwards cited.

It is impossible to regard *ex parte Doize* as resting on the ground upon which the report in *Atkyns* places it; and although Lord Mansfield in *Green versus Farmer*, seems to vouch for the accuracy of that report as well as of the report in the same Book, of *ex parte Ackandion*, he nevertheless refers to Lord Hardwicke's statement, in the latter case, that in the former there had been some evidence of a usage, and gives it as the result of his own enquiry respecting *ex parte Doize*—that the Packer (the Pawnee) was by the usage in the nature of a Factor, a reference which we have made to Lord Hardwicke's original note books has confirmed this statement, that the power of usage was made and evidence adduced respecting it. From hence and from Lord Hardwicke's subsequent decision in *ex parte Ackandion*, as well as from what has been said both in the Common Pleas on King vs. Flint eight Faunt; and by Lord Eldon in *ex parte Flint* first, *Swanston*, it may be considered that *ex parte Doize* is no longer law as reported in *Atkyns*, and that but for a special custom giving the Pawnee a General lien, the mere deposit whether of goods or of securities for a particular purpose, as it certainly will not constitute the Pawnee, a debtor, so it will not amount to a giving of the credit at all, unless coupled with an authority given to the Pawnee of selling them, such power being given absolutely and not countermandable.

But it is equally certain that *Olive versus Smith*, was decided upon the assumption that *ex parte Doize* is a

binding authority, and when we said that the language of the Court, in *Rose versus Hart* so materially varies and narrows the principle which had been the guide in the former decision, and that the case itself is disposed of in a way not easily reconcilable with *Olive versus Smith*, and in no way whatever reconcilable with the report of *ex parte Doize* upon which *Olive versus Smith* had been grounded, and that the view now taken may be reconciled with the latter and more correct or rather more authentic opinions of Lord Hardwicke and with the latter and more correct opinions of the Court of Common Pleas, there seems to be no good reason for supporting a claim which is both at variance with principle, and runs counter to a greater weight of authority, than can be produced in support of it.

With respect to the case of *Parker versus Carter*, it may be observed that the defendants rested their title to set off upon a lien which they claimed to have "as general agents of the Bankrupt, and the report of the case in Cooke's Bankrupt Law, 578, gives this as the ground of the decision in their favor. Gibbs, justice in *Olive versus Smith*, five Taunton, though on the granting of the Rule *Nisi* he states it (*Parker versus Carter*), as a case of mutual credit, yet afterwards the particulars having been enquired into seems to admit that it was a case lien p. 65, and accordingly he rests his judgment mainly upon *ex parte Doize* and mentions also *ex parte Bayle* and *French versus Fenn*.

Ex parte Boyle, Cooke's Bankrupt Law, 561, was the case of a Client who owed a sum to his Solicitor for work done and money lent, and who gave the Solicitor by way of loan his notes of hand to a larger amount, part of which notes were not due and not paid by him till after the Solicitor's bankruptcy. Here the notes payable to the solicitor's order at the Client's bankers were treated as a loan by the parties at the date of the bankruptcy, the lender of the notes had become liable to pay at all events the contents of them to holders chosen at the solicitor's pleasure, they being made payable to the order of the solicitor, and nothing could prevent this liability from ending in a debt from the Solicitor, to the Client, but the Solicitor himself repaying the money advanced upon them, the Client could not by any act of his own prevent his money coming into the hands of the Solicitor, or of the payee chosen by him to a fixed amount and at specified times. This case, therefore, comes clearly within the restriction imposed by the case of *Rose versus Hart*, on the doctrine laid down in *Olive versus Smith*, and the same observation applies to *ex parte Wagstaff*, 13 Vesey, where the credit in question arose from an acceptance of the bankrupt payable after the bankruptcy, but certainly payable then.

The case of *French versus Fenn*, reported in 3 Douglas and Cooke's bankrupt law, is also distinguishable from the one at bar, although it must be allowed to have gone further than any decision which preceded it, excepting *ex parte Doize*. But it does not appear that the Debt against which the price of the Pearls when sold was allowed to be set off, was in any part contracted before the agreement respecting the Pearls, and Lord Mansfield expressly says that Fenn "had trusted Cox (the bankrupt) with other goods which in all probability he would not have done but for the pearls being left in his (Fenn's) hands." This would make this case nearly the same with *Demambry versus Metcalfe*, 2 Vernon 698, where Lord Cowper relies mainly upon the debt set off, being in fact an advance made on the Pawn. Lord Mansfield in *French versus Fenn*, seems also to rely much on the circumstance peculiar to that case of the other two partners in the adventure (Cox and Holford) having agreed to allow Fenn interest on the money which he had advanced to pay for the pearls in the first instance; and one thing is quite clear, viz. that

by the nature of the transaction the rights of each partner until sale being to an undivided third, and Fenn having the deposit for sale neither of the others could have obtained his share. Nay, both the others joining could not have obtained their shares, nor gotten the whole pearls out of the Pawnee's hands until the sale which must at once render the credit to the Pawnee certain. If it be said that Cox might have assigned his right to his share of the eventual price, minus his proportion of the purchase money (in the same way that Palmer and Co. might have assigned their right to the contingent surplus) then it must be also observed that the consideration takes the case out of the Rule laid down in *Rose versus Hart*, and could not stand with the decision in *Rose versus Hart*. It ought to be observed further that *ex parte Doize* was relied upon expressly by Mr. Justice Buller, in deciding *French versus Fenn*, both Lord Mansfield and Mr. Justice Buller, seem to have been very much influenced by what they term considerations of General Justice.

Upon the whole, then, we are of opinion that the Judgment in this case must be reversed, and that the verdict taken by consent subject to the opinion of the Court should stand, and the *Poitea* be delivered to the Plaintiff. The interest too must be calculated subsequent to the time up to which the verdict for interest was taken, and this must be added to the verdict. There will be no difficulty I presume in respect to the calculation of interest for the interest is specified as interest at 6 per cent.

Mr. Saire. There will be no difficulty about that my Lord.—*Bengal Hurkaru*, July 7.

AT A MEETING OF THE JUDICIAL COMMITTEE OF HIS MAJESTY'S HONORABLE PRIVY COUNCIL.

Council office, Whitehall, Monday, 5th December, 1835.

JANNOKLE DOSS, Appellant.

THE KING ON THE PROSECUTION OF BINDERBUN DOSS

Respondent.

Copy from Mr. Gurney's short hand notes.

JUDGMENT.

MR. JUSTICE BOSANQUET.—The Appellant in this case having been convicted upon an indictment for conspiring with others at Calcutta wrongfully to cause the Prosecutor to be arrested and imprisoned without reasonable or probable cause, applied to the Supreme Court for a new trial which was refused. But the Court pursuant to the seventeenth Section of the Charter of the 26th March 1774, gave him leave to appeal from that refusal to His Majesty in Council. Upon the hearing of this Appeal three points were made—1st. That the caption or the indictment was defective for want of stating that the indictment had been found by twelve Jurors—2d. That as the Appellant, a native of Benares, had never been in Calcutta and was actually resident at Benares when the offence was committed, he was not subject to the jurisdiction of the Supreme Court—3dly. That the evidence given at the trial was insufficient to support the conviction, or at least that upon the weakness of that evidence, and the affidavits produced in opposition to it, the Appellant was entitled to a new trial.

None of these points is not a matter for consideration on this occasion which is an appeal from a refusal to grant a new trial. The motion for a new trial was made in the Supreme Court and

no judgment has been given. If the Appellant should be called upon to receive judgment, he may, if so advised, move to arrest the judgment and the Court will deal with that motion as may be thought fit.

The second point respecting the jurisdiction of the Court, is involved in the question whether the change of the Appellant having in Calcutta conspired with others for the purpose stated in the indictment was sufficiently proved. The offence with which the Appellant is charged is a misdemeanour, and if he, though resident at Benares, was privy to and procured and co-operated in a conspiracy with others who were in Calcutta, to cause the prosecutor to be wrongfully arrested there, he was guilty of that misdemeanour, and was chargeable with having committed it in Calcutta under the general jurisdiction of the Supreme Court over all persons who commit offences there. This very point was lately decided in this place upon an Appeal from Bombay in the case of Poonchaholy Moodcheer, who was indicted for uttering a forged receipt in Bombay which by the 53d Geo. 3, cap. 155, section 115, is made a misdemeanour. He was at the time when the offence was committed at a great distance from Bombay.

Two questions were argued with respect to the jurisdiction; first, whether the defendant was subject to the general and local jurisdiction of the Court; and secondly, if not, whether he was subject to the personal jurisdiction, in respect of his service rendered to the East India company. The second ground was not taken by the Advocate-General in the Court below, who had professedly put the case upon the first ground, and the Judicial Committee thought it quite unnecessary to pronounce any opinion upon the second ground, "being of opinion that the facts of the case established the point that the offence charged in the indictment was committed in Bombay." After examining the evidence at considerable length the Committee expressed their opinion, that the Jury were warranted in finding that Poonchaholy was privy to the transactions and consequently was a participator in the misdemeanour. If that was so, they proceed to say the question arises whether being a participator in this misdemeanour he could be charged with having committed the offence in Bombay. Now it has been repeatedly decided, that where a misdemeanour is completed, the offence may be charged to have been committed; a variety of authority may be found upon this subject, several of those are cases where the jurisdictions within which the different parts of the transaction occurred are of totally different kinds. Notwithstanding which the indictment has been supported in the place where no offence has been laid, such being the place in which the misdemeanour was completed. There are cases of nuisance, of libel, of fraud, of cheat, and of conspiracy. The authorities referred to were *Hawkins's Pleas of the Crown* Book 2, chap. 25, sec. 27; *Rex. v. Johnson* 7; *East* 65; *Rex. v. Brysee* 4, *East* 165; *Rex. v. Combes* 1; *East's Pleas of the Crown*, chap. 5, sec. 131; 1 *Leach's Crown Cases* 388, sec. 6. Supposing therefore it was said, that an ordinary person, whether a native of the provinces or a Portuguese or any other foreigner, had procured the offence to be committed, there is no doubt he would, under the authority of these cases, have been liable to be prosecuted for the statutable misdemeanour completed in Bombay, as a person subject to the general jurisdiction of the Recorder's Court. It was further suggested, however, in that case, that the defendant was not subject at all to the jurisdiction of the Courts of the British Government, because he was resident out of the British territories, and within the dominion of the Peishwah, an independent Prince; but whether he was or was not in the service of the East India Company, was to subject as such to the personal jurisdiction of the Court; it was said to be clear that he was employed in the Camp of the British forces then engaged in the Deccan, under the authority of the British Government, in the dominions of the

Prishwah, and he was therefore under the protection of the British laws, and consequently owed obedience to them according to the rule and maxim of law, "Proteccio trahit subjectionem et subjection trahit protectionem," and having been guilty of an offence which was committed by this procurement within the local limits of Bombay, he was indictable there as much as if he had been personally within those limits at the time, upon the same principle as Judge Johnson was indictable in Middlesex, though he was never out of Ireland. In the present case it is sufficient to say, that the Appellant was resident at Benares, which is within British Territories in India, and was consequently liable to be indicted in the Supreme Court for an offence committed in Calcutta in respect of which the British law subjects all offenders to be indicted there. The remaining question to be considered, is whether satisfactory proof has been given of the Appellant's participation in the offence. It appears by the evidence of the prosecutor Bunderbun Doss, that in the month of August (which corresponds to Strabun) in the year 1828, the respondent was brought to Calcutta upon an attachment issued upon a cross bill against him filed in the name of the Appellant, that a person named Juggernath, one of the defendants, was the Appellant's Agent at Calcutta, and that he, together with other defendants then in Calcutta, conspired to procure Bunderbun's imprisonment and detention by means of a fabricated document purporting to acknowledge a debt of 12,000 rupees due from Bunderbun to one Ramchunder, another defendant, who had absconded. The indictment was found in December 1828; in March or April following, four months before the trial, that is in the month Chyite, 1829, Bunderbun came from Benares to Calcutta, upon the account of this indictment, and did not return to Benares before the trial which took place in August 1829. To prove the Appellant's connection with this transaction in Calcutta; two witnesses were called. Munkaram Doss, the first witness, says, that about the time of Bunderbun's arrest, Jannokee called to him from the window of his cootee, and the witness went to him upstairs. Jannokee said, "I hear you are going to Calcutta with Bunderbun." I said, "yes." He said "do not go, if you do go you will be put to trouble for nothing, —he is going from hence in custody,—other complaints may then be made and he will not get his liberty." That Jannokee shewed him a letter and said, "here is a letter informing me that when he gets to Calcutta other complaints will be preferred against him," and Jannokee said "I have also written to Calcutta directing

that when he reaches he shall not obtain his liberty." Gannut Doss, the 7th witness, says, that he entered Bunderbun's service last Chayte, which was March or April 1829. Jannokee called to him and said, "your Baboo is going to Calcutta, but what is the use of his going? let him take 20,000 rupees and give Rutterana (Deed of Compromise)." Bunderbun was then coming for this case pending at the Session about the 12,000 rupees. He says Bunderbun did give an answer, but the witness did not communicate it to Jannokee. If due credence be given to those two witnesses, their testimony certainly affords some evidence from which the Appellant's privity to some attempt to procure the respondents detention at Calcutta, and a desire to compromise the matter after the indictment had been found, may be inferred. But it is to be observed, that these witnesses speak to conversations only, obviously liable to be misinterpreted as well as misrepresented, and it was scarcely possible that the Appellant could anticipate the testimony to be adduced against him, so as to be prepared at the trial either to explain or contradict it by witnesses on his part; no evidence was adduced on the part of the prosecution, of his having done any act to promote the success of the particular fraud attempted. On his part, he has by his own affidavit not only denied all knowledge of the transaction, but all the conversation with either of the witnesses, and all acquaintance with them and the great improbability of their account is corroborated by the affidavits of several persons. An application to set aside a verdict of conviction, founded on affidavits made after the trial, is always to be looked upon with very great jealousy. But when the evidence, without contradiction, is of so slightly a nature as it is in this case, and the Appellant could not be expected to offer evidence in opposition to it for want of knowledge that it would be adduced against him, their Lordships are of opinion that an opportunity ought to be afforded him of laying before a Jury such evidence in his defence as he may be able to offer upon another trial.—*New trial directed.*

We hereby certify that the above is a correct copy from the short hand writer's notes of the judgment of the Privy Council in this case as delivered by Mr. Justice Bosanquet.

TENNANT, HARRISON AND TENNANT.

Gray's Inn, 24th December, 1836.—Hurk, July 15.

TOWN AND TRANSIT DUTIES.

We insert to day the reply from the Supreme Government, on the subject of the recent Petition of the Merchants of this Presidency, in regard to the Town and Transit Duties, praying for their abolition, and also for the adoption of measures for the improvement of the internal communications of this Presidency. It will be seen at a glance, that the cautious and deliberate procedure marked out by this document, as the best and most prudent to follow, in considering the question of the general abolition of these duties throughout India, has not been observed in regard to Bengal, where the course taken has been quite at variance with the slow and steady measures, a submission to which is inculcated on the minor Presidencies. The impolitic and vexatious effects of the Town and Transit duties, and the benefits that would result from their repeal, are readily admitted by the Supreme Government, and yet it is intimated that

there is little chance of this boon being extended to Bombay and Madras for a considerable time to come, and Bombay is to be satisfied as to its own share of hardship, by the assurance that these duties are felt to be yet more vexatious and oppressive in Madras; the consolation however to be derived from contemplating the misfortunes, even of our best friends, is but small satisfaction to those who are wincing under the diversion of much of the legitimate and regular Trade of Bombay from its natural channel, in consequence of the abolition of these duties in Bengal and Agra. The Supreme Government for all India, has been charged with leaning in a variety of instances, to the local interests of that Presidency, which happens for a while to be the seat of the Supreme Authority, but in no case has this partiality been more clearly manifested, than in the immediate extension of the abolition of the transit duties to Bengal. So

was the advantage that Agra had gained by the measure of Sir Charles Metcalfe (Mr. Rose, Esq. Cal. Courier.) to the injury of the rest of India, that no time was lost in placing Bengal, but Bengal only, on an equal footing, and that without waiting for any scale of substituted duties, or Reports from a Committee of Customs. Calcutta has now been in enjoyment of the boon for a space of fourteen months, and yet up to this date, as far as we are concerned, the mere consideration of the measure is all that is held out. The Supreme Government may or may not have involved themselves in some embarrassment by the steps already taken, but to stop short at the expense of Bombay and Madras, seems to require a more satisfactory exposition of state policy, than is conveyed by the well turned periods, and soft expressions, of the document now put forward.

While on the subject we cannot refrain from again noticing the time occupied in deliberations as to extending the Bonding system to Bombay. This beneficial measure is, we see by the Calcutta papers, in actual operation there.

To J. P. WILLOUGHBY, Esq.

Secretary to the Government of Bombay.

Sir,—I am directed to acknowledge the receipt of your letter, dated 6th instant, forwarding the Petition of the Merchants of Bombay on the subject of the Town and Transit duties of that Presidency and the adoption of measures for the improvement of its internal Communications, and to request that you will communicate to the Petitioners the following reply.

2nd. The Governor-General of India in Council very readily admits the impolitic and vexatious effects of the Town and Transit duties, the substantial benefit which may be expected to the population from their repeal, and the probability that any loss of public income incurred in consequence would ultimately more than be replaced by improvements in the general resources of the country; but the petitioners will feel that there may be many measures even of certain ultimate advantage which may be dearly purchased at the price of immediate financial embarrassment, and will, it is hoped, admit the necessity of cautious and deliberate proceeding in changes which will affect in the three presidencies an amount of public revenue of not less than sixty lakhs of rupees. The petitioners too will be well aware that however heavily these taxes have weighed upon Bengal and yet press upon Bombay that their action is felt to be yet more

vexatious and oppressive in Madras, and that in asking for equivalents the Governor-General in Council is only seeking the means of gradually extending to the third Presidency the relief which will have been afforded to the other two.

3rd. For these reasons and with these objects, it was the wish of His Lordship in Council before submitting to the Government of Bombay any measure of entire or partial repeal to have before him from the Committee of Customs (in which all the presidencies are represented) a report upon the course which it might be best and most prudent to follow. In the month of November last, he found himself enabled to take to the Government of Bombay, a proposition which he had hoped as a first step, though embracing the more important objects, might have been successfully admitted and the draft of acts, but lately received in reply, with other measures affecting the Commerce of the Port of Bombay, are under the consideration of His Lordship in Council.

4th. His Lordship in Council has equally at heart with the petitioners the improvement and extension of those communications through which encouragement may best be afforded to internal industry by opening new avenues to the markets and demands of Commerce, and he looks upon such communications when carefully and wisely planned as so generally tending to the wealth and welfare of the Empire that he is little disposed in considering them nicely to weigh the surplus on deficiency of any one particular district or presidency; but the petitioners must be well aware that the sums which for the whole of India may be prudently appropriated to public works, are far more narrow than could be wished and and that they must be cautiously apportioned.

5th. The Governor-General of India in Council has, within the limits assigned to him by superior authority, endeavored to give a just and liberal consideration to every proposition made for such improvements by the Government of Bombay, and though His Lordship in Council may doubt whether the plan of appropriating to such improvements a certain percentage upon the revenues of each Presidency is the best which can be devised, that plan has been laid before the Honorable Court by whom alone sanction can be given to it.

I have, &c.

H. T. PRINSEP, *Secy. to Govt.*

Fort William, the 24th May, 1837.—*Bombay Gazette*, June 19.

THE OUDE SUCCESSION—DISTURBANCE AT LUCKNOW.

We have received the following from a correspondent of our own, an officer in the Company's service, who was an eye and ear witness of almost all that passed :—

* The affairs of Oude have of late years given rise to various speculations regarding the future destiny of that kingdom. To these, however, the death of the King has for a time put a period. He died late on the evening of the 7th instant, and his uncle Nussur ud Dowlah now reigns in his stead. As the circumstances attending these changes may not be uninteresting, the following short account of them is presented.

About 11 o'clock on the evening of the 7th inst., the King, accompanied by his surgeon, proceeded to the

palace, and found that his majesty had breathed his last. The body, however, being still warm, and nobody present being at all acquainted with the previous circumstances of his case, a vein was opened in the arm, but, as was anticipated, without any beneficial effect. The Resident then gave orders to his senior assistant and to the minister to have Company's sentinels from the Residency placed over those godowns in which the treasures of the state were deposited, a requisition having been previously made to the Brigadier, commanding in Oude, for 2 regiments for the better protection of the palace.

Some suspicions of a movement on the part of the Badshah Begum being entertained, a message was sent to her by the Resident, announcing the death of the King,

and the call of Nusser ud Dowlah to the throne, with strict injunctions that she should not leave her abode. The minister was also desired to take every precaution against her entering the city. These arrangements having been made, the 2d assistant was sent by the Resident to Nusser ud Dowlah, to announce to him that his right to the throne had been sanctioned by the British Government, and that his attendance at the palace would be necessary as soon as possible.

About 2 o'clock on the morning of the 8th inst., the Resident went a second time to the palace for the purpose of receiving the new King, having previously sent off his two assistants to conduct him thither, and he was accordingly brought to the palace of Furredbuksh, before the party had been well assembled; but a report was made that the Badshah Begum and her troops were on their way to Furredbuksh. Captain Paton on hearing this report, proceeded to the outer gate with the view of preventing her entrance, and on reaching it found some of her troops already there, and clamorous for admission. Finding only two or three durwans to protect the gate, he attempted to reason with the insurgents outside, and to shew the folly of their attempting any thing on the part of the Begum, and as Nusser ud Dowlah was already acknowledged King by the British Government. Intent, however, on gaining admission, first one elephant, and that failing, a second, was brought to bear upon the gate, for the purpose of forcing it open, and this having been done, the troops rushed in and attacked Captain Paton with clubs, and the but ends of their muskets, till thrown down and supposed to be dead. He was then left in charge of some of the Queen's party until rescued by Captain Cowley and a party of the 35th N. I. Fortunately the insurgents had not drawn their swords on Captain Paton, and thus he escaped with some severe bruises, especially one under the left eye.

By this time the insurgents had forced the other gates and reached that of Furredbuksh, at which the Resident and his 2d assistant also attempted by persuasive measures to check their career, but in vain. All now became a scene of confusion; the King having been hurried off to a small apartment in Furredbuksh, the usurper was conveyed to the Burrahdurrie and placed on the throne. Between these two buildings there is a considerable space, and over this the Resident had to elbow his way among the armed insurgents with only an assistant. He was jostled not a little in his progress, and now and then a matchlock was fired off near his ear. After some trouble and not without danger, he reached the Burrahdurrie, where he had some conversation with the Begum, and during which he was assailed, but not injured by one of her followers. Moonah Jaun being now seated on the throne, and nothing that the Resident could say, having any effect, he attempted, and at length succeeded, in getting out of the Burrahdurrie, near which he found some of the troops from cantonments. It being now too apparent that no persuasive measures could avail, and that force must be used, the Resident accordingly desired that the guns which had just arrived from cantonment should be loaded with grape, and directed into the piazzas of the building in which the usurper was seated on the

Burrahdurrie, in order that these might be cleared and the troops enabled with less risk to enter by escalade.

Unwilling, however, to cause bloodshed, he sent a message to the Begum and requested an interview in the space of a quarter of an hour; but to this some evasive answer was returned, once and again, when the Resident in the most peremptory terms announced that in fifteen minutes more the guns should open their fire. No movement being made on the part of the insurgents (nay some even had the audacity to ascribe some movement of infantry to cowardice,) on the expiration of the period granted, the order was given to fire, and three rounds of grape were discharged with the desired effect. A party of the 35th N. I. under Major Marshall succeeded in gaining access to the staircase, while others mounted the ladders, and thus the apartment where the throne stands was soon cleared of the insurgents. The troops were then ordered to cease firing, and the insurgents allowed to depart on laying down their arms. The Begum was found in a palkee with two female attendants, and immediately sent off under a guard to the Residency. The usurper too was found in some corner room of the Burrahdurrie, and also sent off under a guard.

The King was soon after found in a small room into which he had been ushered at the commencement of the fray, and where he had been guarded by a party with drawn swords. On the capture of the Begum that party withdrew without violence, and the Resident soon after joined the King, and conducted him to the throne where he and the Brigadier, as is the custom, placed the crown upon the King's head, and he ascended the throne during a salute from the guns which had just before ushered some 20 of the usurper's followers into another world. Thus, in a space of 12 hours, one King closed his eyes in death, a once adopted but latterly discarded son usurped his place, and was as quickly displaced to make way for the lawful heir to the throne.

It is to be regretted that blood was shed in this affair, but no one at all acquainted with the immediate and remote bearings of the case, could well say that the decisive step was taken too soon or persevered in too long. Hours before the Resident went to the palace, the death of the King was reported in the city, and ere mourning parties were declaring themselves, Moonah Jaun was generally regarded in the city as heir to the throne, and the Badshah Begum had written to several sirdars in whom she had confidence to come and support the young King. Of these, one who had joined her train fell in the encounter. Among the insurgents there may have been 30 killed in the assault, from 20 to 30 more or less severely wounded; of the Company's troops four sepoy were wounded.

On the morning of the 11th, the Begum and Moonah Jaun were sent off to Cawnpore under an escort, and now that the usurper is removed beyond the Ganges, it is to be hoped that party spirit may subside, and no other incident occur to create commotion.—*Englishman*, July 20.

KOWER KISHENATH RAI'S EDUCATION.

We insert to day a brief correspondence between the Commissioner of Bauleah and the Board of Revenue, relative to the education of the minor Kower Ki-henath Rai's education. The account Mr. Hawkins gives of the youth's progress in his studies is on the whole satisfactory, and we think that Mr. Hawkins has acted most judiciously and evincing his knowledge of human nature in releasing the lad from that severe restraint to which he had been subjected by Mr. Steer; especially when, according to law, he will soon, unfortunately too soon, be released from all legal restraint, and have the command of unbounded wealth. We have never heard exactly what may be the entire revenue derived from his landed property, but we have heard it estimated to be as much as nearly twenty lakhs per annum. He has estates in Hughli, Burdwan, Kishnaghur, and in short is one of the largest, if not the largest, landed proprietor in the Lower Provinces.

Considering the extent of power and influence for good or evil which the possession of such vast wealth must give to a man, especially in this country, and the extent of temptation to which it must expose him, we rejoice for the sake of the young man himself, and still more for that of the thousands of his countrymen, over whom his riches will inevitably give him power, that he is in a way of being instructed in a wise use of them. They enable him to prove a blessing or a curse to thousands, and we trust no opportunity has been lost of inculcating upon his mind, how deeply his own happiness is concerned in the wise application of his wealth. Among his own rich countrymen, unfortunately few examples can be cited of wise munificence; but there are some which should not be forgotten and he should be reminded, moreover, that of the far, infinitely far great number of those who have wasted their wealth and destroyed their constitutions in sensuality and debauchery, all have an excuse which he will be unable to plead, that they were never educated, never taught; that in conferring benefit on others, in promoting the improvements of our country and the moral elevation of our countrymen, we secure for ourselves a happiness, that not only far surpasses all selfish and sensual enjoyment, but which endures when the capacity for all such enjoyment is passed.

It is, indeed, melancholy to reflect on the condition of many of the natives of rank and wealth in this country. Bred entirely in the zenana, they come to the possession of their titles and enormous wealth, without one qualification which fits a man for an eminent station. They have no idea of the application of power or wealth to any purpose, not connected with their personal gratification, not of any enjoyment which is not merely animal. The course of their exempting their lives debaucheries, which too often are an utter disgrace to civilization and violate every moral law, may be summed up in the old couplet.—

They eat, drink, sleep,—What then?
Why eat, drink, and sleep again.

Their minds are effeminate, their bodies soon become emaciated, and with abundant means of not only being happy themselves, but sources of happiness to thousands, they become curses to themselves and to society. What an altered respect would India have presented now, if only 50 years ago, the heirs of great power and wealth in the country had been educated, and their minds directed to the importance of encouraging and supporting by their means those enterprises and improvements by which the resources of a country are developed. Owing to the want of education, the great mass of merely pecuniary wealth in this country, to say nothing of the unbounded resources of the soil, has been as useless to the country, as if it had never been dug out of the mine. Even now there is no such thing as building a bridge or constructing a road or a canal without the aid of Govern-

ment, in other words without expending the revenues derived from the whole people, and thus taxing the poor for the accomplishment of the object; and the revenue being inadequate to the demands upon it, these sources of convenience and of augmented wealth, are of course not supplied. What a contrast does our own little island present in that respect! These are lessons which should be strongly impressed on the rising generation of India and more especially on those in the situation of the young Kower Kishenath Rai.

How much good might the Government of India have effected, how much crime and misery might they not have prevented, if they had much earlier directed their attention to the education of native youth of rank! They have missed many opportunities of this kind where there could have been no doubt of their power, and permitted native youths of rank to be educated in the zenana. We could point to several instances. We shall merely mention one, the present Nuwab of Moonshehabad. A splendid palace is nearly completed for him to reside in; but was ever an attempt made in his youth to qualify him to adorn by his virtues and intellectual qualities the station to which he is called! Never, we believe. He has been brought up in the zenana; and yet those who know him say that he might have been a shining ornament of society. It is said, that there can be no doubt of his natural capacity. He is extremely hospitable to the European community of the nation; but his mind is without resources,—and it is not very likely that his time can be occupied in any manner that is very beneficial to himself or others. The fault is not his, but that of the Government, who, when he was a minor, might have furnished his mind with moral instruction and those intellectual resources which would have been a delight to himself and have rendered him a source of elevated pleasure to others.

(No. 51)

To the Commissioner of Revenue for the Division of Bauleah. Ward's Department, 27th Jun., 1837.

Sir,—I am directed to acknowledge the receipt of your letter, dated the 17th instant, No 73, with its enclosure from Mr. Forbes, and to inform you, that the Board are on the whole gratified with the account given of Kower Kishenath Roy's progress in his studies.

2. You are authorized to direct the entire discontinuance of his Persian studies. It is of much more importance that he should lay in a store of valuable knowledge than that he should acquire a smattering of a number of languages which would leave him little time for the pursuit of useful works in any one of them. The first thing to be desired is that he should learn to compose with facility both in English and Bengallee; the next that he should acquire a good knowledge of accounts in order that he may be able to manage his pecuniary affairs when he comes of age without being entirely dependent on the people about him; and lastly, that he should obtain a knowledge as extensive as possible of History, Geography and the elements of science, particularly of those parts of science which would give a proper direction to his efforts in the improvement of his estates.

Considering the great extent of Kower Kishenath Roy's real property, it is of the first importance that during the remaining three years of his minority the utmost exertion should be employed, to cultivate his mind and render him fit for the elevated station which he will be called to fill both by birth and fortune.

4. You will be pleased to direct the Collector to examine into the progress he has made in his studies at the end of this year, and to report the result in detail through you for the information of the Board; and to do the same at the end of each year till the Kower attains his majority.

5. The Board have sent the minor's tutor, Mr. Lambrick, who appears to be well qualified to fulfil his trust, most satisfactorily, but he represents that for the peculiarity of the minor's situation he finds it difficult to obtain always influence over him sufficient to induce proper application to his studies. This impediment the Board trust you will devise means to remove if not entirely at all events in an useful degree.

I have, &c.,

C. E. TREVELYAN, *Additional Secretary.*

(No. 73.)

To the Sudder Board of Revenue, Fort William.
Ward's Department.

Sirs.—In reply to paragraph 3 of your letter No. 38 dated the 29th ultimo, I have the honor to submit a copy of a letter from the Collector of Moorsheadabad under date the 15th inst., on the subject of the education of the Minor Kower Kishennauth Roy. In addition to what Mr. Forbes says, I may add that when at Moorsheadabad on my way hither, I sent for the minor, and conversed with him in the different branches of study he was pursuing. His progress in English, which he was studying under a Mr. Lambrick, a very respectable man, was rather good, and he writes and reads Bengalee pretty fluently.

2d. Mr. Steer have put considerable restraints upon the boy in not permitting him to go out, except on particular occasions, and then confining him to his palanquin. This was done under the belief, that he was ill, and did not attend to his studies. I thought the restrictions injudicious, as the minor is 15 years of age, and in the course of 3 years will come into the possession of a very large property. The transition from rigid confinement to the uncontrolled enjoyment of this property, I considered should be avoided, it being the very way

of making him run into riot and excess. I have therefore allowed him the use of his vehicles and horses, taking care that he attends to his studies.

I have the honor to be, Sir,
Your most obedient Servant.,

J. HAWKINS, *Commissioner of Revenue.*
Commissioner's Office, Bauleah, or 13th Division, the
17th June, 1837.

(No. 52.)

To J. A. HAWKINS, Esq., *Commissioner of Revenue for the 13th Division, Bauleah.*

SIR,—Replying to your letter (No. 38.) of the 31st ultimo, I have the honor to apprise you that I have reason to believe the Kower Kishennauth Roy to be tolerably attentive to his studies in which he takes considerable interest. He is, I shall say, making most progress in writing and speaking English, the acquisition of which language seems to please him; but I fancy he does not get on so well in Persian. I enclose herewith the present extent of his studies, which were conducted by a Mr. Lambrick, who is a Bengalee, and was appointed, I am informed, by the Sudder Board, during his guardianship of the minor. Mr. Lambrick is at present in Calcutta, but his place is temporarily supplied by Mr. Jones, the teacher of the Nazim College at Moorsheadabad.

I have, &c.,

R. FORBES, *Collector.*

Moorsheadabad, Collector's Office, the 15th June, 1837.

(True Copy.)

W. HUNT, *Unassessing Assistant.*
Commissioner's Office, Bauleah, or 13th Division, the
17th June, 1837. —Bengal Hurkaru, July 25.

STEAM COMMUNICATION.

To the Bengal Chamber of Commerce.

Gent. & GENTLEMEN,—In continuation of my letter of 5th. 3d. the 17th May last, I am directed by the Right Honorable the Governor-General of India in Council to acquaint you, that a Despatch has been received from the Right Honorable the Governor in Council to Bombay, to the effect that it has been found, upon careful enquiry, that it is the opinion of the best authorities that, with reference to the season of the year, and in the absence of a sufficient supply of coals at Socotra, a Steam vessel could not be sent from Bombay, with a reasonable hope of making the voyage to Suez until after the 15th proximo.

2d. Under these circumstances, and adverting to the arrangements already concerted by him, and reported to the authorities in England, the Right Hon'ble the Governor in Council at Bombay has felt himself unable to comply with the wish of the Chamber, as expressed in your Secretary's letter of the 16th May last, for the despatch, as requested, of a Steam Vessel, to bring to India the London Mail of the 1st August from Egypt.

3d. The Governor-General of India in Council understands, from the present communication from Bombay, that a sailing vessel, the "Emily," has been sent to the Gulf for the purpose of bringing to India the London Packet of the 1st June, expected by the Governor in Council to have been forwarded by the Syrian route.

4th. The London Packet of July (and of course the Packets of any previous dates that may then still be in Egypt) will, it is expected, be brought to Bombay in the Honorable Company's brig *Euphrates*.

5th. It is the expectation of the Governor in Council at Bombay, that the London Packet of the 1st August will be sent by the Syrian route. In this anticipation, and if it be erroneous, it is obvious from the papers now received that no early arrangement can at present be made for bringing that packet from the Red Sea,—the Governor in Council proposes as before intimated to you to despatch a Steam Vessel to the Gulf about the 18th August.

6th. The Governor-General in Council will empower the Bombay Government to carry this intention into effect, unless information be, in the meantime, received, showing that the measure would be inexpedient.

7th. His Lordship in Council understands that, for the London Mail of September, it is proposed by the Bombay Government, as is also alluded to in my letter of May 17, to dispatch the *Atlanta* or the *Berenice* to Suez in the latter part of August.

8th. A similar approval of the intention will likewise be communicated to that Government, and as respects both despatches the Governor in Council will be particularly requested to give immediate public notice of the precise day on which the vessels will be appointed to start, so as to afford full time for letters being sent by the opportunity from all parts of India.

9th. The Chamber will remain aware that the employment of the Steam Vessels now at Bombay of the contemplated voyages, must be dependant on their not being required for other more urgent public service.

I have the honor to be, Gentlemen,

Your most obedient Servant,

H. T. PRINSEP, *Secy. to Govt.*
Council Chamber, the 3d July, 1837.

CALCUTTA PUBLIC LIBRARY.

Proceedings of the Monthly Meeting of the Proprietors and Subscribers of the Calcutta Public Library, held on the 1st Instant.

It was resolved that the price of the catalogues, which in consequence of subsequent additions, has greatly exceeded the price of one rupee per copy be for the future charged for at a rate of two rupees to save the Library from a heavy loss.

The following is the report submitted :—

The curators have great pleasure in reporting that in addition to the following books, periodicals, &c. purchased during the last month, they have received advice that a collection of works amounting in price to £200 being the first of their commissions from England through Messrs. Thacker and Co. are on board the ship *Bengal*, which is expected to arrive here very soon.

(Here follow a list of New Books received during the month of June.)

J. L. Russell, Esq., has become a proprietor, and the following gentlemen have become subscribers :

J. S. Stopford, Esq. H. Farmer, Esq.
W. Uiquhart, Esq. Dr. W. A. Green.

Mr. J. Beckwith has withdrawn in consequence of his leaving Calcutta.

State of Funds on the 1st July, 1237.

UNION BANK.

By balance for last month.....	3,387	3	6
Collections sent....	344	5	4
	3,731	8	10
Interest on Company's Paper.....	32	0	0
	3,763	8	10

Cheques drawn for payment for June, viz.

For Bills on England for £200, to pay Thacker and Co. in full, leaving a balance of about £20 in their hands in favor of the Library	1828	9	2
Ditto Pittar, Lattey, and Co. books bought.....	235	11	3
Printing catalogues	500	0	0
E-establishment	197	1	0
Advertisement and other expenses..	109	13	3

2871 2 8

892 6 2

SAVINGS BANK.

By balance of last month.....	206	8	6
Collections sent.....	214	0	0
	320	8	6
Cash placed in the Union Bank in fixed account at interest.....	2000	0	0
Amount in Company's Paper on account of the invested fund.....	2100	0	0
	4112	14	8
In the course of collection.....	2700	10	8

Englishman, July 5.

C. Rs 7113 9 4

THE BLACK ACT.

We are informed that intelligence has been received by Lord Auckland, on the subject of the Black Act, and that its legality has received the sanction of the Company's Counsel, and the law officers of the Crown. Such is the report that has reached us, and which comes forth from such a respectable source that we can hardly permit ourselves to doubt its authenticity. But we beg leave to say, that there are as good fish in the sea, as ever came out of it; and as good Lawyers in Westminster Hall, as either Sir John Campbell, or Rolfe the Attorney, and Solicitor-General, or Serjeant Spankie, the Company's Counsel. And there is some comfort in that. As for Rolfe, nobody would give six-pence for his

opinion, and as for Campbell and Spankie they are a brace of "Cany" Lawyers whose opinions may or not, have been biased by the expediency of supporting a measure involving the credit and capabilities for legislation of the Indian Government. Parliament, however, may take a different view of the Law of this Black Bantling of the Council; and as to the justice and expediency of the measure, there can be, we thank heaven, but one opinion; we hope, however, that the opinions of these "eminent hands," will be promulgated, if it be only to give the public the opportunity of kicking them to pieces

—Herkara, July 5.

LORD AUCKLAND'S SCIENTIFIC SOIREEES.

The Scientific party at Government House yesterday evening displayed a very crowded assemblage, attracted in a great measure by the fame of Professor O'Shaughnessy's intended exhibition. The rooms, as on former occasions, were laid out with tables containing new objects of interest and curiosity, the most conspicuous among them being M. Delesert's extensive collection of fishes from the Salt-water Lake. After an agreeable promenade of half an hour employed in the inspection of these curiosities, there was a general move into the lecture room where the Professor had arranged his tables of experiments and behind them his galvanic battery *à la Crove*, (improved in the manner we shall presently explain) ranged on a wooden frame in four stages. Behind this stand, at the door of the veranda opening to the garden was a howitzer, intended to be fired with gas created by the battery,—formidable preparations *à la Fieschi* with a Governor-General *en face*.

Dr. O'Shaughnessy prefaced his experiments with a brief account of the improvements he had effected in the construction and arrangement of the galvanic battery, by which the power of the instrument was increased to seven times that of Daniell's and four times that of Mullins, the most efficient of the inventions which have recently attracted attention in Europe. The powers are estimated by contrasting the quantities of gas obtained in a given time by the decomposition of water; while 12 of Daniell's cups evolve 5 cubic inches, the same number of Mullins give out 10, and those constructed by Dr. O'Shaughnessy 40, in three minutes.

With respect to the arrangements, Dr. O'Shaughnessy stated that he had ascertained that the decomposing power of the battery was greatest when 12 cans were associated. On exceeding that number, the force diminishes and ultimately is altogether annihilated. But by arranging sets of 12 in tiers, all the tiers in connexion with the same pair of metal rods, the arithmetical aggregate of the force of the whole series is produced.

The Battery exhibited was composed of four tiers, each of 12 cans. The cans consisted each of 3 concentric copper cylinders with two concentric zinc cylinders interposed, the metals being separated by membrane, and each copper surface in contact with a solution of sulphate of copper, each zinc surface with a very weak solution of sal-ammoniac. The surface of copper in each vessel was 240 square inches.

The first experiment was the decomposition of water, contained in a bottle filled with a bent tube. On completing the connexion with the battery, the water was thrown into great agitation; it bubbled like a fluid in a state of rapid boiling, and produced Oxygen and Hydro-

gen gas at the rate of 160 inches in 3 minutes. The Professor stated that the quantity was more than sufficient to ignite lime for the purposes of practical illumination—to supply the Oxy-hydrogen blow-pipe, and in effect many other important objects; he also stated that he had no doubt that further experiments on the galvanic battery would lead to such improvements as would enable us to obtain, by the decomposition of water, both economical fuel and a moving power at least equal to that of steam to work machinery of every kind.

Other decompositions were also shown—metallic lead was obtained in crystals from a solution, and a process shown by which sulphuric acid can be quickly and cheaply prepared on a small scale, so as to be within the reach of every druggist and experimentalist, in however remote a locality he may be placed. The value of this process depends on the fact, that by means of sulphuric acid almost every other acid and a vast number of mineral and vegetable remedies may be quickly and cheaply prepared.

The next set of experiments Dr. O'Shaughnessy exhibited, were the igniting effects of this battery. Two feet of thick platinum wire suspended from the poles instantaneously became red hot—six inches of the same wire were at once melted into globules; Platinum foil was burned under water; the blades of a pair of scissors were melted in a few seconds and a large file burned rapidly, sending out a shower of deep red sparks having the regular outline of a star, with ornamented red rays and a bright white centre. The ignition of charcoal was next shown; the light produced was most intensely white, and quite lit up the marble hall purposely left nearly dark for the exhibition of this experiment.

The last effects of the battery, which were exhibited, were connected with its probable application to the driving of machinery—twenty inches of the gases evolved by water were introduced into the chamber of a model (still unfinished), were inflamed by a platinum wire led from the battery and exploded with a loud report. Dr. O'S. exhibited a cylinder and solid piston with a pump and guiding rods and some regulating apparatus by means of which he stated that the piston was ultimately urged upwards and downwards with great power and without the least noise being heard.

The last experiment of the evening was the explosion of the mixed gases contained in a 5½ inch howitzer, fitted with a stone tompon. A small charge was purposely introduced, lest the concussion might do mischief to the chandeliers; still the explosion, as might be imagined, was nearly as loud as if the gun were charged with powder, and the tompon was shot some distance over the veranda rails.—*Calcutta Courier*, July 12.

THIRTEENTH ANNUAL ASSEMBLY—NATIVE FEMALE SOCIETY.

TOWN HALL, WEDNESDAY, JULY 12, 1837.

About 10 A. M., the Right Reverend Daniel Wilson, D. D., took the chair, supported by the Archdeacon Dealty and the Reverends Bateman and Fisher, and on requisition from the Right Reverend Chairman, Mr. Chapman, read out a report, the great length of which we much regret precludes the possibility of our giving it here. From the few notes we hastily took we are en-

abled to say that the institution every where is in adequate means, and though most of the schools are being carried on by the strenuous and unexhausted efforts of the benevolent superintendents, yet the school at Allipore has been closed entirely from the want of support. A few instances were proclaimed by Mr. Chapman, by which we understood that the general antipathy to allow freedom and the benefits of education and religion to native

gradually sinking. Though the grand object of the institution has met with partial discouragement from the early marriages of females, yet the females have in many instances flown from the ignorance of their parents and friends, and sought refuge at the institution. One case was mentioned in which a girl taken into some Portuguese family after the inundation of 1833, left her mistress for ill treatment, and another of a grown up girl having been sold by her parents, after being a pupil of the institution for some time, and of her having rescued herself from misery and shame by the protection afforded to her by the institution. The above and numerous other instances are very satisfactory, and we believe them very likely of producing liberality from the public, by a prudent exercise of which great good may be done. It was surprising that among the assembly not one of the respectable natives of India were seen; perhaps half a dozen streets or people, who did no more than cry wail! wail! wail! at a pretty doll, or Hairs! at some of the more curious specimens exhibited at the conclusion. We have heard several native gentlemen declaiming against illiberality on various public occasions at the Hall, but we cannot refrain from expressing our surprise at their absence from a meeting, where their presence and support might go far to make up many necessary deficiencies.

The Archdeacon, in proposing the first resolution, made a remark by which it appeared that an old woman at the head of a school which was comparatively in a more forward state than those in its vicinity, on being asked the reason of the remarkable improvement evinced by her pupils replied, that the means she had providentially been blessed with, perhaps, was the best and surest course she could assign. That the proficiency of her pupils made them advisers to their parents, and their good example emulating their neighbours, enabled her to display a larger and more efficient number of pupils than others labouring in the same vocation.

The following resolution was then given by the Archdeacon and seconded by Mr. William Aigeltinger—

"That the Report be printed and freely circulated, in order to shew the benefits to be derived from the diffusion of wholesome instruction amongst the females of India."

On the resolution being put by the Chair, it was carried nem. con.

The Reverend Mr. Bateman then said, that he had been deputed to propose a resolution, previous to doing which, he would remark that when this institution first lost the benevolent and unrestrained assistance, of Mr.

Wilson, it was thought that it would fail to progress with that improvement which Mr. Wilson had been the means of effecting, but it had since appeared, that the progress had been as great and good; that it was hardly apparent that Mr. Wilson had left it. The Reverend gentleman went on to say that it has been very satisfactory to find that the trouble and money that had been expended towards it, would be a work not for the present only, but for futurity, as a machinery that is once wound up and goes on of itself must at the end attain that result which was first sought for.

Mr. Bateman then gave the following resolution, which was seconded by the Reverend Mr. Fisher with a few appropriate remarks.

"That with the means vouchsafed, a tacit assent to the bondage of ignorance in which the female population is held; and that every Christian is bound to make their advancement the subject of prayerful exertion."

The Lord Bishop then addressed the assembly and informed them that it was very satisfactory to his feelings to observe the perseverance that is exercising for the improvement of the females of India; that he had visited some of the schools at Cawnpore, and almost every one of those mentioned in the report, and he thought it would be very gratifying to the feelings of all the friends and patrons of the institution to know, that upwards of 800 females are now receiving the benefits of religion and education. That the opposition the Brahmins offered was the very reason why the efforts of Christians should be exercised; and that it is evident that with all that has been opposed to the institution it has now acquired a stability that nothing can shake, unless indeed the present supporters were to retire at once from the field of charity and benevolence. His Lordship then made a few remarks and concluded by informing those assembled that he would be glad to accompany them below, where they could partially act up to the purpose of which they had met.

The hall below was laid out with several tables exhibiting a most beautiful collection of fancy articles, and when we say that the boutiques were the most charming, affable and interesting, we need hardly add that the prices were mere secondary considerations, as money was passed into the purse of charity with great willingness and pleasure.

The assembly was comprised of all the beauty and fashion of the day, and we think there were so many as 400 ladies and gentlemen present. The sale did not close at 2 p. m. when we left.—*Bengal Hurkaru*, July 13.

FREE SCHOOL EXAMINATION.

CALCUTTA, TUESDAY, JUNE 4, 1837.

The half yearly or mid-summer examination of the children of this institution, commenced at 10 a. m. this morning. Among the visitors we recognized the Lord Bishop, the Archdeacon, the Reverend Mr. Bateman, Mr. D. MacFarlane, Captain Birch and many other gentlemen.

The boys are divided into seven classes, instructed by Messrs. Lindsay, W. Kiermunder, Robert Kiermunder, and Robert Blake. The questions put by the Bishop were answered with ease and cleverness, and whether in Scripture, History, English Grammar, Geography, or Arithmetic, the pupils evinced an aptness that we have seldom seen surpassed.

The boys acquitted themselves very well, and very creditably to their masters, and the Bishop expressed his satisfaction in very appropriate and handsome terms.

The girls are under the care of Mesdames Jane Sidley, Isabella Gibson and Mrs. Keating matron. The samples of lace, marking, and straw and needle work were very pretty and extremely well executed. And in regard to their studies gave as much satisfaction as did the boys.

Mrs. Sidley then formed the infant class and made them go through a rehearsal of "this is the way we wash our face," and "this is the way we go to school" &c. We really think this plan of teaching the young ideas how to do all necessary things, excellent; and to Mrs. Sidley great praise is due for the regularity, adroit-

ness and correctness with which her infant class did their little.

This pleasant examination concluded at about 2 p. m., when the visitors dispersed evidently quiet pleased with the effect they had just witnessed.

We are given to understand that it is a rule of this institution to apprentice the boys and girls to families and persons in business. As to the boys, from the

specimens exhibited of their hand writing, and of the exercises we witnessed, we strongly recommend them as promising, useful and intelligent; and in regard to the girls, we think that families would do great justice and good to themselves by receiving them from this institution, and maintaining them would be no more expense than what a dashing ayah, or native servant generally costs. The girls will not only make good servants, but useful assistants to mothers in instructing infants in their first lessons.

THE MEDICAL COLLEGE EXAMINATION.

The distribution of prizes, given by Baboo Dwarkanauth Tagore, to the successful candidates amongst the students of the Medical College, as announced in the *Hurkaru* of Wednesday, took place at the College on Thursday last, in the presence of a great number of highly respectable gentlemen, both European and Native; among whom we recognized the honorable Mr. Shakespear, Mr. Walter, Colonel Young, Dr. Wallich, Dr. Martin, Dr. D. Stewart, Dr. Strong, Nuwab Tahwer Jung, Bahadur, Baboo Dwarkanauth Tagore, Rajah Radhacant Bahadur, Rajah Rajnarain Roy, Baboo Ramcomul Sein, Baboo Russomoy Dutt, Baboo Motelaul Seal, Baboo Hurhur Dutt, Baboo Duckipannunjun Mookerjee and Baboo Sibkissen Banerjee. A little after eleven o'clock the Governor-General entered the Theatre, accompanied by His Lordship's Aids-de-camps. On His Lordship taking his seat, Professor Goodeve spoke to the following effect:

The munificence of Dwarkanauth Tagore has once more enabled us to perform the agreeable task of distributing amongst our students rewards worthy of the industry and zeal they have displayed in their professional studies; and ere I proceed to offer a brief sketch of the examinations, upon the merits of which these prizes have been decided, allow me to offer to that gentleman the sincere thanks of those to whom his liberality has thus been extended. I beg to tell him on the part of our young friends, that they duly value his kindness—and in the name of all who are interested in the cause of native education I assure him, that he could not have bestowed a portion of his wealth more justly than in fostering an institution which promises to become so highly beneficial to his countrymen as the Calcutta Medical College; whether we regard this institution as the means of extending to the natives the advantages of an enlightened system of medical practice, or as an important item in the progress of that civilization which is gradually, but I trust surely, expanding its influence over the land of his birth.

The subjects of the examinations which were held for the prizes we are about to distribute, were Anatomy and Physiology, and I should mention that in addition to the gifts of Dwarkanauth Tagore, the gold and silver medals presented by the Committee of Public Instruction were likewise awarded.

The first trial took place on Thursday the 13th April. That occasion served a two-fold purpose; in the first place it formed a test of the general progress made by the whole class, and in the second it enabled the Professors to select from amongst the pupils the most distinguished, as candidates for the prize examination.

With this view several questions were proposed which could not fail to prove the diligence and abilities of the whole body of students. The subjects chosen embraced

a very wide field. The first questions related to the anatomy of the pelvis, a description of which includes almost every species of structure to be found in the body. To comprehend this part of anatomy requires a knowledge of bones, muscles, vessels, nerves and viscera; whilst to afford an accurate account of the relative position of the contents of the pelvic cavity, embraces some very important matters regarding surgical anatomy.

The second question related to the course of the femoral artery, and in a surgical point of view was one of the great consequence. The Physiological question also presented much interest. The function of digestion, upon the due regulation of which so much of our health and comfort depends, was selected for this portion of the examination, because it is a subject respecting which more accurate information has been given and more important facts have been furnished, than upon almost any other function of the body. It was chosen in preference to one of a more theoretical character as better suited to a general examination. Upon all these points the answers were very satisfactory,—some of them were almost faultless, displaying a thorough knowledge of the subjects in all their details: a few indeed were vague and meagre, and one or two decidedly bad; but regarded as a whole we have the utmost reason to be content. I do not hesitate to say that the replies could not have been surpassed by any class of medical students in Europe, and the result of the examination proved most convincingly the excellent capacity of our students. It showed that their zeal and industry had in no wise failed, whilst to the Professors it afforded the gratifying conclusion that the method of instruction adopted had been well chosen,—that their labors had not been in vain. Pleasing, however, as the result of this part of the proceeding was, the practical examination held two days afterwards was still more satisfactory. The written replies might have been the effect of the memory; the most excellent anatomical answer might have been the product of one who knew nothing of the subject he treated except by rote. But this could not be objected to the examination of the succeeding Saturday (the 16th.) An intimate personal acquaintance with all that the student was called upon to demonstrate on that occasion, could alone bear him through the trial with success. I should delight to indulge my feelings by detailing the triumphant results of this portion of the examination. I would fain speak as it deserves of the admirable manner in which the various questions proposed were handled by a large portion of the class; but it is better to be silent; many and powerful reasons compel me, though reluctantly, to pass over this subject with a briefer notice than I should wish. The candidates chosen on this occasion to contend finally for the prize, were 20 in number.

The prize examination commenced on the 16th. They were conducted as before. The first day was completed

in answering written queries; the second was a further test of the practical knowledge of the candidates. The principal subjects chosen for the first day were the anatomy of the heart and the Physiology of the circulation together with the Surgical anatomy of the carotid artery. The Physiological question in this instance was very difficult to treat; it opened a much wider field for theoretical speculation than the subject of the previous examination. It taxed severely the ingenuity and clearness of comprehension of the students to explain some of the disputed points with reference to the subject before them. The greater portion of them, however, succeeded in their task to our entire satisfaction. They appear to have understood completely the nature of the question under consideration, and for the most part they gave excellent explanations of the various phenomena, to be observed in the function, regarding whose operations they were required to display their knowledge.

A few of these papers deserve especial notice. That of Raj Krishna Day had one fault only. It did not comprehend so many points as were found in some of the replies to the same queries by others, but the superiority of all he did write convinced the examiners that his omissions were not the result of ignorance. If the author had entered more fully into the subject upon which he wrote, we could not doubt that he would have been equally excellent in all.

Isaerchunder Gangoolie's paper was most correct, the physiology clear and comprehensive, and it did not contain a single error worth relating.

Samachurn Dutt's is the third on the list. It is the most elaborate of the whole, deserving the warmest eulogiums; but it contains one or two Anatomical errors; he describes the vena azygos as terminating in the left auricle, and he says that the pulmonary veins are furnished with valves; yet the rest of the paper was so admirable, displaying so thorough an acquaintance with the subject treated of, that the examiners could hardly conceive these errors to be aught but inadvertencies.

Punchum Shreemony, Ummachurn Set, Isaerchunder Dutt and Ramnarain Doss, take the 2d rank in the list, and with them stands Mr. Hemming. In the papers of these young men we do not meet any decided error but they have faults of omission: they are not so diffuse upon some points as might be desired.

The remaining papers were for the most part highly creditable to the authors, but all presented errors of some description, though few of great consequence; many of them, perhaps, were merely inadvertencies, as stated afterwards by some of the students; but the examining committee could of course be guided only by what they read: the good intentions of the writers could not weigh with them, for aught, as ample time was given to all to compose and correct their essays before delivering them to the Secretary. It was really a matter of no small difficulty to select from amongst these the third rank of prize candidates—six were however finally chosen.

The practical examination was equally satisfactory upon this occasion as upon the former. I repeat to say that in this department nearly all were so equal that it would have been no easy task to adjudge prizes of different value to the candidates, if the portion of the contest alone had been the test of proficiency.

The small prize reserved for students of one year's standing, was awarded to Paramchand Set, the infinite superiority of whose replies could admit of no hesitation in selecting him from amongst his fellow classmates. Although some of the answers given by the latter were very creditable, they would not bear comparison with those furnished by the student in question, I should not omit to mention that the trial for this prize was founded upon questions of a nature somewhat less difficult than those

given to the senior students, but the principles upon which the examination was conducted were precisely similar.

The result of these examinations, is in every respect honorable to the students. It is a source of unalloyed gratification to the Professors, and it must afford to the world a most convincing proof of the ultimate utility of this institution. The pleasure we experienced in witnessing the effects of a mode of study till now unknown in these lands, may well be conceived by those who know the peculiar circumstances in which the Calcutta Medical College is placed as regards the study of practical anatomy. That the prejudices of ages should in six short months have been overthrown and the iron bonds of a most debasing and mischievous superstition have been thus suddenly burst asunder by a few simple youths, aided only by the force of a superior education, was indeed a spectacle worthy to behold. It called forth the most unqualified admiration and excited the most triumphant feelings in our breasts. We felt that the great obstacle to the advancement of the institution under our charge was surmounted and that the objects for which the College was established were even now fulfilled. It was impossible to doubt of future success when we beheld the progress we had already made.

It only remains for me to offer on behalf of my colleagues and the students our respectful acknowledgments for the honor your Lordship has conferred upon us by your presence here to-day. We appreciate fully this mark of your approbation; and we should indeed be deficient in gratitude did we not feel deeply the warm interest you have so constantly evinced towards the institution to which we belong. With the proud consciousness of such encouragement we can never relax in our exertions to fulfill the duties assigned to us. We pledge ourselves that the cause in which we are engaged shall not be lost whilst we have power to support its interests and strength to labor in its behalf.

The Governor-General then handed prizes and certificates, according to their respective merits, to the following students, whose names were called one after another by Professor Goodeve.

Rajkrishna Day,	1	270	Co.'s Rs.
Isaerchunder Gangoolie,	1	270	ditto "
Samachurn Dutt,	1	120	ditto
Ramnarain Doss,	2	120	ditto
Isaerchunder Dutt,	2		Gold Medal.
Ummachurn Set,	2	120	Co.'s Rs.
Punchum Set,	2	120	ditto
Jaulolchunder Dhurrah,	3	50	ditto
Nobinchunder Mitter,	3	50	ditto
Dwarkanauth Goopta,	3	50	ditto
Ramcoomar Dutt,	3	50	ditto
Kalidoss Mookerjee,	3	50	ditto
Mr. R. S. Hemming,	3		Silver Medal.
Gobinchunder Gopta,	4		Certificate.
Moheschunder Dutt,	5		ditto
Jaudobchunder Set,	5		ditto
Isaerchunder Ney,	5		ditto
Mr. S. R. Naylor,	5		ditto
Shibchunder Karmocar,	5		ditto
Namoney Dutt,	5		ditto

2ND CLASS.

Paramchand Set,	1	50	Co.'s Rs.
Shamachurn Sircar,	2		Certificate,
Moheschurapur Day,	2		ditto
Goarysunker Mitter,	2		ditto

His Lordship was then ushered into the Laboratory and the Museum attached to the College, where he continued inspecting the large collection of the chemical apparatus, &c. for a good while. His Lordship did not leave the institution till within a few minutes of twelve o'clock.—*Bengal Hurkaru, July 1.*

THEATRICALS.

On Friday evening, the *Antiquary*, for the benefit of the Secretary, was ill performed to an ill-attended house. This clumsiest and dullest of the dramatic versions of the Waverley Novels, struck us as weary, stale, and flat in the extreme, and we much fear that the unprofitable speculation will, and has by this time made itself equally and in the same degree manifest to the perceptions of the Secretary. This we must regret, but it excites no surprise in us, as we only wonder what on earth could have induced one of the Secretary's pretensions to tart, to suppose a moment that such a thing as this play could go down with the public, even with a decent caste, as it was the very band of amateurs who rallied round the Secretary for the occasion and in pure good nature transformed themselves from captains bold into walking gentlemen or sticks: even they appeared ashamed of their position, and evinced the strongest disposition to turn their backs on the audience and flee,—delivering themselves, moreover, of the observations suggested by their forlorn state, in subdued tones with head and eye averted, and apparently seeking for consolation or encouragement from some friends or supporters in the wing or side scenes. It was truly a painful exhibition to the lookers on, and in as much as it was impossible to ascertain the precise nature of their distresses, they "not being audible in the gallery," a good natured and indulgent audience, was prevented from coming to their assistance, by bestowing that applause, which it is customary to extend to similar situations of distress and embarrassment. The worthy Jonathan Oldbuck himself, betook himself to his ancient custom, of late more honoured in the breach than the observance—that of making "damnable faces," and the effect of these contortions of the facial muscles, was very much assisted by the lampblack and brick dust, with which he had decorated his phiz. We have heard of Antiquaries with visages begrimed with snuff, but our Jonathan evidently delighted in soot, he was emphatically Jonathan with the smutty face. He moreover vociferated occasionally like one possessed, or as it gout were "playing the devil" with his great toe. With these trifling drawbacks, and the total absence of that quiet causticity of tone, and sarcasm of phrase and manner, peculiar to the Monkbarons of Sir Walter, the part, for any thing that we know, may have been well performed by the Secretary. Caxon was well dressed, and the Gabeilunze, was considered as a good performance. But Caxon should get rid of his habit of imitating movements of the goose on the gridiron, or the bear on hot irons, and learn to stand on his nether end like a Christian, and to us it appeared that Ldie Ochiltree, was too impetuous, too voluble, and not sufficiently dry or sarcastic. This was however the most successfully performed part of the evening. Of the ladies, of whom there were five or six, we thought Mrs

Tonson looked and played the part of Miss Macintyre prettily; and there was a manifest improvement in histrionic lore exhibited by Mrs. Davis as Jenny Rutherford.

Mrs. Chester sang some songs, and was in one or two instances endorsed by the gods, with whom she promises to become a prodigious favorite. The said gods were rather noisy, at which we were not surprised; for sooth to say there was but little to amuse them.

The rushing in of the tide was very well represented, and does infinite credit to all parties concerned in getting up this strife of the waters. We had almost forgot to mention the representative of the Earl of Glenallan. This amateur will make what is called a very good heavy business man; we recommend him to the special notice of the managers.

We had the gratification of witnessing the performances at the Theatre on Friday evening and are heartily glad of an opportunity of congratulating the amateurs on their success, the audience upon the rational entertainment provided for them, and the officers upon the fortunate issue of this new method of drawing off attention from the grog shop. The performances (before an audience of 7 or 800 persons) consisted of *The Affair of Honour*, *Cherry Bounce*, and the *Village Lawyer*. In the former, two practised amateurs from the commissioned branch of the Artillery played Major Lamhey and Cap'tain Carnage in a style to excite our hope that they will favor the visitors of Chowringhee by occasionally appearing. A Mrs. Ely, dubbed "Madame Vestris" for the nonce, made her debut as *Madame de Tourville*, and was most favourably received. She has a good figure, and a pretty face,—added to which high qualifications, her voice is clear and her self-possession undeniable. *Cherry Bounce* brought out two or three very good actors (Messrs. Johnson, Carlyle and Skeaf,) but one of them exhibited an unpardonable dependence on the prompter. The *Village Lawyer* was not quite so well sustained as the other pieces. Skeaf made a very excellent Snerl, and the *Shamefaced* of True was creditable to his talents, but Comyns who played Scout was sadly imperfect in the words of the part, and failed to embody successfully the various attributes of that exceedingly impudent personage, the village barrister. We suspect that C's avocations as stage manager, &c leave him no time to study the characters which he assigns himself.

Major General Brown, C. B., late commandant of the Artillery, who arrived from Benares the other day, was present at the performance. On his entrance, the men welcomed the worthy veteran with three loud cheers.—*Englishman*, July 31.

MEETING OF THE PROPRIETORS OF THE CHOWRINGHEE THEATRE.

There was a numerous attendance of proprietors and managers at the meeting at the Town Hall this morning. Mr. Mannuk in the chair. At the commencement of the meeting some remarks were made regarding the publication of the proceedings, and Mr. H. M. Parker being appealed to said the theatre was a private affair—"But," said Mr. Trower, "the proceedings of the last meeting having appeared in the newspapers, it is right that the managers' reply should have the like publicity." And the meeting unanimously concurred with Mr. Trower. The reply of the managers to the report of the committee of three was then read by Mr.

William Young. It described the report as an unfaithful chronicle of the past history of the theatre, a distorted view of its present condition, and an exceedingly unsafe guide with reference to future operations;—containing grave reflections on the origin, progress, and actual pressure of that incubus—the debt,—learned disquisitions on the extravagance of estimates long since converted into deburements,—solemn observations on managerial silver-gilt ornaments—the whole may be summed up in four words, gross, inaccurate management throughout. The committee had gone into subjects quite extraneous to the purpose for which they were formed and the

report abounded in error and fallacies. As to the amount of Rs. 42 per manum for managers' breakfast, it was an enormous exaggeration, other charges having been jumbled together and placed under that inviting head. The managers had called for information from the secretary, enquiries had reduced the charge 48 per cent., further enquiries had ascertained the real average to be Rs. 18 per month, thus showing the managers guilty of only one-third of the extravagance imputed to them. But this was not all, the report charged "the managers eating and drinking,"—the word *drinking* having been unnecessarily pressed, and likely to enlist the Temperance Society against them. The reply noticed and explained various disbursements referred to in the report. Time, however, urges the reporter to be brief. The reply concluded by expressing the opinion of the managers, that any expectation of profit from an amateur theatre must be purely imaginative. Mr. William Prinsep then addressed the meeting and explained various items, which had occasioned the cost of the repairs to exceed the estimate. Mr. James Prinsep also added a few words as to the cost of the roof, Rs. 3,600, whereas the cost of an ordinary roof would have amounted to Rs. 10,000. Mr. J. P. Grant in reply, declared that the sub-committee in making their report had not the least intention to say a word of blame against the gentlemen who were so kind as to superintend the repairs. Mr. W. Prinsep referred to the words more money expended on repairs than necessary. These in his opinion were censoriously applied. Much discussion followed, but the point was ultimately disposed of by a suggestion from Mr. H. M. Parker, that the interpretation of the committee on their own words should be admitted. Mr. J. P. Grant then proceeded to comment on the sarcastic tone of the reply. As to the report "abounding in error," the managers had only been able to point out one in the matter of charges, for breakfasts, and this, he asserted, was occasioned by the incomplete manner in which the information was given by the person to whom the manager had entrusted the keeping of the accounts. The reply said this was a specimen of the inaccuracy of the report. He denied that the report was inaccurate. He had indeed thought before the reply was read that a few errors might have crept into the report, but now when one only had been detected and taking into consideration the spirit displayed by the late managers,—"Several voices, 'Late managers!'"—Well, he would not dwell upon that.—But taking into consideration the spirit in which the reply was drawn up, and the fact that one error only had been detected, the assumption was that the managers could find no more, and, therefore, the proprietors must take the remainder of the report as correct. He adverted to the tenacity with which the managers clung to office,—they had in their extremity applied to the proprietors and expressed their willingness to resign, "but now that they had done the proprietors out of Rs. 50 per share, and got some money in the bank they were desirous to continue in office." Mr. Trower declared the managers had never relinquished office. Mr. H. M. Parker referred to the proceedings of the two preceding meetings. He thought those proceedings had not been in conformity with the ninth clause of their charter, and that new managers could not be legally appointed without a notice given in conformity to the provision therein contained.

Mr. W. P. Grant alluded to the tone of the managers' reply. He thought the committee of three had been most scurvily treated by the managers. Mr. C. R. Prinsep, on the contrary, thought the reply a very amusing piece of poetry and romance; he had looked into it and found no scurviness at the bottom. But to the point; did the proprietors come there for mere child's play, for such he contended it would be if they rescinded the resolution of the 17th of June? Mr. W. Young proposed a resolution which went to annul the resolutions of the former meeting. Mr. J. P. Grant appealed to the chairman's sense and impartiality, if at this adjourned meeting a resolution at variance with former resolution could be put. Colonel Young said he was unwell and unable to attend the former meeting. Mr. W. Young was also prevented from attending the former meeting. Mr. J. P. Grant did not think the indisposition of Colonel Young and Mr. W. Young ought to have prevented the meeting of the 17th June. Colonel Young said there had not been sufficient notice of the intention of that meeting to displace the managers. Had he been aware of such intention, he would have been brought down, like Chatham, on his couch rather than allow the measure to pass unopposed. After much further discussion, Mr. W. Young withdrew his resolution, and a requisition was immediately signed for a meeting on Saturday next to take into consideration the proceeding of the meeting of the 17th June.—*Oriental Observer, July 8.*

The noisy question about the management of the Theatre was settled very amicably to day at a meeting of proprietors called for the purpose by a little mutual concession. The radical party, who had done their endeavors to turn out the managers, for multitudinous misdemeanors in the matter of badges and breakfasts, &c. &c. most handsomely assured them to-day that they entertained for them the very highest possible respect, and only taxed them with the mis-management in a *Pickwickian* sense. All they wanted was, that the duties of the management should be separately undertaken by persons who would make it their particular business to look after them, and if the existing board of management would constitute a sub-committee of three upon this principle, there was not the least wish to deprive them of their honors. The *Conservatives* met this overture by recording a vote, that the managers be directed to sub-divide their duties and be held each individually responsible for the performance of the same, the sub-division to be determined in the committee of managers; observing, however, that there would be more work than any three persons having other occupations could satisfactorily perform, there being at least six distinct departments to be looked after. It being therefore agreed that no reduction should take place at present, the vacancy created by Mr. Holroyd, who tendered his resignation, was filled up by adding Mr. J. P. Grant to the committee:—and it was resolved not to let the Theatre except for single nights.

With regard to the debt, it is agreed to let it stand over, upon an arrangement providing for the interest upon it, and to prevent any increase of the amount.—*Calcutta Courier, July 8.*

MEETING OF THE PARISHIONERS OF THE ARMENIAN CHURCH.

We have to correct a part of the statement sent to us, as appeared in our paper of the 10th instant. The meeting of the 8th inst., we understand, was in the first place, an adjourned one, of the 6th inst. In the second place, the latter was convened by the usual printed circular

in the Armenian language, under the hand of Mr. Carrapiet Jacob, the warden and premier commissary of the Armenian Churches of Calcutta and Chinsurah—that in consequence of a melancholy circumstance in his family—(serious illness of his aged parent,) he had

made up his mind voluntarily to resign the honorary duties entrusted to his care by his nation at large. In this meeting of the 5th, the Church warden appeared in *propria persona*, to deliver charge, but as there was some delay in appointing the successorship of the office, he proceeded publicly to deliver charge to the Chairman of the meeting—producing the cash account—handing over the balance, and the funds in Government Securities, which were seen by all, examined minutely, and found correct, to have improved (beside other acquisitions to the Church by subscription, the long-talked-of chairs, benches and pews, introduced during his wardenship, &c. &c.) He then asked, in very humiliating terms, the permission of the meeting, and retired (about a couple of hours ere it broke up) amidst the *una voce* (as it is termed) warm thanks, and regret of all present—clergy as well as laity, who in respect stood up at his quitting the table. It appears by the minutes subsequently recorded, that a successor to Mr. Carrapiet Jacob remained undecided that evening, consequently the meeting was adjourned to the 8th inst. and we are enabled to lay a verbatim extract from the proceedings recorded, the translation of which runs thus—“*Imprimis*, in the room of Mr. Carrapiet Jacob, who resigned the duties of Church Wardenship, Mr. Manuk Malcum Manuk is elected Church Warden until 31st Decr. 1838, &c., &c.” We regret that a communication, under the anonymous signature of “A.” crept into our columns of the 6th inst.—with a heading “an

extraordinary meeting”—has given vent to a “*mirable diction*”—“the silences and whispers” ironically hinted at, to have resigned at the meeting, cannot be mistaken; that they were expressive of the deep regret, the meeting felt, if not “A.” himself, at the sad event, and the deprivation of the zealous services, by the untimely resignation, which we understand is fully recorded by the select vestry in their circular minute book, when that functionary tendered his resignation; which he had to repeat more than once, ere the Committee against their wish, and sorrowfully, were obliged for his impertinence, to accept it. “A.” could satisfy himself of this by perusing it at the vestry room; it runs from 26 to 32 pages of the book. If “A.” is one of the community, he might at least have read the printed circular, which is received by every Armenian inhabitant in Calcutta, ere he gave way to such unmeaning scribble, which infers that the resignation “seems to have been in consequence of encroaching much on his other engagements” and garbles the duties to mere “acting manager.” We have been further assured, that the meeting of the 5th was conducted with due decorum and solemnity, as the occasion required, Mr. G. Appar in the chair; and if “A.” was not devoid of the feeling of those present, it would not have appeared to him at all “extraordinary,” as he heads his unique production. And we cannot help repeating our regret, to have in a hurry given space to such communication and the article, without authentication.—*Calcutta Courier*, July 17.

AUSTRALIAN ASSOCIATION MEETING.

The meeting took place to-day and was respectably attended—there appeared to be about thirty persons in the room when the business commenced, though the number fell off towards the conclusion.

The several Resolutions carried at the Meeting were all fully discussed, but, from the desultory nature of the conversation that prevailed, we cannot give a detailed account of what transpired. All the parties present appeared agreed as to the desirableness of the undertaking, and resolved to support it. The Resolutions themselves convey a pretty good idea of the order in which the business was discussed. We were sorry to learn that Colonel Stuart who came forward to establish the Association, wished to withdraw from the management, now that it was founded, as he could not without some inconvenience take an active share in the business: the Meeting however were unanimous in expressing a hope that he would be prevailed on to continue in the Committee—accordingly his name is still retained and another Gentleman of considerable mercantile experience has been added to the Committee.

A list of the Shareholders was on the table, and we were glad to find the names of gentlemen of high respectability in it—the Meeting recommended the publication of the list of Shareholders: 69 shares were subscribed for, and several persons have engaged their passage in the first ship. It was mentioned at the meeting, that one gentleman had applied for both the *Foap Stern* Cabins; but as the appropriation of the best accommodation by one person would cause much dissatisfaction, it was thought that his request could not be acceded to, but as the first applicant he should have his choice of the two cabins, and as many other side cabins as he might require.

We are glad to see, that the present undertaking has been so warmly supported, as we are convinced that

many benefits to both countries will flow from it, and as we heartily approve of the scheme, we cordially recommend it to public support.

It was mentioned at the meeting that many persons who had not taken shares were desirous of giving donations; but as the scheme is not of a nature to admit of free gifts being accepted, it was recommended to the Committee, in the event of donations being pressed on it, to form a separate fund to be administered to by the Committee towards paying the passage of respectable and deserving persons, too poor to proceed to Australia by their own means.

REPORT OF THE PROCEEDINGS.

W. Cracroft, Esq., was unanimously called to take the chair.

The first resolution was proposed by Mr. Prinsep and seconded by Mr. Wilson. That the society be formed this day and consist of subscribers of one or more shares of Co.'s Rs. 500. Agreed to.

The second resolution was proposed by Mr. Prinsep and seconded by Mr. W. Smith.

That the object of the society be the establishment of a safe, commodious and regular communication with Australian and Van Diemen's Land. Agreed to.

The third resolution was proposed by Mr. Prinsep and seconded by Mr. W. Smith,

That the affairs of the Society be managed by a Committee of five members resident in Calcutta, to be annually elected, of whom three to form a quorum, and to act under the general controul of the members; general meetings to be held quarterly and specially on the requisition of any three members. Agreed to.

The fourth resolution was proposed by Mr. Prinsep and seconded by Capt. Graham,

That the operations of the society be confined as much as possible to the chartering of suitable vessels to be dispatched at specified periods. Agreed to.

The fifth resolution was proposed by Mr. Prinsep and seconded by Mr. Gardiner.

That the freight be reserved in the first instance for passengers; in the next for subscribers, and the residue offered to the public, the details of these arrangements to be left to the Committee. Agreed to.

The sixth resolution was proposed by Mr. Prinsep and seconded by Mr. W. Smith.

That the committee be empowered to employ secretary and make the necessary expenditure for establishment, &c., having regard to the greatest economy. Agreed to.

The seventh resolution was proposed by the Chairman and seconded by Mr. Prinsep.

That no ship shall be engaged which has not been previously surveyed and approved of by Mr. Bolton, or in his absence by such other person as the Committee may appoint. Agreed to.

The eighth resolution was proposed by Mr. Gardiner and seconded by Mr. Stirling.

That the Committee be empowered to call for a second instalment of 100 Rs. in August next, and the balance of the shares at their discretion at an interval of not less than a month. Agreed to.

The ninth resolution was proposed by Mr. Gardiner and seconded by Mr. W. Smith.

That proxies in writing be allowed at general and special meetings. Agreed to.

The tenth resolution was proposed by Mr. Gardiner and seconded by Mr. Cracroft.

That the expenses for advertisements, &c. hitherto incurred by the provisional Committee be approved of and paid. Agreed to.

The eleventh resolution was proposed by Mr. Stirling and seconded by Mr. Smith.

That the following gentlemen form the Committee :

Col. Stewart,	Mr. Wilson,
Mr. Cracroft,	and
Mr. Prinsep,	Mr. Mackilligin.

Should any of these gentlemen be unable to act, the remaining members be empowered to fill up the vacancies. Agreed to.

The twelfth resolution was proposed by Mr. Wilson and seconded by Capt. Graham.

That the committee nominate the agents at Madras, and the different ports of New South Wales and Van Diemen's Land. Agreed to.

The thirteenth resolution was proposed by Mr. Stirling and seconded by Capt. Graham.

That ships be chartered by the trip or voyage and not by time unless on special grounds. Agreed to.

The fourteenth resolution was proposed by Mr. Prinsep and agreed to unanimously.

That this meeting express their thanks to Mr. Gardiner in accepting his offer of gratuitous services as secretary, and for his past service and zeal in the cause.

Thanks were then voted to the chairman.

Beng. Hurk. July 11.] W. CRACROFT, Chairman.

UNION BANK MEETING.

FRIDAY, JULY 14, 1837.

General half-yearly Meeting, made special for the purpose of considering the requisitions of 30 proprietors for a Charter.

CAPTAIN VINT, in the Chair.

Read the Secretary's Report on the state of the Bank for the half year, ending 30th June, 1837.

SECRETARY'S REPORT

OF THE OPERATIONS OF THE UNION BANK FROM 1ST JANUARY TO 30TH JUNE, 1837.

The usual half yearly report which is now to be laid before you, will be found to bear the same prosperous character with those which have been submitted of late years.

The actual gain from all realizations during the six months now expired, amount to Company's rupees 1,41,153-3-6, which is at the rate of a minute fraction about 13 per cent. per annum on the capital stock. When to this are added the undivided Co.'s Rs. 17,054-10-4, of last half year, you have a total disposable fund of Co.'s Rs. 1,58,207-13-10, equal to the rate of Co.'s Rs. 14-10 per cent. per annum, out of which you will proceed to make such an immediate dividend as may seem expedient. You will remember that the resolutions of April and May last, for adding one-third to the former Bank capital, by subscriptions from the old shareholders, only facilitated this operation, by allowing proprietors to reckon in part of their subscription the amount (whatever it might turn out to be) of this June dividend. It becomes necessary, therefore, to show distinctly the entire amount of divisible funds

now available. If you determine to divide 14 per cent. or nearly the whole Bank profit—

The sum so divided will be Co.'s Rs.	1,51,200	0	0
Leaving undivided a reserve fund of	7,007	13	10
The dividend on each full share will be	189	0	0
Ditto on ditto Supply, third ditto ..	63	0	0

If you divide 12 per cent. or..... 1,29,600 0 0

The undivided surplus remains.... 28,607 13 10

Dividend on each full share 162 0 0

Ditto ditto Supply, third..... 54 0 0

If you divide 10 per cent. or.... 1,08,000 0 0

Remains undivided..... 50,207 13 10

Dividend on each full share.... 135 0 0

Ditto ditto Supply, third..... 45 0 0

As soon as this question of the present dividend is determined, we shall proceed to adjust our stock subscription accounts with the proprietors now in India, whether for squaring up the differences on their old stock or subscribing for their privilege of new, in cash or promissory notes, under the resolutions of May, at 8 per cent. interest from 30th June. Till then any exact enumeration of those who have or have not qualified for new stock by paying up on the old, or of those who have or have not claimed their privilege, would be premature. Your directors will close the lists as soon as possible and put to competition any share not taken up. But as a point of general interest it may here be

noticed, that apparently there will be none such to sell, saving always absentees, who have an extended period of option. Of Co.'s Rs. 2,40,000 required to square up the entire old stock, above three-fourths, or Co.'s Rs. 1,87,666 have been received in cash, and Co.'s Rs. 52,334 remain to be adjusted on the present dividends. Of Co.'s Rs. 800,000 required subscriptions for new stock in three instalments each of Company's Rs. 2,66,666-10-8 due on the 31st August, October and December next, Co.'s Rs. 3,70,000 have been already anticipated in cash payments, being nearly half of the whole, 4,30,986.

The Bank Note circulation has kept pretty nearly within the same extremes as indicated in last report. These were then, Co.'s Rs. 7,05,000 and Co.'s Rs. 3,23,000. They have now ranged from 7,43,000 to 3,38,000, with a daily average on the six months of Co.'s Rs. 5,06,035. The new Company-ropes Notes have arrived in the *Parsee*; they will almost immediately pass into circulation, and it is satisfactory to find that their estimated cost of at least £1,000 dwindles down to one third, or Co.'s Rs. 3,200 only.

I conclude this report by adverting, perhaps for the last time, to the large item so long standing against the Bank in our accounts as "DEPENDENCIES." This sum, originally amounting to Rs. Rs. 2,72,201-4-10, represented all the losses and bad debts of the Bank from the first. It was stated to you at the last half-yearly Meeting that this sum had been reduced by gradual realizations to Co.'s Rs. 1,75,127-12-11 while in the mean time a fund had accumulated from undivided reserves sufficient to cover this remnant of Dependencies. The present state of this account will appear at one view by the following extract from the Trustees' account now on the Table.

Total accumulation of profits, exclusive of past dividends up to 30th June 1837.....	Co.'s Rs.	3,26,802	15	10
Amount remaining of dependencies.....		1,68,595	2	0
Surplus Fund now available being at the rate Co.'s Rs. 14-10 per cent. per annum on the capital.....		1,58,207	13	10

The item of dependencies may thus, for the present, be considered as absolutely extinguished. There is still a small expectancy which will be brought to credit, of our general profits in future as realized, I refer to the long pending "DEPENDENCY," of Ramtunno Doss's Estate; and I am happy to report that our Trustees have at length, by amicable arrangement with the family, obtained undisputed possession of the joint property. This they are preparing forthwith to sell and to divide the one-third portion of Gopey Mohun Doss (our debtor) rateably among the creditors.

J. YOUNG, Secretary.

Union Bank, 14th July, 1837.

It was proposed by Mr. Macmahon, and seconded by Mr. Dickens, and carried unanimously.

Resolution 1st.—That this Report is approved by the Meeting, and that it be published in the newspapers.

Proposed by Mr. Bruce, Chairman of the Directors, and seconded by Mr. Stirling, and carried unanimously.

Resolution 2nd.—That a half-yearly dividend at the rate of 14 per cent. per annum, or Co.'s Rs. 189 for each Full Share and Co.'s Rs. 69 for each Supplementary third share, be now declared.

Proposed by Mr. W. R. Young and seconded by Mr. Dickens, and carried unanimously.

Resolution 3d.—That the temporary nominations during the last half year by the Directors of Mr. W. F. Fergusson to officiate in the absence of Mr. James Fergusson, and of Mr. S. R. Crawford, in the room of Mr. K. B. Mackenzie, be confirmed.

Resolution 4th.—That in the room of Messrs. Bruce, Fergusson, Maclean and Rustomjee Cowjee, who go out by rotation, the following gentlemen be appointed Directors of the Bank—namely, Messrs. Storm, Cullen Cragg, and T. Holroyd, new Directors.

The foregoing matters having been disposed of, the Secretary called attention to the object of the special requisition signed by a number of Proprietors, to take into consideration the expediency of an application to this Government for a Charter. After reading the requisition, the Secretary read the former correspondence with Government on this subject, viz, a letter to Mr. Secretary Bushby of the 1st September 1831—another of the 30th August 1833, written in consequence of getting no reply from the Court to whom the question had been referred, and finally a letter from Mr. Secretary Prinsep of the 22d September 1834, annexing an extract from the Court's letter of the 16th April, 1834, which briefly stated that the Court would not accede to the request.

Mr. Dickens asked whether it is more consonant with the terms of the requisition that the Directors should submit a proposition respecting the charter. Colonel Young said that it was understood by them that they had submitted the proposition; and that it was now open for any one to move any resolution founded on it, and Mr. Dickens then moved.

Resolution 5th.—That it be referred to the Directors assisted by a Committee composed of the following member T. Dickens and J. Young, to take the necessary steps to obtain a Charter or Act of Incorporation from Government for the following purposes:—

1st.—To enable the Bank to sue and be sued by its Secretary, to take conveyances and hold all property in his name.

2d.—To limit the responsibility of the Bank to the amount of its paid up capital.

3d.—That it be an instruction to the Directors and the Committee to offer as a condition of obtaining, a Charter, that the amount of notes of the Bank payable on demand, shall not exceed 2-3ds. of the capital, and said in moving it that he should explain his grounds as clearly as he was able.

He considered the charter for the purpose of suing and being sued by the Secretary, and for limiting responsibility to the amount of paid up capital desirable, because there was a class of persons who were at present deterred by the want of it from becoming proprietors of the Bank. These persons were afraid they might become liable in their own estates, in case the Bank become indebted. The case could not arise unless the Bank lost its whole capital; but even then it was in reality a delusion, for any creditor to suppose he had recourse to the partners of the Bank individually. In theory of law it was so: in practice the right was useless, and one that no man of the last sense or knowledge of the matter would avail himself of. It was true a creditor has a right to sue any of the partners of the Bank for the debts of the whole,—equally true that such partner when sued, has a right to call upon the creditor to make all the other partners parties to the suit, in order that they may be made to contribute rateably. We had now 201 partners and we should certainly soon have a much more numerous body, and by our constitution may have 3,200. If any man supposed that in filing a suit for

an account against say 2,000 partners, he was likely to get it before the final accounts at the day of judgment, be laboured under a mistake which, the sooner it was corrected the better. In reality and plain truth, the limit of the capital paid up was the limit of the practical responsibility. While on the one hand the shares of the Bank were somewhat discredited by the fears of persons who dreaded nominal responsibility, they were perhaps accredited with as little reason by the notion that prevailed with another class, that liability of the partners in their private estates increased the capital. The amount of capital subscribed was a real limitation of responsibility, and as the whole was a paid up capital it was light and just in principle it should be so. Although in our commercial land in no way but by a legislative act, could a body of partners limit their responsibility, that was not so in other countries. On the continent, in France, Belgium, Holland, &c., an association that gave due notice of the amount of its capital, and that it would not be liable in gross for more, was held to give notice to all the world not to give it credit for more, and could and did limit its responsibility. The Union Bank does not want any more credit than it has and deserves. Our issues do not average more than an eighth of our paid up capital, and nearly the whole of that or this invested in Government securities, bullion and private paper, must be utterly worthless, before we could lose more than our capital,—a supposition that may be at once dismissed as impossible.

Respecting the convenience of suing and being sued by the Secretary, there could be but one opinion and

that need not be further dwelt upon. Respecting the limitation of responsibility to the amount of paid up capital, he would make but one more remark. We went to ask for it offering guarantees. It was his own opinion and that of the Directors, he believed, that we ought to agree to limit the issues of notes payable on demand to 2-3ds of the paid up capital, which rendered a loss of the whole capital impossible, as every body must see. It had never been known that a Joint Stock Company, with a paid up capital, and trading on no other had lost the whole of it, and the Union Bank had not only a paid up capital but restricted issues, a feature that distinguished his proposition favorably from all others. The Bank of Bengal had probably a circulation of notes payable on demand to double its capital; the Bank of England to three or four times the amount. The Union Bank neither asked the Government to receive its notes nor accredit its issues; but it was willing itself to accredit them by a guarantee that they should not only represent credit, but cash or in equivalent securities.

Proposed by Mr. Parker seconded by Mr. McMahon. *Resolution 6th.*—That the Proprietors be recommended to the Directors to increase the salary of the present Secretary to Rs. 1,600 per mensem, and to add Rs. 100 per mensem to the salary of the present Accountant, the increase to commence from the 1st July 1877. Carried unanimously.

Thanks were then offered to the Chairman and the meeting broke up.—*Bengal Hurkaru, July 15.*

CALCUTTA LAUDABLE SOCIETY MEETING.

The Half Yearly Meeting of the Laudable Society was held this day—Mr. Longueville Clarke in the chair. The usual Statements being produced on behalf of the Directors and read, it appeared that the risks outstanding on the 30th ultimo, amounted to 98½ shares on 411 lives, and that the state of the funds on that date was as follows:

Total	Rs.	8,02,842
Deduct eventual dividend at 2,000 Rs. per share (to complete 6000) on 127½ shares lapsed on thirty-eight lives,	Rs.	2,55,000

Sa. Rs. 5,47,842

The subscriptions realized or under realization this month for the current half year, added Rs. 223,705 to the above balance, less Rs. 28,000 amount of the regulated advance on 7 shares lapsed since the 1st of July.

The following is a statement of the number of lapses since the commencement of the present Society.

	Shares.	Lives.	Shares.	Lives.
1st half year,	17	5	} out of	892
2d ditto,....	45	11		1290
3d ditto,....	8	4		1191
4th ditto,....	26½	8		1119
5th ditto,....	31	10		1011

Total, 127½ 38

The Meeting was very well attended, it being known that Mr. Greenlaw's plan would be brought under discussion. The following is a copy of the Resolutions:

"1st Resolution.—Moved by J. Smith, seconded by L. A. Avietick, and carried unanimously—

That the Accounts and Statements for the last-half year now submitted to the meeting, be passed as correct and satisfactory. Carried *nem con.*

2d Resolution.—Moved by Mr. George Hill seconded by Mr. F. T. Fergusson, and carried unanimously—

That the Secretary be directed to publish the Abstract of the Funds, and Accounts of the Society now laid before the Meeting, for the information of Subscribers. Carried *nem con.*

3d Resolution.—Moved by Dr. Macpherson, seconded by Mr. G. Hill

That Mr. Greenlaw be requested to prepare a Statement of his plan, which shall be printed by the Directors and circulated among the Shareholders, for the purpose of being taken into consideration at the next half-yearly Meeting, and that the non-resident Subscribers be requested to forward their votes and opinions in writing to the Secretary under the 34th Rule.

Amendment moved by Mr. W. Peters, that after the words "Mr. Greenlaw" the following words be inserted, "or other shareholders."

Negated, being only supported by Mr. Wm. Fergusson.

Original Resolution then carried *nem con.*"

After the second Resolution, Mr. Greenlaw said a few words in explanation of the motives which had induced him to propose a scheme to improve the stability of the Society by the establishment of a Guarantee Fund. The old practice had been at each renewal to reserve 10 per cent on the amount of the accumulated fund, and transfer it as a bonus to the new Society. In

drawing up the rules of the present Society, however, no such provision nor any substitute for it had been made, and in consequence any surplus that might exist at the end of the term, namely, on the 31st December 1839, after paying up the 6,000 Rs. fixed as the entire sum to which the holders of lapsed policies were entitled per share, would be the absolute property of the then existing holders of policies on current lives, and be liable to immediate distribution among them. This Mr. Greenlaw considered a very unsafe position, and it was admitted to have been an oversight. He would therefore suggest that, of the surplus at the determination of the present Society, a certain portion should be devoted to current purposes, to meet the extra risk occasioned by the transfer of the policies of the late Supplementary Laudable when the two Societies were united, which caused the risks upon a single life, in some instances to exceed the new limits; that a per centage should also be transferred as formerly, and the remainder be rateably (according to the premiums they shall have paid) credited in account to the existing subscribers, but not paid to them, except, in each case, the excess beyond 6 per cent. on the outstanding risk of the party. But under this plan the amount so credited is to be the subscribers' absolute property claimable when his policy lapses. Those who withdraw from the Society, however, are to forfeit a portion—say one half, for the benefit of the rest. The general features of the plan had received the approbation of the Directors.

Mr. William Fergusson admitted the propriety of some plan of this sort to secure the stability of the Institution in a future association, but thought it would be unjust to appropriate the large expected surplus of 4,000 Rs. per share otherwise than among the holders of lapsed policies; and therefore that the Meeting for receiving the votes upon this scheme should take place at some period before the next half-yearly premiums became due, as he believed there were many who subscribed to the Laudable on the faith of that appropriation. He moved an amendment accordingly, but withdrew it on explanation that a shorter period would be insufficient to give the necessary publicity and draw attention to the plan.

It seems to us that, in fixing a maximum to be paid on each lapsed policy, the principle was established from the first to give any surplus to the current policy holders, and consequently those who subscribe under the impression stated by Mr. Fergusson, do so under a delusion.

The object of Mr. Pater's Amendment was to give opportunity for circulating a scheme he had drawn up, which was based on the principle of distribution among lapsed policies, being in fact a renewal of the old plan of the Laudable. Upon which Mr. Greenlaw observed that, in that case, he would himself withdraw from the Society. After this point had been discussed, Mr. Greenlaw mentioned the subject of Arracan risks, and put it to the Meeting whether it would be right to subject officers going there on duty, to any increased premiums, no such difference or exception being made when they were ordered into the field. The Meeting determined to act on the liberal principle and to make no extra charge in any case upon current policies on account of the parties proceeding to Arracan.—*Calcutta Courier*, July 26.

We have been told that in reporting the proceedings at the Meeting of the Laudable Society, we misrepresented the views of Mr. Wm. Fergusson:—that that gentleman did not contend that the surplus at the close of the present Society on the 31st December 1839, should of right be distributed among the holders of lapsed policies, but agreed with Mr. Greenlaw, that it belonged to the then existing Subscribers. His apprehension was, that Mr. Greenlaw's scheme of a locked up reverse fund would deprive them of this right, and therefore he thought it but fair to give the Subscribers opportunity to consider the effect of the proposition before another half year's premium should become due, that, if the proposition were adopted by a majority, the dissentients might withdraw if they pleased,—it being within his own knowledge that some policies were now kept up in the Laudable merely on account of the valuable interest arising from this expected surplus. When Mr. Greenlaw's plan shall be laid before the public in detail, we hope it will be found sufficiently to preserve this valuable interest in the existing policy holders, although the fund shall not be distributable till a more distant date. But we are of opinion with Mr. Fergusson and some others, that the fact of the surplus being now so much larger than was expected when it was resolved at the outset to leave the question open for a time, whether the value of a lapsed policy should be fixed at 6,000 or 7,000 Rs. is a strong argument for rescinding the subsequent resolution which fixed it at 6,000 only, and for raising the amount to 7,000 rupees, or rather for promising a contingent increase to that extent supposing the present prosperous state of the funds to continue to the end of the term; for in that case there will be surplus enough for a guarantee fund after paying the lapsed policies at this rate, and all interests will thus participate in the prosperity of the institution.—*Ibid*, July 28.

CALCUTTA DOCKING COMPANY.

The first general half-yearly meeting of the Calcutta Docking Company, held at the office of the Secretary, on Tuesday, the 25th July, 1837.

First half-yearly report of the proceedings of the Calcutta Docking Company, from 1st January to 30th June 1837.

The committee have the pleasure to lay before the proprietors their first report of proceedings, and are happy to be able to show that the association has fully answered the expectation of the proprietors, even with every disadvantage attendant upon the starting a new and extensive concern, bare of stock and with hands entirely new to the business.

On the 20th December 1836, the upper Howrah Dock was purchased of Captain Currie for Co.'s Rs. 2,00,000 and on the 30th December 1836, the Kidderpore Docks were purchased at Auction for Sa. Rs. 3,41,000 at Co's Rs. 3,63,733-5-4.

The two lower Howrah Docks have likewise been hired of Messrs. Carr, Tagore and Co. at Co.'s Rs. 1,565 per month, equivalent to interest on Rs. Co. 2,03,000, at 8 per cent. per annum (being the amount due for them to the assignees of Barretto and Sons) upon the condition stated in their letter dated 29th April 1837.

It will be for the proprietors to determine at the expiration of that time, namely, by the beginning of

March, whether or not they will purchase the Docks from Messrs. C. T. and Co. for the sum of two lacs of rupees; in case of refusal Messrs. C. T. and Co. will have the right of retaining possession and disposing of them in any other manner they may please.

In the meantime the committee think they have seriously benefited the association by preventing these Docks from coming into General competition against it.

The Steam engine and Engine-house at Kidderpore, for pumping out the Docks, commenced by Mr. Kyd, has been completed at an expense of about Co.'s Rs. 2,000, which outlay, however, it will presently be shown, to be a considerable economy to the association, in comparison with the old plan of pumping out by the means of coolies.

The house at Kidderpore, which was in a miserable state of repair, has been also thoroughly repaired and improved, and it may now be considered valuable property that will always yield a good monthly rent from its position and comfortable accommodations. It is now let for 300 rupees per month.

In conformity with the resolution of the last general meeting, a sale to Government has been effected of a part of the ground at Kidderpore at the East end of the premises, it has not yet been measured, but it is estimated to realize about 75,000 Rs. there has been some delay in consequence of a doubt as to the validity of the title, but it has been agreed to give an indemnity bond, which will settle the business in a very short time.

There has likewise been much complication in the title from the executors of Mr. Kyd to this association, but by reducing the purchase money 10,000 Rs. all these difficulties have been waived on the part of the attorney for the association.

The title deeds are now very forward, and will be executed in a few days, and the whole interests of the association are vested in the three trustees named in the deed of copartnership.

ABSTRACT No. 1 - SCHEDULE No. 2 — The committee have now to report the income and expense of the association. For the total amount of repairs to vessels and the building of different boats, &c. The bills of the association amount to Co.'s Rs. 2,64,477 3 30 and the estimated profit on the same is Co.'s Rs. 96,867, as will be seen by a reference to schedule No. 3.

SCHEDULES Nos. 4, 5 AND 6. — The expenses of establishment for the last six months amount to Co.'s Rs. 47,832 10 as per schedule No. 3, added to which are Co.'s Rs. 6,000 for certain repairs and alterations alluded to in the above report, and the amount of interest paid upon the part of the purchase money of the Docks.

Thus within the term of six months, the net earnings to the association have amounted to Co.'s Rs. 49,231 5, upon a very fair proportion of work. The estimated amount of commission upon the ship on the stocks at

Kidderpore, now nearly completed, may be considered as the amount that will be due by her owners. There are likewise several boats and other work on hand for Government which do not so properly come into this half year's report of progress.

SCHEDULES Nos. 7 AND 8 — The Docks were sold without their stores and tools, entirely bare of stock, the committee have been obliged therefore to purchase at the auctions held on the premises at the time of delivering over stores and tools to the amount of about Co.'s Rs. 15,000, in addition to which they have had to lay in a stock of timber, iron, coals and other materials which they have been able to do at such rates as will no doubt eventually yield considerable profit in their retail appropriation. The rough value of the balance of stock on the 30th June amounts to about Co.'s Rs. 1,02,398.

It is not considered necessary to take stock formally and particularly at the several yards more than once a year.

The value of the property in hand this day amounts to 6,12,632 8 10.

By schedule No. 10, the proprietors will perceive, what proportion has been paid up and what amount remains due upon each of the Dock purchases, but it is necessary to explain that the claimants by mortgage upon Mr. Kyd's estate, are willing to allow to lie over 1,25,000 Rs. for the term of 2 or 5 years at 8 per cent interest, taking a first mortgage from this association. The executors are willing to take their security secondary to them for the balance of the purchase money payable by the instalments agreed upon.

In the uncertainty of what the business of the association might afford to pay remuneration to the secretary it was not finally determined whether he should draw fixed salary or by commission on the gross receipts. The proprietors will determine now that the deed of copartnership may be filled up in regard to this point, but the committee consider that the secretary's estimate No. 6 of 2,000 rupees per month, including all office charges and assistants, is not too much.

The deed of copartnership lies on the table for signature by the proprietors.

The number of shares taken are 474. The amount paid up in cash and promissory notes being rupees 2,35,800. There remain 81 shares in default, which it is believed will now be immediately paid up, since the deed of partnership is settled, and this report will prove that both property and profits are good and sufficient to satisfy all those who were in any doubt of the success of the association.

The committee lay upon the table a statement of their cash account, presenting a balance in favor of the association when the outstanding bills have been recovered and the subscribed shares paid up, of rupees 22,185-2-4.

—Cal. Courier, July 26.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general meeting of this Society, was held at the Town Hall, this morning, July 12th, at half past 9 o'clock.

PRESENT.

The Hon. Sir E. RYAN, President, in the Chair.

The Hon. Sir B Malkin,	Nawaub Tohowar Jung,
The Hon. Col. Rehling,	Captain Carter,
Dr. Wallich,	Professor O'Shaughnessy,
T. Stirling, Esq.,	A. Beattie, Esq.,
W. Cracroft, Esq.,	G. A. Pinnep, Esq.,
W. Storm, Esq.,	M. A. Bignell, Esq.,
Colonel Macleod,	A. C. Dunlop, Esq.,
Colonel Caulfield,	C. Huffleagle, Esq.,
C. K. Robinson, Esq.,	C. Tiebeck, Esq.,
Joseph Willis, Esq.,	D. Hare, Esq.,
M. M. Manuk, Esq.,	D. W. H. Speed, Esq.,
E. P. Strong, Esq.,	G. T. F. Speed, Esq.,
Captain White,	T. A. Pitkin, Esq.,
Dr. A. R. Jackson,	T. H. Gardiner, Esq.,
Dr. Voigt,	T. Leach, Esq.,
A. Grant, Esq.,	D. B. Syers, Esq.,
H. M. Low, Esq.,	John Bell, and several more
J. R. Bagshaw, Esq.,	Members, whose names
J. W. Masters, Esq.,	could not be ascertained.

VISITORS.

Mr. Wm. McCulloch, introduced by Dr. Wallich, Messrs. George Rae, G. Pratt, and J. Jenkins.

The proceedings of last meeting were read and confirmed.

The following Gentlemen proposed at last meeting, were elected Members of the Society. —

Lieut. J. Gilmore,	J. Donald, Esq.,
Allan Gilmore, Esq.,	W. F. Ferguson, Esq.,
J. P. Mackilligan, Esq.,	A. Larruleta, Esq.,
John Maclean, Esq.,	G. De. Gorastiza, Esq.,
N. Mackenzie, Esq.,	R. B. Garrett, Esq.,
Robert Watson, Esq.,	T. S. Kelall, Esq.,
R. H. P. Clarke, Esq., c.s.	John Stewart, Esq.,

The following Gentlemen were proposed, viz.

Lieut. Wm. Munro, secretary of the Mysore Agricultural and Horticultural Society, proposed by the Secretary, seconded by W. Storm, Esq.

Wm. Haworth, Esq., proposed by D. B. Syers, Esq., seconded by W. Storm, Esq.

R. Thomas, Esq., proposed by W. Storm, Esq., seconded by W. F. Leach, Esq.

Dr. Duncan Stewart, proposed by Dr. A. R. Jackson, seconded by Dr. Wallich.

Jas. Colquhoun, Esq., proposed by Joseph Willis, Esq., seconded by Dr. Wallich.

Baboo Hurrymohun Sen, proposed by Sir E. Ryan, seconded by the Secretary.

Captain H. Kirke Dryden, proposed by Dr. Wallich, seconded by the Secretary.

Wm. Griffith, Esq., Assistant Surgeon, proposed by W. Karle, Esq., seconded by the Secretary.

William Carr Ewart, Esq., proposed by C. K. Robinson, Esq., seconded by the Secretary.

J. B. Higginson, Esq., proposed by A. Beattie, Esq., seconded by the Secretary.

John Jenkins, Esq., proposed by W. Storm, Esq., seconded by the Secretary.

G. F. McClintock, Esq., C. S., proposed by H. Walters, Esq., seconded by the Secretary.

Read a letter just received from Mr. Marahman, forwarding 20 copies of the 4th vol. of the Society's Transactions, together with a memo. of the cost of printing and binding 500 copies, amounting to Rs. 1,088 & 0.

The Secretary was directed to pay the amount.

MR. W. — This completes the publication of 3 vols. within 2 years.

The report of the committee appointed to consider the question of improving the cattle of India, which was sent back at the last general meeting, for amendment, was read. It embraced the following propositions, viz.

For cattle imported between the 1st January and 31st December 1838, the show to be held on the 1st Feb. 1839.

1st. — For the best imported bull (excepting the produce of new Holland,) not less than 2 years old, a premium* of 500 Rs., and the gold medal.

For the second best, ditto, ditto, a premium of 400 Rs. and the silver medal.

For the third best ditto, ditto, a premium of 300 Rs.

2nd. — For the best woolled ram, not less than 2 years old, a premium of 200 Rs. and the gold medal.

For the second best, ditto, ditto, a premium of 150 Rs. and the silver medal.

For the third best, ditto, ditto, a premium of 100 Rs.

3rd. — For the best produce of imported cattle half the above mentioned premiums, and the gold and silver medals will be given on the 1st February 1840.

4th. — To encourage the growth of good fodder.

For any person who shall show a cultivation of 20 well planted beegahs of the best Guinea Grass, on or before the 1st January 1838, either in Calcutta or the Mofussil, a premium of 200 Rs. and the gold medal.

For 10 beegahs of ditto, ditto, 100 Rs. and the silver medal.

For a maund of seed from such cultivation a premium of 100 Rs.

For half a maund of ditto ditto, 50 Rs.

For 5 beegahs of the best lucerne 100 Rs. and the silver medal.

For 2 beegahs of the best clover, 100, Rs. and the silver medal.

Moved by the Hon'ble Col. Rehling, seconded by Captain Leach, that the Committee's propositions be adopted. Dr. Jackson proposed, as an amendment, that the clause excluding the competition of N. S. Wales cattle, be struck out, unless any member was prepared to state upon his own experience, that the supposed objection was valid. The amendment was put to the vote, and lost by a majority in favor of the original resolution.

The proposal of Dr. Wallich, brought forward at last meeting, to have standing committees in future, was again submitted with the following lists of names, suggested with reference to their knowledge of the subject.

* This exception was inserted by the Committee with reference to the advice of some of the members, who understood that cattle from N. S. Wales did not propagate in India.

STANDING COMMITTEES.

Sugar.	Cotton	Silk, Hemp & Flax	Coffee and Tobacco
M. Alexander, A. Colvin, Dwark Tagore, D. Hare, G. U. Adam, A. Meller, Jno. Allen, W. Storm, J. Dougall, J. Wellaster,	Jos. Willis, A. Colvin, W. C. Harry, Dr. Hufnagle, G. A. P. Insep, W. Speir, W. Storm, D. B. Syers, W. Eail, R. Watson, G. U. A. Inm,	W. Speir, Rameemul Sen, P. O. Shaughnessy, Jos. Willis, R. Willis, C. A. Robinson, G. T. F. Speed, D. W. H. Speed, W. Storm	Dr. Strong, Dr. Wallich, H. Wallich, G. A. P. Insep, (Capt. Leach) D. W. H. Speed, D. Hare, Dr. Jackson,
Implements of Husbandry and Machinery	Gauvatoom & Oil Seeds	Improvement of Cattle	
E. Striding, Col. McLeod, Jas. P. Insep, C. Crockett, Rameemul Sen, C. K. Robinson, R. Walters, Radhakant Deb, Dr. Hufnagle, W. C. Harry, D. Hare,	D. Wallich, P. O. Shaughnessy, Rameemul Sen, W. Speir, Radhakant Deb, J. P. Marcus, Dr. Corby,	D. Wallich, H. Walters, N. Alexander, C. K. Robinson, Dr. Hufnagle, W. Storm, W. P. Grant, C. R. P. Insep, W. F. Gibbon	Agricultural Committee and Committee of Papers To remain as now constituted

Moved by Dr. Strong, Seconded by Col. Rehling and unanimously resolved. That the above Committee be confirmed, and that the Secretary be directed to circulate the lists, soliciting the members appointed to give the Society the benefit of their assistance when called for.

The President drew attention, to a memorandum from the Secretary, proposing to increase his assistant's salary from 100 to 150 rupees per month, on the ground of greatly enhanced labor, and with reference to his intelligence and constant attendance.

The Secretary begged to explain, that Mr. Blechyn-den had never hinted at an increase, but Mr. Bell considered him deserving of more.

Resolved—Nem Con. That the assistant's salary be increased to 150 rupees.

Read the proceedings of the Assam silk committee, which simply embodied two resolutions, to write to Captain Jenkins for a larger sample, with cocoons in the different stages, and to send the silk received to Professor O. Shaughnessy for report.

Read a note from Messrs. Cantor and Co. informing the Secy. that they held 500 rupees at the disposal of the Society, from Captain Jenkins for a premium to encourage the cullm, &c. of Atia silk, and mending it off the cocoon.

The Secretary was directed to receive the amount.

Read the proceeding of the Agricultural Committee held on the 29th June, reporting favorably of the canes and cotton in the Society's nursery, and proposing that the Secretary should make application to Dr. Stevenson of Lucknow and Captain Brown at Jubbulpore, for supplies of Otahete sugar-cane, further that he should apply to Messrs. Adam, Scott and Co. for their assistance to secure some Tinnevely and Seychelles cotton seeds.

The Secretary brought forward a motion seconded by H. Walter, Esq., with a view to encourage the importation of Otahete cane, for distribution throughout India, viz.

"That a premium of 500 Rs. be awarded to any commander or other person who may import from the Mauritius 500 full grown full length Otahete canes in a regaining condition, not later than the 31st January 1883.

2. That 250 rupees be given for 250 ditto ditto canes.

3. That the gold medal and a premium of 1,000 rupees be awarded to any cultivator who can exhibit 100 Bengal beegahs of Otahete sugar-cane on or before the 1st January 1883, each plant to be four feet apart, and to be planted in the West India plan, not in ridges but square holes, with some further conditions, regarding the purchase by the Society of the produce.

Proposed by Dr. Strong, seconded by Mr. Willis, that the Secretary's suggestions be handed over to the sugar committee for consideration and report at next meeting.

In connexion with this question Mr. Willis submitted an extract of a letter just received from a correspondent at Mauritius, stating the difficulty he experienced in that island to procure canes for exportation to India, owing to a little jealousy on the part of the planters, mentioning at the same time, that the Otahete cane was nearly exhausted (Query what has become of it?) and hinting, that to Britain we ought to look for supplies.

The Secretary informed the meeting, that in consequence of a heavy incurrence of postage demanded upon magistrates' returns of grain forwarded to the Society, under the instructions of Government, he had, by direction of the Committee, applied to the Post Master General, for a return of postage on the grounds that the despatches were superscribed, "on service", and further that he had since his address to the Post Master General returned several expensive parcels of Persian returns pending the reference.

The Post Master General in reply, states his inability to meet the Society's wishes, on the plea that this Society is not a public body, and that the several Collectors and Magistrates must have superscribed their despatches inadvertently on service.

Read a letter from Dr. D. Stewart, Secretary to the Statistical Committee, offering to arrange in a tabular form the returns of grain received from the different Collectors by the Agricultural Society.

The President proposed, and it was resolved, that the Secretary do place himself in communication with Dr. Stewart, on the subject of these returns, and if necessary submit in application to Government on the question of postage.

Sir Edward Ryan presented to the Society, a paper containing "observations on the Culture of hops" recently received by Sir Henry Kane, from a practical farmer in England, together with an extract of a letter which accompanied the "observations." Sir Henry Kane's attention to the subject, was arrested, when His Excellency arrived in the Upper Provinces, and he immediately wrote to a gentleman in England for a supply of seed. This not being obtainable, (not being used time), a box containing plants was despatched to Sir Henry, on the General Kyd, and as that vessel has arrived some time, we may soon hope to hear the result of the Government of sending live plants.

It is satisfactory to note that Sir H. Kane's opinion of the climate of Upper India being well adapted to the growth and maturity of the hop, is seconded by Dr. Campbell of Nipal, who has very recently applied to the Secretary to endeavour to procure him some seed, and there are few more capable from actual observation, to give an opinion on this matter than Dr. Campbell.

Proposed by Dr. Wallich seconded by Mr. Bell, that the thanks of the meeting be offered to Sir Henry Kane, for the fresh mark of his zealous co-operation to advance the views of the Society, and that the paper presented by

the President, be published in the 5th volume of the Society's Transactions.

Read a letter from the President of the Royal Horticultural Society of Paris, dated 20th January 1837, to the address of the President of this Society, presenting a copy of transactions for the year 1836, expressive of the lively interest felt by that institution in the success of our endeavors to improve the resources of India, and as the objects of both are the same the Society of Paris, hopes to enjoy uninterrupted friendship with that of Calcutta in prosecuting enquiry into the avenues of Horticulture and Floriculture. Sir Edward Ryan engaged to reply to the President's very courteous and flattering communication.

Read a letter from W. Blundell, Esq., dated Moulmein, 13th June, to the address of Sir E. Ryan. Speaks in rather desponding terms of his cotton plantations owing to an unusual fall of rain. Mr. Blundell does not opine favorably of the Pernambuco cotton, he admits that in point of quality it is all that can be desired, but the produce is small and Mr. B. thinks will not answer as a source of commercial profit.

Mr. Blundell speaks of the caoutchouc as likely to become a valuable export, the surrounding jungles, in reference to sundry experiments made by Dr. Helfer on the juices of a variety of trees and creepers. Mr. B. alludes also to *Potash* as likely to form an additional item of some importance.

From Dr. Helfer to the Secretary, dated Moulmein, 12th June, sending a box containing a variety of specimens of caoutchouc, and one of gamboge, procured from the jungles, accompanied by remarks on each sample.

Resolved, that Dr. Helfer's letter and specimens be submitted to the committee appointed to report upon caoutchouc, &c.

From H. H. Macnaghten, Esq., Chief Secretary to the Governor of India, dated 19th June, annexing copy of a letter from the Chief Secretary to the Governor of Madras, dated 30th ult., together with copies of circular letters from Dr. R. Wight, of Madras, respecting the improvement of the cultivation, &c., of the different staple products of India.

From Dr. Wallich, dated 7th July, presenting to the society a pamphlet on the cultivation of Cotton, by Dr. Lush of Bombay.

Read the following extract of a letter from Earl Fitz William to Dr. Wallich, dated 13th February, 1837.

"When you and your friends did me the unexpected honor of entrusting to my unworthy hands, their petition for equality of trade, I certainly did not expect to see that object accomplished with the rapidity and success that has astonished us. But we are now governed upon principles which enable the Government to grapple with difficulties which would never have been overcome by a less popular system. It was done without any acclamation on the part of the West Indians, who, instead of being ruined, have been benefited to an extraordinary degree by the emancipation of the slaves, and are therefore able to bear a competition at which they would previously have started."

Capt. Jenkins desires to be informed why the yellow stick lac of Beerbloom, sells for a higher price than the purple stick lac of Sum and Fegu, and the dark red of caoutchouc, sent round by Capt. Jenkins.

Assam and Sylhet, also, whether the insect is cultivated, or gathered in the wild state, in Beerbloom. Capt. Jenkins wishes to know why the depth of colour should lessen the price, and if any way affects the quality of the lac when converted into shell lac.

Perhaps some member can answer these questions.

From Mr. A. Millet, of Entally, to the Secretary, dated 8th July, enclosing for the consideration of the society a prospectus of a joint-association for the cultivation of musk-melons.

The Secretary was directed to intimate that such schemes did not come within the compass of the Society's intentions.

From J. W. Grant, Esq., Export Warehousekeeper, to the Secretary, dated 17th June, calling for information respecting the disposal of cotton and tobacco seed imported from England, in 1830, by order of the Court of Directors.

The Secretary had rendered an account of disposal.

From Lieut. W. Munro, Secretary and Manager of the Bangalore Society, now designated the "Myavre Branch Agricultural and Horticultural Society, to the Secretary, dated 24th May, enclosing a most interesting summary of their transactions, from the beginning of their very short, but most successful career, and returning thanks for the amount of aid contributed by this Society in the way of seeds, &c.

From H. Walters, Esq., to the Secretary, dated 7th July, enclosing an extract from the *Englishman* relating to the latest commercial intelligence from England. The writer of the article enters at great length, upon the advantage that would accrue to India, by a well directed mode of attracting the application of capital and skill to some of our neglected staples, as sugar, coffee, tobacco, &c.

From A. Ronald, Esq., of Dunearee, dated 8th June, furnishing replies with reference to the eastern part of the district of Cooruckpore, to the queries conveyed in the Society's circular of the 31st March last.

From Major J. D. Syers, dated Cuttack, 22d June advising the despatch through Messrs. Livingston, Syers and Co., for the opinion of the Society, samples of Cabool, Persian, and Virginia tobacco and *Pemian* cotton, being the produce of the Branch Society's garden.

These samples were ordered to be made over to the respective Committees, when received by the Secretary.

From C. K. Robison, Esq., dated 20th June, enclosing a note from Mr. James Prinsap, forwarding four silver medals, for the inspection of the Society, value including workmanship 18 Rs. each, which had been paid by the Secretary to Mr. Robison.

From Dr. Gordon, of Ambilah, dated 21st May, to Mr. D. W. H. Speed. Mr. Speed submitted this letter, to show the utility of the Society in exciting a spirit of enquiry, and as leading to the opening of new resources. Dr. Gordon was led by the proceedings published in the papers, to give his attention to silk and from the instructions contained in Mr. Speed's paper on the culture of silk, has now, although before perfect stranger to the art, completely succeeded in introducing silk into a district, where it had never been seen.

From Professor O'Shaughnessy, to Dr. Wallich,

dated 10th July, reporting favorably of some specimens of caoutchouc, sent round by Capt. Jenkins.

From W. C. Crane, Esq., dated 6th July, presenting some specimens of the Sea Island cotton grown at Singapore.

From the same, dated 11th July, noticing in the sealed premiums offered for staples, what in his opinion is an inconsistency.

Proposed by Mr. Bell, seconded by Mr. Storm and *Resolved*, that a new member should only be entitled to such part of the transactions, as may be published after his admission, and that all preceding parts, or volumes, if required, be paid for at the retail price.

Proposed by Mr. Stirling, seconded by Mr. Cracroft, and *Resolved*. That the Secretary be requested to open a correspondence with Professor Royle, on all questions regarding caoutchouc, which may come from time to time before the Society.

Proposed by Mr. N. Alexander, seconded by Mr. Storm and *Resolved*. That a show of fruit and vegetables be held on or about the 1st June, 1838, and that rewards be given in the same manner, as at the show in the cold weather.

Proposed by Mr. Cracroft, seconded by Mr. G. A. Prinsep, that an exhibition take place early in August next, with a view to encourage the growth of indigenous vegetables by giving small moneyed premiums.

N. B. This proposition is necessarily referred to the Agricultural Committee, as nothing is stated regarding the scale of premiums.

From Rajah Kalle Krishna, dated 17th June, presenting some seed of the arhar aboll, together with a short description of the best mode and time of sowing it.

From Col. Stacy, dated Allyghur, 3d June, advising the despatch of some cotton, pumpkin and early cauliflower seed, also some cotton of the cone-shaped cotton plant.

From Major Moore dated Hyderabad Residency, 15th June, promising to forward some grafts of the tree from which their apples grow, so as to reach Calcutta by October next, and desiring some to be given to Mr. Storm.

From Messrs. Adam, Scott and Co, in reply to the Secretary's request, promising to procure some Tannevelly, &c. cotton seed.

From Mr. J. W. Masters, dated 11th July, forwarding 10 sars of Upland Georgia cotton seed, and 4 of New Orleans ditto, ditto, the produce of the Society's nursery.

A very valuable French Work on the cultivation of the orange, with plates, was presented to the Society by W. L. Ferguson, Esq.

The thanks of the meeting were ordered to be offered for the foregoing contributions.

JOHN BELL, Secretary

Loun Hall, Cal, July 12, 1837 — Beng. Hurk. July 14.

BENGAL MEDICAL RETIRING FUND MEETING.

A quarterly general meeting of subscribers to the Bengal Medical Retiring Fund was held at the house of the Secretary, at 1 o'clock P. M., on Monday the 10th of July, 1837.

On the motion of Mr. Surgeon F. Corbyn, seconded by Mr. J. Sawers, member of the Medical Board Mr. T. Smith, officiating member of the Medical Board was called to the chair, when the Secretary read the following report.

"At the last quarterly meeting it was stated, that three annuities of the year 1833, were then offered for the acceptance of those subscribers who had been 17 years in the country. One of those annuities has been since accepted by Mr. Surgeon I. M. Munro. The other two, not having been accepted, remain over to be offered in addition to those of the ensuing year, according to the provisions of article XXII. of the fund deed.

"Surgeons D. Campbell, E. J. Yeatman, and W. E. Carte, having giving satisfactory reasons for not having joined the fund before, have been entered on the list of subscribers, and Assistant Surgeons J. Balfour, W. I. Loch, W. F. Sealey, J. Drummond, J. A. Staig, T. Fenker, J. Macaush, F. Anderson, and H. Frooth have been admitted to the service, and must join the fund in conformity with the compulsory clause in their indentures mentioned in para 1 of the letter of the Hon'ble Court of Directors, dated 8th January, 1836, making all an addition of 12 subscribers since the last quarterly meeting.

"The new system of accounts, by monthly drafts from the collectors and paymasters, in favor of the Secretary, came into operation last month. Drafts have accordingly been received from the paymasters of Agra, Benares, Cawnpore, Merat Presidency, and Raipootnah divisions and by the collectors of Baisore, Hoogly, Cuttack,

Birun, Rangpore, Behar, and Beerbhoom, and the Resident Councillor of Singapore and the Resident of Nepal, amounting in all to Company's rupees 13,389, 57 being the collections of the subscriptions for the month of May last, and for arrears of subscriptions collected in that month. Each draft is accompanied by a list, specifying the name and rank of the subscribers, the amount collected, time of payment, and for what month paid. By this plan the committee will be enabled to ascertain at any time the total amount of their funds, the payments made within a given period, and the defaulters, if any, in their monthly subscription. But its whole utility will depend upon the regularity with which the Paymasters, Collectors, and other officers receiving money on account of the fund, remit its amount and attend to the preparation of the statements which ought to accompany it.

"The votes on the several questions submitted to the subscribers have been received, with the following result."

On the proposal by Messrs. Raleigh and Hope, that it be submitted to the subscribers as a conditional amendment to the regulations, particularly XXIV. XXXIII, and XXXIV. 'That in case the Hon'ble Court of Directors grant to the medical service the boon for which they have memorialized, subscribers to the fund may retire from the service without prejudicing their claim to the annuity, after having served the reduced period specified by the court as entitling them to pension.' The votes are found to be :

For the proposition 155
Against 7

Majority in favor of the proposition, 148

which being more than a majority of two-thirds of those who voted, it is by the provisions of article 38 of the Fund Deed, legally carried, and the subscribers are requested to alter their copies of that document accordingly.

On the proposition by Mr. C. Campbell and other medical officers of the Sirhind Division, that rule XXXII of the present Fund Deed shall be considered applicable only to members of the Medical Board, subscribers to the fund for a less period than (10) ten years calculating from the commencement of the fund in 1833, to the date of their accepting an annuity; but that all members of the Board, subscribers to the fund for a period of (10) ten years or upwards, whatever their period of service in the Board may be shall agreeably to the regulations fully participate in all the benefits of the fund; and Mr. Sawyer's amendment "that article 32 of the Fund Deed be rescinded." the votes are found to be :

For the proposition	21
Against	109
Majority against the proposition	88
For the amendment	65
Against ditto	99
Majority against the amendment	24

Both the proposition and the amendment having been lost, article 32 of the Deed remains unaltered.

The matter of Mr. Mercer's arrears of salary has also been decided by the subscribers, the following is the result.

18 subscribers voted for Co.'s Rs. 100 per month.	
2 do..... do	125.
8 do..... do	150.
6 do..... do	200.
90 do..... do	250.
11 do..... do	300.
1 do..... do	2000 rs. don.
1 do..... do	Sa. Rs. 100pr. men.
1 do..... do	Sa. Rs. 300pr. men.

Four subscribers have left the amount to the Committee of Management; six others have voted that the salary be paid during the time the Fund was in operation but not during its being in abeyance, and two have stated that they decline to vote.

"A large majority therefore are in favour of Mr. Mercer's claim being admitted for Co.'s Rs. 6,274-3-5.

"Several propositions for altering the regulations have been offered during the quarter, but the committee having objected to them on grounds which they trust will be satisfactory to the proposers, it is needless to dwell upon them. But, two propositions have been received from Mr. Superintending Surgeon S. Ludlow, and other officers, subscribers to the fund, stationed at Agra, to which your attention is requested.

"The first proposition runs as follows :

"Proposed that Regulation XXIII. of the fund deed be thus modified, viz. To expunge the concluding clause or to accept double such annuity as the sum of his subscriptions and other sums of money which he may have paid into the said fund, together with compound interest thereon as aforesaid, may be sufficient to procure, according to the rate contained in the table of rates herein before contained. And to substitute the following words :

"Or to accept an annuity of £150, together with such additional annuity as the sum of his subscriptions

and other sums of money which he has paid or may pay into the said fund, together with compound interest thereon as aforesaid, may be sufficient to procure, according to the rate contained in the table of rates herein before contained. Provided always the aggregate amount of such annuity do not exceed the aforesaid sum of £300 (except in such cases as may come under our 2d proposition, should it be adopted) "and provided also that no sum or sums of money once paid into the said fund be afterwards withdrawn therefrom."

"This proposition is supported by the consideration that many Subscribers are prevented from retiring, by not having funds to pay up the half value of the annuity; and, therefore, that "the Medical Retiring Fund, as at present constituted, does not entirely suit the circumstances of the persons for whose benefit it was designed; that proposition, if carried, will make no real difference to the pecuniary interests of the fund, and that "the step of one class of men is equal in value to that of the other, and ought in justice and policy to be purchased at an equal price; unless it can be satisfactorily shown that to do so would involve a serious loss to the Fund :

"The second of Mr. Ludlow's proposition is,

"That in the event of two or more of the six annual premium annuities of £150 with the authorized purchasable addition not being accepted, the whole or any parts of the funds applicable to such unaccepted annuities shall be appropriated to the purpose of providing one or more increased premium annuities of £200 each to be offered to all Superintending Surgeons actually in India who shall resign the service on or before the 31st October 1833, and subsequently to such Superintending Surgeons only as may have held that rank not more than five years, together with such additional annuity as the sum subscribed by each of such Superintending Surgeons and other sums of money which each may have paid or may pay into the said fund, with compound interest thereon may be sufficient to procure : provided always that such aggregate annuity do not exceed the sum of £400, and provided also, that no sum or sums of money once paid into the said funds be withdrawn therefrom.

"Or supposing the first proposition herewith submitted be rejected, the following would then be our second :

PROPOSED NEW REGULATION.

That in the event of two or more of the six annual annuities of £300 not being accepted, the whole or any part of the fund is applicable to such unaccepted annuities be appropriated to the purpose of providing one or more augmented annuities of £400 each to be offered to superintending surgeons actually in India at the time who shall resign the service on or before the 31st October, 1838, and subsequently to such superintending surgeons only as may have held that rank not more than 3 years on condition of their fulfilling, with regard to this augmented annuity, all such terms as are required by the regulations from the acceptors of the smaller annuities of £300 each.

"In favour of this proposition it is urged,—that it is feared the pension will prove too small to tempt the higher grades, to resign their lucrative situations, it will generally be accepted by surgeons (probably young ones) and the scheme will turn out to be a pension Fund to assistant surgeons only. That unless we can tempt more superintending surgeons to quit the service than would do so if no such Fund existed, the super surgeons will scarcely gain a step. That the great object should be to prevent superintending surgeons from remaining more than a few years in that grade, and thus to give all ranks a reasonable prospect of enjoying for a time the almost only lucrative situation our service holds out; for the Board is at too great a distance to be

generally contemplated by the juniors.' That 'the major of a regiment receives more money for his step than any one junior in rank; first, because he causes greater promotion by his resignation, and secondly because he gives up a more valuable appointment. Why may not superintending surgeons be brought out on a similar principle? If it be asked, why we do not extend this to members of the Board! The answer is that their steps would cost more money than the promotion caused by their resignation would compensate. At present our Fund really pays much more for the surgeon's step than it does for that of the superintending surgeon, although the one vacates an appointment of 700, and the other one of nearly 2000 rupees; for the sum, which is required to procure an annuity of £300 for a man of 40 years of age would very nearly purchase an annuity of £400 for one of 55, the average age of our superintending surgeons.

"Against this proposition the committee object in the most decided manner,—that it is founded on assuming, what is not the fact, that there now are, and in future will be, more annuities to give than will be taken; than the senior subscribers will not retire from the service, without a larger sum to induce them to do so than that now given, and that promotion will be accelerated by its being adopted. On the first point the committee have to observe, that three annuities have been accepted of the Fund offered; they have reason to believe other annuities will be taken by subscribers on furlough: and that at no distant period there will not be a surplus annuity to dispose of. That the proposition contemplates the disposal of the surplus annuities at the end of every year instead of carrying them over according to article 22 of the Fund Deed; which says 'and in the event of all or any of the said annuities shall stand over until the following year unless accepted in the mean time, they shall again be offered as above mentioned, together with the six annuities for the said following year; and so on in like manner every succeeding year;' such violation of the article being a breach of faith towards those who entered the Fund with the expectation of being able by means of the annuities which may from time to time lie over to retire, at an early period; and an act of injustice to all who may at any time to come, wish, or be compelled by sickness, to retire at the end of their 17 years of service.

"The next point assumed, that the senior subscribers will not retire without a larger sum than that now given admits of refutation by the fact, that one superintending surgeon has already retired on the present annuity; another has signified his intention of doing so; and two more, now in England, are expected to retire rather than return to India.

"With regard to the acceleration of promotion, the committee are of opinion, that promotion so far from being accelerated by the proposition being carried would be retarded thereby. As it will be necessary to obtain the sanction of the Hon'ble Court of Directors such a material alteration of the regulations, they have approved of; and two years will probably be consumed in obtaining that sanction (even should it be given at all); it may reasonably be expected those superintending surgeons and senior surgeons who now intend to retire if this proposition is not carried, will in case it is, after their minds, and remain in the hope of getting a higher annuity. Those superintending surgeons, who want the higher annuity, will hang on from the year in which there may be no surplus annuities, in the hope of there being such the next year, or the year after that as it may be. The senior surgeons too, will be induced to remain in the hope of getting a higher annuity when superintending surgeons, as well as the allowances

of that rank in the mean time. By the proposition being made to apply only to superintending surgeons now in India, promotion must be further retarded by its inducing those now on furlough to return to this country, in the hope of an additional £100 a year; a clause which appears to the committee equally impolitic and unjust. By further restricting it to those superintending surgeons who may retire before the 31st of October 1836, it would be a dead letter; for as above observed, the sanction of the Court of Directors could not be obtained to it before that period. In short the committee are convinced, that the proposition, so far from inducing men to retire, would rather induce them to stay.

"With reference to other points mooted in the preamble to the Agra propositions; the committee are of opinion, that Mr. Ludlow and the other proposers overvalue the retirement of a superintending surgeon, and that the comparison of officers of that rank with the major of a regiment is an erroneous one. In the case of the latter, those pay most who benefit most but here the youngest assistant surgeon on the list would pay more, reckoning risk of lapse of life, &c. than the senior surgeon, and with and all but certainty of never obtaining the least good, for what he shall pay. The Major's is a Regimental step; the superintending surgeon's a line one.

"The committee also cannot agree with Mr. Ludlow and his associates in thinking that under the present regulations 'the scheme will turn out to be a promotion fund to assistant surgeons only.' On the contrary, they believe it to be equally fair to all classes of subscribers; when the difference of subscription, and promotion and option of immediate benefit from the annuity are duly considered.

"Having thus shewn that the proposition in question will be detrimental to the interest of the Fund and calculated to injure even those, who at first sight, it would seem to serve, the committee leave the matter in the hands of this meeting; to be dealt with as you think most for the interest of the general body of subscribers; not forgetting that it is for the real interest of every individual in the Fund, that its regulations be equally just to all.

The amount of receipts during the past quarter cannot be ascertained until the whole of the statements of payments shall have been received at the treasury. The expenditure during the same period is as follows. For salary and office establishment of the Secretary..... 750 0 0
Advertising..... 97 0 0
Printing, &c..... 182 11 0

Total Company's Rs. 1,029 11 0

"According to the accountant general's letter dated the 28th ultimo, the total amount received in the civil and military departments by the sub-treasurer is Sica Rs. 200,989 12, and the net amount of receipts or unappropriated funds at credit on the accounts of the Bengal Government, after deducting charges, refunds and amount transferred to appropriated funds, is Sa. Rs. 1,03,245 9 7, or Co's. Rs. 1,10,235-4-11.

The total amount of appropriated funds in the hands of the Sub-treasurer is sica rupees 86,340, or Co's Rs. 92,096.

The following, therefore, is the amount of funds available for the annuities declared at the present meeting.

Total amount of unappropriated funds in the hands of the Sub-treasurer is Rs. Rs. 103,345 9 7 or Company's Rs. 1,10,235 4 11

Add amount of drafts received during the month of June last Co.'s Rs. 13,389 3 11

Ditto Subscriptions expected for 6 months from 1st July to 31st December next..... 33,497 9 7

Ditto possible amount to be paid by Mr. T. M. Munro for half the value of his annuity Co.'s Rs. 16,128 0 0

Total..... 1,73,250 2 5

Deduct amount of the arrears of salary of Mr. Mercer, Co's.

Ra..... 6,274 3 5

Ditto probable miscellaneous and office expenses of the next six months ending December 31, 1837.....

2,066 6 0

Ditto possible sum to be placed under the head of "appropriated funds" to meet the charge of annuity accepted by Mr. Surgeon T. M. Munro,

34,256 0 0

42,596 9 5

Leaving a balance of.... Co.'s Rs. 1,30,633 9 0

"In the above, the amount of 6 months' subscriptions does not include those of subscribers on furlough; nor any part of the arrears which remain to be paid up; and on the other hand, he sum to be paid by Mr. Munro is taken at the maximum of the table of rates; that gentleman not having yet sent in the affidavit of age.

"By calculating in this manner, the committee can safely recommend, that in addition to the two annuities of 1833, yet unaccepted, there be declared, one more of that year (making with those before granted and declared, 6 of 1833,) and four of 1834. Seven annuities in all are therefore now declared, viz., three of 1833, and four of 1834; of which those of the former year are to be first disposed of."

"In conclusion the committee are happy to state the continued and increasing prosperity of the institution. Those members of the service who at first held back are daily seeking to enter it. The arrears are being paid in

a manner more than equal to the most sanguine expectations that could have been entertained. When subscribers are prepared to pay up their value of the annuity, promotion will be greatly accelerated. And at no distant period every object of the fund will be most amply fulfilled. But to secure these benefits, it will be necessary to proceed with caution; to avoid any step not founded on experience; and to see the working of our rules before we venture to alter them."

The two propositions submitted by Mr. Superintending Surgeon S. Ludlow, and other subscribers to the fund, stationed at Agra, together with the letter to the Secretary's address, and the remarks which accompanied the proposition, were read, and discussed by the meeting.

Proposed by Assistant Surgeon, H. H. Goodeve, M. D., seconded by Assistant Surgeon A. Bryce, M. D., "that the report of the Committee of Management be confirmed and adopted by this meeting." Unanimously agreed to.

The first of the propositions submitted by Mr. Superintending Surgeon S. Ludlow and others was then read, when it was proposed by Assistant Surgeon A. Bryce, M. D., seconded by Mr. Assistant Surgeon E. W. W. Raleigh, "that the proposition now read, be disapproved of by this meeting." Carried by a majority of 11 to 3.

The second of the above mentioned Agra propositions was then read: when it was proposed by Assist. Surg. H. H. Goodeve, M. D., seconded by Mr. Assistant Surgeon J. McCosh, "that the proposition now read be disapproved of by this meeting." Carried by a majority of 14 to 1.

Proposed by Mr. Raleigh, seconded by Mr. Garden. —That in consequence of the great inconveniences and expence incurred by submitting propositions for altering the existing rules of the Medical Retiring Fund, most of which propositions are at variance with each other, and all suited only to individual interest,—it be earnestly recommended by this meeting to the service, that they do not risk the stability of the institution, by voting for any alteration of its fundamental rules, established on four years' mature consideration of the medical service at large on the most authentic calculations; and sanctioned by the Honorable Court of Directors, until the expiration of such reasonable time as may enable them to ascertain the applicability of those rules to the object of the Fund. Carried by 11 to 3.

Thanks were then voted to the Chairman.

J. T. PEARSON, Secy.

Bengal Medical Retiring Fund.
Medical Retiring Fund Office, July 11, 1837.

MEDICAL AND PHYSICAL SOCIETY'S MEETING.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments, 1st July, 1837.

Letters from the following gentlemen were read.

From R. White, Esq. Assistant Surgeon, Bombay establishment, stating his desire to withdraw from the list of members on account of the expence of postage of the Society's publication.

From Alex Duncan, Esq., Surgeon Bombay, to the same effect.

W. Sealy, Esq., Assistant Surgeon, Bengal, was proposed as a member by Dr. McClelland, seconded by Dr. Cantor.

The following communications were presented.

1st. A case of aneurism of the aorta, by W. A. Green, Esq., of Howrah. The patient was a sailor, 44 years of age, who came into the Seaman's Hospital on the 1st of June last. He complained of pain in the chest with cough, his countenance was haggard and pale, and Mr. Green suspected at first that the patient was

affected with phthisis. He was treated with purgatives and expectorants, and leeches were applied to his chest; he was subsequently bled on the 4th of June, and vomited blood in a stream and before assistance could be afforded he was a corpse.

Upon examination, an extensive aneurism of the aorta was discovered. The enlargement commenced almost immediately after the origin of the vessel from the heart, and it extended to the descending aorta. The sac pressed so effectually upon the spine that the bodies of two of the dorsal vertebrae were partially absorbed. Between the aneurism and the œsophagus, a communication existed through which the fatal hæmorrhage had taken place.

The edge of this opening was black and irregular, as though it had been produced by sloughing. The whole membrane of the aorta for many inches was atheromatous. The heart was hypertrophied in the left-ventricle, the lungs presented traces of inflammatory action and were largely tuberculated. It is a singular circumstance that this patient was employed in his ordinary labor without complaining of sickness until within a week of his decease, although the enormous aneurism which destroyed him must have been months in the course of formation.

2nd. A case of diseased gall bladder, by Dr. D. Stewart.

The patient in this instance was a delicate female, who for 7 or 8 years previous to her death, had been suffered

to possess an abdominal tumor of considerable size, swelling had been distinctly perceptible in the right hypochondriac and iliac regions, having all the character of a tumor, but causing little or no inconvenience to the patient. She finally died of phthisis and chronic bronchitis. Upon dissection of the abdomen, the suspected tumor was discovered to be an enormously enlarged gall bladder, which projected for some inches below the inferior edge of the liver. The bag was filled with a colorless fluid pronounced by professor O'Shaughnessy to be pure mucus without a single trace of bile in its composition. A small round gall stone was impacted in the entrance of the cystic duct, which latter canal was quite impervious. The hepatic duct communicated freely with the duodenum, and was considerably enlarged in diameter.

Both these cases were illustrated by preparation beautifully prepared by Mr. Evans for the Medical College.

3. An account of the fever now prevailing in the neighbourhood of Delhi, by Mr. Serrell, presented by the Medical Board.

The following papers were then read and discussed.

Dr. Macnab's further account of Scurvy at Mynpoorie.

Mr. Taylor's case of Phlegmasia Dolens in a male subject.

H. H. GOODEVE, Secy, Medical and Physico Society.—Bengal Hurkulu, July 8.

SUPREME COURT.

WEDNESDAY, JULY 5, 1837.

McKellar v. A. C. Barwell.

Mr. Advocate General moved that this cause, which had been struck off yesterday, be restored to the Board. The learned counsel stated that the cause had been struck off in consequence of the non-attendance of Mr. Shaw, a material witness. The attorney for the plaintiff, under the impression that Mr. Shaw had been regularly served with a subpoena, wrote to that gentleman on Tuesday, informing him that the trial would take place that day, and requesting his attendance in Court. Mr. Shaw replied that he had not been served with a subpoena, and as he had an engagement at the other end of the town, he could not attend at the Court-house. Under these circumstances, as plaintiff's attorney was under the impression that the subpoena had been regularly served, the learned Counsel submitted the Court would order the cause to be restored to the board.

The court made the order. Three day's notice to be given to defendant's attorney.

In the matter of Aurelia Sarah Gego.

Mr. Clarke moved for a writ of habeas corpus calling on Alexander Gego to bring up the body of Aurelia Sarah Gego. The learned counsel moved on the affidavits of the mother and brother of Mrs. Gego, which set forth, that, in June last, in consequence of ill-treatment she, Mrs. Gego, had left her husband's house and gone to reside with the deponents; that on the 28th of June last, Mr. Gego, accompanied by several European sailors, forcibly entered deponent's house, carried off his wife, and confined her in the house of one Camille,

where, as deponents swore, they believed her life was in danger.

The Court.—Take your writ.

Marcartoon Joseph v. Aratoon Jacob Joseph.

This was an action brought by Mrs. Joseph, an Armenian lady, to recover back from her son, the defendant, the amount of four promissory notes granted at various periods from the date of the first in 1832. Further details are not of interest.—*Englishman*, July 6.

FRIDAY, JULY 7, 1837.

WOMACHURN DOSS AND OTHERS v. RAUSMONEY DOSSIEE, WIDOW OF RAJCHUNDER DOSS, AND OTHERS.

We publish the judgment of the Court in this case. Rajchunder Doss is the person who built the ghaut on the Strand called, no one knows why, the Governor-General's Ghaut. He died in June last, leaving about 40 lakhs worth of property, and the present suit is brought by his nephews, the son and representatives of his two brothers, against his widow, for an account, and we believe a partition and division of the property on the ground of the whole property being joint, &c. The case of the widow is that the whole of the property is self-acquired either by Rajchunder, her husband, or by Putram Doss his father. The proceeding now before the Court comes on for consideration upon the plea of the defendants to the bill of the complainants in abatement of the suit. The plea is in substance that the claim of the complainants has been already disposed of and decided against by a decree of a Provincial Court, confirmed by a decree of the Sudder Dewanne Adamiat,

which plea is supported by short answer in *subsidium* of the plea, to the purpose, that there was no joinder between the complainants and defendants since the decree of the Sudder Court, which we have stated was pleaded, that is since the year 1816, when the decree was confirmed by the Sudder.

The plea was argued on Monday last before the Chief Justice, and Mr. Justice Malkin, Mr. Justice Grant being absent from indisposition.

Counsel for the complainants. Prinsep, Cochrane and Barwell. For the defendants. Advocate-General Clarke, Leith and Grant.

The Chief Justice this-day delivered the judgment of the Court, on the plea.

The learned judge stated the facts in the bill, which stated a joinder, that the property was worth about 40 lacs and consisted of real and personal property, prayed an account and partition, &c. The plea of the decree in the Mofussil Court, was a plea to the whole bill. In the suit in the Mofussil Court, one of the defendants alone appeared and put in an answer, the other defendant, Ramtonoo Doss, did not appear, either personally or by vakeel.

The learned Judge then on several technical grounds decided that the plea must be overruled.

The defendants have since obtained two months time to put in their answer? *Plea overruled with costs.*

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SATURDAY, JULY 12, 1837.
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Admiralty Side.

RIX V. MALAY PRISONERS — (brought up from the Straits by H. M. S. Wolfe.)

This being the last day of Term.

Mr. Justice Grant, delivered the sentence of the Court in the above case. The Learned Judge addressed the Advocate-General, as counsel deputed by Government to conduct the prosecution, and Mr. Clarke and Mr. Osborne, as counsel who had kindly undertaken the defence of the prisoners. Having called the attention of the above-named learned Counsel to the case in question, the learned Judge said he would give the grounds, upon which the Court had determined to inflict a mitigated punishment on the prisoners, and also would assign the reasons which had caused the delay between the conviction of the prisoners, and the passing sentence upon them, and as the Counsel who acted for the defence, will now attend to the law of the Judgment as about to be stated by the Court, the learned judge intimated that an interpretation of the law and reasons contained in the judgment, need not be made to the prisoners. The jury had found the prisoners guilty on the second, and on all the subsequent counts, in the indictment. And the counsel for the prisoners had abandoned their intention to move in arrest of judgment. The learned judge then stated, we believe, that he had no doubt but that as the evidence stood, the piracy was proved, and that there was nothing to support the objection started by the counsel for the prisoners, that the Cochin Chinese, to which nation the people belonged whose vessel had been captured by the Malays, were not at war with the people to whom the prisoners must be construed to belong. He also thought that there was no evidence to show that the party of Malays in question, were of a nation whose custom and habit was robbery; a people described as a people *guiltless latrones sunt*,

nihil homines civiles sunt. It was under these circumstances that the learned judges had considered whether the *jus gentium* was to be construed as strictly against the nations in the Straits, the habits of these people considered, as against the offenders belonging to more civilized communities; in other words, whether the common interpretation put generally by all nations on the *jus gentium*, was to obtain in the present instance. And in order to determine this point, the learned judges all agreed, that the situation, condition, &c. of the barbarous states to which the prisoners might be considered to belong, should be enquired into the Governor-General in Council accordingly that these enquiries should be made; and those enquiries are now before the Court. From the result of these enquiries it would appear, that there is no reason to believe, that these little states in the Straits of Malacca, recognize or sanction any private confederates of their subjects to commit acts of piracy; but whether there be connivance between the states and its subjects, or what is the punishment inflicted, or whether any be inflicted, rests upon conjecture. There is nothing in evidence to lead to any knowledge of the state to which the prisoners belong; they were, however, found near *Pulo Tingy*, and on being pursued fled to that island, and in the absence of evidence to the contrary they must be held to belong to *Pulo Tingy*. Now upon enquiry it appears that this island is in the territories of the Rajah of *Johore*, with whom and this Government there is a treaty. There was no ground for concluding, that any war subsisted between *Johore* and *Cochin China*, at the time of the Commission of the act of piracy. On the other hand there is sufficient presumption that this piracy, and all others are disclaimed generally through the small states in the Straits of Malacca, and in one of them, an edict has been promulgated punishing the offence with death. Robberies on the seas, by persons of these nations, must be considered, therefore, on the footing on which it is placed by writers on natural and international law; it is therefore the duty of all good members of a civilized state, to apprehend pirates and sea robbers. The petition put in by the counsel for the prisoners has had its influence upon us in mitigating the sentence. All that could be urged in their favour has been ingeniously brought to the notice of the judges, but there is one fallacy which runs through the position, which is an attempt to draw a distinction between the law of nations, as to the regulating the conduct of states and communities one towards another, and the law of nature. Now with reference to this view, and consideration of the application of the law of nature, and the law of nations, in the instance to which it is particularly applied in the present case, the law of nations, is nothing but the law of nature, common to all mankind, there is no such thing as a state (*civitas*) of robbers.

The reasons for mitigating the sentence we are about to pronounce are: Lapse of time, the suspense and anxiety the prisoners have undergone; the partial good effects likely to be the result of their execution; the greatly diminished effect consequent on it, if now ordered to be carried with effect in the Straits. The inutility of it as a warning to future offenders, inasmuch as there is now by act of Parliament, a Court of competent authority constituted to try their offences on the spot, (Court of Admiralty at Penang and Singapore). And from the steps now taken by Government, the petty states, have been brought to an acknowledgement of the law of nature common to all men, and a repudiation of piracy. The Sentence of the Court, therefore, is that judgment of death be recorded against the prisoners, and that they be transported to the Eastern Coast of the Bay of Bengal, to the Southward of the Gulf of Martaban, for the period of their natural lives.

Chief Justice—I may as well mention, that a *whore* which has not been cited at the bar, and which certainly

could not be cited by the counsel for the prisoners, with almost similar facts, quite similar as to the amount and the nature of the crime committed, was tried in this Court in the year 1804, present Sir John Anstruther, Chief Justice, Sir John Royds, and Sir Henry Russell, Puisne Justices.

The men were convicted, and the capital sentence was carried into effect. I was led to the case by a note in Mr. Clarke's compilation of the rules and orders.

The case was the KING on the prosecution of — *versus* RADEAT ORANG, SEIROGH and RESSET ORANG, called Jasey.

N. B. The able and learned judgment of Mr. Justice Grant, is of course not done justice to, in any degree in the report, but generally, our report will, we believe, be found correct.

SITTINGS AFTER NOON, JUNE 13, 1837.

SHAIK ABDOL SALAAM, v. HYAM ISAAC.

The Advocate General with whom was Mr. Leith for plaintiff stated that this was an action of Trover for a promissory note, obtained by the defendant under the circumstances detailed in the evidence.

A witness proved the jurisdiction and a demand on and refusal by the defendant to deliver up the note; and the case made by the plaintiff was that the note came to the hands of the defendant as the Agent of the plaintiff.

Mr. Prinsep, with whom was Mr. Sandes, addressed the Court for the defendant, and contended that upon the plaintiffs own evidence it appeared that the note came to the hands of the defendant under the act and by the authority of the plaintiff and that in point of fact the plaintiff had not such a possession in the note as to enable him to recover in trover.

This Mr. Prinsep stated he submitted this as a ground of non-suit.

Chief Justice. — You had better go into your case Mr. Prinsep.

Mr. Prinsep then continued his address, and opened the case of the defendant, which, as detailed by the evidence, amounted to this; that there were some unsettled accounts between the plaintiff and defendant upon the settlement of which depended the question as to the right of the plaintiff, to the possession either legal or actual of the promissory note for which the action was brought.

The Court after hearing the evidence, on behalf of the defendant, recommended a reference of all matters in difference between the parties; the question of costs was also referred to the arbitrator. This amounts to what in England is termed withdrawing a juror.

N. B. — This case lasted three hours and a half, and altogether ended in a reference. It ought not to have lasted 10 minutes. The action was trover, for a promissory note. It was necessary to prove that such a note as described in the plaint was made, and in existence. The defendant had received no notice to produce the note and the note being in the hands of the defendant, the plaintiff consequently could not have proved its existence, and must have been non-suited, but the counsel for the defendant was magnanimous, and did not avail himself of this advantage.

ARCHIBALD CAMERON & ELIZABETH MORAN — WIDOW, &c. *Esparte.*

This action was brought on the money counts, against the defendant as executrix of her husband.

Proof of Probate granted to defendant was put in and also 2 letters were put in constituting admissions by the widow of debts due by the estate. — *Verdict for plaintiff.*

PROUDHONACOMAR TAGORE v. HUBHONACOMAR TAGORE.

Mr. Clarke, on the cause being called on, moved to put off trial on account of the absence of a material witness.

Chief Justice. You must pay costs of the day and the case must be put at the bottom of the Board.

JOHN CORNELIUS v. ALEXANDER HENRY SIM.

On the case being called on, Mr. Advocate General, moved to put off trial on the ground of the absence of a material witness. The witnesses in question was subpoenaed by both parties, by the plaintiff for the 13th July, by the defendant for the 14th, which latter subpoena was assigned by the learned counsel as a sufficient cause, to account for his absence.

Chief Justice. — I do not see that at all; the case must be placed at the bottom of the Board, the other side consenting.

OUSELEY AND OTHERS v. DWARKANATH TAGORE.

This was a demurrer of the plaintiff to the plea of the defendant. On being called on, it was directed to be put at the bottom of the Plea Board by consent.

HAJI RAJEEB ALLE v. MUSBOOM SIRCAR.

When this cause was called on, Mr. Advocate General stated, that in consequence of the rapid disposal of the cases which preceded it in the board, witnesses were not in attendance, nor was he prepared himself.

The Court, directed the cause, under the circumstances, to stand over till to-morrow, as it was in some measure a surprise upon the parties.

The Chief Justice intimated that upon it becoming essential to strike out causes already set down in the board for trial, the attorneys in such cases, must put in motion papers to that effect, in order that the Clerk of the Papers might amend the board, and give notice to the attorneys in the other cases, which stood lower down in the board.

SITTINGS AFTER TERM, FRIDAY, JULY 14, 1837.

HADJI RAJEEB ALLE v. MUSBOOM SIRCAR.

Mr. Cochrane, with whom was Mr. Leith, for plaintiff, stated, that this was an action on the money counts for the sum of re. 3,046-15, due by the defendant, and according to his own admissions, as found by certain arbitrators, to whom the mutual demands of plaintiff and defendant had been referred. The plaintiff called three or four witnesses, who had acted as arbitrators, and the admissions by the defendant of sums due to the plaintiff made before them were proved. The award was put in.

Mr. Advocate General, with whom was Mr. Clarke after submitting three grounds of non-suit, which the Court over-ruled, submitted to a verdict. Verdict for plaintiff ss. rs. 2,046-15.

SURROOPCHUNDER V. GUMBANARAIN SING.

This was issues directed out of Chancery to try certain facts elicited at the hearing in Equity. These issues occupied the Court during the rest of the day and will in all probability last all to-morrow.

MONDAY, JULY 17, 1837.

SURROOPCHUNDER SIRCAR CHOWDRY V. SUMBOOCHUNDER SING

This day Mr. Advocate General made a lengthy and able reply upon the whole evidence adduced on both sides in these issues, which have occupied the Court during Friday, Saturday and this-day.

The Chief Justice said, that in some cases when issues were tried, the Court was in the habit of stating the reasons for its finding. In this case, however, it was the opinion of the judges that such a course was not expedient. They found a verdict generally for the defendant, but not on the strength of the defendant's case, but on the weakness and improbability of that of the plaintiff. The case was one involving assuredly gross fraud and perjury on one side, and perhaps, as Mr. Justice Malkin suggested, upon both sides, and the *alibi* set up by the defendant the Court did not believe. Moreover, they thought it right to intimate, that this sort of defence resorted to by the defendant on this occasion, ought to be and would be in future discouraged by the Court, and on this ground that it was setting up on the trial of the issues as a ground of defence, matters not put in issue or brought forward on the pleading or interrogatories in the equity suit, from out of which the trial of the issues in question had arisen. Verdict for Defendant.

The Court then proceeded with the sittings board.

Amongst the causes expected to come on in the Supreme Court during the Sittings after Term, or during the Term after Sittings (we forget which it is) is one of some importance to the mercantile community. Our readers will remember that the bark *Rebecca* went ashore about two months ago, and that Mr. Wetherell, who happened to be in that quarter, had the charge of the vessel made over to him by the commander. It is said that Mr. Wetherell has saved upwards of a lakh of rupees worth of property, on which he claims the usual salvage. The consignees, however, resist the claim, and demand the delivery of the property. Mr. Wetherell refuses to deliver the goods and the upshot is an action of *trover*.

TUESDAY, JULY 18, 1837.

ONE ON THE DEMISE OF KHOODY DASER RANLOLL MOOKERJEE AND OTHERS V. HURLOLL MOOKERJEE.

In this case a rule nisi had been obtained to postpone the trial on the ground of the absence of material witnesses. But the Court after hearing the Advocate General, Mr. Prinscp, and Mr. Clarke, discharged the rule *non est*. The action was brought for the recovery of eight cottages of land with appurtenances in Benaulah-gully.

CALENDAR OF PRISONERS.

The following is a list of prisoners who are to take their trial at the Sessions of Oyer and Terminer which commences this-day.

Abbas, Fazil and Peeyar Mullich, charged with having stolen on the River Hooghly, 10 bags of sugar, the property of Messrs. McKillop, Stewart and Co.

Sheo Bhurrun and Hurriachunder Mitter, charged with having killed and murdered one Radha Bebee, and having also stolen ten gold choories.

Modooooden Bonnerjee, charged with having stolen a promissory note of Government, and having forged the name of Parbutty Churn Mookerjee on the said note.

Gopaul Cooper and Warris Cooley, charged with having stolen from the house of William Turner a bag of corks value 20 rupees.

Buxoo, charged with having stolen from one Geoppee, several gold and silver ornaments of the value of 50 rupees and upwards, and 40 rupees in silver, the property of Mudooooden Ghose.

Shaik Badhaa, charged with having stolen from the house of Shaik Ruheem Ally, a box containing various gold and silver ornaments of the value of 800 rupees.

Rada mohun Roy, charged with having burglariously entered the dwelling house of one Kistnomooney, and stolen several silver and gold ornaments, the whole value rupees 163-6.

Edward Chinnery, charged with having stolen two seers of wax candles value 3 rupees, and two seers of tea value 10 rupees, the property of W. W. Robinson.

Debnarayan Roy and Romchand, charged with having feloniously and burglariously stolen from the house several gold ornaments and other goods value rupees 106-4.

Gourbux Sing and Gungadeen, durwans, charged with having stolen from the bottle khannah of the premises of one Mr. T. W. Anderson, in cash 200 rupees and several silver and gold ornaments value rupees 8-6.

Ganpee, charged with having stolen a note of the Bank of Bengal for 50 sicca rupees the property of J. Rennie.

Gyanoddy, charged with having stolen from the house of William Scott, one gold hunting watch with a gold chain and key, the property of the said W. Scott.

Peerbuhsh, charged with having aided, abetted, comforted and assisted one Buxoo, who killed and murdered one Oojagur.

William Daile, charged with having stolen on board the ship *George the Fourth*, lying off Diamond Harbour, in the river Hooghly, a quantity of rum of the value of 5 rupees or ten shillings, the property of John Nicholson.

Attaram, alias Rogoo, charged with having stolen three Bank of Bengal notes for one hundred rupees each, the property of Radhanauth Mitter.

Abasse Khanum, charged with the murder of a girl named Robeemun.

Ramuhaye Sing, Luckheemony and Modoooodun Chunder, charged, the first with having burglariously entered the house of Goluck Chunder Mookerjee in the dead of night, and stolen therefrom a Bank of Bengal note for 500 rupees, and the two last with having received a portion of the amount knowing the same to be stolen.

Neela, alias Gopaul Sing, charged with having stolen a bale of cloth, from the godowns of Comalecaunt, the property of Bulloram Dass. There is another charge against this prisoner by a different prosecutor.

Doorbul, charged with having stolen about a thousand rupees worth of property consisting of silver articles, &c., belonging to Sambhoonath Bose.

James Bernardo, charged with having stolen three packages of silver, some Spanish dollars, &c., to the amount of about 1,000 rupees, on board the ship *Sir Edward Ryan*.

THURSDAY, JULY 27, 1837.

Before Sir B. Malkin, Knight.

NAMEs OF THE GRAND JURYMEN.

N. ALEXANDER, Foreman.

John Elliot,
C. W. Braddon,
P. G. E. Taylor,
P. A. Cavorke,
A. F. Smith,
John L. Russell.
Malcolm M. Manuke,
Charles Barber Palmer,
Thomas Siddons Kelsall,
Charles Lyall,
Henry Cowie,
Thomas L. Thornton,

John Richards,
Joseph Webb Cragg,
Robert Hunter,
Thomas Young,
Wm. Morrison,
Baboo Rosomoy Dutt,
Baboo Promothnoth Day,
Baboo Govindochunder
Sean,
Raja Dabee Kissen,
Edward Orkes, and
Mooty Lall Seal

T. Dickens, Esq., was sworn in to day Accountant and Master in Equity, in the room of A. Dobbs Esq., who has proceeded on leave to the Cape of Good Hope, on a sick certificate.

The Judge, in his address to the Grand Jury, said, that he was sorry, to say that their duties in this session would be very laborious, as the Calendar was heavy and some of the charges serious. He was sorry to observe that there were no less than 4 cases of murder, and 2 other cases of a very singular nature calling for his remarks thereon to the Grand Jury. The first of these cases was that of a young man named Chinnery, who is charged with stealing some article of a trifling value. It is attempted to be shown that these articles were thrust into Chinnery's palkee when he was intoxicated, and he took them away in a frolic. It will depend on the jury on the evidence before them, to decide whether the prisoner had committed a deliberate theft or had been penetrating what he conceived to be a frolic. The second singular case was that of a person named Moodoooodun Banneira, who was charged with having in his possession a promissory note of Government, and having forged the name of one Parbatty Churn Moolerjee on the said note. In this case, the judge remarked the note had only been found in the prisoner's hands, and there was no evidence of his having been detected in the commission of the forgery, and during the long period which had intervened from the time the crime was committed to that of the note being discovered in the prisoner's possession, it might possibly have passed into many hands, therefore, perhaps, it would be very difficult to fix the crime laid to the prisoner's charge on him. The judge then proceeded to notice the cases of murder, and detailed and remarked on three of them. The first was that of a person named Peibix, who is charged with having aided, abetted and comforted another individual named Buxoo, who had murdered a Sikh merchant named Oojagur in the latter end of February. Against this individual there is no evidence to implicate him with the crime for which he stands charged, except his own confessions, which were made first on the 11th day of February 1837, and which are now complete. In his confessions this prisoner charges Buxoo, and another person, against both of whom an indictment no doubt will be prepared when they are found, with being the persons who had committed this murder. These confessions were voluntary, without fear or hope of reward, and it will be for the jury to consider what motive the prisoner could have had to accuse himself and implicate two other persons, if they imagine him to have had any. He then read from a law book passages for the jury's information regarding the law of self confession and accusation made by prisoners in any case. The next case noticed by the judge was of Sheo Bhurram

and Harnishchunder, for having at Churuckdanga, about five months ago, killed and murdered a woman named Radha Beebee, and for having stolen 16 gold choories from her person. In this case it appears certain articles were found in the possession of one of the prisoners, identified to be the property of the deceased. The prisoner on being questioned respecting the manner in which he became possessed of the property, named two other persons who had delivered this property to him. One of them, Sumbonath, is not yet in custody, but the other is apprehended, and there will be two indictments against him, one jointly with this prisoner for having stolen property belonging to the deceased, which was found in his possession, and the other for being concerned in the murder of the said Radha Beebee. The last case the judge brought to the notice of the Grand Jury, was that of Abassee Khanum, who stands charged with the murder of a female slave of hers named Roheeman. This case, the Judge said, had already appeared, attracted considerable public notice. The prisoner is charged with having caused the death of the deceased by beating her severely. He charged the Jury to divest their minds of the verdict at the Coroner's Court, and to examine into the evidence minutely to ascertain whether the deceased died from the effect of the mal treatment it has been alleged she received from the hands of the prisoner in this case, or from any other disorder, and if from mal-treatment, whether they think from the evidence that this mal treatment was inflicted on her by prisoner in this case. He then commented on the law of murder, and said that even if any person labored under any bodily disease which may not be fatal at the time, and the mal treatment, such as wounding or beating the person so indisposed, had been inflicted on the person to such a degree as to cause or accelerate death the person inflicting this injury was guilty of murder, but if it was shown that owing to bad medical treatment the death of the deceased was accelerated, which wounds might have been cured if proper medical treatment had been administered to the deceased, then, in that case, the person who might have inflicted these injuries, even though the wounds might by turning into gangrenes have caused death, yet the inflictor of these wounds would only be guilty of manslaughter. He then said that the law permitted in some cases a master or a mistress to chastise their servants on provocation for neglect of duty and for disobedience of orders, and if the punishment was slight and of a nature not in itself exceeding what is generally often inflicted by masters in this country on their servants, yet if death ensued, the inflictor of the punishment would be guilty only of manslaughter, but if the punishment was violent and inflicted with any deadly or heavy wounding weapon, then the crime would be that of murder. In this case the institution with which the prisoner is said to have chastised the deceased, is sworn to be a heavy instrument, but it will depend on the jury to decide whether it is a weapon in itself of that nature that beating a person with it would cause death. That another point to be considered was whether the prisoner inflicted this punishment as stated in the evidence, with an intention to punish the deceased, or whether she did it from malice, and in this case, to him it appeared, that there was an absence of all malice or design or assignable motive to suppose the prisoner inflicted the punishment on the deceased with a premeditated intention of causing her death. The last point for the Jury to consider was whether the punishment was inflicted in a fit of anger on great provocation, or without adequate cause and deliberately. If the latter, it would greatly aggravate the offence and constitute the crime of murder. In conclusion the Judge charged the Jury, that as this case had already, from its probable consequences, attracted great public notice, and many versions of the case had already, been bruited about, to divest their minds from whatever they might have heard about it out of the Court, and to confine their finding solely to

The evidence which may be legally brought before them in this Court. After this, the Judge said he had nothing further to remark to them, and told them, that they were at liberty to go and examine the bills which may be brought before them during this Session.

After the Grand Jury had retired, the Judge told the gentlemen who were summonsed on the Petit Jury, that they were at liberty to go where they pleased to-day, but they must attend the Court again to-morrow at 11 o'clock.

After this the Court broke up for to-day and was adjourned till 11 o'clock A. M. to-morrow.

N. B. The presiding Judge, we are sorry to say, spoke the above speech so very low, that many words were inaudible where our reporter sat; we therefore cannot, as in former cases, give the Judge's speech to the Grand Jury entire, but we trust we have given briefly the substance of it from what our reporter could hear.

28TH JULY, 1837.

True bills were found to-day against *Radamohun Sing*, for burglary; *Debnarain Roy* and *Roopchund*, for burglary; *E. Chinnery*, for larceny; *W Daile*, for larceny; *Attaram* alias *Rogon*, for larceny; *Gopal* cooper and *Warris* coolie, for larceny; *Gourbux Singh* and *Gunga-deen Durwan*, for theft.

Independently of the cases which the Calendar exhibits, there are three private prosecutions, viz :

The traversed case of *T. Fergusson*, the assault case against *Perroux* and another, and an assault case of *Bourkey*, the tailor, against *Guest*, the tailor.—*Bengul Hurkara*, July 29.

FRIDAY, JULY 28, 1837.

Before Sir B. Malkin, Knight.

William Daile was tried for stealing, while at Diamond Harbour, on board the ship *George the Fourth*, on the 10th July last, ten gallons of rum, the property of *J. Nicholson*.

Nathaniel Davis, sworn.—Said, he is a seaman on board the ship *George the Fourth*, and knows the prisoner, who was a quarter-master on board that ship, which was about three weeks ago lying at Diamond Harbour. The prisoner was on board of her at that time. He left the ship seventeen days ago. Recollects, that at about the hour of half-past six on a Monday, a heavy shower came on, the defendant came out on the fore-castle and saw the prisoner with a broom stick in his hands attempting to wrench of the lock of the rum cask which was on the poop abaft, near the mizen mast. He could not succeed and then he, with either an iron spike or some such instrument, wrenched of the lock, and then tried to put in a *tott* or can, but not succeeding with it he along a smaller can and then drew out rum sufficient to fill a bucket, and handed it forward, and then filled another bucket; but as the chief mate ordered the awnings to be furled, the prisoner fearing a discovery, passed it under the masts on the poop, and then for fear of discovery he poured it over the awnings. If deponent had got some of this rum he would have drunk it, but as he did not get it he could not have drunk it. No sailor

ever refuses to drink rum, or things like that, when he can get it. Mr. Wallis was the officer whose watch was then on deck. Deponent recollects no other. Each of the buckets might have held two and a half gallons. Prisoner was abaft the mizen mast at the time, and deponent at the fore-castle, near the cat's-head. The Sunday after this affair occurred deponent gave information of it. Deponent did not consider his life would be safe if he gave the information before. It was in a conversation at the deponent's mess, when they had taken a glass of grog extra and were talking of it, that this deponent said he had seen the prisoner take the liquor. Woodruff, another quarter master, whose watch was supposed to have been at the time when this rum was discovered to have been abstracted, hearing this conversation, went and gave information of it to the chief officer. *J. Gowan* has said to this witness, that he likewise saw the prisoner steal the rum: he was standing at that time at the fore-castle by the deponent. Deponent saw *W Perry*, a seaman, on the poop at the time the rum was abstracted. Deponent saw an officer besides midshipman Wallis, but prisoner could not recognize him because he did not come towards the side where deponent was.

John Gowan, sworn.—He is a seaman on board the ship *George the Fourth*. On Monday the 10th, at about half-past six o'clock, deponent saw from the starboard side of the fore-castle, the prisoner on the poop. Did not see the last witness on the fore-castle, as it was raining at the time. There was a parcel of *dukey dogs* (a term used by this deponent to designate native lascars,) there. Saw the prisoner draw and fill a bucket of rum from a cask on the poop: he drew it with a can, and it was raining at the time. Deponent did not see any body else on the poop, and does not know who was the officer on the watch at the time.

Alfred Ward, the chief officer of the *George the Fourth*, sworn:—Says the ship's company is riotous. Knows the prisoner, but cannot say what countryman he is, although deponent shipped him. By looking at him deponent cannot say what countryman he is. The name of the person who has written the prisoner's articles deponent believes is *Mr. Down*—he is in London. Believes the prisoner's professed signature to be in *Mr. Down's* writing. Prisoner left the ship either on a Wednesday or Thursday, about 15 or 16 days ago. The Monday previous to this the ship's steward reported that some body had broken the lock of the rum cask, and deponent ordered him to put on another lock. The steward is a trust-worthy man. The officers on the watch were deponent and Mr. Wallis the midshipman. It was a wet and rainy evening. The awnings are always furled every evening, between the hours of 4 and 6 o'clock. Deponent never saw the prisoner either drunk or insolent, or neglectful of his duty, from the day on which the prisoner was taken on board till the day he left the ship. On this charge being preferred, the prisoner the day after refused to work. The lock was discovered broken on a Monday, the man refused to work on the Sunday next, and come on shore without Captain Rayner's permission on the Wednesday following.

Capt. Rayner sworn.—Deponent is the captain of the ship *George the Fourth*; the ship is the property of Mr. J. Nicholson, of Finchchurch-street, and the rum belonged to him. This is the first voyage the prisoner has sailed with deponent. Does not know what countryman the prisoner is; but his country must be mentioned in the articles. Prisoner was never drunk on board the ship, but was very impertinent. The agreement showed that the prisoner was an Englishman.

The prisoner remarked, that he thought it very strange that the first witness should take such very particular notice of him, when Mr. McLeod, the cooper, was on the poop at about half-past five, and wished to make a

attempt to draw the liquor. Prisoner added that the first witness was bribed by the Captain, who had brought this charge against him, because he had left the ship; and because he would not take 6 rs. to the pound and went to defend the cause of seven of his messmates, whom Capt. Rayner had brought up before the police authorities. If prisoner had taken a bucket of rum from the poop down along the waist, could not Mr. Wallis, the officer on watch at the time, see him? Besides, Capt. Rayner swore at the police-office that the rum was stolen at 4½ o'clock, and now he says it was 6½ o'clock. Prisoner called Mr. Wallis as his witness.

Mr. Wallis sworn.—Says it was his watch on the day and time this rum is stated to have been stolen. The prisoner was the only person on deck. Saw during the time a bucket pass forward, but could not say what was in it. A man called Carey passed it forward. Only saw one bucket pass. Did not see prisoner take any bucket forward on that day, nor did he see the prisoner in any other place than the poop during his watch.

T. Wallis, ship's Steward, sworn.—Deponent had charge of the liquor case in the ship, and gave Mr. Ward information of the lock being wrenched off on Monday afternoon. At about 1 o'clock, when deponent went to draw the grog it was then all right, and at half past seven, when deponent went to draw the liquor again, then he saw that the lock of the cask had been wrenched off, and deponent then gave information to the chief

officer, who ordered him to put on a new lock, and deponent did so. Did not notice whether the prisoner was drunk or not at the time. Deponent did not gauge the cask when he discovered the lock was off.

J. Arnott said, that on the Sunday previous to this discovery, he was with the prisoner. Went on shore and bought 6 bottles of brandy from the Doctor's woman, and drank 4 and kept by 3; but no rum was brought that day into their mess.

Here the Judge addressed the Jurymen and said, that as the ship is lying in the jurisdiction of the Zilla of 24-Pergunnahs, they must first be satisfied that the prisoner is a British subject, before they can bring him under the jurisdiction of this Court; if they are satisfied of this, then they can, if they think the evidence sufficient, convict the prisoner. Here he detailed the evidence in particular, and left the case with the Jury.

The Jury returned a verdict of *Not Guilty*.

True bills were found against Luckynath, Abbas Fuzil, Peer Mullick, and Shake Boodoo, for larceny; Sumbhoochunder sing, for perjury; Neelah and Gopal Sing, for burglary; Peerbux, for murder; and Buzoo, for theft.—*Bengal Hurkuru, July 31.*

INSOLVENT COURT.

SATURDAY, JULY 8, 1837.

The affairs of the late firm of Fergusson and Co., and the application of the assignees of Mr. David Clarke to be allowed to prove for a sum of six lakhs, again, came before the court this day. The Advocate General and Mr. Leith noticed an application by Mr. Clarke for a statement of the affairs of the insolvents at the termination of the commercial year 1828. That statement they now produced, and Mr. T. H. Gardiner was examined as to several items therein contained. It set forth a debt due from Messrs. Le Marchand and Warden, of about six lakhs of rupees, opposite to which was a marginal note in the hand writing of Mr. John Smith, stating, in substance, that with good luck the debt may be recovered, but nothing was to be allowed for it at that time. The witness deposed that no part of this amount had ever been recovered, and the like facts attended debts to the amount of Rs. 1,90,000 due by Mr. Patrick. Opposite to another amount Mr. Smith had written, should be recovered in time, with a little good luck. Mr. Gardiner deposed, that James Scott

and Co., in 1828, were indebted to the late firm about fourteen lakhs, and that in 1829 they were indebted twenty four lakhs. The marginal note in Mr. Smith's hand writing was "must all depend on the success of Gloucester." The statement admitted a deficiency of assets in 1828, to meet the debts due by the concern to the amount of twenty-four-lakhs of rupees; subjoined to the statement is a note, in the hand writing of Mr. W. F. Clarke, written after the death of Mr. Smith, admitting that in strictness the estate of the latter was not entitled to any thing, but as a declaration to that effect would bring the firm into discredit, he proposed that three and a half lakhs should be allowed to pay legacies. Mr. J. P. Mackillingen and Mr. W. F. Fergusson, were examined at great length, but the reporter is not able to give their depositions with accuracy in consequence of the absence of the books and complicated nature of the accounts to which they spoke. Both gentlemen expressed their belief (that is their belief in 1827), that the firm was in a solvent state at the time. At half past two when the reporter left the court, the examination was still going on without a prospect of the court giving a decision this day.—*Oriental Observer, July 8.*

CORONER'S COURT.

WEDNESDAY, JULY 12, 1837.

A coroner's jury was this day assembled at the coroner's residence for the purpose of investigating into the cause of the death of a girl aged about nine years, of the name of Roheemun. A little after five the coroner and the jury proceeded to the native hospital at Chandra-where the body of the deceased was lying, to in-

spect the same; which being done, the following proceedings took place at the hospital.

Khaunumjee, sworn.—I am a widow and live at Calingah at present. I have seen the corpse lying in this hospital, in company with the jury. I know the deceased while living, her name was Roheemun. The deceased was a slave girl; she was purchased. She was brought from an inundated country by her mother, who sold her

to the wife of Mirza Munde. The name of Mirza Munde's wife is Abbass Khanum. I was in the service of Abbass Khanum when she made the purchase. The transaction took place in my presence. My occupation was that of a child's ayah. The deceased was then five or six year old; she acknowledged the woman that sold her to be her mother. The deceased seemed to be well pleased at the change. I don't recollect what money was paid for the deceased. I did not see this money paid; but I was aware of the transaction as I was passing in and out of the room at the time. The deceased had ever since lived in the family as a child belonging to it. I am still in the service, but left the house of the mistress, on leave, in consequence of the death of my grand daughter, about a month ago. My mistress gave me leave for forty days, the usual term of mourning with us Mussulmans. The mistress is now at Amratullah near the Greek Church. I did not go to see her since I took leave. I did not come here of my own accord, but was brought by the police. I heard the death of the deceased yesterday at 4 o'clock. The name Roheemun was given to the deceased by the mistress. At the time of her purchase deceased had a Bengallee name which I don't recollect. Deceased was not exactly a slave, she was brought up like a child. The mother of the deceased was a Hindoo. I am sure she had a different name at that time. There are four female servants in the family besides myself. I don't know their names, I know their occupations; viz. a wet-nurse, two ayahs and a cook woman. There are three male servants, two cafrees and a musliman boy. The cafrees are named Bilal and Amber, and the musliman boy Syed. The deceased was not allowed to get out of the zenana; she never went out of it, to my knowledge. When I said that the deceased was a slave girl, I meant that she was an adopted child in the family. The name of Bebee Abbass Khanum's husband is Mirza Munde, and he is a merchant. The deceased was in perfect health when I took leave. The deceased was regular in her attendance to her work. She was sent to my house the day before yesterday; she was taken there by Bilal and Syed in a palanquin. No body else accompanied her. They said she was sick and desired me to try to cure her. They said that they had taken her to my house by order of Abbass Khanum, but without the knowledge of her husband. They left her in my house. I examined the deceased and found her hands were swollen, and sores on the back of her head and hands. She had a sore also on one of her shoulders. She had a violent purging. I rubbed her body with turpentine, and to the sores I applied some lamp-oil with gunney burnt into ashes. The deceased remained in my house one night. Yesterday the boy and a woman came to my house again and proposed to take the girl away; and I told them that they may do so. They said that they were desired to take her to the mistress's. They put her in a palanquin and took her away. During her stay in my house, she complained of pain, and called for water frequently during the night. She had the purging on her for ten or twelve days previously. As to the sore on the head, she told me that it was produced by lice; and those on the back of the hands by scratching. She did not express any apprehension that she would die. She told me that she had the sores for ten or twelve days.

Dr. Robert Henry Bain, sworn.—I am Police Surgeon, I have examined the body of a native girl named Roheemun, aged about nine, which was lying in the Chandy hospital and pointed out to me by Gopal bearer. The body was rather emaciated with a large puffy tumour on the forehead and a number of sloughing ulcers upon the head, body and extremities; namely, one on the back of the head measuring two inches in circumference, one on the left side of the head and another on its upper part about half the size of the first, and about the size of a six

pence on the left arm, two on the forearm, and the back of both the hands were entirely bare of the integuments with the muscles and tendons exposed. A ulcer of the size of a six pence was also seen on the left leg, just below the knee; and another, on the right leg, measuring about one and a half inches in circumference. Most of those sloughing ulcers had a circular but ragged appearance. There was a number of blue marks also upon the head, body and extremities. I opened the head, chest and abdomen. The puffy tumour on the head measured four inches in circumference, and contained some thin dark pus. The brain was healthy, so were all the organs contained in the chest and abdomen, but they appeared pale and exsanguined. I consider the death to have been occasioned by the sloughing of the integuments and the sloughing ulcer. I entertain no doubt. The ulcers might have been produced by bruises or burning. There was no fracture on any part.

It was about half past seven o'clock, and there being no other witness present the inquest was adjourned till two o'clock the next day.

JULY 13, 1837.

The jury met at the appointed hour, and sat till about four o'clock without any progress of the proceedings for the absence of witnesses. We learnt that this case was also under the investigation of C. K. Robinson, Esq., magistrate, and that that gentleman refused sending the witnesses, till he had done with them. The coroner now dismissed the jury stating that he intended to see the chief justice, on the subject of this collision between himself and the magistrate; he requested the gentlemen of the jury to attend at 5 o'clock p. m. the day following.

JULY 14, 1837.

About a quarter of an hour after, the jurymen being all present, the coroner stated that he had waited on the chief justice, and the consequence was that the witnesses were now in attendance. He (the coroner) trusted that such a thing will not occur in future, so long as he continued in the office of coroner; or he would be driven to the necessity of exercising the authority he possessed of compelling the attendance of parties as witnesses before his Court. The following proceedings then took place.

Mr. Peter O' Brien, first assistant in the Calcutta native hospital, sworn. Roheemun, the deceased, was admitted into the hospital on the 11th July at 2 o'clock p. m. She had a swelling on the left side of her forehead, sores or ulcers on the back part of her head, the left shoulder and a mortified point on the left. An ulcer above the elbow and another above the left wrist. The integuments of the back of each hand from the knuckles to the wrist were in a state of mortification. She had ulcers on the hip and knee. She expired at half past ten a. m. on the 12th.

Bilal, sworn. I am a boy belonging to the house of Mirza Munde and live in Amratullah Gully. I know the deceased, who was slave girl to Mirza Munde's wife. I was in the Mirza's service when she was brought in. My mistress gave her the name of Roheemun, but I don't know what her name was before that. I took the deceased to the house of Abbass Khanum-jee, in company with an ayah and Syed. I went of my own accord and was not desired to do so. I went seven days ago. I was ordered by the mistress to take the deceased to

Khaunum-jee's, and I heard the order given. The mistress directed Syed to desire Khaunum-jee to try to cure the deceased; she handed five rupees at the same time to Syed, to be given to Khaunum-jee, for defraying medicine expenses. The deceased was beaten with a pestle. She had sores on the back of her hands, head, one of her shoulders and the hip. These were produced in consequence of the beating. I saw the beating. The deceased was beaten by the mistress whose name is Abbess Khaunum. She was sent to Khaunum-jee's four days after the beating; and remained there three or four days, when the mistress sent Syed and a dye for her—not the same woman that went the first day. This dye resides at Chinsurah. I heard that the mistress gave orders to take the deceased to Chinsurah from the circumstance of a message sent by Khaunum-jee that she was dangerously ill. I heard about the message from Syed. Deceased was to be taken to Chinsurah for the purpose of curing her. The dye was not in the house at the time that the conversation about the message took place between me and Syed; she came in soon after. The dye and Syed then went to fetch the deceased from Khaunum-jee's. The mistress and I accompanied them. The mistress has been displeased with me for the last three years. When we got to Khaunum-jee's, Syed procured a palanquin; and a woman named Khosh-kuddum, taking the deceased in her arms, placed her in the vehicle. Syed put a cloth or a *purdah* round the palanquin. On going past the Police Office I told the bearers to go there, and on their refusing to do so, I abused them, when they obeyed me I spoke to no chokeedar. At the Police Office I saw Mr. McCann and showed him the deceased. On my proceeding to the Police Office, Syed and the dye fled; but they did not say any thing to me, nor did they desire the bearers not to go there. The bearers ran away also. The sores on the body of the deceased I have mentioned, were produced by beating on three several days. On the first day that the deceased was beat, was for her having stolen and drank a portion of some *sheerunjuhbeen* that was prepared for the master. I detected her in the act, in a room where there was no body else present; I abused her for her conduct. As I was going to wash the cup out of which she had drank, the mistress noticed it in my hand; and on questioning me about it, I told her what I had seen. The mistress then sent for the deceased, and pointing to the cup, asked her what was in it. The deceased said that she felt ill at stomach, and had taken a little *sheerunjuhbeen* with warm water to promote vomiting. The mistress said "why did not you ask for it." The deceased answered, "if I had done so, you would not have given it to me." The mistress replied "when did you ever ask that I refused." The deceased rejoined, "I thought you would not have given it to me, I therefore stole it. On this the mistress got angry and kicked her on the belly. She had shoes on. The blow was such that the girl fell in consequence. The mistress then called for a rattan, but finding no one brought it to her, she took up the pestle of a mortar; and desired the deceased to put her hands flat on the ground, one after another, and struck on the backs thereof, with it. She struck two blows on each hand. (Mr. McCann was here asked by the coroner if the pestle in question was brought, when he answered in the negative.) Nothing further occurred that day. The deceased did cry and the mistress bid her be silent. The pestle was about half a cubit in length, and of the usual shape, with a knob at each end. The mistress held it at the middle and struck the deceased with the thin end of it. The blows were given straight up and down. The mistress appeared to me to be very angry. It was about eight o'clock in the morning. The Chinsurah dye was present, Syed was also present, I now recollect. About ten or eleven o'clock that day, the mistress ordered the deceased to bring a chelimchy, but being weary, she could not bring it, but brought a smaller one. The deceased was in the habit of lifting a large chelimchy every day, but on that day she could

not because he said she felt pain in her hands. After the small chelimchy was brought the deceased was desired to pour water out of it; but being unable to do so, the mistress kicked her and she fell. The kick was a slight one. She fell because she was weak; she was naturally weakly. This last kick was not given in such an angry manner as the first. Nothing further took place that day, nor the day following; but the next day, the deceased not having swept the room and cleaned the chelimchy, the mistress asked her why she did not, when she answered that her hands were painful. On this the mistress took up a knife, such as is used in chopping bones, called "hougda," and struck her with the back of it on one of the shoulders. She was struck only one blow, and it was slight one; it drew blood. The mistress then left the deceased and nothing further transpired that day. The next morning, the mistress desired the deceased to fetch the chelimchy, and on her not doing it, she took up a rattan which was lying hard by, and struck her with it twice or thrice about the body. The rattan was a small one, and the blows from it were not very severe. She then took up a piece of wood something like the shape of a ruler, of a white colour, and about a cubit in length, which was brought in by children to play with; with this she struck one blow on the head of the deceased which caused blood to issue. The wood was of the thickness of my two thumbs and a finger. The deceased did attempt to lift up the chelimchy, but she could not. The mistress again beat her twice with the rattan. The deceased then managed to place the chelimchy upon her arm, and pouring water out of it assisted the mistress in washing her mouth. Nothing further occurred that day. On the night of the same day, the mistress desired the house dye to apply turmeric and chunam pounded together and warmed, to the hands which were swollen. Three or four days after the deceased was sent to Khaunum-jee's house. The blow with the chopper was slight. On the third day of the beating, when the deceased said she could not bring the chelimchy, the mistress thought she was shamming, and made use of expressions to that effect: she said, "you are pretending." The mistress beat the deceased by way of correcting one or two blows whenever she found her negligent. I never saw the mistress beat her without a cause. The deceased was never before beaten in such a manner as to fall sick. Whenever the deceased did her work properly, the mistress treated her kindly. The mistress paid every attention to the deceased during her illness, but finding her not recover sent her to Khaunum-jee's. On the second day of the beating were present, the house dye, Syed and myself; and on the third day, the house dye, two ayahs, and myself. Deceased used to be well fed always, except when she misbehaved, when the quantity of her food was curtailed. Whenever the mistress found the deceased really ill, she treated her kindly and slackened her work. On one occasion she was burnt accidentally, when the mistress did her best to relieve her. On the day following the first beating the deceased brought the chelimchy and *astava*, one article at a time; and nothing occurred that day.

In answer to Dr. Bain.—The deceased did complain of a pain in her hands. On the third day of the beating, she was feverish and laid about the house. If she was ordered to do anything, she got up for a moment, then laid down again. Before the application of the turmeric and chunam, the hands were very much swollen. She was subject to attacks of fever occasionally,—say, once in two or three months. When the deceased was taken into the service, she was labouring under the disorder of spleen. She was cured of that disease about four months after; but she continued to have fever and ague occasionally. She was sickly for the first year of her service, but was quite well the year following.

In answer to the Foreman.—During the three years that the mistress has been displeased with me, she did

not beat me at any time: she showed her displeasure only by not supplying me with shoes, clothes, &c. The cause of her displeasure was that I attended upon the master and not upon her.

The Coroner here remarked that the statements of the witness were not of a nature to warrant the conclusion that he was actuated by malice towards his mistress.

An iron pestle being put into the hands of the witness, he said that the one used in beating the deceased was not quite so long but about the same weight.

The pestle was in the same room where the deceased was beaten.

The jury broke up precisely at nine, to meet again at three in the afternoon to-morrow.

JULY 15, 1837.

Belau's examination continued.—(Having been a few minutes too late we have missed a small portion here.) This is the pestle with which the deceased was struck; it had no sugar on then. (Witness here described the force and manner in which the blows were inflicted.) The deceased did complain of a pain, but not to me. The kick she received at eleven o'clock on the first day of the beating was slight. On the day following I saw a swelling on her hands; and the day after that the mistress gave her a slight tap on the shoulder with the *bougda*. I noticed the swelling on the hands to increase daily. On the third day, she was beaten, first with a rattan on different parts of the body, two, three, or four times, and then with a piece of wood. I saw the mistress strike her only one blow with a piece of wood, when I left the place and went to the cookroom. On my return, I saw her strike the deceased with the rattan again. After the mistress struck with the piece of wood one blow on the head of the deceased, she threw it away, and desired her to pour water, when I again went to the cook-room. This blow did draw blood. After the last beating with the rattan, no further beating took place. I saw the deceased several times in the course of that day. The mistress observed the swelling by her going about, with her hand extended. I heard the dye ordered to apply *chunam* and *huldee*, and saw the application afterwards on her hands. This application was made the day after the first beating for the first time. I did not mention this before, because I was not questioned about it. On the evening of the third day of the beating, the *chunam* and *huldee* were applied again, by the order of the mistress. About eight o'clock at night, the first application of *chunam* and *huldee* was made. The mistress must have observed the swelling in the day time, but I believe, that thinking that she did not feel so much pain as she affected, she did not give orders to apply the composition till night. It was applied only to the hands. After the last beating she continued in the house for two or three days. I saw the deceased on the morning of the day that she was removed to *Khaunum-jee's*, and observed the sores on the back of her hands, as also those on the shoulder and the head. I saw no other sores that day. Three days after the application of the *chunam* and *huldee* the skin burst, and the swellings turned into sores. To the sores on the shoulder, head and the hip, some leaves beaten up into a paste, were applied. I observed only one sore on the head, but there might have been more which I did not notice. I saw when the wound on the head was inflicted and that there was a sore. The plaster of leaves had fallen off when the deceased was removed to *Khaunum-jee's*. I can't tell what state the sore on the head was then in, I saw only flies about it. When brought to the police, I saw a sore on the forehead and another on the hip, neither of which I had observed before. I then

noticed two or three sores on the head and a slight one under the hip, as also a swelling on the forehead. These I did not see when the deceased was at the mistress's.

In answer to a jurymen.—I never saw or heard of any other girl being beaten by the mistress. I did not observe any more sores than those I have described. The swelling on the hands were burst after the application of the *chunam* and *huldee* the second time. I did not see *Khaunum-jee* do any thing to the deceased. *Khaunum-jee* had been about one month in her own house when the deceased was sent thither.

In answer to another jurymen. When we took the deceased to *Khaunum-jee's*, Syed told her to try to cure her; and if she died to bury her. I took the deceased to the Police because the mistress ill-treated me for the last three years, by denying me the common necessities of life, such as clothes, shoes, &c., and I was put to many shifts to procure them. Ten days before the occurrence the deceased was in perfect health. I took the deceased to the police with the view to obtain justice, both for her and myself we being both slaves. The mistress stinted me in clothes, shoes, washing, barber's expence and in food too; and the deceased was treated in the same manner. Sometimes we got these things and sometimes not. I say the same thing now that I did last night. The deceased was sometimes treated kindly and sometimes otherwise. The latter was the case when the mistress found her negligent.

Khash Kuddum sworn. I am a married woman, and I consider it disrespectful to my husband to mention his name. (The thanadar of the division here stepped forward and said it was Fukeera.) I am a neighbour to *Khaunum-jee's*, and was at her house when the deceased was removed from thence. The deceased remained at *Khaunum-jee's* house for two days. I saw the deceased had sores but did not examine her.

Khaunum-jee examined again.—The deceased was brought to my house of an afternoon, and I examined her body the next morning. She had a sore on the back part of the head, and one on the shoulder. There were sores on both the wrists and rattan marks on the sides. The sore on the back part of the head appeared to be in a sloughing state, and so did those on the wrists. I rubbed turpentine oil only on the body, and not the sores. She remained only two nights with me.

The Coroner here observed that there was a material difference between the number given by the old woman (*Khaunum-jee*) and that by Dr. Bain. He was afraid that by rubbing the body of the deceased with turpentine, excepting the sores described by her, she must have caused the others.

Syed.—I am a slave. (Mr. McCann observed that the witness was a prisoner, when the Coroner said that no body could hold the witness a prisoner without a warrant, and asked Mr. McCann if he had one. An answer in the negative being returned to the query, witness was sworn.) I was directed to accompany a palanqueen with an ayah who went inside of it; but I don't know if any body else was in it. I did not see the ayah come out of the palanqueen. The palanqueen was placed close to the door of *Khaunum-jee's* but. About four days after, I was ordered by the mistress to take the palanqueen to *Khaunum-jee's*, which I did. I did not see the ayah there this time, but I saw *Rohoomus*. I have not seen the mistress for the last three months. I have been told that I was getting too old to remain in the *panana* any longer.

Meerun.—I am a widow and reside at Tautullah. I am in the employ of *Miras Mendee*, as an attendant upon his children. I knew the deceased; I saw her

about eight or ten days ago. About that time I heard from Belaul that she was sent to Khaunum-jes to be cured of a purging she was labouring under; she had also a fever and deceased spleen. The deceased had swollen wrists, and the swellings from the application of huldee and chunam turned into sores. One morning I had others observed Belaul tie the hands of the deceased and suspend her up with a rope and I went away and left her hanging. Belaul did this because the deceased stole something. The Coroner sent for a rope for the witness to explain the manner in which the deceased was tied up. A servant brought one immediately, and it being shewn to the witness, she stated it was the identical one that she spoke of as having been used in tying the deceased.

The Coroner to the servant. Where did you get it?

The servant. It is your well-rope, Sir! (a laugh.)

Witness. This rope is much like the one I speak of. Belaul pulled her up with both his hands. The next time I saw the deceased, she had chunam and huldee on her wrists which were applied in consequence of her having been tied up. I did not mention the circumstance to the mistress, but I hear the dye did it; when the mistress ordered huldee and chunam to be applied. Belaul was not punished.

The Coroner bid the witness go away, as a person unworthy of giving evidence. He had cautioned her in regard to the statements she made to no purpose.

Dr. Bain, examined again. I have heard the evidence of Belaul and the manner described by him in which the blows were inflicted on the wrists. If I saw them given, I am certain they would not lead to the death of a girl of the age of the deceased. (Here the Doctor stated the number of wounds on the body of the deceased and the number of days they must have been in existence.) I am certainly of opinion that death would not ensue to a person of her age by the beating described by Belaul; and assuming that death followed from the beating, I would then attribute the extent of the sloughing to mismanagement of the remedies employed, irritability of the constitution, or neglect of the sores.

The inquest was adjourned till Tuesday afternoon, the 18th of July.

JULY 18, 1837.

The Coroner and the Jury resumed the proceedings at the appointed hour.

Dr. Raleigh, first Assistant-Surgeon, General Hospital, sworn.—I wish to ask a few questions of Belaul, respecting the health of the deceased for the last two years, and the month previous to her death.

Belaul, in answer to Dr. Raleigh. For the last of the two years that she lived with the mistress, deceased was stout and healthy, and so she was during the month previous to her death. I did not observe any remedies applied to her left side for the spleen; no gools nor any other native remedies resorted to for that disease.

Dr. Bain, in answer to Dr. Raleigh.—There was no exsiccated appearance in the deceased. The spleen had the natural appearance, there being no enlargement of it.

Mr. O'Brien, in answer to Dr. Raleigh. I re-opened the body of the deceased after Doctor Bain, for my own satisfaction, to see whether there was an enlargement of the spleen. I found it was the case. The spleen was about eight inches in length.

Dr. Raleigh observed here that the admission made by Mr. O'Brien was of great importance. The smallest

ulcer, when the constitution is in that state, is liable to sloughing to a great extent. He, the Doctor, gave an instance of a boy, who had an enlargement of the spleen and being troubled with a small scab on the lower lip, the whole of it sloughed away in a few days. Sores ending thus, frequently prove fatal. The whole of the sore on the deceased having assumed a sloughing disposition, I should infer that the injury inflicted on the body was not the immediate cause of death; but in consequence of the diseased state of the constitution the sores took to sloughing eventually. In a healthy body the sore would not have taken place.

The Coroner then summed up the evidence of the different witnesses to the gentlemen of the Jury; explained the difference the law made between manslaughter and murder, citing many cases that bore upon the one before them; after which the Jury retired and held a consultation for about two hours when they returned a verdict of MURDER.

Abbassee Khaunum, it would not be out of place to mention, is the wife of a very respectable, nay one of the first, Mogul merchants in Calcutta. The case has in consequence excited a great sensation amongst the Mogul and Arab communities of this town, many of whom have been present at the Coroner's Court during the whole of the inquest. Abbassee Khaunum is in custody.

TUESDAY, JULY 23, 1837.

Before C. B. Greenlaw, Esq.

Sedee Ibrahim was tried for slaying Sedee Noobin and Mussonut Nurgeez.

II. Peirv, constable, examined, said, that the warrant was addressed to him and Mr. Kaskell, directing them to summons a Jury to inquire into the death of Nobin and Nergez, and he, by virtue of that writ, summoned J. T. Mathews to attend at the Coroner's Court at about 1 o'clock p. m. to day, and on the summons being served on Mr. Mathews, he replied very good. Deponent likewise served M. F. Patton, an assistant at the Exchange office, at the Custom House, at about 3 o'clock p. m., since which time this deponent has seen him at the Court and desired him to attend soon, or else he would be handed up to the Court, and Mr. Patton replied "very well, I am coming."

Mr. Kaskell said, he had not served several persons whose summonses were given to him to serve, but he said that Mr. Sweedland had been served by him. The Coroner said that it is very strange that this deponent had just been mentioned as not served. The Coroner remarked that it is very strange that the public will not know that the printed list of the Jurymen published at the *Military Orphan Press* is an official document, and parties whose names may be wrongfully inserted, are to inform the printer of it before the expiration of the month of May, and here had come the close of July, and now Mr. Talkert and others say that their names are wrong.

R. W. Bain said, that he is not quite sure whether the prisoner will survive or not.

The Coroner said to Mr. McCann, that he is sorry to make a complaint against Mr. Kaskell, but he certainly has not done his duty in this case, for out of 36 jury summonses issued not a sufficient number have been served to form a jury.

Mr. Staunton asked whether it is requisite for the jury to inspect the bodies collectively or could the present jurymen inspect them now, and the new jurymen afterwards. The Coroner said, it is requisite that all the jury and the Coroner be present at once and inspect the bodies collectively.

After this the Coroner said that he was sorry to say that the Jury must be put off for that day, as they had not mustered a sufficient number? but he purposed to them to fix any time the next day, after 1 o'clock P.M., to meet, taking their own recognizances for 1,000 rupees each to appear, when he hoped to be able to complete the Jury list, and he said he would hand up the names of the absentees to the Supreme Court.

The Jurymen acknowledged themselves bound for 1,000 rupees to the King for their appearance the next day, and fixed 2 o'clock.

The Inquest was then postponed till 2 o'clock P. M., the next day.

WEDNESDAY, JULY 26, 1837.

Chootoo Khan, sworn, deposed, that he resides at Puttuldanga, in Colloctollah. He knew Nurgez, she was his tenant. Deponent on Monday last, the 24th instant, came to his house and heard a squabbling going on in the room of Nurgez. She perceiving him called him and requested deponent to take charge of her goods as she intended going out. When deponent entered her room, he perceived two men in it, one of whom is now dead and deponent does not know his name, the other, who is living, deponent has heard is called Ibrahim. Deponent has seen the bodies of Nurgez and the other Seddee at the Police Hospital. Seddee Ibrahim is still living.

R. W. Bain, deposed, that he has examined the body of Nurgez, a female who was admitted into the Police Hospital, and who was attended on by Professor O'Shaughnessy: she was admitted on the 23d instant. Here the deponent detailed the wounds on the body, and said, that in his opinion the wound in the abdomen particularly, but all the wounds, were conducive to her death. Deponent likewise deposed that he had examined the body of Seddee Nobin, who was admitted into the Hospital on the 24th instant, and was attended on by Professor O'Shaughnessy and Dr. Goodeve: the man died on the 25th instant. The deponent detailed the wounds and attributed the death to the wounds in the abdomen.

Chootoo's examination continued. The parties who are dead were wounded by a knife—deponent knows the knife and identifies it. The man who is living deponent has seen often before, at Nurgez's house: he used to live with her, but Nurgez always paid the rents. Nurgez has been deponent's tenant for 5 months, and when she hired the house she came alone, which was the first time deponent saw her. On deponent's asking her who she was, she said that she was the mistress of a person who had gone on a voyage. Deponent told her that if she conducted herself with propriety he would permit her to stay in his house, otherwise not, as respectable persons lived there. She did not say when she expected her protector back. She was an African woman. Deponent supposes that the deceased woman was about 30 or 40 years of age. The man she described as her protector, returned to Calcutta about 2 days ago. Deponent thus learnt the circumstances. One evening, when he returned home, he heard that a man was in the woman's house, and on inquiring of her who he was, she replied "this is the man whose mistress I am." Deponent being a servant did not interfere with the affair or enquire into the names of his tenants; all that he cared for, was that his

rent was paid to him and no disturbance made by the tenants. Up to the period of the day on which he saw these two men at the woman's house, he never saw any person, except the man whom she said was her protector, visit her. When the female told deponent that she was going away, deponent told her to shut the door and the goods would no doubt be safe; and at that time the two men and the female were all altercation. They were speaking in a language which this deponent could not understand, and they began to push and shove each other. Deponent remonstrated with them, but as they did not mind him, deponent sent a person to give information at the Thana. After this the deponent went into his house to get his clothes, intending to go to his master's house and give information of the riot at the thana, which was on the road. On his coming out of the house deponent observed the man who is dead, running out of Nurgez's room to the front of the deponent's compound, saying that he was wounded. Blood was trickling down his body and he fell senseless from the hemorrhage. After this the female ran out of her room and into deponent's room. Ibrahim followed her, and when she entered the deponent's room, caught hold of her and struck her with a knife. On receiving the blow she screamed out, and on hearing her scream deponent went to the door of the room, calling out to Ameer, khansama, one of his neighbours, saying, "come and help me there is a man murdering a woman in my house." Hearing deponent's voice Ameer came running to assist, and when Ameer joined deponent they entered the room and perceived Ibrahim, aim a blow at Nurgez. They then went cautiously towards Ibrahim, desiring him to desist, and suddenly held his hand; but he assumed a threatening attitude and began making passes with the knife at them. This alarmed them, and they having no weapons to defend themselves, forewent their hold. Deponent then left Ameer to guard and watch Ibrahim, and went himself to the thana to give information, and the thana people came armed and apprehended the prisoner and took all parties to the thana. The prisoner for these last two months lived with the woman. They used sometimes to dispute and have trifling altercations regarding money matters. The prisoner and the deceased were of African extraction. Besides this woman, some bricklayers lived in one of deponent's huts as tenants. The females and children of the deponent were in the room into which Nurgez fled for shelter, followed by the prisoner. Seeing him the females and children all ran out frightened, therefore they could not have seen the blows struck by the prisoner. The hut of Nurgez has a compound opening on the street; deponent's hut is at the back of that hut and has a compound separate. Deponent has rented the land from Baboo Madob Dutt and built huts on it which he has let out to tenants.

In this stage of the proceedings a long, desultory enquiry took place at the request of the foreman of the Jury, who wished to ascertain the position of the huts of the deponent and Nurgez, the deceased,—and the Coroner, from the description of the deponent, drew a sketch of the two huts in order to ascertain whether deponent could perceive plainly what occurred within. Deponent stated he distinctly saw what occurred in the hut. In Nurgez's transit from her hut to the deponent's hut, she did not appear to be wounded, nor did any conversation pass between her and the prisoner, who was pursuing her. When the prisoner followed the woman into deponent's hut, he was not wounded.

Ameer, khansama, deposed, that he is a neighbour of Chootoo, khansama. Deponent was taking his siesta at 3 o'clock P. M., on Monday last, when he was awakened by the noise of some person bawling out in the direction of Chootoo Khan's hut. Deponent on hearing the noise, ran towards Chootoo's hut, and on arriving there Chootoo said that a female had run into his hut for refuge, and a man was maltreating her. Deponent then looked

into the hut and perceived a woman sitting in the hut, and perceived a man stooping over her and stabbing her with a knife, which she was endeavouring to ward off. Deponent said to Chootoo that they had better secure him otherwise he might commit some further mischief: they then went to secure the prisoner, who frowned on them and threatened them with the knife. Seeing this deponent went to his house to see if he could get a stick, with which he could, by striking the prisoner on the hand, knock the knife out of it,—and despatched the first witness to go to the thana to give information and have the prisoner arrested. Not finding a stick suited to his purpose, deponent returned to the spot desiring his son to search for a stick for him. On his return to Chootoo's hut, deponent perceived the prisoner come out of it with the knife in his hand, frowning on the deponent. Deponent hid himself, and after this the prisoner looked towards the deponent, muttered something in his native dialect and then stabbed himself with the knife. The prisoner then went into the wounded woman's room, and deponent came out and peeped into the hut where the prisoner went, and found him sitting in the room in a leaning posture and bleeding. Deponent then went into Chootoo's hut, and not perceiving the woman on the spot where she had been stabbed, searched for her and found her hid in a corner. Shortly after this the thana people came and arrested the prisoner. They then went towards the hut of Chootoo Khan and called the woman by her name and she came out. She then had her bowels protruding from a wound in her abdomen. Deponent does not recollect her name. Deponent has occasionally seen some Africans, both men and women, at the female's hut, but does not know any of them. Deponent did not understand the language the parties spoke in, as they were all Africans. This deponent called the prisoner Ismail, whilst the first witness called him Ibrahim.

The Jury remarked that this deponent said that more than one man visited the deceased female, whereas the first witness had sworn that none but the prisoner visited her. The Coroner said that the former witness, as he had his character at stake for renting his house to irregular people, no doubt concealed the truth: besides, he has said that he was generally out.

Boodoo, Naib of Puttuldanga, sworn, said, that being informed that three Africans, one woman and two men, were quarrelling in his division, he went out and on reaching the Police Hospital perceived an African wounded in the belly lying at the Hospital door and a crowd around him. The spectators on seeing Boodoo informed him that there were two more persons wounded in Chootoo Khan's hut. On hearing this, deponent went down the lane to Chootoo's house and perceived the woman, wounded in her belly, lying hid under a bed in Chootoo's room. Her bowels were protruding out of the wound; and deponent then, by information received on the subject, went to the other hut which the female had entreated and there perceived another African sitting, leaning on his hands and wounded; a knife was lying by him. Deponent then sent word to the thanadar of Coolootollah, and the peons advised deponent to send the wounded persons to the Police Hospital. Deponent then asked the wounded man who had wounded him. He replied "Seddee Nobin has wounded me, and I have likewise wounded him." Deponent did not enter the hut for fear the man might do him some harm. The prisoner then laid himself down on his side. Shortly after the Police Apothecary came and said "where is the knife." Deponent replied he could not tell. On this, the Doctor ordered the window of the room to be opened and then the knife was found by him lying near the prisoner's right hand covered with blood. After this all the three persons were taken to the Police Hospital. The prisoner on being questioned, said his name was Ibrahim; and the woman said her name was Nurgez. In the hurry and the confusion of the moment, deponent

forgot to ask the other witness his name. Only one knife was found on the premises, and no other, although deponent searched closely. Deponent had no conversation with the other prisoner. Prisoner likewise acknowledged that he had in his anger wounded the woman. This occurred at about 3 o'clock p. m. on Monday last.

Chootoo Khan recalled. Nurgez, when she said to the deponent that she was going, said that she was going with these two men; but she did not say where she was going or for what period, nor did deponent question her on this subject. Deponent did not know the cause of the quarrel between the parties. When the wounded man ran out he had no weapon in his hands; he ran out crying *hapray, hapray*. Deponent, when he first went to the house, did not perceive any weapon in the hands of any of the parties.

Tahally, Thanadar of Coolootollah, sworn, stated, that on Monday the 24th inst., deponent hearing from a peon that three persons had been murdered in his division, went towards the Police Hospital, and saw a man lying bathed in blood at the Hospital door, surrounded by a crowd of people, who said to deponent that two more persons were wounded in the lane. Deponent went unto the spot indicated and perceived in Nurgez's room a man drenched in blood and the Naib, Boodoo, hearing that a woman was lying wounded in Chootoo's room, deponent went there and perceived Nurgez lying wounded with her feet under a cot in the room. Deponent enquired the names of all the three persons on their way to the Police Hospital. The man who is dead, said his name was Nobin; the woman who is dead said her name was Nurgez, and the man who is living said he was named Ibrahim. Nurgez said in the prisoner's presence—but the prisoner did not distinctly hear on account of the crowd and noise,—that Ibrahim had wounded her; and Ibrahim likewise on being questioned, said that the woman was his mistress and he had wounded her and Nobin, but assigned no reason for the act. Nobin likewise said in a faint noise, that Ibrahim had wounded him.

Jumeer coolie, a young lad, sworn, said that he is the servant of Amee, khansamah. Deponent knew Nurgez. Occasionally on passing her door he observed many persons visiting her. He on the eve of the 24th instant, perceived an African aim some blows at Nurgez. Who can clearly distinguish Africans, from one another? Perhaps if he were to see the man who struck Nurgez, he would know him. He cannot say whether the blows took effect or not.

The Coroner said, that there was a great deal said about the dying declaration of the parties, which cannot be now put in as evidence, because he had not the power to do so—such declarations must be sent direct to the Supreme Court. Dying declarations are generally supposed to have more truth in them than statements on oaths; but this is attributable solely to the persons making them, being impressed with the firm belief that they are shortly to appear before God, to answer for their conduct to him. Whether the woman ever had the conviction on her mind that she would shortly die, does not appear perfectly manifest; and what was their belief regarding a God and a future state, is not known to the Jury; besides, such declarations should always be taken in the presence of the prisoner.

After this, the evidence was read to the witnesses previous to their signing it, to enable them to make any alteration that might be at variance with what they had stated. During the process the foreman asked whether they could not be charged to give their verdict, and let the reading and signing be done afterwards. The Coroner replied they could not, as it was on this evidence signed by these witnesses, that he must charge the Jury,

and record their verdict, and in case any of these witnesses die, he would be sworn to the correctness of the deposition. He then reverted to the importance of his office compared with the Magistrates', which latter, he said, was merely ministerial, and the Judge could on sufficient grounds discharge a prisoner committed by a Magistrate, because it was merely his simple opinion, and he is not supposed to enter into both sides of the case always. Whereas the Coroner's functions are both judicial and ministerial, and he is supposed to take up both sides of the question, in order to get at the exact truth,—and as he is assisted by a Jury, the Judge is bound to try a person committed by him.

After the witnesses had admitted the correctness of their depositions, and signed them, the Coroner addressed the Jury, recapitulating the evidence. He said that

there was no doubt that the two deceased parties had died from wounds inflicted on their bodies; the evidence of Dr. Bain clearly proves the circumstance. He then said, the next point for the Jury to consider, was who inflicted the wounds, and whether, if inflicted by a third party, that party was justifiable or not; whether if not, the crime committed by that party was manslaughter or murder, defining the law in each case. He then stated, that there was direct proof of murder against the prisoner, as far as regards the woman; but with respect to the man, there was only circumstantial evidence; but, the Coroner remarked, that he was sorry to say, that in such cases persons are often obliged to depend on such evidence, to elicit the facts of the case.

The Jury, after a short consultation, returned a verdict of murder against Ibrahim in both cases.

SUDDER DEWANNY ADAULUT.

Extract from letter to Government regarding Civil Reports for 1836.

REGULAR FILE.

The regular file of the Court of Sudder Dewanny Adawlut on the 1st January 1836 and 1st January 1837, was as follows:

Pending on the 1st January 1837.... 766
Do. " 1st Do 1837.... 661

Being a reduction of.... 105 Suits.

The number of regular and special appeals filed during the year 1835 and 1836 was as follows.

Filed in 1835..... 476
Do. in 1836..... 416

Being a decrease of 60 Appeals.

The statement noted in the margin exhibits the
Before .. 1834 .. 22 years in which the appeals
Of.... 1834 .. 22 still pending, were instituted;
Of.... 1835 .. 215 and although numerous changes have taken
Of.... 1836 .. 313 place in the court during the
Received from the late courts of } 89 past year, the Right Honorable the Governor will observe
appeal. } that the expectation of
661 the court that few appeals
would remain pending at the

close of 1836, save such as might have been instituted in the year 1835 and 1836, has been fully realized.

MISCELLANEOUS FILE.

The miscellaneous file of the Courts of Sudder Dewanny Adawlut on the 1st January 1836 and 1st January 1837, was as follows:

Pending on 1st January 1836.... 367
Do. „ 1st Do. 1837.... 221

Being a reduction of..... 146 cases.

The number of Miscellaneous and Summary appeals filed during the years 1835 and 1836, was as follows.

Filed in 1835..... 3132
Do. in 1836..... 2463

Being a reduction of..... 669 cases.

The following statements exhibit the number of decrees of the Sudder Dewanny Adawlut still remaining unexecuted:

Pending at the end of 1835.....	308
Admitted in 1836.....	201
	509
Executed in 1836.....	101
	408
Still pending.....	

The increase arises from the greater number of decisions that have been past in the two last years, which has, of course, given rise to a greater number of applications for the execution of those decrees.

The following statements exhibit the number of decrees of the late Provincial Courts of Appeal still remaining unexecuted:

Pending at the end of 1835.....	749
Executed in 1836.....	241
	508
Still pending.....	

The Courts of Sudder Dewanny was closed for 180 days during the past year as noted in the margin.

Sundays..... 52	The business of the court was
Mohurrum..... 35	transacted during the year
Dusseerah..... 35	1836, by the following judges:
Other Hindoo & Mahomedan } 28	
holidays..... }	

150

Mr. Rattray, throughout the year.

Mr. Robertson, from the 13th April to the end of October; when he proceeded on sick leave to the Cape.

Mr. Braddon, throughout the year.

Mr. C. R. Barwell, from the commencement of the year to the beginning of October. Mr. Barwell was prevented by severe indisposition from attending latterly to business and died on the 11th November. By his death the Government have been deprived of the services of a very valuable and experienced public officer; and the court have to deplore the loss of a

colleague in whose judgment and opinions they placed the greatest confidence.

Mr. Halhed, from the commencement of the year to the latter end of October; when he proceeded on sick certificate to the Cape.

Mr. Stockwell, from the commencement of the year, to the beginning of August, when he proceeded on the pension to England.

Mr. W. Money, from the 2d September to the end of the year.

Mr. J. R. Hutchinson, from the 10th December to the end of the year.

Mr. D. C. Smyth, throughout the year.

The following regular and special appeals and miscellaneous petitions and proceedings were either finally disposed of, or opinions thereon were recorded by the different judges, during the past year :

Name of the Judges	Regular Appeals	Special Appeals	Miscellaneous Petitions	Miscellaneous Proceedings
Mr. Rattray	63	40	117	484
Mr. Robertson	35	27	35	135
Mr. Bradon	62	31	159	328
Mr. Barwell	16	12	59	153
Mr. Hallett	43	27	36	116
Mr. Stockwell	16	81	23	465
Mr. Money	17	7	8	186
Mr. Hutchinson	3	5	—	22
Mr. Smyth	53	13	2,175	3,527
Total	408	243	5,416	2,612

The English correspondence was conducted, during the greater part of the year, by Messrs. Rattray, Robertson, Bradon, Barwell and Hallett; and latterly by Messrs. Rattray, Bradon, Money and Smyth. Mr. D. C. Smyth has also continued, as heretofore, to superintend and conduct the miscellaneous business of this court and to direct and regulate the civil business pending in the Zillah Courts. The criminal business was conducted by the judges, in addition to the civil business as noted above, will be duly adverted to and noticed in the annual reports for the administration of criminal justice. — *Englishman*, July 3.

BEFORE MESSRS. W. BRADDON AND F. C. SMITH.

Nabob Muzaffer Ool Moolk Mazumut Odd Dowlah Syet Mahomed Ally Khan Bahadoor Hussamut Jung, Appellant.

Negarara Begum alais Behaw Bagum and others, Respondents.

Claimant Ram Cowar Chunder.

Appellants Vakeel Moonshy Hussain Ally.

Respondents Vakeel, Moonshy Aumeenudden Mahomed, Moonshy Dadar Bux Khan and Ram Praun Roy.

Claimants Vakeel B.boo Bungebee Buleen, appealed, from the decision of Zillah Court of 24-pergunnahs.

The Plaints for the execution of and realization of 1,14,000 Rupees, as awarded by the arbitration.

The appellant was the original plaintiff in the case, and complained in the Zillah Court of 24-pergunnahs, stating in his plaint, that Nabob Soult Jung, the husband of Negarara Begum, and the father of the other defendants; and Nabob Musher Jung, the father of the plaintiff, were both the sons of Nabob Delawur Jung, deceased. After the death of Nabob Musher Jung Bahadoor, Nabob Delawur Jung, the ancestor of the litigating parties, by a deed of gift dated the 22d Assen B. S. 1236, bestowed to the plaintiff the village of Chipoor, and the adjoining garden called Elliot's garden, and his other landed property adjoining thereto; and after putting this plaintiff in possession of the property specified in this deed of gift, Nabob Delawur Jung died in the month of Agiroon 1227 B. S. Subsequent to this a dispute arose between this plaintiff and Nabob Soult Jung, regarding the possession of their ancestral estates, and a plaint was filed regarding the respective claims in the Zillah Court of the suburbs of Calcutta, and that Court, decided this case by the 6th Regulation of Government of the year 1813 A. D. After the case had run its tour of all the minor Courts, it was on the 16th July 1823 A. D. decided in the Sudder Dewanny Adawlut in this plaintiff's favour, ordering Nabob Soult Jung to complain in the provincial Court of appeal at Calcutta for the recognition of any rights of his that he may consider to have been annihilated by this decision of the Sudder Court; and he in conformity with this order of the Sudder Court, complained to be put in possession of his share of his ancestral property as awarded to him by this Sudder Decree in the Equity side of the Provincial Court of Appeal at Calcutta; and this case on the 9th February 1826 A. D., was decided according to the tenor of a compromise entered into between the parties, in compliance with an arbitration award of their mutual friends, in which compromise and arbitrated bond and award; dated the 7th February 1826, the following conditions were specially inserted, that Nabob Soult Jung was to pay all the expenses attending the marriage ceremony of Nabob Hussain Jung, son of Nabob Jaffer Jung, with the sister of Nabob Soult Jung, and in consideration of his so doing, Nabob Hussain Jung was to resign to Nabob Soult Jung the possession of the village of Chipoor and the other landed property which formed the matter in this litigation; and Nabob Hussain Jung, in consideration of his forgoing his claims to these villages, was to receive a dwelling house with requisite furniture and a specified sum of ready money from Nabob Soult Jung. Besides these, there were some minor disputed points adjusted in this compromise bond, and in virtue of this agreement between the litigating parties, Nabob Soult Jung remained in undisturbed possession of the village of Chipore and the other landed property, the subject of this litigation. After this decision of the provincial Court, based on the aforesaid contract, Nabob Soult Jung, for upwards of 7 years, procrastinated complying with its provisions under various frivolous pretences, and on the 20th of the month of Bhadhoor 1239 B. S. he departed this life without consummating the marriage ceremony of his sister and Nabob Jaffer Jung. Therefore this plaintiff now begs to represent in this his plaint, that he had never unconditionally resigned his rights to the village of Chipore, Elliot's Garden and the other property which his grand father Nabob Delawur Jung bestowed to him by a deed of gift, and which said property was affirmed in his favor by a decretal order of the Court of Sudder Dewanny Adawlut, dated the 16th July 1823 A. D., and maintained this plaintiff in his possession; and although Nabob Soult Jung, in dissatisfaction to this order, did file a plaint in the provincial Court of appeal at Calcutta, and that case was decided in conformity to the conditions of a compromise bond by the tenor of which this plaintiff did resign and put him, Nabob Soult Jung, in possession of the village of Chipore and the property forming the grounds of this present action; yet, as the said Nabob

Soulut Jung never conformed to or fulfilled his part of the stipulations of the said bond to the period of his demise, this plaintiff consequently considers that his rights to the possession of the said village of Chitpore, as decreed in his favor by the Sudder Court, has not been annihilated by any subsequent act of his; for the terms of the abovementioned bond having been declined compliance with by Nabob Soulut Jung, one of the contracting parties, the whole bond has thus been rendered null and void. Viewing the matter in this light, he now sues these defendants, the heirs and representatives of Nabob Soulut Jung, to be reinstated in the possession of the village of Chitpore and other lands, of which he delivered possession to Nabob Soulut Jung in contemplation of his acting up to the specifications of the bond on his part.

The defendants in their reply, stated, that they had been prepared to fulfil their terms of contract, by giving the sister of Nabob Soulut Jung in marriage to the son of Nabob Hosain Jung; but the latter declined to abide by the stipulations of the bond and consummate the marriage ceremony after the parties on the part of the Uncle had been put to a considerable expense in its preparation, and they put in the depositions of Mr. C. Trower and of Mr. H. T. Prinsep, and a certificate of the late Mr. Andrew Sterling, together with the compromised bond, dated February 1826, to uphold their case.

Kawur Ram Chunder, the heir of Rajah Oudwunt Sing, likewise put in a claim, stating that he had obtained a decree in the Sudder Court against the Nabob of Chitpore, and that he prayed the Court that their decision in this case may not affect his rights established on that decree.

On the 24th of Feby. 1824, Mr. H. Moore, the Zillah Judge, decided the case in favor of the defendants, on a plea that they were willing to abide by the tenor of the compromise bond, and had been put to a considerable expense for that purpose; but that the plaintiff was the first to depart from it. Against the decision this appellant appealed to the Sudder Dewanny Adawlut, where the case was prematurely heard on the 28th February 1837 by Mr. W. Braddon, one of the Judges of that Court, who, after a careful and minute investigation into the evidence and documents connected with this case, decided that it is apparent that the respondents had not fulfilled their terms of their bond with this appellant, as they had married the sister of Nabob Soulut Jung to another individual, and not the son of the appellant, as they compacted by the terms of their bond to do. Further, it does not appear reasonable to suppose that this appellant, after he had made so great a sacrifice as to resign his rights to the possession of property to the extent specified in Nabob Delawur Jung's gift to him, after it had been affirmed in his favor by a decree of the Sudder Court, with the sole intent and purpose to get his son married to the sister of Nabob Soulut Jung, the latter paying all the expenses of this marriage ceremony, that he would have declined conforming to its terms; for he, it appears, had already put Nabob Soulut Jung in possession of this litigated property; therefore, after he had done this he had every thing to gain on the remaining unfulfilled terms of the contract, if they were acted upon, and nothing to lose; and although the testimonies of Mr. C. Trower and H. T. Prinsep, and the certificate of Mr. A. Sterling, deceased, tend to show that the respondents borrowed a considerable sum of money for the ostensible purpose of defraying the expenses of this marriage ceremony, yet, there is no evidence to show that this money so raised was actually expended on that account, or that these respondents showed a readiness on their part to fulfill their stipulations of the bond; but the unwillingness of this appellant to abide by its tenor had disabled them

from so doing; on the contrary, it appears manifest to this Court, that although Nabob Soulut Jung was repeatedly applied to, to fulfil his conditions of the bond he never disacknowledged it but always under various pretences evaded its fulfilment; therefore there is a strong circumstantial suspicion arising to show, that Nabob Soulut Jung had made this compromise bond a pretext to dispossess this appellant of his ancestral property, and at the time he executed the bond, he never contemplated fulfilling a single iota of its conditions. Arriving at its decision from these premises, the court is of opinion that as Nabob Soulut Jung, up to the period of his demise, never complied with the terms of this bond, it is null and void, and the original right of this appellant, as approved in his favor by the Sudder Dewanny Adawlut on the 16th July 1823 A. D., in conforming to the deed of gift executed by his grandfather in his favor regarding this litigated property, has been in no wise retracted, and as decreed in his favor by this Court of the 16th July 1823. Therefore this Court orders, that the decision of the Zillah Court of the 24th February 1837 be reversed, and the compromise bond, as executed by this appellant and Nabob Soulut Jung, be declared null and void, and that this appellant be reinstated in possession of the property which is the subject of this plaint, and respondent pay all the costs of this suit and refund the rents for the time they have held possession of these lands to this appellant, with interest thereon. Further, as the vakeels of the litigating parties in the Zillah Court have put many useless questions to the witnesses examined in this case, it is ordered that the respondent's vakeel in the Zillah, be paid 50 rupees, and the appellant's vakeel there be paid 20 rupees. In conclusion it is ordered, that this decision of this Court is to have no effect in any wise on the decree of this Court which was passed prior to the institution of this appeal in favor of Rajah Oudwunt Sing, the father of Rawur Ramchander Sing, the claimant in this case. The case was then referred to another Judge for coincidence of opinion, and it was finally heard by Mr. F. C. Smith, a Judge of this Court, in May 1837, who coincided in the opinion of Mr. Braddon on it, and confirmed his order respecting its disposal.—*Bengal Hurkara, July 1.*

JUNE 3, 1837.

Before J. R. Hutchinson, Esq., Officiating Judge.

Fyze Allee and Ahmed Allee, Appellants; Calychurn Mitter, Respondent. Mooushy Hussien Allee, Appellant's vakeel; Mooshy Mahomed Hamif and Nilmony Bonerjea, Respondent's vakeel.

Plaint for rs. 1,154 for the value of 164 biggahs of ground situated in Zillah Ilavally, being less by this quantity from the quantity stated to be. The respondent was the original plaintiff in the Zillah Court, and stated in his plaint that the appellants who were the original defendants had negotiated with him for the sale of a piece of ground defining its boundaries and describing it to be situated on the main road, in the vicinity of the city of Calcutta, and containing 408 biggahs of ground. Calychurn being on the look out for lands similar to the description given of this ground by the defendants, sent a person to inspect the land offered him for sale, and on the report of this person finding the bargain to be advantageous, he bargained for and purchased this land for the sum of sicca rupees 7,000; but when he went to take possession of it, he found its situation to be very remote from Calcutta, and although the boundaries corresponded with the sellers' detail of them, yet the land did not actually contain 164 biggahs, nor was it situated on a main road so as to be converted into

a profitable building speculation, as described by the sellers at the time of negotiating for its sale to the plaintiff; therefore he prayed the Court that the defendants be ordered to refund the money they had received for the sale of this land from the complainant, and the sale be cancelled, it being in his opinion a fraudulent transaction, if not; at any rate to refund him 1,154 rs. the price of the deficiency of the quantity of the land sold, which was 164 biggahs less. The sellers in their reply pleaded, that the sale was as per pottah, it being the practice in this country to sell lands as per pottah, be they more or less; therefore if the land did not correspond in quantity with what was mentioned in the pottah, they were blameless. Further, the boundaries answering to the sellers' description of them showed that the land sold and made over to the buyer, is the same land which he purchased of the sellers, and if after purchasing it the plaintiff is dissatisfied with his bargain, they are not bound to refund the purchase money and cancel the sale, for if the purchaser had any doubts regarding the locality of the land he ought to have, previous to purchasing it, personally inspected it and not trusted to the report of another individual.

This case was tried in the Zillah Court on the 4th September 1830, when the Zillah Judge considering the sale to be fraudulent, and that the sellers had used deception in the bargain, decreed the case in the plaintiff's favour.

The appellants being dissatisfied with the award of the Zillah Court, appealed against it to the Court of Appeal, for the division of Calcutta, where the case was primarily heard before Mr. C. R. Martin, who not coinciding in opinion with the Zillah Judge, wrote his dissenting opinion and sent the case for final order to another Judge of that court, but before the judgment of another Judge could be passed on the merits of the case, the Court of Appeal for the division of Calcutta was abolished, and the proceedings, together with the other documents of that Court, forwarded to the Sudder Dewanny Adawlut at Calcutta.

The case was first taken up in the Sudder Court on the 12th March 1835, by E. J. Harrington, Esq., one of the Judges of the Sudder Court, who ordered that an Aumeen be sent by the Zillah Court to investigate on the spot and send in his report to the Sudder Court

through the Zillah Judge on these points, viz., whether the land actually contains 408 biggahs as specified in the bill of sale from the appellants to the respondents, or less, and if less whether the deficiency is so much as 164 biggahs, as stated in the respondents' plaint in the Zillah, and what is the value of it at the rate the respondent paid for the whole lot.

The case was then taken for coincidence of opinion to H. Shakespear, Esq., another Judge of the Sudder Court, who coincided in opinion with Mr. Harrington on hearing the case on the 14th July 1835; and after Mr. Shakespear's promotion from the Sudder, the case was taken up by Mr. Stockwell, another Judge of the same Court, who coincided with Mr. Harrington and Mr. Shakespear, and postponed the case for the Aumeen's report.

After the Aumeen's report had been received through the Zillah Court at the Sudder Court, the case was taken up by Mr. W. Money, another Judge of the Sudder Court, who issued an order for the Zillah Judge to forward by application to the Collector of Zillah 24 Pergunnahs, the papers in his office relating to this land to the Sudder Court, and postponed the case till their receipt at the Sudder.

Ultimately, subsequent to the receipt of the papers from the Collector's office, the case was heard finally by J. F. M. Reid, Esq., Judge of the Sudder Court, on the 25th June 1837, who, after minutely examining the documents filed in this case and carefully investigating its merits, reversed the decision of the Zillah Court and gave his award that as the land has been sold by the appellants to the respondents as per pottah, be the same more or less, the respondent cannot, if the land is by actual measurement found to be less than the quantity described in the pottah, either maintain a right to cancel the sale and receive back the purchase money or sue at the saleable price of the whole land for the deficiency thus arising, for if the land exceeded as lands sometimes do the quantity mentioned in the pottah, he would be equally entitled to hold it without paying any further consideration for the surplus. The appeal was then affirmed, and the Zillah decision reversed. This award of Mr. J. F. Reid, which reversed the Zillah decision was subsequently, on the 21st June, confirmed by Mr. J. R. Hutchinson, another Judge of the Sudder Court.—*Bengal Hurkaru*, July 14,

NIZAMUT ADAWLUT.

No. 20.

To J. F. M. REID, Esq.

Register to the Nizamut Adawlut, Fort William.

Circuit Department.

Court of commission-
er of circuit for 18th di-
vision. Zillah 24-Pergunnahs, trial No. 1, of the calendar for the special sessions of July 1836, Government v. Hoorail-ram Shah, aged 40 years, son of Birdheechand Shaw. Charge perjury, Futwa Tazeer.

Sir,—I transmit herewith to be laid before the Nizamut Adawlut the proceedings on the trial noted in the margin, held at Allipore, zillah 24-Pergunnahs, on the 3d August 1836, subsequent dates (the 2d and 3d December 1836, and 3d March 1837.)

2. The circumstances of the case are as follows:

The prisoner being in confinement in execution of a

decree of the civil court on the 9th December 1833, preferred a petition to be released as insolvent, and in pursuance of the provisions of Regulation 11, 1806,

made oath on the 31st December of the same year to his possessing no other property, than that specified in his petition.

3. The above property was sold for the sum of 14 annas, as reported by the moonsiff on the 30th January 1834; but the plaintiff having represented that the defendant possessed other property, he was not released, and subsequently, on the 25th February, he gave in a list of property belonging to the prisoner other than that specified in this petition, and having established that fact to the satisfaction of the judge, the following order was on the 5th February 1835, passed by him.

"That the prisoner do remain in jail in execution of the decree so long as the plaintiff shall pay his diet allowance, and on his release that he be tried for perjury."

4. This order having come under the notice, of the Nizamut Adawlut, the court on the 27th May last directed, that if the prisoner had been guilty of perjury,

3d August.....1836. he should be at once committed for trial, which was accordingly done on the 26th July last, and the trial was held before me on the dates noted in the margin.

5. The facts established against the prisoner in my judgment are two; first, that at the time he swore to he truth of his petition, he possessed property in debts due to him as specified in the margin, to the amount of Rs. Rs. 1748, which was not included in his statement of property; and secondly, that he likewise at the same period held in pledge, a silver paun box, which he also omitted to insert.

By Edward Fred. Col-
lor, serjeant, S. Rs. 29 8
Ditto ditto.: „ 145 0

6. The first fact is established by the admission of the prisoner before the sudder ameen on the 9th January 1835, as proved by the evidence of the witnesses named in the margin, and corroborated by the production of the acknowledgments themselves.

7. The second fact is established by the evidence of Luchmun Mistry, witness, who swears to having pledged the said silver paun box to the prisoner for the sum of 20 rupees, 4 of which up to this hour remain unpaid, and by that of Razee-ul-bulk the Mohurir of the moon-siff, by whom the box was sold for 25 rupees, after having been held under attachment, and without any claimant appearing for a period of nearly one year.

8. The futwa of the law officer convicts the prisoner and declares him liable to Fazeer on the first account, but acquits him of the second.

9. In the conviction I concur, though from the acquittal I dissent, on the ground, that I consider the property of the prisoner in the silver box to be established, and that in omitting to insert the same in the petition to the truth of which he made oath, he is guilty of perjury.

10. Concurring as I do in the futwa of conviction on the first count, I should not have troubled the court with this reference, did I not entertain a legal doubt on the point, whether the omission of an insolvent debtor to insert in his schedule the amount of debt owing to himself can be considered as amounting to the crime of perjury.

11. Holding then this doubt on the legality of the conviction in the first count, and the moovee having given in a futwa of acquittal in the second, I have the honor to submit the papers of the case for the consideration and orders of the court.

12. With reference to all the circumstances of the case, the sentence I propose to pass upon the prisoner is that of Tusheer and 3 years' imprisonment with labor in irons.

I have the honor to be,

Sir, your most obedient servant,

(Signed) H. M. PIGOV, Commissioner of Circuit.

(True Copy)

R. MACAN, Offg. Registrar.

Jessore, Commissioner's Office,
18th division at Allipore, the
10th March, 1837.

No. 1038.

To the Registrar of the Nizamut Adawlut, Western Provinces.

Sir,—I am directed by the court to request that you will lay before the Court of Nizamut Adawlut for the Western Provinces, the accompanying extract, paragraph 10, from a letter from the commissioner of Circuit, 18th division, dated 10th ultimo, No. 20, submitting the trial of Hoorailram

Nizamut Adawlut.

Present.—R. H. Rat-
tray and W. Braddon,
judges: D. C. Symth,
temporary Judge; F.
C. Smith, and C. Har-
ding, officiating judges,
Esqrs.

Shah for prejry.

2. The court are of opinion, that the wilful concealment of bond debts due to an insolvent debtor, examined on oath under the rules contained in Section 2, Regulation II. 1806, is punishable on conviction as wilful perjury under clause 1, Section 13 Regulation XVII. 1817, and will, with the concurrence of the judges of the Western Court, so instruct the Commissioner of the 18th division.

I am. &c.

(Signed) J. F. M. REID, Registrar.

(True Copy)

R. MACAN, Officiating Registrar.

Fort William, April 14, 1837.

No. 364.

To J. F. M. REID, Esq.,

Register to the Nizamut Adawlut, Fort William.

Sir,—I am directed by the Court to acknowledge the receipt of your letter No. 1038, under date the 14th instant, with its enclosure from the Commissioner of the 18th division, relative to the trial of Hoorailram

N. A. N. W. P.
Present.—M. H. Turn-
bull, A. J. Colvin, W.
Lambert, and W. F.
Dick, judges Esqrs.

Shah for prejry.

2. In reply I am directed to acquaint you that the court concur in the opinion expressed in the 2d paragraph of your letter under acknowledgment.

I have the honor to be,

Sir, your most obedient servant,

(Signed) H. B. HARRINGTON, Registrar.

(True Copy)

R. MACAN, Officiating Registrar.

Allahabad, April 28, 1837.

The 5th June, 1837.

At a Court of Nizamut Adawlut, held at the Presidency,

Present,

J. F. M. REID, Esq.

Officiating Temporary Judge.

Read the following letter from the Commissioner of Circuit for the 18th division, No. 1 of Calr. for the dated the 10th of March Special Sessions of 1836. last, and the proceedings held on the trial of Hoorailram Shaw, charged with perjury.

The court having duly considered the proceedings held on the trial of Hoorairam Shah convict the prisoner of perjury, and sentence him, as recommended by the Commissioner of Circuit, to toshcar and imprisonment with hard labor and irons for the term of three years from the present date.

Ordered that the original proceedings of the magistrate be returned through the commissioner of circuit.

R. MACAN, Officiating Registrar.

Englishman, July 6.]

JUNE 10. 1837.

(Before Mr. J. R. Hutchinson.)

Referred by Commissioner of Circuit Assam. Changloo, Prosecutor, versus Modon and Badang, Prisoners.

CHARGE DACOITY WITH MURDER.

The offence in which this trial originated, occurred as long back as December 1827, and prisoners, of whom Modon was one, were arrested and committed for trial, but they all effected their escape. Another individual, Herdur, implicated in the offence, was subsequently arrested in November 1828, and was brought to trial, found guilty and executed in 1830; this prisoner Modon was re-apprehended in April 1836, and the prisoner Badung was arrested in October 1836, on the suspicion that he was the same individual of that name who had effected his escape with Modon as before mentioned.

The prosecutor Chengloo, on the 11th February 1828, deposed before the Magistrate of Lower Assam to the occurrence of the dacoity, as detailed in the 4th paragraph of the Officiating Magistrate's letter, in which

three of the inmates of his house, Angoriah, King and Telpor were wounded, and the two first died of the wounds inflicted on them.

The prisoner Modon, on the present trial, was recognized by the prosecutor, and five of the witnesses, as being the same individual who had been before arrested, and by two of the witnesses, as the person who, in their previous depositions in 1828, had been charged by them with having been one of the dacoits and one of the individuals who inflicted the wounds on Angoriah and King. Another witness, who originally recognized the prisoner as one of the accomplices in the dacoity, was too ill to give his evidence on the present trial.

The prisoner Modon has invariably pleaded not guilty, but acknowledged that he made his escape with other prisoners whilst under confinement on a charge of dacoity with murder, and that he had also before his escape been sentenced to imprisonment on a charge of cattle stealing.

The panchaet and the officiating Magistrate, on a full consideration of all the evidence before them were of an opinion, that the prisoner Modon is guilty and the Magistrate considered him deserving of a capital sentence.

The Commissioner fully concurred in the verdict of the Panchaet and saw no extenuating circumstances in his favor, he therefore recommended that he be sentenced to death.

The prisoner Badung has been acquitted of this charge.

This case was tried in the Nizamut Court before Mr. R. J. Hutchinson, on the 10th June, 1837, who after having fully investigated and considered the proceedings held on the trial of Modon and Badung, concurred with the Commissioner in convicting the prisoner Modon, of the crime of dacoity and murder, and sentence him to be imprisoned with labor for life in the jail at Ahpore. —Bengal Hurkara, July 18.

SUDDER BOARD OF REVENUE.

Before the Junior Member Mr. Henry Walters.

A representation in Persian, on the subject of the Imambara at Hoggly, from Syed Keramat Ali, was submitted and considered. We have endeavoured to give, through the assistance of a friend well versed in the language, a correct and literal translation of this document, as the case itself and the precedent it involves are of considerable importance.

Syed Kuramat Ali, the intelligent companion of Captain Conolly in his overland journey from Persia, was lately appointed Mootawullee of the Houghly Wuzf, but previous to his accepting the emolument of his new and responsible office, he studied carefully the will and all the papers connected with the property, and finding in his opinion that the terms of the testator's endowment were by no means accordant with the existing arrangements, he addressed the Board, requesting a clear understanding of his future position before he accepted the appointment. The order of Mr. Commissioner Walters, however, leaves the question still undecided; and we

believe, the matter has been referred to the Government of Bengal either by the Board or by the party himself.

Copy of a Letter dated 4th May 1837, addressed by Syed Kuramat Ali to the Local Agents immediately on his arrival at Calcutta.

In the service of the august and dignified gentlemen, the Local Agents, Buhadoor, may whose magnificence continues for ever, be submitted—that they will be good enough to forward the accompanying address, after retaining a copy of the same, to the gentlemen of the Sudder Board of Revenue. May your future days be prosperous for ever!

Copy of a Letter addressed to the gentlemen of the Sudder Board of Revenue, and enclosed in the above, bearing the same date as the above.

In the service of the august and dignified gentlemen, of the Sudder Board of Revenue, may whose magnificence and glory continue for ever!

This well wisher, agreeably to your suggestion, and letter, dated 8th January, has been appointed and raised to the office of the *Tuoleut* or Superintendency of the Imambarah, endowed in Wuqf by Hajee Mohsun, deceased, in Zillah Hooglee. As from the words "*Tuoleut*" and "*Mootwillee*" it was to be understood that the same (*Tuoleut*) must be in accordance to the canons of the Shea Sect of the 12 Imams, and in conformity to the conditions set forth in the Wuqf by the Wuqf, I accept of the place; I therefore request to know whether the *Tuoleut* is to be agreeably to the canons of the Shea Sect of the 12 Imams, and the conditions set forth in the Wuqf by the Waqif, or how; kindly inform this well wisher on the subject. May your days be of command for ever.

Copy of Purwanah of the Local Agents returning the Letter addressed to the Board.

High and eminent of rank, Syud Kuramut Uli, Mootwillee of the Imambarah Hoogly; may you continue in health. The letter of the high in rank, dated 4th May of the present year, with a letter directed to the celebrated gentlemen of towering altitude of the Suddur Board, requesting the same to be forwarded to the presence of those gentlemen has been read. As the style of the address to the celebrated gentlemen of high dignity of the Suddur Board is considered remote (unbecoming) from the dignity of those dignified gentlemen, under this circumstance the original address written by the high in rank is returned with this Purwanah; and it is hereby written that if it be the determined intention of the high in rank that this very letter should be presented to the presence of those gentlemen, it shall be done so; otherwise, in lieu thereof, you should submit, agreeably to usage, a Petition written in a plain style, that the same might be submitted to the presence of those gentlemen.

Dated 8th May, 1837.

Copy of a Letter which was sent by the Syud on the 10th of May, to the Gentlemen of the Suddur Board of Revenue, with the Letter which was returned and Copy of the Purwanah.

In the service of the heavenly eminence, gentlemen of high dignity, who in sublimity are like Jupiter, and whose residence is the Empyrean Heaven; whose Porter is Dara (Darius) and whose Watchman is Alexander, who are emblems of Kings, gentlemen of the Suddur Board of Revenue Buhadoor. May their magnificence, power glory and dignity continue. It is submitted, that the suggestion and Purwanah having the mandate of fate, dated the 9th January of the present year, appointing him to the *Tuoleut* of the Imambarah of Hajee Mohsun deceased, situated in Zela Hoogly, reached this well-wisher and conferred high honors on him; and previous to which the eminent Mr. Smith, Buhadoor, had addressed a letter to Colonel Alves, Buhadoor, acting Superintendent at Ajmere, who agreeably to its contents inquired of this well wisher through Captain Trevelyan, whether he was of the Shea Sect, or not, and if he were a Shea, whether he would accept of the *Tuoleut* of the Imambarah aforementioned, and in the event of his accepting he would receive a ninth share from the Wuqf. This well-wisher having some acquaintance with the affairs of the Imambarah when he was in Calcutta, and having likewise taken a personal cursory survey of them, and being satisfied from Mr. Smith Buhadoor's letter to the Resident Buhadoor that the *Tuoleut* was in the hands of the Ruling Power and was conducted according to the tenets of the faith of the Shea Sect of the 12 Imams and in direct conformity to the conditions provided in the Wuqf by the Waqif, he hesitated not in the acceptance of the office made to him—because to serve the cause of Religion, and perform the requisites of one's own faith, and do good to the followers of that faith are acts held

in universal esteem both in this world and in the next. For this act of kindness, benevolence and protection conferred on me by that Heavenly canopy, of which the holding string is the Galaxy, the most excellent of the nobles of the most elevated dignity, the Ruler of the Kingdom of Hindoostan, the special Counsellor of the King of the Court of the 7th Heaven—England—the worthy Nawab, the Right Honorable the Governor-General Sahib, Bahadoor—may whose power and greatness continue for ever! I am thankful and grateful, and have raised my hands in prayers for the reason that an insignificant being like myself should be raised to such high and eminent office. When I reached Hooglee, I found the whole of the affairs of the Wuqf of the Imambarah, all its receipts and disbursements in the utmost state of confusion and ruin, the Rules of the faith of the 12th Imams violated, and the intention of the Wuqf disregarded to a most lamentable degree—the profession of the Shea faith, the Syuds, the indulgent, and the leaders of Shea worship all suspended, dismissed and degraded and in their room the money of the Imambarah transferred to the houses of English gentlemen, to Hindoos and to Soonees.

As in the Shea Religion, and in the humble opinion of this well wisher, an unjust and unjustifiable encroachment of the property of others—especially property consecrated for Religious purposes, (which is regarded as the very blood of the people) exposes one to the punishment of that divine, omnipotent avenger of wrongs, and to the responsibility with the governing power, who has raised this well wisher from the dust of humiliation; he consulted Reg. XIX dated 14th Dec. 1819, and with a pure mind and sincere heart he represented in a concise manner for the good of the Government the consequences of things, under a full conviction that when the wise gentlemen, conversant in Persian literature, would dwell upon the subject they would add to the honor and confidence which they had already conferred upon this well wisher, and forward his representation to the address of the noble gentlemen, inclosed in a letter to the Local Agents of this Zela, dated the 4th May, of the present year—requesting that the said representation should be sent to the service of the heavenly dignity after retaining a copy of it. In reply this well wisher received a Purwanah, dated 10th of this month—a copy of which, together with the original representation, is herewith submitted—with a request that he might be favoured with an early answer. But should your novel selves feel any hesitation on the subject, he solicits that the whole of the papers be laid before the Nuwab, the Governor-General in Council, Buhadoor—may whose magnificence last for ever! that the same being duly read and fully considered, this well wisher be spared the wrath of that divine omnipotent avenger of wrongs; and the responsibility to this great Government of Heavenly power, and pray for its eternal prosperity, and he feels a confident hope that in consideration of the honor you yourselves have conferred, you will not permit such Purwanahs to be sent to him, for this well wisher at any time has not rendered himself deserving of such addresses. Further, may the days of affluence and sway continue to shine from the horizon of glory and magnificence!

**(Note by the Translator.)*

The exception taken to the style of address, which is of the kind observed between man and man, and by no means irrelevant to the style adopted between one Officer of the Government and another Officer, is scarcely tenable—when we come to consider the style in which the Suddur Ancients are required to address the Judges, and the Judges to them. The Ecclesiastical office, which a Mootwillee holds, always entitles him to high respect in the scale of society; and if he should maintain the dignity due to the Office he fills, he by no means departs from his right line of duty, provided he adopts

Case of the Imambarah of the Mirsh Sullahooddeen Mohammed Khan, deceased, granted as an Appropriation by Hajee Mohammed Mouhsin, deceased.

"Whatever I have gathered from rumour and report merely as a well wisher of the Surker (Government) I herein record.

A true Copy of the Deed of Appropriation.

I, Hajee Mohammed Mohsun, son of Hajee Fyzoolah, son of Aga Fuzloollah, Inhabitant of Bunder Hooglee, in the full possession of all my senses and faculties, with my own free will and accord, do make the following correct and legal Declaration, That the Zumeendaree of Purgunah Qismut Suedpore, &c. appendant to Zilah Jussur, and Pargunah Sonbhal, also appendant to the Zilah aforesaid, and one House situated in Hooglee, (known and distinguished as Imambarah) and Imambazar, and Hat (Market) also situated in Hooglee, and all the goods and chattels appertaining to the Imambarah agreeably to a separate list; the whole of which have devolved on me by inheritance, and of which the proprietary possession I enjoy up to the present time, as I have no children, nor grand children, nor other relatives, who would become my legal Heirs;—and as I have full wish and desire to keep up and continue the usages and charitable expenditures (*Muram-o-Ukhrajat-i-husneh*) of the *Fateha*, &c. of the Huzruts (on whom be blessings and rewards) which have been the established practice of this family, I therefore hereby bequeath, purely for the sake of God, the whole

the language of respect consistent with the language in which he writes. If an Officer of inferior public rank were to address the Board, (I mean an European Officer), he would not adopt the style of petition, but rather the style common in correspondence. The Mootwallee being asked to address a Petition, is in effect to degrade him in the high responsible Office he fills. Petitions are only addressed to the Court which represents the person of Royalty or the ruling power. The natives, it is true, have been accustomed from reasons of policy and the fear of being put out of their situations to address Petitions. This manner of writing was in the first instance adopted by them of their own accord, but subsequently the gentlemen in authority claimed it as a right and in a manner extorted it; but in the present instance we should think a Mootwallee holding the Title of a Benefice of no small consideration, ranks in point of respectability and dignity with any of the Officers of Government, and from the nature of his Ecclesiastical appointment, should always be looked upon with such reverence as is paid to a Clergyman of our Churches. Meer Kuramat Ali's aiming at this respectability, which is justly due to his rank, should rather be encouraged than deprecated. The Amil of a Province or the Nazim of Government in the time when the Delhi Emperors flourished, was, we presume, similarly addressed by one holding the charge of a Benefice. The Emperors themselves were never wanting in paying the respect due to the rank of a Mootwallee. An Urzee from the Mootwallee and a Purwanah from the Board carry with them such marks of low servility, that we think it were better to abolish the system altogether, both as regards the dignity and honor which is due, and by consent established in civilized society between man and man, as well as that consideration of policy which directs the conciliation of the affections of the people; for if their Religious Dignitaries are not held in the veneration their office entitles them to, a worse insult could not be aimed at them. And as we regard the character of our own Church Dignitaries, the spirit of toleration in Religion, as well as considerations of State Policy, requires that we should not lose sight of paying equal respect to the Dignitaries of other Religions,

of the above Property, with all its rights, immunities and privileges, whole and entire, little or much, in it, with it, or from it, and whatever (by way of appendage) might arise from it, relate or belong to it—as a permanent appropriation for the following expenditures;—and have hereby appointed Rojib Uli Khan, son of Sheikh Mohammed Sabiq, and Shakur Uli Khan, son of Ahmud Khan, who have been tried and approved by me as possessing understanding, knowledge, religion and probity. *Mootwallees* (procurators or superintendents) of the said *Wuqf* or appropriation, which I have given in trust to the above two individuals,—that aiding and assisting each other they might consult, advise and agree together in the joint management of the business of the said appropriation, in manner as follows; that the aforesaid *Mootwallees*, after paying the Revenues of the Government, shall divide the remaining produce of the *Muhals* aforesaid into nine shares, of which three shares they shall disburse in the observance of the *Fateha** of Huzrat Syud-i-Kayunat (head of the creation) the last of the prophets, and of the sinless Imams (on all of whom be the blessings and peace of God);—and in the expenditures appertaining to the *Ushra* of *Mohurrum-ool-hurram* (10 days of the sacred *Mohurrum*), and all other blessed days of feasts and festivals;—and in the repairs of the Imambarah and Monuments. Two shares the *Mootwallees* in equal proportion shall appropriate to themselves for their own expenses,—and four shares shall be disbursed in the payment of the servants of the establishment, and of those whose names are inserted in the separate list signed and sealed by me. In regard the daily expenses, monthly stipends of the stipendiaries, respectable men *peendas* and other persons who at this present moment stand appointed, *Mootwallees* aforesaid, after me, have full power to retain, abolish or discharge, as it may appear to them most fit and expedient. I have publicly committed the appropriation to the charge of the two abovenamed individuals. In the event of a *Mootwallee* finding himself unable to conduct the business of the appropriation he may appoint any one whom he may think deserving, as a *Mootwallee* to act in his behalf. For the above reasons this document is given in writing this 19th day of Bysakh, in the year of Hijree 1221, corresponding with the Bengal year 1213, that whenever it be required may prove a legal Deed.

This Document is written on Stamp Paper with the attestation of witnesses and bears on its face an inscription in English. Notwithstanding their own writing, and the existence of Regulation XIX relative to *Wuqfs*, inconsistencies have taken place in the construction of this Deed of Appropriation. I have consequently endeavoured to canvass the whole subject of dispute point by point.

1st cause of dispute.—According to what persuasion is this *Wuqf* made? Is it according to the sect of the *Sunnnee*, or the sect of the *Sheea* *Usnea* *Ushureyeh* (followers of the 12 Imams), or any other persuasion? From the following words of the *Wuqf*namah (Deed of Appropriation) "*Ushra* of *Mohurrum-ool-hurram*, sinless Imams, upon whom be blessings and rewards—Imambarah, &c." it is clear that the *Wuqf* is bequeathed according to the *Sheea* sect of the 12 Imams, because to no other persuasion would these words and rules apply. The great incontestable proof is the "*usages* and charitable expenditures of this family," by the word *family*, the family of the *Sheea*, the followers of the 12 Imams, in general is meant, and not any one particular family, or any one single individual, for the tenor of the text can only lead to this interpretation, otherwise the words will convey no meaning at all. From this it clearly appears that these usages and charitable

* A form of prayers for the dead.

expenditures in the shape of *Wuqf* must also have existed anterior to the time of the *Wuqf* (Donor of *Wuqf*) and the bequest of the former Testators to the legatees must have been made for the continuance of the same;—and this conclusion is fully borne out by the allegations of old people, and the words “*Imambazar* and *Imambarah*” themselves. The Donor of the appropriation having no children, grand children or other legal heirs who would continue and carry on the established usages and charitable expenditures of the family, as practised of old, and fearing that the same might fall into the hands of others—that is to say, into the hands of bad people or people of other religions; and the established usages and practices, as they had descended and come down to him might fall into disuse, made the *Wuqf* in question, because had he children, grand children or other relatives they would have respected and observed the usages and practices of the family. The strongest argument of all in the case of the *Wuqf*, that himself and his predecessors were of the sect of the 12 Imams, and that the Imambara aforesaid, the *Tuazeeadaree* in it, and the continuance of the established usages, did come down from the time of *Aga Mootuhur*, or *Morshad Uli Khan*, or from time anterior to them, would be, the knowledge which we acquire by succession, the knowledge that is divulged to us, and the knowledge of the habits and customs of the people. Hence, under these circumstances it appears, that the *Wuqf* aforesaid is according to the sect of the 12 Imams; and it does not belong to the partisans of any other religion to interfere in it.

2nd ground of argument—Whether increase of revenue in appropriated property resulting from a *Putnee* settlement, &c., belongs to the appropriation, or has the Government a right to it? These words of the text—that “the whole of the above property, with all its rights, immunities and privileges, whole and entire, little and much, in it, with it, or from it, and whatever (by way of appendage) might arise from it, or relate or belong to it” fully argue that such increase appertains to the appropriation and to those who are inclined to view the subject impartially and justly these very proper words—“and whatever (by way of appendage) might arise from it, or relate or belong to it” will be a demonstrative proof. If an objection be raised that formerly the revenues of the *Wuqf* *Mahals* were small, and that their increase was entirely owing to our exertions, the answer to it is this—that if a small property (as in effect it really is, with reference to what it was before—for some of the *Muozas* have been taken away) can be given in *Wuqf*, where is the hindrance of a large property being likewise given in *Wuqf*. The utmost that could be said in your favour is, that you are entitled to the reward of your labour,—but is it not enough that you have already profited by the increased revenue—and (let me ask) where lies the merit, if you should raise a benefit, and appropriate that benefit to yourself?

3rd.—The grand point in dispute between the English gentlemen and others, and the Sheas, is this that the English gentlemen and others have interpreted the word *Husnah* in the sentence “*Murasam wo Musarif-i-Husnah*” in its literal sense, as meaning good works in general—and from which they have understood, the instruction of the English language, &c., which (it must be recollected) confers no benefit whatever on the Shea religion—an interpretation, however, of this kind cannot be admitted, for various reasons. *First.* That the word “*Husnah*”, of which the plural is *Husnat*, does not obtain among the Mussulmans, whether learned or the common people; its literal meaning, its use being always restricted to its spiritual sense—that it to say, to its logical bearing; in which sense and bearing it means virtue, and such works as arise from virtue, and is opposed to the

words *Shuneeah* and *Shaneest* or *Hootin-s-qorbeh* (vice and vices—good and evil.) The *Soonees* sect likewise on the use of this word put the same theological construction. *Second.* These words of the Text, “*Fatahas* &c., of the *Huzruts* (on whom be blessings and rewards) which have been the established practice of this family”—and “purely for the sake of God” and “following expenditures” go to strengthen the argument of the Sheas, and oppose the arguments set forth by the English gentlemen. *Third.* In the “usages and charitable expenditures of this family” at any time, or by any interpretation, the English language, was not, has not been, and cannot be understood. *Fourth.* Should the English gentlemen say—that by knowing the English language—a language fraught with knowledge and science—a strong presumption arises that in time good will accrue to the religion and sect of the Sheas:—the reply would be—that agreeably to the Canons of Islamism and the law of reason—near and nearer the thing that is most near to us, should first be considered, and after which another—(uluqub-uluqub-ul-ulum son ul ulum) that is to say, that our first care should be to obtain that which is immediately necessary for us:—for example—if a person were hungry and naked and without a dwelling, first of all he should be fed, then clothed, and after that supplied with other requisites. It is fully clear that the English language can be neither necessary nor of importance to the natives of India, much less can it be required for the sect and religion of the Sheas,—since there is nothing in that language concerning the Mahomedan faith. *Fifth.* In instructing the Hindoos and men of other religions in the English language, no benefit can arise to the religion and sect of the Sheas, nor can the soul of the *Wuqf* have his salvation through it. *Sixth.* It is with every religion, considered as an act of piety, to translate the doctrines of that religion from one language into another for the purpose of adorning the minds of the commonalty and people of different languages; and for this purpose large sums are given to learned and religious men and spent in building places for religious worship and devotion,—(for example—children who are not made Christians (baptized) are not buried in the burying ground of the Christians) under this reason, if as an act of piety certain sentences were read on the tomb of a *Moosulman* in another language, of what benefit will such reading be to that *Moosulman* as regards his own faith? *Seventh.* As the number of Sheas in India was small, and they had no King of their own faith, every person of the Shea sect, as it is the custom with all religions, according to circumstances, used to leave, and does leave, something in *Wuqf* and otherwise spend for the continuance and good of his religion and for his own redemption and salvation, and notwithstanding the enmity between the Sheas and the *Soonees*, which is proverbially known all over the world, and the King and most of his Nobles being of the *Soonees* sect, yet no one ever interfered with the *Imambaras*. And, if in this prosperous age,—when for peace and protection the Sheas have taken up their residence in this country, and follow the practices of their religion, and have their *Imambaras*, and observe with tranquility the ceremonies of their *Tuazeeas*, the English are to interfere in their *Wuqfs*, they will necessarily take alarm and become suspicious, and will tarnish the good name of this Government (of eternal duration) in distant countries with the most awful recollections! *Eighth.* The Hindoos have spent, and do spend in *Wuqfs*, lacs of rupees in every town and city in support of their idols and deities; and although idolatry is execrated in every religion, yet never have the English gentlemen interfered, nor do they interfere, with their *Wuqfs*. Had the English interfered in their *Wuqfs* the Sheas would have remained silent and patient. *Ninth.* As tracts of land distinguished either by their species, or by their class, whether in the mineral

vegetable or animal creation, have no resemblance to one another, so the people of India being of a dull habit, and placed at the distance of East and West, it is very difficult for them to acquire the English language;—and is such not the case with the English gentlemen? who although born in a cold climate with much physical and parental strength and able to endure the fatigue of pain and labour, and standing in great need of the Hindoe, and the reading and writing of the Persian, yet they cannot learn them; far less are they able to hold a conversation for they cannot convey one single idea in them fluently or idiomatically. The English can certainly derive one advantage by the Natives learning the English language, that they, the Natives, will then be able to assist the English gentlemen in their civil business, and by copying and writing depositions will render their task easy to them. But as to what the English gentlemen expect—that by the Natives acquiring the English language they will be able to translate the same into their own language, and will become scientific, affluent and powerful men, it is indeed a mistaken notion; for to arrive at this point is a task of great difficulty indeed. It is not so? When we consider that for centuries back they are studying the Persian and the Arabic languages, and notwithstanding their neighbourhood, they know it but partially and imperfectly. Then again have they been able to acquire any notion of those European arts and sciences which for years have been exposed to their view, although there are not men wanting in riches—such as the Muhajuns, Rajahs, Nuwabs, &c.? *Tenth.* It is to be presumed that a course of not less than 20 years, might capacitate the native minds to acquire the English language, as it is to be seen in those individuals who are for such length of time taught that language in the Madrasah, and are really not able to translate anything to English, or even to read it fluently. *Eleventh.* On the other hand if works of arts and sciences were translated from English into the current languages of India and read by the people, there is no doubt in a short time the benefit of such course or study would become obvious, as the Science of Medicine which used formerly to be translated into the Oordoo tongue, but is now discontinued. *Twelfth.* The money that is now laid out in the instruction of the English language, if the same, or even less were spent in bringing up translation of scientific works from English, and the natives instructed in them in their own language, the benefit arising from such experiment would soon be seen; while such translations would not be subject to a double expense and labour. But if any one chuses to study at his own expense any language and to build a Madrasah, he of course is at liberty to do so. *Thirteenth.* But if the tuition of the English has been determined upon by the illumined and illustrious minds of the English gentlemen as an indispensable course, there are various other sources to be resorted to instead of infringing upon the sacred rights of the Wuqfs of the people. There are Rajahs, Newabs, Khans and others in great number who are enjoying extensive stipends of lacs of rupees; if the allowances of those folks were a little reduced, according to their respective conditions, and the same spent in the instruction of the English language, there is not an individual who could say aught against such reduction—especially as these Newabs, Rajahs, &c., carry on a course of expences the most extravagant; compared to which the cultivation of the English language would by far be preferable. *Fourteenth.* If it be determined that from the Wuqf of the Imambarah (of course by the command of the governing power) a Madrasah should be established of the kind there is; why should the Soonees (who are the oppressors of the Sheas, and consider their lives and properties as lawful spoils; and of whose acts of aggressions and oppressions in imprisoning and killing the Sheas and committing other enormities on them, as a reprob-

is in every ear) obtain a preference of admission into the Persian and Arabic Madrasah, while two Sheas only are entertained on small allowances—and those two not, because they are Sheas, but by mere chance only. I ask, why the Sheas are thus debarred and excluded from the institution? *Fifteenth.* Why are the children and youths of the Sheas of Hooghlee and the people attached to the Imambarah, for whose particular benefit the Wuqf was conferred, debarred from every branch of study—particularly the Arabic and the Persian? The reason is this; that for these children a separate teacher is required, that in going to the Madrasah (which is at some distance,) and in their eating and drinking, &c., they may not suffer inconvenience—and then it is required, that their teachers should first of all teach them the elements of their religion, otherwise their parents will not consent to their being sent to the Madrasah for instruction, as in effect is the case. *Sixteenth.* These youths should be encouraged: instead of which the applications of some among them, who had really acquired sufficient knowledge for teaching, for admission into the Madrasah, were neglected and laid aside, and Soonees, who had interest were admitted; this at once broke the spirit of their youthful minds—Moulvee Meer Oulad Hoosyn, a teacher of old standing and the leader of the worship, with whom the Sheas of Hooghlee were pleased, and the acknowledgement of whose merit and learning there was but one opinion, seeing the confusion and derangement which the aspect of the things had assumed and finding no prospects of promotion, actually resigned his place in disgust and went away. *Seventeenth.* As the Moosulmans of India both of the middling and lower class—particularly those of the Shea sect, are distressed in circumstances, they for the purpose of study resort to small and large towns, and many among them by living with other men and teaching their children for some trifling return, obtain their livelihood and prosecute their studies. The Moulvees of Hindoostan are of this description of people. And as the teachers of the Hooghlee Madrasah were aware of this circumstance, each of the head teachers took to the practice of entertaining and lodging in his house 20 of the students, and looked to their allowances as a great boon. In fact every one of the teachers began to adopt this plan of lodging students according to his circumstances; and about 20 of them were also admitted, under the name of Moosafurs (travellers) into the Moosafur Khanah of the Imambarah, although this Moosafur Khanah (or travellers' resting place) was not under the Imambarah, that is to say, it did not fall within the superintendency of the Mootwallah,—as is the case with the Shufa Khana or hospital; and if this was not done no Moosulman student would appear. The teachers aim at popularity, that it may be spoken of them what good people they are that they give bread to the students. They are also on the look out, that a vacancy of a teachership may occur; and always fearful lest a Shea should come in, they cause the students to apply and offer the services of 4 persons to become assistant teachers for the vacated appointment of 60 rupees! They also contemplate and wish, that the allowances of some of the Soonee students, who have enjoyed the same for 7 years and upwards, might continue to them; and that those of the Sheas, who are orphan and young, might be discontinued. Under these circumstances therefore, it is highly desirable that first of all provision should be made for the due maintenance of the pupils—(as the Wuqf's intention was to secure the welfare of his own sect)—and after this is accomplished, teachers should be appointed. *Eighteenth.* In Hindoostan the number of Sheas has been and is small, and many among them have taken to a pious ascetic life. Praise be to God that in the time of this Government of eternal duration, it is known in every country that in cities where the Sheas could never congregate for the performance of divine service (Nuzar-i-Jome), or could openly observe the ceremonies of the Tazara (as

in Dehlee and other places)—in this prosperous age they are happily engaged in promulgating the tenets of their religion with contentment of mind and security—and for this grace in their religion, they are grateful to the Government. This act of toleration commands the gratitude of all—whether Hindoos or Moosulmans,—for now no longer does the power of the Hindoos prevail over the Moosulmans (as is the case in the Panjab and other countries)—nor that of the Moosulmans over the Hindoos—nor yet the Soonees dominant over the Sheas (as is the case in Tonk and other countries). It is indeed for such reasons that in countries where the sway of the English does not extend, still the people of those places are anxious for the English Government,—and when in distant countries mention is made of these acts (of benevolence and toleration) the people rise into ecstasies and admiration exclaiming "Bravo! Bravo! these people cannot be men, they are angels!" The people of this country are ignorant men, they do not understand the idea of eminence and sublimity, hence it is much to be feared that if their hopes were crushed, they might raise their voice of complaint to London and to other distant countries. The Soonees and the Hindoos too will take alarm, saying, that when the hind of rapine is stretched and laid upon the Wuqf rights of the Sheas, what is there to restrain them from pouncing upon our Wuqfs too?—and in this thought, alas! their hearts will be broken!" Let me ask, what would be preferable?—whether the people should engender in their minds a grateful feeling for this Government—or that they should entertain feelings of disgust and malevolence towards it? *Highcouth*. As teachers have been appointed in the English College, and liberal allowances have been made to them, and some of them attend to the business of instruction 3 hours only, the people are led into a belief that until such time as the Indians are enlightened (or benefited) (which perhaps they may never be) the object of the English is only the pilloage of their own countrymen from the Imambarah (or the Wuqf property).

4th Cause of Dispute.—Let us now consider—who is best deserving of the office of the superintendency? undoubtedly he whom the Wuqf had appointed Mootwallee, and this Mootwallee cannot be dismissed, excepting he is negligent, careless, or corrupt in the management of the Wuqf property. As the Wuqf made the superintendency (of the Wuqf property) generally, among the Shea sect, and entrusted the charge to special Mootwallees, with power of transfer to others of their appointment, these alone therefore can transfer to other special Mootwallees, but in the event of death previous to transference, their sons have the preference of appointment to all others, provided they possess talents fitted for the management, and are men of moral good character—that is to say, they are not negligent, careless or corrupt in the management of the Wuqf property,—and after the consideration of the claims of these, others should be selected. From the 15th paragraph of a letter of the Local Agents, dated 20th January 1836, to the address of the late Mootwallees, it appears, that in consequence of corruption in the late Mootwallees, the Government, as a matter of sheer necessity, took the management of the property into their own hands. In this case the Government becomes entitled to the 2 shares (reserved for the Mootwallees) and should claim the same; but this will be in contravention to Regulation XIX. the Rules of which the Government themselves have laid down, and it will likewise be opposed to the intention of the Waqf who made the Wuqf for the good of his own sect. Far be it from just rulers that they should not perform the pledge they have given, and for the violation of their pledge should seek for pretences.

It is with the Shea religion, as it is with every other religion, to employ in Wuqf such people as are of the

religion of that Wuqf, as it is done in all countries, for people of other religions are not acquainted with that particular worship of that religion, and they also are reluctant to join in such worship because it would tend to destroy the effects of their own religion as they consider the Wuqf of a different religion as acquired and in the light of escheated houses and property obtained by violence—and it is likewise in the nature of man, for every one to desire to promote the welfare of his own nation—for such a person (of a contrary faith) would wish to do every thing as far as possible for the advantage of his own sect. This circumstance will likewise tend to injure the cause of the Wuqf, as it really is the case now; for out of three shares Rs 5020 are fixed for the annual expenditure of Mohurram Muqad and Muwuzzun, from this 5,020 Rs. 100 is for 27 Mujlis or assemblies in the year, and in the Mosafir Khana only 5 Mosafurs are accounted for, and in the room of 20 others, are students; and there are many other cases of this kind—and as the Government are of themselves not able to act, it is necessary that a Moosulman deputy be employed under the orders of the local agents, who in consequence of being a Hindu and for the consideration of his pay (which too is unknown, whether he shall share the 9th share of 20,000 or from the 5020 Rs. as it has been elicited that it is to be 9th share from 20,000, and from the jealousy of the English), he shall not have courage to represent matters according to facts, and by this means too, the business will be in a state of derangement. Kings too, excepting in war, never violated the rights of Wuqf property, beyond taking the fixed revenue. Yet, it is becoming in the Government to prevent corruption in Mootwallees, and to see that the Wuqf is administered agreeably to the intention of the Wuqf, and this only for the reason, that it is the duty of kings to afford relief to the people, and to prevent them from stealing, &c. and to cause oppressors to redress the wrongs of the oppressed. Doing this they are entitled to our praise. But if there should be any hesitation, they might in this case take the reward of their labour. They also can bring back things to their original state. Besides such interference, any other act is opposed to the honor of a righteous King.

The 5th Cause of Dispute.—Can the Mootwallee in the 4 shares out of 9 shares use his discretion? It does not belong to the Mootwallee to take any thing from it either for himself or his dependents, nor is he justified to incur any expense which may stand opposed to the intention of the Waqf. Even the Waqf himself, after he has made the Wuqf, cannot act in a contrary manner to the Wuqf, excepting in case of death or change of religion, or improper conduct, in such case other qualified persons should be appointed according to the intention of the Wuqf, and such other things only he can do as would lead to the well being of the Sheas, especially those of Hooglee and their religion on the principle *ul ugrub fil ugrub nul uhum son ul uhum*. Besides acting thus, he has no other power. Should I be required to give my opinion on the receipts and disbursements and deranged state of the Imambarah, and the entertainment and discharge of men and amiah, &c., and the prevention of corruption, I shall do so in a full and ample manner.

Estimate of the first annual expenditure of the Imambarah—the Wuqf of Mohammad Mohsun, according to the plan of the local agents under the orders of the Board of Revenue dated 1st October 1834.

Expenditure of 3 shares (out of 9 shares) of which the annual receipt is about 19,000, of which the following sums are expended on account of the Imambarah;

Ramzan expenses,	1,000
Shub-brat ditto,	400
Expenses of Thursdays for the whole year,	400

End-ool Fitur,.....	20	0
Bed-ool Zuhra,.....	10	0
Bed-Ghandeer,.....	40	0
Patika of Imams 27 Mujlis,.....	100	0
Ditto on 9 Ruba-ool-uwul,.....	10	0
Ditto of the Wugif,.....	100	0
Ditto Chahalam, (40 days,).....	12	0
Ditto Nuorose,.....	32	0
Expenses of the Moharrum, Salaries of Moar- sun 15 Rs. monthly-wages of Gharyallee (time keeper) and Goolpurosh,.....	3,000	0
Charity 50 Rs. monthly,.....	600	0
Expenses of Kutchchree and Oil for illuminat- ing the Imambarah, 20 rupees per month,...	240	0
12 Bearers, including their feed and clothing	336	14
Total of the Annual Expenditure from 3 shares,	5,596	14

Expenditure, as relating to 4 shares out of 9 shares
wherever there is a great deal of mis-management and
redundancies, &c.

5 Mohurrurs at Rs. 50 per month,.....	600	0
Readers of the Quoran and Murseas, Rs. 77 per month,.....	924	0
Peadas, Rs. 38 per month,.....	456	0
Poor and others, Rs. 36 4-3 per month,....	435	3
Pensioners, Rs. 634-5-8 per month,.....	7,612	4
4 Students at Rs. 18 per month,.....	216	0
Expences at Morenue in Jusur, Rs. 100 per month,.....	1,720	0
Paid to the Officers of the Court of Wards and the Local Agents Rs 143-5-4 per month,.	1,720	0
Total..	13,160	7

Diet to Travellers, of which 5 are Travellers and 20 Students, Rs. 85-8 per month,....	1,026	0
Wages of Servants of the Moosafur Khana, Rs. 64-8 per month,.....	774	0

Total of these two items,...	1,800	0
Expences of Hospital, including Wages and Medicines, Rs. 300 per month,.....	3,960	0
Contingent Expenses per year,.....	300	0
Annual charges for repairs (it is now 2 years since no repairs have been made,).....	1,500	0
Total Annual Expenses from 3 shares and 4 shares are exclusive of Mootwallees duties which are unknown,.....	26,320	5

*True Copy of the Orders of the Board of Revenue, at the
sitting of Mr. Henry Walters, Junior Member of the
Sudder Board of Revenue in Calcutta.*

This day this Petition, with another Petition append-
ed to it, were read. The applicant should repre-ent
whatever he may have to allege to the Local Agent and
through them he can have his orders. But if he should
be dissatisfied with those orders, he is at liberty to sub-
mit the case to the Commissioner, and in case of his
being dissatisfied with orders of the Commissioner from
thence appeal lies to this Court. Under these cir-
cumstances it is ordered, that all this representations
be deposited in the office, and the applicant be accord-
ingly informed of the same through an English letter to
the Local Agents, and through the Commissioner.
14th May, 1837.

*Copy of a Letter to the Supreme Council, dated 25th May
1837. No answer having been received to the above
Letter.*

To the council of which the foundation is the empyri-
an heaven, the council of the Noble Nuwab of Heavenly
Canopy, supported by the ropes of the galaxy—whose
stirrup is the Moon—the most excellent of Nobles of
the highest dignity—the great Ruler of the Kingdom of
Hindoostan—the special Counsellor of the King of the
Court of the 7th Heaven—England—the Noble, the
Right Honorable the Governor-General Bahadoor—
may whose prosperity continue for ever! It is submitted
—that this well wisher sent on the 10th of this month an
address to the Noble Gentlemen of heavenly foundation
of the Sudder Board of Revenue, and requested that if
there was any hesitation in answering it, that it should be
submitted to the Sitting Council. As he has not been
honored with an answer, he begs to forward with this
address a few pages relative to the affairs of the Imam-
barah, the Wugif of Hajee Mohammad Mohsun, deceased
—the purport of which he has gathered from report merely
as the well wisher of the State as Heavenly power, may
whose Kingdom continue for ever! As it is in the Per-
sian language, if your Lordship's enlightened mind
should require it, please to order the attendances of his
well wisher to interpret and explain its objects persi-
ally. Further, may the sun of prosperity continue to
shine resplendant.—*Calcutta Courier, July 5 and 7.*

SATURDAY, 1ST JULY, 1837.

SECTION WRITERS—10 ANNAS FOR A THOUSAND WORDS !!!

Pursuant to an advertisement that appeared in this
morning's *Hurkaru*, the Secretary was favored with, we
believe, more than 150 applications, both verbal and
written, from 11 a. m. to 5 p. m., and it is supposed
that twice the number will be added to the list of appli-
cants by Monday afternoon.

The scene was a very amusing one throughout, as we
shall suppose the Secretary deeply engaged in expound-
ing to a Special Deputy Collector the Provisions of Re-
gulation III of 1828, when the Naib jemadar intrudes
with "*Tomkins sahib ayah hai kadabund.*" "*Oone kaha*"
replied the Secretary, evidently a little vexed at the
interruption.

Mr. Tomkins, on being shewn into the Board Room,
first walked to the space behind the Secretary's table and
after making three hasty bows, suddenly discovered that
the Secretary's face was the other way, then as suddenly
picked up a silk waterproof and hastening round to the
space in front made a bow, and while in the act of bow-
ing, the Secretary handed him a side of foolscap saying
write a half-side on that, put down your name, place of
residence, the school in which you were educated, and
the manner in which you have been employed since you
left school. "Sare!" was the reply, with a long drawl,
as poor Tomkins did not hear half of what was said, and
understood much less. The requisition was then conveyed
to him in simpler language, and with a little explanation,
Mr. Tomkins seated himself on a chair; but the scene
here again became remarkable. The first thing Mr.
Tomkins did after being seated, was to take out a Rod-
gers' patent, then placed a quill in a right line with the
tip of his nose over his thumb, and after having wasted a
Government quill almost to a stump, commenced the bu-
siness of endition. The first half sheet of foolscap was
abandoned with "*To the Adeesional Secretaries to Sud-
dar Board,*" and showing that under some blotting

paper, the other half sheet was taken, but abandoned also at the word *Revenue*, and we believe a few sheets of *x. v. z. c.* was wasted before Mr. Tomkins' indictment was prepared to his satisfaction.

The next applicant announced was Mr. Vaidkin's we will suppose. This gentleman's strut put us in mind of a *valet de chambre, habillé à la mode*, advancing up an ally to greet a *femme de chambre* standing at her master's gate. He was dressed in a brown-cloth stock coat, black hoseymares, coloured silk stockings, buff waistcoat, and a pair of collars projecting to the distance of nearly four inches from his chin, over a regimental stock; but the bubble of hubdashery burst, as in making his bow, he drew his left foot backwards, and nearly tumbled over Mr. Tomkins's feet. A few minutes after him came about a dozen Ramdoses, as many Ghoses, and about five dozens of Narrains. At 3 p. m. the Board table was surrounded not by the learned members of the Board cognating and debating over the fate of some delinquent Deputy Collector, defalcations, or the more important matter of disposing of unfortunate lakirajdars, but by Messrs. Tomkins, Simpkins, and Jimkins, and natives of the shaver caste, and all the other castes. The Secretary in-tead of every now and then offering a wise suggestion to the members, repeated the words, "very well, you may go to-day and I will send for you when necessary," then came the bows and *salam*, and we are uncertain if it will not be necessary for the Board to draw a contingent bill for a new mat for the Board Room, numerous injurious scrapings having been inflicted on the pie-ent mat. One of the native applicants, less learned than the rest, took the liberty of asking information in the following words:—"Bery hell, Master, take leave to-day. I cum tummurro?" "No, Sir, I shall send for you should you be wanted," replied the Secretary.

At about 4½ p. m. the incumbent section writers underwent trial, among whom were only two, whose answers are worth noting.

"What's your name?" asked the Secretary.

"James," replied the examinant.

"You write the best hand in the office." James's countenance brightened up at this; but poor, unfortunate man, his bliss was not of long duration, as he was requested to write a half side also in the presence of the Secretary.

James made his pen with great composure, but the awful moments were those during which he was engaged in transcription; as we observed James's left eye watching the movements of the Secretary, while with the assistance of the other, he went through his task as well as he could, and then handed it to the Secretary; who after minutely examining the turns, twists, and flourishes turned coolly round, and said, "Why, you write very badly." James trembled, all animation was gone. "Is there another person in the office of your name?" "No-o-o-l-r-r-r, hem!" "How is it then, that you write so badly now?" "Be-cause, Sir, I feel one kind before my employers." "Very well, you may go," said the Secretary, and Mr. James was sooner down the flight of steps and on the third floor, than was ever attempted or done in so short a time by any of his office mates.

"What's your name, Sir?" said the Secretary to a lad of about sixteen.

"Tucker, Tucker, Sir."

"Can you write a good hand?"

"O yes, pretty good, Sir."

"Well, copy that (handing him a paper.)"

Tucker did not seem to feel the presence, as in a very few minutes he was on his legs, and handed the paper to the Secretary saying, "It's done, Sir."

"This is very bad writing; cannot you do any thing else?" (meaning we suppose, if Tucker could not obtain any other employment.)

"O yes, anything, Sir,—I am a reader to the *Bumminers*."

"Do you know grammar?" enquired the Secretary.

"Yes, a little," replied Tucker.

"What part of speech is in?"

"A preposition, Sir."

"What is *reply*?"

"A substantive, Sir."

Here ended Tucker's examination—the clock struck five, and we left the Board.—*Bengal Hurkaru*, July 5.

(CIRCULARS.)

No 49.

To the Commissioner of Revenue for the Division of

Settlement. Sir,—I am directed to transmit for your information and guidance, copy of a letter from the Commissioner of Jessore, and of the Board's orders in reply of this date, explaining in what cases parties who have protested against the new assessment of their tenures are to be held responsible for the difference between the new and old rate until the last settlement shall have been confirmed or modified by competent authority.

I have the honor to be, Sir,

Your most obedient servant,

Sudder Board of Revenue. }
Fort William, June 2, 1837, }

No. 221.

To the Additional Secretary, Sudder Board of Revenue, Fort William.

Sir,—The Sudder Board of Revenue having in their instructions Miscellaneous Provincial Department issued to Mr. Grant on the 27th No. 231. February 1835, No 114, reiterated on the 25th April 1836, in reply to a reference made by me on the 26th January 1836. No. 43, expressed their opinion to the effect that parties in Pergunnah Bagroogomedpore, who may have protested against the new assessment of their respective tenures, cannot be held responsible for the difference between the new and old rate until their appeals shall have been disposed of, and the last settlement have been confirmed by competent authority, I request to be informed, whether this rule is to be held applicable to all cases of ryotwar settlement, or to that of pergunnah Bagroogomedpore alone, which, as the Board know, is not a resumed mahal, but a purchase made by government.

2. Clause 3, Sec. 4, Reg. 111, 1832, certainly authorises a collector immediately to carry his decision into execution by attaching and assessing the land unless security for the payment of the revenue, which may immediately be assessed thereon, be tendered by the applicant; but I do not understand that action to convey authority to the collector, after attachment, in case of an

financing the rents in a ryotwar, on the under-tenants or actual cultivators to enforce prior to the confirmation of the settlement, the payment of such increased amount from those tenants who may urge objections to the payment and prefer appeals, not against right of governments to the rents of the mehal, but against the amount of rent which under those rights the settling officer may assess upon their respective tenures.

3. I certainly considered the rule as one applicable to ryotwar settlements in general, and directed the officiating Commissioner of Soonderbunds to act in conformity thereto in the case of the resumed mehal Tashkholla under settlement, and to which in consequence of the number of dependant tenures which had been upset, and of consequent objections urged, I considered the rule peculiarly applicable.

4. Subsequent consideration having induced me to doubt how far the Board might hold the above rule to be applicable to ryotwar settlements or mehals resumed under Regulation II. of 1819, and III. of 1828, I have the honor to submit the point for the consideration and orders of the Board, and solicit to be favored with their early instructions upon the subject.

I have, &c,

(Signed) F. M. PROOU, Commissioner

Jessore, Commissioner's Office,
18th Division, at Allipore, }
19th May, 1837.

No.—

To the Commissioner of Revenue for the Division of Jessore.

Sir,—I am directed to acknowledge the receipt of your letter, dated 19th ultimo, asking whether the order passed by the board in the case of pergunnah Bagroogomelpore, "that parties who have protested against the new assessment of their respective tenures he held responsible for the difference between the new and old rate until the last settlement shall have been confirmed by competent authority, is or is not to be held applicable to all cases of Ryotwar settlement.

2nd. In reply the Board direct me to say, that the above rule is to be observed in all cases in which the settlement is found with the Kudeem Khood Kasht ryots. Those ryots generally possess rights in the soil, and they could not be superseded by any other person until their objections to the new settlement have been heard and decided upon, without manifest hardship. The case of ordinary leaseholders is quite different; and if they do not agree to the terms proposed, an engagement may be taken from the ryots or any other persons.

I have, &c.

(Signed) C. E. TRAVELMAN,

Adl. Secretary.

Sudder Board of Revenue, }
Fort William, June 2, }
1837. } Englishman, July 7.

No. 49.

CIRCULARS.

To the Commissioners of Revenue for the Division of Settlements.

Sir,—I am directed to transmit for your information and guidance copy of a letter from the Commissioner of

Jessore, and of the Board's orders in reply of this date, explaining in what cases parties who have protested against the new assessment of their tenures are to be held responsible for the difference between the new and old rate until the last settlement shall have been confirmed or modified by competent authority.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TRAVELMAN,

Additional Secretary.

Sudder Board of Revenue, Fort William, 2d June 1837.

To the Additional Secretary to the Sudder Board of Revenue, Fort William.

Miscellaneous Revenue Department, No. 231.

Sir,—The Sudder Board of Revenue having in their instructions issued to Mr. Grant on the 27th February 1835, No. 114, reiterated on the 25th April 1836, in reply to a reference made by me on the 26th January 1836, No. 45, expressed their opinion to the effect, that parties in Pergunnah Bazar Gomudpore, who may have protested against the new assessment of their respective tenures, cannot be held responsible for the difference between the new and old rate, until their appeals shall have been disposed of, and the last settlements have been confirmed by competent authority, I request to be informed whether this rule is to be held applicable to all cases of ryotwar settlement, or to that of Pergunnah Bazar Gomudpore alone, which, as the Board know, is not a resumed Mehal but a purchase made by Government.

2. Clause III. Section 4. Regulation III. 1828, certainly authorizes a collector immediately to carry his decision into execution, by attaching and assessing the land, unless security for the payment of the revenue, which may ultimately be assessed thereon, be tendered by the appellants, but I do not understand that section to convey authority to the Collector, after attachment in the case of his enhancing the rents in a ryotwar, on the under tenants, or actual cultivators, to enforce, prior to the confirmation of the settlement, the payment of such increased amount from those tenants, who may urge objections to the payment, and prefer appeals, not against the Right of Government to the rent of which under those rights, the settling officer may assess upon their respective tenures.

3. I certainly consider the rule, as one applicable to ryotwar settlements in general, and directed the officiating Commissioner of Sunderbunds, to act in conformity thereto, in the case of the resumed mehals Tashkholla under settlement, and to which in consequence of the number of dependant tenures which had been upset and of consequent objections urged, I consider the rule peculiarly applicable.

4. Subsequent consideration having induced me to doubt how far the Board might hold the above rule to be applicable to ryotwar settlements on Mehals resumed under Regulation II. of 1819, and III. of 1828, I have the honor to submit the point for the consideration and orders of the board, and solicit to be favored with their early instructions upon the subject.

I have the honor to be, sir,

Your most obedient servant,

(Signed) H. M. PROOU, Commissioner.

Jessore Commissioner's Office, 18th }
Division at Allipore, the 19th May }
1837.

To the Commissioner of Revenue for the Division of Jessore

Settlements.

Sir,—I am directed to acknowledge the receipt of your letter dated the 19th ultimo, asking whether the order passed by the Board in the case of Pergunnah " Bazar Gomdapore, that parties, who have protested against the new assessment of their respective tenures be held responsible for the difference between the new and old rate, until the last settlement shall have been confirmed by competent authority," is or is not to be held applicable to all cases of ryotwar settlement?

2d. In reply the Board direct me to say, that the above rule is to be observed in all cases in which the settlement is formed with the Kudeen Khoud Kash ryuts. These ryuts generally possess rights in the soil and they could not be superseded by any other person until their objections to the new settlements have been heard, and decided upon, without manifest hardship. The case of ordinary house holders is quite different, and if they do not agree to the terms proposed, an engagement may be taken from the ryuts or any other persons.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN,

Additional Secretary.

Sudder Board of Revenue, Fort William, 2d June 1837.

(True copies.)

(Signed) C. E. TREVELYAN,

Additional Secretary.

No. 50.

To the Commissioner of Revenue for the Division of

*Miscellaneous. }
Department. }*

Sir,—I am directed to request that you will transmit to the Sudder Boards with the least practicable delay, forms of all the ordinary Revenue Papers which you think may with advantage be printed in the Vernacular language and English, or in the Vernacular language only, in order that they may be furnished in the number required to each Commissioner's and Collector's Office.

2d. You are requested to revise them carefully and to transmit them exactly in the form which you think best for them to be printed in. I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN.

Additional Secretary.

Sudder Board of Revenue, Fort William, 13th June 1837.

No. 51.

To the Commissioner of Revenue for the Division of

*Miscellaneous. }
Department. }*

Sir,—I am directed to remind you that under the circular orders dated the 27th July, and 5th

September last, all settlement, and farming engagements, all accounts and statements, in short all proceedings of whatever kind connected with the land revenue, must, from the 1st of last month, be according to the English months and English year of account.

2d. It is required that you will strictly enforce the previous detailed orders on this subject.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN,

Additional Secretary.

Sudder Board of Revenue, Fort William, 13th June, 1837.

No. 52.

The following letter circulated by order of the Sudder Board of Revenue, for the information of all the officers subordinate to them.

(Signed) C. E. TREVELYAN, *Additional Secy.*

The 10th June 1837.

To the Commissioner of Revenue for the Division of
Cuttack.

Sir,—I am directed to acknowledge the receipt of your letter dated the 4th ultimo, with the enclosed copies of correspondence with Mr. Special Deputy Collector Crawford, and to state in reply as follows.

2d. The Board are of opinion that you may legally call upon a Special Deputy Collector to furnish you with any information necessary to enable you to form your own judgment as to the sufficiency, and validity of the grounds assigned by the collector for considering the lands exempt from assessment. Without this power you could not properly fulfil the duty entrusted to you of appealing to the Special Commissioner those cases, in which the claims of Government may appear to you to have been improperly set aside.

3d. The Board, however, conceive it to be utterly beyond your authority to direct a revision of a Special Deputy Collector's decrees, the existence of such a power would be manifestly unjust, unless the holders of rent free Tenures, had a corresponding guardian of their interests vested with similar authority, to direct a revision of decrees given against them, and the attempt to add to the severity of the resumption laws by the introduction of such a plan of proceeding, would be highly objectionable and unexpedient.

4th. The year allowed for appealing, dates from the receipt of the record of the case by the local Commissioner, but it is within the discretion of the Special Commissioner to allow a prolongation, on sufficient reason being shewn. In the Patna case referred to by Mr. Crawford, the year had expired pending a reference back to the resumption Officer; the Special Commissioner would not hear of this plea, and rejected the appeal, not because such a reference had been made back to the resumption Officer, but because the year of appeal had expired. It will therefore be incumbent on you on

receipt of a resumption Officer's proceedings, to review them without loss of time, that in case you find it necessary to call for any further information, the case may be completed, and the appeal preferred (if it be proper to appeal) within the year, or the Special Commissioner be applied to, to grant a further period for performing the appeal beyond the year.

5th. The Sudder Board fully admit, that with the exception pointed out, Special Deputy Collectors are in every respect as completely subject to your controul, as any other Collectors or Deputy Collectors.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, 6th June, 1837.

No. 53.

To the Commissioner of Revenue for the Division of
Miscellaneous Department,

Sir,—A case in appeal having been recently decided by the Sudder Dewanny Adawlut against the Revenue Authorities, principally on the ground that a pottah had not been granted to nor a kubooleut received from the parties, from whom julkur revenue on a khas mehal was demanded.—I am directed by the Sudder Board of Revenue to request that you will impress on your subordinates the necessity of granting pottahs, and taken kubooleuts on all occasions of letting out lands or fisheries on the part of Government, and that they will be held responsible for any deviation from these orders, and for all loss that may be incurred in consequence not taking the prescribed written engagement in all cases of letting, or farming lands or fisheries under sanction of a superior.

2d. All pottahs and kubooleuts must hereafter be expressed in the vernacular language of the District.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, the 13th June, 1837

No. 54.

Circulated by order of the Sudder Board for the information of the officers belonging to the Revenue Department.

(Signed) C. E. TREVELYAN,

16th June, 1837.

Additional Secretary.

To the Commissioner of Revenue for the Division of
Patna.

Miscellaneous Department, No. 138.

Sir,—The Sudder Board of Revenue having had before them your letter No. 86, dated 17th ultimo, I am directed to inform you, that they see no objection (when the collectors of a District may desire such an arrangement, and you may on consideration of the Collector's application, think it necessary or expedient) to your giving authority to any officer, who may have already been permitted by the Sudder Board to conduct sales of lands on account of balances due from khas mehals to exercise the same power generally in regard to sales for arrears of revenue.

*Mr. Lushington } 2. Your orders on the Special
in Sarun. } case referred* to are approved.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, June 13, 1837.

No. 56.

To the Commissioner of Revenue for the Division of
Miscellaneous Department.

Sir.—I am directed to inform you that with a fixed establishment of peons attached to the offices, if the Special Deputy Collectors in your division, have not sufficient for the work which has to be done, you are permitted to authorize the employment on fixed salaries of as many more as may be required; the additional expense on this account should be charged in a monthly contingent bill to be passed by you, and you will be particularly careful, that nothing is disbursed which is not absolutely necessary.

2d. Tulubana is in no case to be levied by special deputy collectors.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, the 20th June 1837.—Bengal Hurakru, July 6.

*To the Commissioner of Revenue for the Division of**Miscellaneous Department.*

Sir,—It is requested that you will furnish a list of the holidays which are allowed throughout the year at each of the Revenue offices in your division, and that you will explain how far the holidays of one religion, are allowed to be enjoyed by the followers of the other religions.

2 — You will also be pleased to furnish a list of the Holidays which ought in your opinion to be allowed, limiting them to as small a number, as a just consideration for the wishes of the public will permit a comparative statement of the Holidays allowed at the *Sudder Dewanny Adawlut*, in the *Mofussil Courts*, Treasury, and the Bank of Bengal, is annexed for your information.

I have the honor to be, Sir, your most obedient Servant,

(Signed) C. E. TREVELYAN, *Additional Secretary.*

Sudder Board of Revenue, Fort William, the 20th June, 1837.

Comparative Statement of the Holidays allowed at the Sudder Dewanny Adawlut, Mofussil Courts, General Treasury, and Bank of Bengal.

<i>Denomination of Holidays.</i>	<i>By whom enjoyed.</i>	<i>Sudder Dewanny Adawlut.</i>	<i>Mofussil Courts.</i>	<i>General Treasury.</i>	<i>Bank of Bengal.</i>	<i>Remarks.</i>
Christian.	Christian, Mahomedan & Hindoo.	Days.	Days.	Days.	Days.	Bank of Bengal.
New Years days.....	Ditto	1	1	1	1	The Holidays in the Bank of Bengal are allowed to the whole establishment.
Good Friday.....	Ditto	1	1	1	1	
Christmas.....	Ditto	1	1	1	1	
Sundays.....	Ditto	52—55	52—55	52—55	52—55	
Hindoo.	Hindoo and Mahomedan.					
Maukersunkrantee...	Ditto	1	1	Disallowed.	Disallowed.	
Sree Panchumy.....	Ditto	1	1	2	1	
Seeboo Rattree.....	Ditto	2	2	2	1	
Dole Jatra.....	Ditto	2	2	3	1	
Baronee.....	Ditto	1	1	1	Disallowed.	
Steetam Nubomy.....	Ditto	1	1	1	Ditto	
Chutuck Poojah.....	Ditto	1	1	2	1	
Dhussoburrah.....	Ditto	1	1	1	Disallowed.	
Seenain Jatra.....	Ditto	1	1	1	Ditto	
Ruth Jatra.....	Ditto	1	1	1	Ditto	
Oultah Ruth Jatra.....	Ditto	Disallowed.	1	1	Ditto	
Rakhee Poornamah.....	Ditto	1	1	1	Ditto	
Junmoo Ostomee.....	Ditto	2	2	2	1	
Oononto brotho.....	Ditto	1	1	Disallowed.	Disallowed.	
Mohaloyah..... 1	Ditto	"	1	1	1	
Duorgah Poojah..... 31	Ditto		5	8	8	
Kallee Poojah..... 2	Ditto	35	1	2	1	
Bhratas Dotia..... 1	Ditto		1	1	Disallowed.	
Rass Jatra.....	Ditto	1	1	Disallowed.	Ditto	
Kartick Poojah.....	Ditto	1	1	2	1	
Juggudhatre Poojah.....	Ditto	Disallowed.	1	2	Disallowed.	
Daothan.....	Ditto	Ditto	1	"	"	
Omabushia.....	Ditto	Ditto	1	"	"	
Mahomedan.	Mahomedan and Hindoo.					
Shubrah.....	Ditto	1	1	"	"	
Eed.....	Ditto	2	2	"	"	
Buckreed.....	Ditto	2	2	"	"	
Moharum.....	Ditto	15	5	"	"	
Akharree Churumba.....	Ditto	1	1	"	"	
Bawray Buffa.....	Ditto	1—75	1—42	"—34	"—16	
		Total, 130	97	89	71	
			Excess 33	Excess 41	Excess 59	
			130		130	

Bengal Hurkaru, July 13.]

(Signed) C. E. TREVELYAN, *Additional Secretary.*

CONSULTATION, TUESDAY, 30TH MAY, 1837.

REFUND TO LAKHIRAJDAR BY THE COLLECTOR OF HOOGHLY.

Mr. Commissioner Lowes, of Moorshedabad, on the 29th April last, in acknowledging the Board's communication of the 11th of that month, with its enclosure from Mr. Accountant Dorin, on the subject of an apparent excess in a refund made to one Mahdeb Dutt, a Lakhirajdar, by the Collector of Hooghly,—submitted copy of an explanation furnished by that officer from a perusal of which (Mr. Lowes presumed) the Board would be satisfied that the discrepancy noticed by the accountant, did not arise from any error in the Collector's office.

Mr. Collector Belli said, that from the letter of the Accountant appended to the Sudder Board's, it appeared that the accountant raised the question upon 27 rupees only, with the exception, that he was certified of the credit on the books of the Hooghly Collectorate, of the residue of the sum exhibited in the Collector's detailed statement, prepared at his own requisition. The Collector submitted copies of the Seeha and Challans which he hoped would remove all doubts on the subject.

The twenty-seven rupees were realized in three different items as per the following entries, entered in the Seeha books of this office.

Seeha Book, pages 4 and 6, dated 16th April 1836, received through Gomaun Singh, being the interest for Chur Gungapershadpore, due from Mahdub Dutt,	1	0	10
Seeha Book, page 10, dated 16th April, 1836, received through Gomaun Singh, being the interest of Chur Gungapershadpore, due from Mahdub Dutt,	0	3	10
	1	4	0
or Company's Rupees	1	5	4
Seeha Book, page 5, dated 25th August, 1836, received through Gomaun Singh, being the revenue of Chur Gungapershadpore, due from Mahdub Dutt,	25	10	8
	27	0	0

With adverting to the accountant's concluding paragraph, the Collector was not sure of comprehending the scope of his remark, if the accountant inferred, that the Collector denominated as a refund the money disbursed on that occasion, on account of interest and costs of suit; the Collector observed that he must certainly have expressed himself indistinctly, or inadvertently; as he had no such intention, he might, however, perhaps be permitted to observe, that what is paid on the score of interest, can hardly be deemed an absolute loss, for, (said the Collector) if interest be calculated for the use of the money during its employment by Government, it had been liquidated upon fair terms. The Collector trusted that the matter was made sufficiently clear to enable the Board to pass the bill speedily.

The Collector took the opportunity of suggesting the expediency of prohibiting refunds of the above character being made before previously consulting with the accountant of the Revenue Department, and obtaining the prescribed audit, for there appeared to be something hard upon the Collector, that the should be bound to obey promptly the Special Commissioner's orders, and at the same time to be held exclusively responsible for the disbursement. Any delay that ensues by carrying the business through the several departments involves the sole disadvantage of some additional item as interest, but that no fairness should be sustained, rather than the Collector should be endangered by a responsibility, he has

no option to accept, or reject. By way of elucidation, and as not altogether irrelevant, the Collector mentioned, that at that moment the Civil Auditor had kept him out of 26 rupees 10 annas and 4 pie, for three months, as in his estimation excess fees paid to the Government pleader at the Court of the Special Commissioner for the division of Moorshedabad, and he was unable to have the matter settled, although the Special Commissioner, whom the Collector addressed about it, declared, in his opinion, that the Collector's construction of the scale laid down in the extract, which accompanied the Sudder Board's letter No. 10, of the 5th Feb. 1830, is correct, and that the Civil Auditor had miscalculated erroneously; nor could the Collector forget, whilst on the subject, what a fearful liability the Board's Circular No. 2, of the 9th January last, throws the Collector into by giving him to understand that he will be made personally responsible for all sums standing in the inefficient balance. Should (in the opinion of the Board) there have been any unreasonable delay on his part, in getting it through the prescribed audit.

No. 90.

To J. BOWES, Esq., Commissioner of Revenue for the Division of Moorshedabad.

Miscellaneous Department.

Sir.—The Sudder Board of Revenue, having reconsidered the subject of your letter dated 21st January last, direct me to inform you that Commissioners are authorized to direct payment for sums awarded by decrees against Government, without reference to the Sudder Board, and that consequently, it was your duty to cheque the item of rupees 3,150-10-8, in the Collector of Hooghly's Contingent Bill for December last, being the amount of a refund to Mahdub Dutt, and pass it, or not, as you might consider fit, leaving any party dissatisfied with your proceedings, to appeal to superior authority.

2d. You are therefore requested to deal with the case in question on your own authority.

I have the honor to be, Sir, your most obdt. servt.,

(Signed) C. E. TREVELYAN,

Additional Secretary.

Sudder Board of Revenue, Fort William, 30th May, 1837.
Bengal Hurkaru, July 7.]

CONSULTATION, TUESDAY, 30TH MAY, 1837.

NOWARRAH AND KHULSA MEHALS, DACCA.

Mr. Commissioner E. M. Gordon, on the 6th May last, submitted the following question for the consideration of the Sudder Board.

It constantly happens, that the objection urged against the measurement and assessment of alleged Nowarraah Mehals, in Zillah Dacca by the Deputy Collector, is to this effect. The land laid claim to, the Zemindar says, is not a Nowarraah Mehal, but forms a part of his Khulsa or permanently settled lands. What Mr. Gordon wishes to know is, whether when the Deputy Collector in such cases decides the land to be properly assessable, an appeal lies to the Special Commissioner, or to the local commissioner?

For the adjudication of the above class of cases, the Sudder Board, in the 11th paragraph of their letter No. 86, dated the 17th June 1834, lay it down, that Regulation VII. of 1822, Regulation IX. of 1825, and Regulation IX. of 1833 "Arm the Deputy Collector with abundant power for the vindication of the just claims of the state."

Mr. Gordon respectfully submits, that the question of jurisdiction does not appear to him to be altogether simple and clear.

Regulation VII. of 1822 is by no means remarkable for its clearness. It is doubtful to Mr. Gordon, if the Deputy Collector decide in favor of assessing a given portion of land under the above enactment, whether the local Commissioner has any jurisdiction; and 2ndly, whether his power extends beyond a summary investigation.

If the Deputy Collector acts under Regulation IX. of 1825, it seems to Mr. Gordon, that an appeal lies to the Special Commissioner.

In Mr. Gordon's opinion the Sudder Board would act wisely by ordering all questions of the kind he has alluded to, to be finally awarded by the Special Commissioner. Mr. Gordon finds his time fully occupied in attending to the claims of current business. His investigation of such cases, must necessarily be, more or less of a summary kind. From his decision (supposing him to have jurisdiction at all) an appeal is open to the civil court, and the expense, uncertainty, and delay attendant upon this mode of adjudication are very great.

To E. M. Gordon, Esq., Commissioner of Revenue, for the division of Dacca.

Miscellaneous.

Sir,—In reply to your letter dated the 16th instant, I am directed to state, that in this instance, the question is between the Government Khass Mehals, and the neighbouring Malgozarry lands belonging to the Zemindars holding under the permanent settlement.

The appeal in such cases, therefore, closely lies to the local, and not to the Special Commissioner; and you are requested immediately to attend to, and to investigate, with the utmost attention, all allegations that the land measured by Amcena belongs of right to the Khulsa Mehals, as directed in the 11th Paragraph of the Board's orders, dated the 17th June, 1834.

I have the honor to be, Sir,

Your most obedient and humble Servant.

(Signed) C. E. TREVELYAN,
Additional Secy.

Sudder Board of Revenue, Fort William, the 30th May, 1837.

CONSULTATION, TUESDAY, 30TH MAY, 1837.

NEEMUCK SAYER MEHALS.

Mr. Commissioner Brown, of Bhagulpore, on the 9th ultimo, solicited the orders of the Board for the information and guidance of the Revenue Officers in his division,

as to whether the Neemuck Sayer Mehals are in future to be farmed agreeably to the Fausully, the Bengallee, or the Commercial year, and whether or not the leases of such as will expire with the current year 1244, or September next, should be advertized from September 1837 to 30th April 1838, and thence forwarded annually from the 1st of May.

No. 109.

To G. F. Brown, Esq., Officiating Commissioner of Revenue for the division of Bhagulpore

Miscellaneous.

Sir,—in reply to your letter dated the 9th instant, I am directed to state, that the Sudder Board approve of your suggestion, that the leases of the Neemuck Sayer Mehals which will expire with the current Fausully year 1244, or September next, should be advertized from September 1837 to 30th April 1838, and thence forward annually to the 1st of May.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, 30th May, 1837.

CONSULTATION, TUESDAY, 6TH JUNE, 1837.

APOCH SINGH VERSUS MR. J. HENDERSON, INDIGO PLANTER, MONGHYR.

Mr. J. Henderson, of Lipwonee Factory near Monghyr, on the 12th January 1836, addressed Mr. Officiating Deputy Collector A. Lang, acknowledging receipt of his letter of the 6th of January of the same year, and in reply referred Mr. Lang to his letter of the 19th October 1835, respectfully soliciting that copy of Mr. Deputy Collector Pringle's Roobocarry in the case alluded to might be furnished, to enable him to lay the whole proceedings before the Governor-General in Council, and apprehending that such personal application should be deemed informal, his mookthar presented two formal petitions for such copy of the roobocarry as the record of the court will testify. To the time of writing the letter, however, his application had been refused, or at any rate not granted.

Mr. Henderson informed the Sudder Board through Mr. Lang, that he had since been legally advised not to refund the damages awarded to him by Mr. Deputy Collector Pringle, on the ground that the whole proceeding, which have since followed thereon, are most irregular and illegal, and contrary to the Regulation of Government on which the case was founded.

Before adopting ulterior measures against him, Mr. Henderson craved the Board of Revenue to revise the whole case, with the Regulation alluded to, particularly sections XV. and XVIII. wherein it is expressly enacted, that in all summary suits for revenue, the decision of the Judge or Collector is not applicable.

On the merits of the case Mr. Henderson also leaves to offer a remark for the Board's consideration.

Can (says Mr. Henderson) a British subject be dragged like a felon to a Mofussil Court, or jail, for a civil debt not due by him, without redress, such redress being granted in the first instance in the terms of the regulations, or laws of Government, but now withdrawn or refused by the Board of Revenue?

Is no solatium (asks Mr. Henderson) due to the aggrieved party, for such an illegal act? It is because (Mr. Henderson observed) he was legally advised in the affirmative, that he solicited the Board of Revenue to review the whole case before proceeding to an extremity against him.

If the Board conceive (Mr. Henderson went on to observe) the damages awarded to be excessive, that does not imply that no damages are due, and had the Board been pleased to modify and assess the same, he would have acquiesced.

Mr. Lang forwarded Mr. Henderson's communication to Mr. Commissioner Harding, of the Bhaugulpore division, and the latter gentleman in forwarding both to the Board said, that he had authorized Mr. Lang to furnish a copy of the proceedings required by Mr. Henderson, and concluded by observing that it was quite clear Mr. Henderson had no intention to refund the large sum so unjustifiably awarded to him by Mr. Pringle, unless compelled to do so.

The Board not having come to a decision on this case, Mr. Harding, on the 10th February last, again called the Board's attention to the subject in consequence of a petition having been presented to him by Apoch Singh.

No. 117.

To C. Harding, Esq., Officiating Commissioner of Revenue for the Division of Bhaugulpore.

Sir,—With reference to the letters from your office No. 140, 26th Jan'y, 1836, noted in the margin, relating to the appeal of Apoch Singh and others, from a decision against them under Regulation VIII. of 1830, I am directed by the Sudder Board of Revenue to communicate as follows.

2. It appears to the Board on a reconsideration of the circumstances of the case, that the orders issued on the 14th September 1835, reversing the award of the Deputy Collector of Monghyr, and directing Mr. Henderson to refund, were not within their competency. The petitioners must consequently be referred to the Civil Court for their remedy.

3. The time for appealing is indeed gone by; but you will explain to the parties that they have good grounds to shew why they failed to institute a regular suit in proper time, and may file a copy of the correspondence which has passed on the subject in proof of the cause of delay, and which if they apply for in the prescribed manner you will grant.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed) C. E. TREVELYAN,

Additional Secretary.

Sudder Board of Revenue, the 6th June, 1837.

CONSULTATION—TUESDAY, 6th JUNE, 1837.

ORDERS OF THE BOARD ON THE EMBEZZLEMENTS IN THE MIDNAPORE TREASURY.

No. 99.

To H. RICKETTS, Esq., Commissioner of Revenue for the Division of Calcutta.

Miscellaneous Department.

Sir,—In reply to your letter of the 24 ultimo, No. 911, with its enclosures relative to the frauds and embezzlements in the Midnapore Collectorate, I am desired by the Sudder Board of Revenue to state as follows:—

2d. It appears that the Collector reports having enquired into the monthly Treasury accounts from the 1st May, 1835, to 29th June, 1836, into the inefficient balance account from 1821 and into the deposit account from 1827-8 to 1832-3.

3d. The first embezzlement referred to in the 4th paragraph of your letter, is stated to have occurred during the Treasury ship of Madonsooden Paul, and the others under Kishen Mohun Chowdree; but in this, and in all the subsequent items of embezzlement in which culpability is apparent, the Board desire to have it distinctly shewn, who was the Collector, and who was the Sherishtadar at the time of its occurrence.

4th. With respect to the Pensions, rupees 266-10-8, and rupees 16, mentioned in the 4th and 5th paragraphs, the Board request that you will issue orders for the prosecution, or otherwise of the fraudulent party as you deem expedient on a further enquiry; but it is to be presumed, that it is not as stated "pension paid twice," but pensions paid once, and charged twice; a view of the case which is supported by the subsequent explanation of its being an embezzlement, and that it has been the case of the Company's rupees 266-10-8 recovered from the Treasurer, the Collector adding, moreover, that that officer's brother would be committed to the Sessions to take his trial. The Board, however, conceive that the statement made is defective, since, if the brother be committed as a party to the crime, the Treasurer should also be committed to the Sessions as a principal, if alive, and discoverable, or if not it should be so stated.

5th. The rupees 1187 of illegal batta which has been recovered, should be carried to the credit of the parties from whom it has been wrongfully extorted, and which cannot be matter of much difficulty, as all the parties must have been discovered, and all particulars ascertained, before the fact could have been established of the illegal levy of batta of the defined extent. At the same time they observe, that the illegal exaction of batta, is as criminal as the embezzlement of a pension, and would equally, if established, require committal for trial at the Sessions. Yet the Collector does not advert to such a measure as in contemplation. Fuller information therefore, should be required as the collector has been far too brief on his marks on this point.

6th. Regarding the rupees 8741-6-1/2 mentioned in your 74 paragraph, the board require further report both for their information and that of the Government, which they request you will call for in detail from the collector, for if, as stated, the amount consists of sums passed by the civil auditor and accountant, which have been regularly due, and bona fide paid to the parties entitled to them, the treasurer not having entered receipts in his receipt

book, is a blamable omission and nothing more. It appears, however, from the note on this item, receipts were taken and forwarded to the accountant, and the collector should explain why, before making a report, he did not ascertain from the parties, whose signatures are affixed to these receipts, whether the signatures attached to them were spurious or genuine. The same remarks as to the necessity for further information, apply also to the sums enumerated in your 8th, 9th, and 10th paragraphs, regarding which the collectors report is very incomplete; and the Board request, therefore, that you will require a full and circumstantial report to be furnished of these amounts, detailing the full particulars of each item of which they are informed, and stating who were the collector and sherishtadar at the time of their occurrence, and whether any of the omrah directly or indirectly participated in the embezzlements and malpractice, and if so why they are not dismissed or suspended.

7th. With respect to the amount rupees 254-9-9½ in the last mentioned paragraph, I am directed to say that you ought to have made the collector fully explain before you reported on it. In this single case the responsibility of the collector who was in charge of the effect at the time the malversation occurred, is adverted to; whereas it should have been pointed out in each case, whether or not the collector is responsible, and in like manner with regard to the sherishtadar. In this instance it is not stated to whom siccas were issued instead of Company's rupees, nor how it happened that all other sums which were paid from the treasury, between the 26th October, and 19th March, except the small amount, were correctly discharged in Company's rupees, as that circumstance would prove wilfulness on the part of the treasurer, and is more necessary to look to them, allowing the treasurer to plead that he received no orders from Mr. Staniforth. Should he have paid away any sums in company's rupees during that period, he is self convicted of falsehood.

8th. The Board are happy to find that the rupees 379-2-6 mentioned in your 11th paragraph, have been recovered in full.

9th. Paragraph 12th of your letter, refers to rupees 564-15-9 as sums ordered but not credited, and requires further and more particular report, when the investigation shall have been complete, the present report being altogether premature. The Board with reference to the extract appended to your letter now under reply, beg to refer you to their Circular No. 27 of the 27th August 1832, on the subject which furnishes a much more efficient check than the one proposed by you. And they therefore request that you will ascertain and report whether the orders therein laid down have been attended to in the several offices subordinate to you, and if not, that you will require the reason of their being neglected.

10th. The Board approve of Mr. Bayley's being employed thoroughly to investigate the inefficient balance account, and they expect he will do justice to this enquiry, having a favorable opinion of his ability and industry.

11th. The system alluded to in paragraph 14 of your letter now under reply, has been discovered to prevail in the 24 Pergannahs, and other collectorates, and the omrah can, and will only attempt to carry money paid by one landholder to the credit of another, when the collector is inert and inefficient. It is not as Mr. Donnelly supposes, the zemindars not taking dukhallas only, which forms a fund of this nature, it arises from the collector's not knowing what is going on in his office, not having any one individual there who cares to give him information, not being easily accessible to all representations that may be offered to him, and not being well known as

indisposed to shelter native officers who are accused with any semblance of truth from immediate enquiry. If the Collector have deservedly a reputation for these good qualities, no such frauds will be successfully practised by his native officers, for if attempted they will be immediately known, and enquired into, and the consciousness of the certainty of such a result, will do more to deter from dishonesty, than any thing else that can be devised. The Board concur with you in opinion that it would possibly not be attended with any beneficial result adequate to repay the cost and trouble, were the Collector's suggestion to be acted upon. Should, however, any zemindar petition to the effect that revenue paid by him has been credited to another, an enquiry must of course be made upon the petitions.

12th. The Board observe, that what you state in the 15th paragraph of your letter is not clearly reconcilable with your own representations on the subject in the succeeding paragraph; neither is it in accordance with the Collector's statement. The state of the accounts as exhibited in the paragraphs 5 to 7 of the Collector's report, urgently demands the most full and particular scrutiny, no less to discover the circumstances of each fraudulent transaction for the redress of the wronged, and preventing the recurrence of a similar evil, than to bring the offenders who may be convicted to punishment.

13th. The Board consider that in examining the accounts the merely contrasting Chuhians and Dechillas can do little good. The Collector must have the Tongees, Jumma Wasil Bakars, Seerhs and Kutteans and interest accounts daily collected and compared, and he should be allowed the extra establishment he solicits for the purpose, with the aid of which there is little doubt of the accounts being thoroughly examined in a much shorter period than he anticipates.

14th. The Board observe that the Collector has appointed Puddoo Lachun (the individual you recommended to be employed in tracing the frauds in the office) as Sherishtadar, and this native gentleman should be informed that his continuance in office, will depend on his zealously exerting himself to expose all the imperfections which his intelligence and experience will enable him to do, provided the inclination keep pace with the ability. At the same time no exertions will avail should any native remain in the office, who has been concerned directly or indirectly or is dependent on any one so concerned with the preparation of the Collector's accounts during any part of the period that these malpractices have prevailed. If any individual remain in office whose interest it is to frustrate enquiry, every impediment that he can contrive will be put in force to delay or prevent the scrutiny, and the Board are desirous, therefore, that you should give the Collector a carte blanche to suspend immediately any officer he may be desirous of removing.

15th. The Collector states, that if he be considered admissible to place the accounts of the "Tehsil Duffar" in a healthy state, "they must be examined from the close of 1236 to the close of 1242, and that for this purpose an extra establishment of 10 accountants at 10 rupees per month, with a superintendent at 25, will be necessary for one year, "even to complete a summary enquiry." In the 19th paragraph of your letter, you express yourself averse to the undertaking for reasons stated, and do not think it would tend to any satisfactory result. Previous to deciding on the point, the Board would wish to be put in possession of the result of the further enquiries ordered by yourself and those now directed, especially on the items referred to in paragraphs 15, 17 and 18 of your report, and paragraph 6 of Mr. Donnelly's, which require a thorough sifting, not of course omitting the item of 11,037 entered as due in the

Office Towjee of 1238 and 39 and omitted in that of 1240.

16th. The character of the government is implicated as often as its officers allow such frauds as these now under review with their long train of gross injustice to oppress and harass the people, and too great indignation cannot be evinced at such perversions of power, nor too much anxiety displayed to correct and redress them as well as to prevent them in future. If it were otherwise, the people would deservedly consider our government as indifferent to official respectability, as those individuals who perpetrate such offences. These considerations, therefore, the Board hope will have the due weight in inducing you to use your best exertions, and to instruct the Collector most strictly to procure full, complete and circumstantial statements of all these items of embezzlement so as to enable government to visit the culpable parties with the punishment due to their offences, and to do full and ample justice to such as have suffered by their perpetration.

I have the honor to be, Sir, your most obdt. servt.

(Signed) C. E. TREVELYAN, *Additional Secretary.*

Sudder Board of Revenue, Fort William, 6th June, 1837

CONSULTATION, — TUESDAY, 6th JUNE, 1837.

CIRCULAR NO. 48, CONSTRUCTION OF SECTION XIII: REGULATION II OF 1819.

To the Commissioner of Revenue for the Division of
Miscellaneous Department,

Sir, — I am directed to forward for the information and guidance of yourself, and all your subordinates, copies of correspondence as per margin, connected with the construction by

Board to Govt. 20th Aug. Government of Section
1836. XIII Regulation II of

Govt. to Board 30th Do. 1819.

Board to Govt. 2d Jan

1837. Govt. to Board, 11th April
with enclosures

2d. You and your subordinates will observe that the Right Honorable the Governor of Bengal enjoins the necessity for great care, regularity and tenderness of proceeding being observed in the enforcement of the orders now promulgated, in order that wilful contumacy may alone be subjected to so heavy a penalty, as the law in question imposes.

I have the honor to be, Sir, your obedient Servant,

(Signed) C. E. TREVELYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, 6th June, 1837.

To R. D. MANGLES, Esq.

Secretary to the Government of Bengal.

Revenue Department, Fort William.

Miscellaneous Department.

Sir, — Under instructions from the Sudder Board of Revenue, I have the honor to forward for submission to the Right Honorable the Governor of Bengal the

accompanying letter and enclosures from the Commissioner of Patna No. 114, dated 30th May last.

2d. The case to which the Commissioner refers is that of certain petitioners, proprietors of Mouza Ruheempore, Rowneeah Pergunnah Shahapore munner, Zillah Patna, and of a resumed Deara Durveshpore, in the same district. The liability of the Deara to assessment has, it appears, been under investigation, according to Regulation II of 1819 ever since February 1826, and the result after a delay of eight years, has been a decision in favor of Government, passed on the 7th February 1834. Pending the investigation, the Deara was, it seems, attached apparently under Section XIII of the Regulation quoted and the attachment continued till the termination of the suit, the proceeds being credited to Government in the Collector's Office under the head of profit and loss.

3d. Previous to the decision of this suit under Regulation II of 1819, the petitioners failed to pay the Revenue of Mouzah Ruheempore, upon which a balance had accumulated amounting with interest and penalty on the 18th January 1834, to rupees 1,518-4-18 3, this default, was wilful on the part of the petitioners, and was justified by them on the ground of a balance at their credits in the Collector's Treasury on account of collections, in the attached Deara.

4th. The Collector of Patna sold Mouzah Ruheempore for the realization of its balance, and the sale was annulled by Mr. Commissioner Cuthbert. The suit under Regulation II of 1819 having been decided, it is now necessary to balance accounts with the petitioners to pay to them their due on account of the Collectors in the Deara during the attachment, and to adjust at the same time the balance due to Government. For this end, which involves the payment of money credited to government, the sanction is required of the Right Honorable the Governor of Bengal.

5th. The Commissioner, proceeding apparently upon the assumption, that the Collectors in the Deara, should have been paid to the petitioners, or credited to them in their revenue for Ruheempore at the time they demanded it, has transmitted an account in which interest and penalty appear both for and against government, and a balance is thus made out against government of Rs 1,237-5-12-3, he has recommended at the same time that interest and penalty should be raised on both sides, and the amount adjusted on the principal sum; that is to say, from Government to petitioners on account of collections in the Deara from 1236 to 1241

Fussilee..... 1,997-8-10

From petitioners to Government amount of
Revenue of Ruheempore up to Poss 1241 1,516

Balance due to petitioners..... 481-8-10

6th. The opinion of the Board on this case is as follows:

7th. That considering the long delay in the investigation of the suit under Regulation II, 1819, a delay owing only to the fault of the revenue authorities, and but for the occurrence of which the balance of collections in the attached Deara would have been much sooner payable to the petitioners, and that the balance of Ruheempore might in such case not have occurred at all. It is much to be regretted that this sale should have ever taken place, and that such sale (since annulled) though not absolutely illegal, was harsh and inconsiderate in a high degree.

8th. That the petitioners were nevertheless not justified by law, in withholding the Revenue in Ruheempore

upon the ground of the attachment of the Deara. That attachment, and the consequent loss of interest on collections in the Deara, were legal penalties for non-production of papers. The petitioner would not claim, and the collector could not make adjustment of the account of collections, and refund of proceeds until after the termination of the suit, and not even then without the sanction of high authority. By consequence the Government, on the one hand, is entitled under the rules then existing to interest and penalty on this arrear,* and the petitioners on the other, can not have any title to interest, not to speak of penalty on the amount of collections in the Deara.

Section 13, Regulation 11, 1819.

the account of collections, and refund of proceeds until after the termination of the suit, and not even then without the sanction of high authority. By consequence the Government, on the one hand, is entitled under the rules then existing to interest and penalty on this arrear,* and the petitioners on the other, can not have any title to interest, not to speak of penalty on the amount of collections in the Deara.

6th. Considering, however, the hardships imposed upon the petitioners by the long delay in the disposal of the suit under Regulation 11, 1819, and the omission on the part of the Collector to notice as he ought to have done their repeated applications on the subject, the Board are inclined to recommend that the adjustment be made by charging interest (without penalty) on both sides of the account as follows ;

Due from Government to petitioners as amount of net collections on account of attachment Para. from 1236 to 1241 F.S. with interest at 12 per Cent.	2,857 7 6 3½
Due from petitioners to Govt. as arrear of Revenue in Mouzah Ruheempore from 1236 to 1241 F.S. with interest 12 per cent.	1,998 5 10
Balance due to petitioners	859 1 16 3¼

10th. They accordingly solicit the sanction of the Right Honorable the Governor to an adjustment upon this principle.

11th. I am directed to take this opportunity of observing that no orders of Government are extant on the subject of the refund of collections (after decision of suits) in lands attached under Section 13 Regulation 11, 1819. When this severe law was enacted, the Board of Revenue consisted of several members, and as it appears to them to be much too arbitrary and unpopular an authority to be vested in a single Commissioner, they respectfully recommended that its exercise in future be prohibited by the Governor of Bengal unless after reference to, and under the express Sanction of this Board.

I have &c.

(Signed) F. J. HALLIDAY, Secretary,
Sudder Board of Revenue, Fort William, 20th Aug. 1836.

To F. J. HALLIDAY, Esq.,
Secretary, Sudder Board of Revenue,
Lower Provinces.
Revenue.

SIR,—I am directed by the Right Hon'ble the Governor of Bengal, to acknowledge the receipt of your letter dated the 20th instant, with its enclosures, and to communicate as follows in reply.

2d. It appears to His Lordship that both the Commissioner of Patna and the Board have put a construction upon Section 13, Regulation 11. of 1819, as affecting the case of the proprietors of the Deara Durveshpore, which that enactment will not bear. He gathers from this law, as quoted in the margin*, that it was the

*The Board of Revenue, or other authority exercising the powers of that Board, shall be competent to direct the lands

to be immediately attached, and the rents collected on account of Government, in the same manner as if the lands were the property of Government. In such case, however, it shall still be the duty of the collector to make a full inquiry into the title of the holder of the lands, and to transmit his proceedings to the Board, who will decide whether the lands shall be deemed permanently liable to assessment.

to be immediately attached, and the temporary assessment already realized under the attachment.

3d. If this view of the law be correct, the proprietors of Durveshpore can have no claim on the score of right, other than to that consideration to which they may appear to be equitably entitled on account of the extreme length of the period during which the Deara was held under attachment pending the suit under Regulation 11. of 1819, unless, indeed, it can be shewn, (which has not yet been attempted, the landholders having stood their plea of right) that there was any undue harshness in the original attachment. The Board will be pleased to make enquiries upon this point, and also whether with reference to the admission of the Collector stated in paragraph 2 of Mr. Commissioner Money's report of the 30th of May last, the proprietors of the Deara, ever, and if ever, at what time, offered to produce the papers on the default of delivery of which the lands were attached, or whether they at any period, stated any sufficient cause for their non-production.

4th. If the recusancy were wilful, and persevered in, the proprietors have only their own obstinate defiance of the law to blame for the attachment of the Deara, though it is true the punishment thus inflicted has been rendered more severe by the delay in the adjudication of the case. On the other hand, it must be borne in mind, that (the eventual decree being in favor of the claim of Government to assess) if they had complied in 1828 with the lawful requisition of the Collector, they would have held the land free of revenue to the 7th of August 1834. Unless it can be shewn that the attachment ought not, in equity and reason to have been made, the Government cannot be bound by considerations of that nature to bear men harmless from the consequences of their own contempt of the law. From the information at present before him, it appears to the Governor that the parties in question, have deliberately run their chance of eventually obtaining the Deara free of assessment (in consequence of the absence of proof on the part of Government from the withheld papers) against the loss which attachment would inflict upon them, and, if so, they can have no just cause to complain of the result.

See Section 11, Regulation 11. 1819, as regard alluvial lands.

Deara free of assessment (in consequence of the absence of proof on the part of Government from the withheld papers) against the loss which attachment would inflict upon them, and, if so, they can have no just cause to complain of the result.

5th. Still, if any case can be made out for the proprietors of the Deara on the ground of indulgence, the Governor will be prepared to give it his favorable consideration, not only because the tardy decision of the suit has deprived the parties of the advantages which they would otherwise have derived from Malikanah, &c. and, probably, of the six months' grace given in ordinary cases of Resumption, but because both

intention of the Legislature which framed it, that the collections made from the lands during the period of attachment should belong absolutely to Government, and that whether the Board's or thereafter Civil Court's decision might be in favor of, or against the claim of Government to assessment. This construction of the passage, underlined in the annexed extract, is borne out by the manner in which the term "humanity" is used at the latter end of the Clause, in implied antithesis, as it appears to the Governor, to the temporary assessment already realized under the attachment.

between the 7th of Febry. 1834 when the decree of Resumption was passed, and the 7th of August of the same year, when it became subject to the payment of Revenue.

the proprietor even speaking of the right of the claimants to demand interest, &c. upon the amount of such collections, in the event of Government exacting the same upon the balances due from the permanently settled estate of the same persons.

6th. With reference to the remark at the commencement of paragraph 11 of your letter, that "no orders of Government are extant on the subject of the refund of collections (after decision of suit) in the lands attached under Section 13, Regulation 11, of 1819," I am instructed to request that the Board will report whether such refunds have ever been made under the orders of the late or present Board of Commissioners, or by the Collectors themselves.

7th. The Governor does not think it desirable to deprive the Commissioners of Revenue of the discretionary power which they possess under the law above cited, as representatives of the late Board of Revenue. It can only be exercised upon the report of a subordinate officer, in whose haste or harshness, if such be, the Commissioner is not likely to participate.

8th. The enclosures of your letter are herewith returned; copies having been kept for record.

I am, &c.

(Signed) R. D. MANGLES.

Secretary to the Govt. of Bengal.

Fort William, the 30th August, 1836.

To R. D. MANGLES, Esq.

Secretary to the Government of Bengal,

Revenue Department, Fort William.

Miscellaneous Department.

Sir,—I am directed by the Sudder Board of Revenue to forward for the consideration of the Right Hon'ble the Governor of Bengal the accompanying letter No. 251. A. of the 5th November last, written by the Commissioner of Patna in answer to a call made upon him by the Board in consequence of your communications, No. 1224, of the 30th August.

2d. His Lordship will observe from Mr. Tucker's present communication, that after the first call upon the proprietors to produce their title deeds which took place on the 23d February 1826, a delay was suffered by the Collector of three years, that at the conclusion of the period, the lands were suddenly attached; and that after the attachment another interregnum occurred of no less than five years.

3d. Now these facts leave the Board nearly certain that the proceedings adverted to were directed not by the Collector, but by his Omlah for their particular purposes. For it is not possible to suppose that the European functionary, if he had been aware of the issue of the first notice, would not have followed it up with punctuality, instead of allowing the case to be neglected for three years, and still less can it be imagined, that the

Collector, if cognizant of attachment, would have committed such injustice as is involved in the subsequent delay of five years.

5th. The non-production, therefore, of the documents by the proprietors, cannot be looked upon as an act of contumacy, it was the natural result of their acknowledgment of the Omlah's influence, and their utter uncertainty as to what might or might not ensue in the case. The proprietors, it is to be inferred, were from first to last the prey of the Omlah, and they could not believe that there was any serious, or at least any immediate intention to investigate and decide the suit.

5th. To visit, therefore, with such penalties as are involved in the construction suggested by your letter, an omission so caused, would in the judgment of the Board, be in the highest degree harsh, and inadvisable, and had even every step of the Collector's proceedings been in the strictest sense regular and legal, the Board would most strongly have urged the claim of the Proprietors to consideration. But it will be seen from the report, that so far from being regular and legal, the proceedings of the Collector in the whole matter of the attachment, were irregular and at variance with the clause upon which they are said to be founded, and as such clause cannot in the opinion of the Board be too strictly construed, the proprietors are, they think, fully entitled to all the benefit which the Collector's infringement of the law can give them.

*It is also to be observed, that the Collector omitted to legalize the attachment, whatever might be its effects since he did not apply for and obtain the sanction of the Commissioner of Revenue.

in other words, they are entitled of right, under any construction of the law, (because they would assuredly find it with interest in a Court of Justice) to the refund with interest, of all collections since the attachment, and the Board respectfully recommend that this refund be made without loss of time.

6th. As the Board are not as yet in possession of materials to enable them to answer the query contained in your 6th paragraph, the present address would have concluded with the above recommendation, but for construction of clause 1st Section 13, Regulation 11 1819, suggested, rather than made on the 2d and following paragraphs of your letter of the 30th August, and upon which the Board imply that their opinion is demanded.

7th. Section 7 to 14 of Regulation II of 1819, treat of the measures to be resorted to by collectors for enforcing the production and authentication of documents, title deeds, or accounts; and of obtaining all other such information necessary for the decision of the first as proprietors, occupiers, and managers, are alone able to furnish; and the sections quoted, form accordingly a connected chain of law, applicable to the different classes of occupiers or managers, and to various degrees of urgency or contumacy.

First. The Collector may summon the proprietor (or claimant) of the land with its accounts, and may examine on oath the putwarees, gomastas, or other agents with their accounts.

Second. If the latter should neglect the summons, or falsify the accounts, or give false evidence regarding them, the Collector may punish by imprisonment in jail until the accounts may be produced, or he may commit for forgery or perjury.

Third. If the proprietor (or claimant) refuse or neglect to furnish the accounts, and information required of him as above, the collector, with the sanction of the

Commissioner) may attach the estate and make collections in it on the part of, i. e. through, the officers of Government so long as it remains under attachment. But as he is now in possession of information regarding assets, boundaries, demands, and payments, and other particulars, for want of which he has resorted to attachment, it is provided that he shall proceed to complete his inquiry (the means being now within his reach) and decide whether the land be liable to permanent assessment or not.

Fourth. It may happen that information is needed, beyond what mere occupation of the lands can give opportunity of acquiring. Accordingly, the Regulation goes on to enact, that should the proprietors *contumaciously* (a word now first used) continue to withhold any particular documents required of him, the Commissioner may fine him daily, till such documents are produced, but this fine must not be realized *without the consent of Government*.

Fifth. Should the zemindar *openly resist* the authority of the Revenue Officers, the Commissioner may fine him to the extent of Rs. 500 on his own authority, but not more, without the consent of Government.

8th. Thus, as it appears to the Board, the mode of obtaining such necessary information regarding assets, rents, extents, under tenures, boundaries, and similar particulars as may be refused by the proprietor, is declared to be attachable, which by placing the Collector in the same relation to the Mhar as that lately held by the proprietor, enables him to obtain local information without the proprietors intervention, while the production of title deeds, the authentication of past accounts, and other requisites of a like kind, are to be enforced by fine and imprisonment. The law, therefore, of these sections has two distinct parts or heads, which to be correctly construed, require to be separately considered.

9th. This being the Board's view of the law, taken as a whole in connection with its object, they cannot concur in the construction of a part of it (Clause I, Sec. 13) which is suggested in your letter.

The following is the clause.

"If the holder of any lands in regard to which the collector shall have been authorized by the Board of Revenue or other authority exercising the powers of that Board, to institute the inquiry described by Section 7 of this Regulation, shall refuse or neglect to furnish the accounts relating to such lands within the period specified in the collector's requisition, the Board of Revenue, or other authority exercising the powers of that Board, shall be competent to direct the lands to be immediately attached; and the rents collected on account of Government, in the same manner as if the lands were the property of Government. In such cases, however, it shall still be the duty of the collector to make a full enquiry into the title of the holder of the lands and to transmit his proceedings to the Board, who will decide whether the lands shall be deemed permanently liable to assessment."

10. Now the words "and the rents collected on account of Government in the same manner as if the lands were the property of Government," can only mean that the rents are to be collected as in khas mehals by the direct agency of the officers of Government; it cannot be mentioned in the absence of express and direct declaration to that effect, that the rents are to be carried to the credit of Government as a forfeiture. For,

First. This would be subjecting the same person for the same offence to two distinct penalties or fines, viz. to a fine or forfeiture to the extent of the whole assets of his estate for an indefinite number of years; and also to a

fine of a certain sum per day, an intension which it is impossible to attribute to the legislature.

Second. The attachment may be ordered and the assets realized and credited to any extent by the mere authority of the Commissioner. But the daily fine, though it may be imposed by the Commissioner, cannot be realized save by the authority of Government, so that the Commissioner would have, under such a construction as that now in question, authority in himself without higher reference—to fine a zemindar any number of thousands of rupees per annum for any number of years for a given offence, and at the same time, and for the same, or a similar offence, be unable to realize a fine of ten rupees, without the consent of the Governor-General, a conclusion which the Board submit could not have been in the contemplation of the Legislature.

Thirdly.—Under the above construction a Commissioner would have authority to punish an offence, however contumacious, and often involuntary, by the imposition of a fine amounting to any number of thousand of rupees as above noted. Yet when the offence becomes more certain, and obvious and open, and wilful, and urgent, he cannot impose a fine of a higher amount than rupees 500, which also, in the opinion of the Board, could not have been intended by the Legislature.

11th. In short the very strictness and caution with which the penal parts of the enactment are limited, the extent of fine laid down, the reference to the highest authority necessitated, all forbid the idea that the attachment clause had ever the purpose now attributed to it. Can it be supposed that less restriction would have been imposed on the Revenue officers in such a clause so construed, than in a mere matter of fine.

12. His Lordship has remarked the antithesis between the expressed words "permanent assessment" and the supposed temporary assessment of the Mehal. The Board cannot acknowledge the antithesis: the very object of the attachment is the speedy decision of the case, and by consequence either the restoration of the land to the owner, or its permanent assessment. The collector should immediately, if possible, on the attachment enquire into, and decide the suit. If the title be found good, he restores it in fact to the owner, if bad, he assesses it permanently. This is the intent of the law which never contemplated delay, or at least never encouraged it. Under neither mode of decision is there in the Board's opinion any room for temporary assessment, or for the supposition of a temporary assessment: the law merely contemplating a very limited attachment of a specific purpose.

13. Were it not, indeed, for the words "and the rents" collected on account of Government, the construction in question to rest upon with those words it has an apparent support. For the meaning of this clause must like that of all legal enactments be deduced not from an isolated word or sentence, but the entire context, and the whole law must be read together, before a construction can be made upon any part of it. The law could not, in defiance of equity, require a double satisfaction; yet if the contested interpretation be upheld, a double, nay a treble satisfaction would be demanded for the same offence or omission. Again, had no specific penalties been appropriated to the given offence, they might have been inferred with some show of justice, from the wording of the act; but a thing expressed in law, does away with a tacit admission to the same purport. The law does not say that the collections are to be restored to the owner's nor does it specifically state that it is to belong to Government. It is, therefore, inferred that they are to be forfeited as a penalty for the owner's offence. But the same law prescribes a distinct penalty for that offence, the inference is consequently annihilated.

14th. As the Board construe the law, an individual might ~~and~~ ^{periculo} refuse to furnish either the information or papers required; and subject his estate to attachment as the means which would at the same time enable the collector to obtain the intelligence withheld, and divest the proprietor of all opportunity of injuring the interest which Government would possess in the estate, in the event of its being ultimately declared liable to assessment; even this degree of coercion, when it is considered that it is to compel an individual to produce proof, hostile to his own interests; can only find justification in the difficulties of the case, and the peculiar jurisdiction exercised, and is not at all analogous to common judicial proceedings.

15th. Under any circumstances, however, the Board would deeply regret to see such heavy penalty inflicted by inference, and individual private rights forfeited by implication; there is, to say the least of it, great room for doubt and of that doubt, the party liable to suffer, should have all the benefit.

16th. Taking all these circumstances into consideration, the Board are decidedly of opinion, that the intent of the law, was merely to place the Collector in possession of the Mohal for a fine, and thereby give him facility in the investigation of the case, and also to prevent on the part of the proprietor, or claimant, practices tending to the deterioration, sequestration, or alienation of the land pending the decision of the suit. That the collections were always to be refunded after termination of the proceedings, and that the occupants to keep possession for a period of six months after the decision in compliance with circular order 22d February, 1831, they entertain no doubt and they therefore solicit His Lordship to reconsider this subject before a final construction is made.

I have, &c.,

(Signed) F. J. HALLIDAY, Secretary.

Sudder Board of Revenue, Fort William, 2d June, 1837.

To F. J. HALLIDAY, Esq.,

Secretary to the Sudder Board of Revenue.

Revenue.

Sir,—In continuation of my letter No. 250 of the 21st February, and in reply of yours of the 2d of January last, I am directed by the Right Hon'ble the Governor of Bengal, to forward to you for the purpose of its being laid before the Board, the accompanying copy of the correspondence with the Court of Sudder Dewanny Adawlut, as noted in the margin*.

* To Register Sudder Dewanny Adawlut, dated 24th January, 1837.

From ditto ditto 10 March 1837.

2nd. His Lordship has given that attention to your letter above cited, which is justly due to the ability with which the opinions of the Board have been stated; but the purport of Sec. 13, Regulation 11. of 1819, still appears to him to be so plain by that indicated in my letter of the 30th of August last, that he is unable to yield his assent to the argument urged by them in contravention of that opinion. The Board will observe that the majority of the Sudder Court concur in the view taken by the Governor to this extent, "that if the attached lands be finally adjudged liable to assessment, Government are entitled to the mesne profits during attachment, but they hold on the other hand that if the lands be declared exempt from public assessment, the proprietors have a just claim against Government for the mesne profits which accrued whilst the lands were under the charge of the Revenue authorities.

3d. His Lordship is willing that this construction should regulate the practice in all future cases. The Board will not fail to impress upon all subordinate officers, the necessity for great care, regularity and tenderness of proceeding in order that wilful contumacy may alone be subjected to so heavy a penalty as the law in question imposes.

4th. The enclosure of your letter is returned

I am, &c.

(Signed) ROSS D. MANGLES, Secretary to the Government of Bengal.

Fort William, the 11th April, 1837.

(Copies.)

No. 12.

TO THE REGISTRAR SUDDER DEWANNY ADAWLUT.
Revenue.

Sir,—I am directed by the Right Hon'ble the Governor of Bengal, to transmit to you in original the correspondence specified in the margin, and to request the opinion of the Court regarding the construction of Section 13 Regulation 11. of 1819, in case where the final decision may be in favor of the right of Government to assess the lands attached, and also where the lands may be eventually decreed not liable to assessment.

I am, &c.

(Signed) R. D. MANGLES, Secretary.
to the Government of Bengal.

Fort William, the 24th January, 1837.

No. 737.

To R. D. MANGLES, Esq.,

Secretary to the Government of Bengal, in the Judicial Department, Sudder Dewanny Adawlut.

Sir,—I am directed by the Court to acknowledge the receipt of your letter of the 24th January last, No. 123 and its original enclosures; and in reply to forward the accompanying copies of minutes recorded on the subjects thereof, by the Judges of the Court from which the Right Hon'ble the Governor of Bengal will perceive, that the majority of the Court are of opinion that if the attached lands be finally adjudged liable to assessment, Government are entitled to the mesne profits during the attachment, while on the other hand, and if the lands be declared exempt from public assessment, the proprietors have a just claim against Government for the mesne profits which accrued while the lands were under the charge of the Revenue authorities.

Present.
R. H. Rattray,
W. Braddon, Judges.
W. Money,
D. C. Smyth,
I. R. Hutchison, and
F. C. Smith, Temporary Judges.

Submitting minutes and observing the majority of the Court are of opinion that if the attached lands alluded to be adjudged liable to assessment Government are entitled to mesne profits.

declared exempt from public assessment, the proprietors have a just claim against Government for the mesne profits which accrued while the lands were under the charge of the Revenue authorities.

2d. The enclosures of your letter are herewith returned.

I have, &c.,

(Signed) PIERCE TAYLOR, Deputy Registrar,
Fort William, the 10th March, 1837.

NOTE BY MR. D. C. SMYTH.

The question referred by Government, is simply whether in cases where a final decision may be in favor of the right of Government, to assess lands attached, and also where lands so attached, may be eventually decreed not liable to assessment, the mesne profits, pending the attachment, belong under Section 13, Regulation II. 1819, to Government, or to the proprietors.

On a full consideration of the subject, I am of opinion, provided the attachment be legally made, that in cases where the final decision, may be in favor of Government, it rests, entirely with the Right Honourable the Governor, to pass such orders, regarding the mesne profits pending the attachment as he may deem proper.

In cases again, where the lands may be eventually pronounced by the final decision of the Revenue Authorities not liable to assessment, I am of opinion, that in justice, equity, and good conscience, the proprietors are entitled when the attachment is removed, to have a full and fair account rendered to them by the Collector, of all receipts and disbursements, during the period of attachment, and that the mesne profits of the estate should be paid to them.

Without examining the papers, it is not possible to say whether in this case, the attachment was or was not legally made, and whether the proprietors of Durveshpore have been the victims of a conspiracy on the part of the Omrah, as is supposed by the Board, or whether, the infliction of the prescribed penalty by Government would be harsh or unadvisable, are points on which I conceive, this Court are not called upon to give any opinion.

(Signed) D. C. SMYTH.
10th February, 1837.

NOTE BY MR. R. H. RATTRAY.

I concur,

(Signed) R. H. RATTRAY.

NOTE BY MR. W. BRADDON.

Whether lands attached under the provisions of clause 1, Section 13, Regulation II, of 1819, be eventually adjudged to be liable to assessment or otherwise, I conceive that the collections during the period of attachment do not belong absolutely to Government. Had it been so intended surely it would have been stated in plain and explicit terms that the collections would become forfeited to the state. It may also be presumed that the order of the Board would have been declared subject to the confirmation of Government as we find it laid down in clause 3, of the same section, that the Board are not competent in such cases to levy any fine (however small) they may impose upon a proprietor or farmer of land for neglecting or refusing to attend the Collector, or to furnish any documents or accounts required by that authority, until it is confirmed by Government. It seems to me that the words "on account of Government" in the clause in question, mean no more than "on the part of Government." That I am not singular in this opinion is evident from the Persian versions of the clause, the part of which bearing upon the point may be rendered in English "the Board of Revenue or other authority exercising the powers of that Board, shall be competent

to direct the attachment of the lands and appointment of a person to make the collections on the part of Government in the same manner as collections of other lands the property of Government are made."

I lay little or rather no stress at all upon the use of the word "permanently" at the latter end of the clause, as when rent free lands are adjudged to be liable to assessment they necessarily become permanently so liable, and as section 21, Regulation II, of 1819, was in force, the Board of Revenue or other authority exercising the powers of that Board, could not legally declare lands liable to assessment without having before them the proceedings of the Collector after he had completed his enquiry, and recorded his opinion as to the liability of the lands to assessment or otherwise.

(Signed) W. BRADDON.
16th February, 1837.

NOTE BY MR. W. MONEY.

I concur with Mr. Smyth. Nothing to my mind, can be more clear than that part of clause I, section 13, regulation II, of 1819, which says that the "Board shall be competent to direct the lands to be immediately attached," and the rent collected on account of Government, in the same manner as if the lands were the property of Government, and I am decidedly of opinion that, when the final decision has been passed in favor of Government, the rents which may have been collected during the previous period of attachment, belong absolutely to the state.

I am confirmed in this interpretation of the clause in question by the consideration of the fact, that Regulation II of 1829, cancels section 19: Regulation XIX and section 14: Regulation XXXVII of 1793, which disallowed the claim of Government to any part of the Collections made from rent-free lands previous to the date of the first decree, adjudging them subject to the payment of Revenue.

It appears to me that the Sudder Board of Revenue are quite in error when they observe in paragraph 10 of the letters of Government of the 2d ultimo, with reference to clauses I and II, section 13, that "it cannot be maintained in the absence of express and direct, declaration to that effect, that the rents are to be carried" to the credit of Government, for this would be subjecting the same person for the same offence, to two distinct penalties or fines, viz. to a fine or forfeiture to the extent of the whole assets of the estate for an indefinite number of years, and also to a fine of a certain sum per day." Now it appears to me that the intention of the Legislature was evidently to give the Board the option of proceeding either under clause I or III, but not of proceeding under both at the same time. If the Board preferred imposing upon the party a fine under clause III, then they must abstain from acting under the first clause, and vice versa.

(Signed) WIGRAM MONEY.
17th February.

NOTE BY MR. S. R. HUTCHINSON.

The question at issue is whether the provisions of clause I section 13 Regulation II of 1819 give to the state the absolute right to confiscate and appropriate the collections, made from lands attached in consequence of the holder having refused or neglected to furnish the account required by the Revenue authorities.

According to my view of the law in question, the terms of the clause quoted do not establish this right, and I am disposed with Mr. Braddon in thinking that the

words which give rise to the present reference, namely, *on account of Government, in the same manner as if the lands were the property of Government only*, mean that the revenue shall be managed on the part of Government, or in other words by khas Tehseel pending the investigation; for if the tenure be subsequently declared valid, it would be manifestly unjust to deprive the holder of the income for so inconsiderable an offence. The word *permanently* in the last line of the clause, has reference solely to the final liability to assessment or otherwise, cannot be cited as furnishing an argument in support of the Government to the intermediate collections.

My reasons for arriving at the above conclusion are founded first on the total absence of any explicit enactment, or provision, declaratory of the absolute right of the state to the so-made collections, and second on general analogy and the express tenor and spirit of our penal laws, neither of which warrant the infliction of such a heavy and unequal penalty for so inconsiderable an offence.

* Note In one case of attachment the collections may be one rupee per annum, in another one thousand, and the offence is not greater in the one, than in the other.

Had it been the intention of the Legislature to assert an absolute right to such Collections, the law would, or ought to have been explicit or specific on the subject. I maintain that its silence establishes the constructions, that is such intention was entertained, and bars any claim on the part of Government founded on the assumed right. Moreover, the Persian version of the particular law, only lays it down that the collections shall be made *on the part of the Government*; now as there is no assertion of right to these collections in this version to which only the natives can refer, it follows that the defaulter could not have contemplated the extent and nature of the penalty denounced, if the construction now put on that clause by Government be the correct one.

Further, the Regulation II of 1819 no where provides for withdrawal of attachment and the return of collections at any intermediate stage of the proceedings; but as the cause of attachment was the non-obedience of the requisition of the revenue authorities. I think, in the absence of any rule to the contrary, the attaching authority is competent both to withdraw attachment, and render an account of the collections on the defaulter's appearing and shewing satisfactory cause for his neglect; as the tenure of invalids; is only declared liable to assessment after the final decision of the Revenue authorities by clause II section 21 of the same Regulation, the terms of clause III of XIII bear me out in this as the daily fine imposed under it, is only until the default is supplied.

It further appears to me that the Sudder Board have mistaken the true meaning of the clauses I and III of Section 13, quoted, in applying their provisions indiscriminately to one and the same case, and hence inferring that the law demanded a double penalty for one offence, whereas, in my opinion, the provisions of clause I, apply to one class, namely, holders of a tenure, while those of the III relate to proprietors and farmers whom the Revenue authorities may summon under sections X and XI of the same Regulation.

(Signed) I. R. HUTCHINSON.

February 20, 1837.

NOTE BY MR. F. C. SMITH.

In my opinion the provision of section 13 Regulation II of 1819, namely the attachment of lands, and the imposition of daily fines, are intended to compel the holders and other proprietors of lands suspected to have possession rent free on invalid tenures, to produce the

deeds by which they possess their lands, and consequently if they compel the Government or Revenue authorities who possess the power of enforcing those provisions, to this extremity, the rents, collected according to this section become forfeited to Government, whether the title of the holders be on enquiry ascertained to be valid or invalid. The imposition of double penalties is not, I conceive, inconsistent with the usual penal provisions of the Regulation; for besides other examples, interest and penalty in cases of arrears of Revenue are exacted from defaulters, and they both prove in their nature and in their effects fines to Government.

In the present case, the attachment of the lands in question, not having been sanctioned by competent superior authority, was clearly illegal, and the rents collected under this illegal attachment, belong to the holder of the said lands, without reference to the validity of the deeds. I take it to be only consonant with justice and equity to consider the proprietor of a land tenure, supposed to be rent free on illegal tenure, to be the lawful owner of it, and entitled to the rents or proceeds, till proved not to be the legal owner. If the contrary view be taken, then the Government must be entitled to the mesne profit of such estate aborigine before and after the attachment; and as the claims of Government are not barred by the lapse of time, the Government must be considered in that case rightful claimants of the mesne profit, from the commencement of the holder's illegal possession: a claim too monstrous to be seriously made, I imagine, and impracticable if entertained.

(Signed) F. C. SMITH.

(True Copies) (Signed) P. TAYLOR, Deputy Registrar.
Revenue Department, the 31st April, 1837.

(True Copies) (Signed) R. D. MANGLES,
Secretary to the Government of Bengal.

Sudder Board of Revenue, Fort William, 6th June 1837.

(True Copies) (Signed) C. E. TREVELYAN,
Additional Secretary.
Bengal Hurkaru, July 21.]

Our attention has been arrested by a correspondence this morning in the *Hurkaru* between the Board of Revenue and Government, which has recently been circulated for the information and guidance of the Commissioners. The subject of it is a reference from the Board in August, last year, for instructions as to the adjustment of an account with certain zemindars, owners of two estates, one of which had been sold for arrears of revenue under circumstances not only of great hardship, but, by admission of the Board, much injustice:—

"2d. The case to which the Commissioner refers, is that of certain petitioners, proprietors of Mouza Ruheempore, Rowneeah, Pergunnah Shahapore, Zillah Patna, and of a resumed Deara Durveshpore, in the same district. The liability of the Deara, to assessment has, it appears, been under investigation, according to Regulation II. of 1819, ever since February 1826, and the result, after a delay of eight years, has been a decision in favor of Government, passed on the 7th February 1834. Pending the investigation, the Deara was, it seems, attached apparently under Section XIII. of the Regulation quoted and the attachment continued till the termination of the suit, the proceeds being credited to Government in the Collector's Office under the head of profit and loss.

"3d. Previous to the decision of this suit under Regulation II. of 1819, the petitioner failed to pay the Revenue of Mouza Ruheempore, upon which a balance

had accumulated, amounting with interest and penalty on the 18th January 1834, to rupees 1,518-4-18-3. This default was wilful on the part of the petitioners, and was justified by them on the ground of a balance at their credits in the Collector's Treasury on account of collections in the attached Deara.

"4th. The Collector of Patna sold Mouza Ruheempore for the realization of its balance, and the sale was annulled by Mr. Commissioner Cuthbert. The suit under Regulation II. of 1819, having been decided, it is now necessary to balance accounts with the petitioners, to pay to them their due on account of the collectios in the Deara during the attachment, and to adjust at the same time the balance due to Government. For this end, which involves the payment of money credited to Government, the sanction is required of the Right Hon'ble the Governor of Bengal."

In the statements which follow, the Board acknowledge that the amount in arrear for which the proprietors of Ruheempore were in default, was less than the balance due to them on account of the collections upon their estate under attachment, whether the account be adjusted upon the Commissioner's principle, or upon a different principle recommended by themselves; and consequently that the Ruheempore Mouza ought not to have been sold at all. Nevertheless, instead of suggesting an indemnity to the poor zemindars who had in their opinion been wrongfully sold out, their chary liberality was confined to a suggestion to remit the penalty on the arrears of Ruheempore and to charge and allow interest on both accounts:

"6th. The opinion of the Board on this case is as follows.

"7th. That considering the long delay in the investigation of the suit under Regulation II. 1819, a delay owing only to the fault on the revenue authorities, and but for the occurrence of which the balance of collection in the attached Deara would have been much sooner payable to the petitioners, and that the balance of Ruheempore might in such case not have occurred at all. It is much to be regretted that this sale should have ever taken place, and that such sale (since annulled) though not absolutely illegal, was harsh and inconsiderate in a high degree.

"8th. That the petitioners were nevertheless not justified by law, in withholding the revenue in Ruheempore upon the ground of the attachment of the Deara. That attachment, and the consequent loss of interest on collections in the Deara, were legal penalties for non production of papers. The

Section XIII. Regulation II. 1810.

could not make adjustment of the account of collections, and refund of proceeds until after the termination of the suit, and not even then without the sanction of high authority. In consequence the Government, on the one hand, is entitled under the rules then existing to interest and penalty on this arrear,* and the petitioners on the other, cannot have any title to interest, not to speak of penalty on the amount of collections in the Deara.

* It was of date previous to the Circular Orders of 24th February, 1835.

"9th. Considering, however, the hardships imposed upon that petitioner by the long delay in the disposal of the suit, under Regulation II. 1819, and the omission on the part of the Collector to notice as he ought to have done their repeated applications on the subject, the Board are inclined to recommend that the adjustment be made by charging interest (without penalty) on both sides of the account."

In the reply of Mr. Secretary Mangles, a desire is expressed, "if any case can be made out for the proprietors of the Deara on the ground of indulgence," to give it favorable consideration:

"Not only because the tardy decision of the suit has deprived the parties of the advantages which they would otherwise have derived from Malikanah, &c. and, probably, of the six months' grace given in ordinary cases of Resumption, but because both they and the Local Revenue authorities appear to have considered the attachment as nothing more than collection of the rents by Government, for the eventual benefit of the proprietors, Mr. Commissioner Tucker, even speaking of the right of the claimants to demand interest, &c. upon the amount of such collections, in the event of Government exacting the same upon the balances due from the permanently settled estate of the same persons."

But the Board are informed that the Governor of Bengal puts an interpretation very different from theirs upon the clause relative to attachments in the regulation cited at the end of their letter:

"2d. It appears to His Lordship that both the Commissioners of Patna and the Board have put a construction upon Section 13, Regulation II of 1819, as affecting the case of the proprietors of the Deara Durveshpore, which that enactment will not bear. He gathers from this law,

"The Board of Revenue, or other authority exercising the powers of that Board, shall be competent to direct the lands to be immediately attached, and the rents collected on account of Government, in the same manner as if the lands were the property of Government. In such case, however, it shall still be the duty of the Collector to make a full inquiry into the title of the holder of the lands, and to transmit his proceedings to the Board, who will decide whether the lands shall be deemed permanently liable to assessment."

as quoted in the margin", that it was the intention of the Legislature which framed it, that the collections made from the lands during the period of attachment should belong absolutely to Government, and that whether the Board's or thereafter Civil Court's decision might be in favor of, or against the claim of Government to assessment. This construction of the passage, unlinked in the annexed extract, is borne out by the manner in which the term "humanity" is used at the latter end of the Clause, in implied antithesis, as it appears to the Governor, to the temporary assessment already realized under the attachment.

To this the Board replied in a long letter, bearing the signature of Mr. Halliday as their Secretary, in which they ventured to point out the inconsistency of the new construction put upon the words referred to, with other penalties named in the same Regulation, and also the enormous disproportion of such a penalty as the absolute forfeiture of all the rents and profits of an estate under attachment, to the offence of refusing information of the production of title deeds. That the only motive for giving collectors the power of attachment was clearly as a means "for enforcing the production and authentication of documents, title deeds and accounts, and of obtaining all other such information necessary for the decision of the first, as proprietors, occupiers and managers, are alone able to furnish." That, moreover, the interpretation given in the letter of Government would inflict a severe punishment upon the petitioners in this case for the negligence of the Government functionaries in protracting the decision of their case, and consequently the attachment of the Deara for a long period of years, which delay, there was every reason to believe, had been owing to improper influence of the Amloh, while the knowledge of that influence was in some measure a justification for the refusal of the petitioners to produce

their papers. The Board sum up their objections in the following paragraphs:

"8th. Thus it appears to the Board, the mode of obtaining such necessary information regarding assets, rents, extents, under tenures, boundaries, and similar particulars as may be refused by the proprietor is declared to be attachable, which by placing the Collector in the same relation to the Mhal as that lately held by the proprietor, enables him to obtain local information without the proprietor's intervention, while the production of title deeds, the authentication of past accounts, and other requisites of a like kind, are to be enforced by fine and imprisonment. The law, therefore, of these sections has two distinct parts or heads, which to be correctly construed require to be separately considered.

"9th. This being the Board's view of the law, taken as a whole in connection with its avowed object, they cannot concur in the construction of a part of it (Clause I, Section 13) which is suggested in your letter.

"The following is the Clause.

"If the holder of any lands in regard to which the Collector shall have been authorized by the Board of Revenue or other authority exercising the powers of that Board, to institute the inquiry described by Section 7 of this Regulation, shall refuse or neglect to furnish the accounts relating to such lands within the period specified in the Collector's requisition, the Board of Revenue, or other authority exercising the powers of that Board, shall be competent to direct the lands to be immediately attached, and the rents collected on account of Government, in the same manner as if the lands were the property of Government. In such cases, however, it shall still be the duty of the Collector to make a full enquiry into the title of the holder of the lands and to transmit his proceedings to the Board, who will decide whether the lands shall be deemed permanently liable to assessment.

"10th. Now the words "and the rent collected on account of Government in the same manner as if the lands were the property of Government," can only mean that the rents are to be collected as in khas mehals by the direct agency of the officers of Government; it cannot be mentioned in the absence of express and direct declaration to that effect, that the rents are to be carried to the credit of Government as a forfeitue. For,

First. This would be subjecting the same person for the same offence to two distinct penalties or fines, viz, to a fine or forfeitue to the extent of the whole assets of his estate for an indefinite number of years; and also to a fine of a certain sum per day, an intention which it is impossible to attribute to the Legislature.

Second. The attachment may be ordered and the assets realized and credited to any extent by the mere authority of the Commissioner. But the daily fine, though it may be imposed by the Commissioner, cannot be realized save by the authority of Government, so that the Commissioner would have, under such a construction as that now in question, authority in himself without higher reference—to fine a zemindar any number of thousands of rupees per annum for any number of years for a given offence, and at the same time, and for the same, or a similar offence, be unable to realize a fine of ten rupees, without the consent of the Governor-General, a conclusion which the Board submit could not have been in the contemplation of the Legislature.

Third. Under the above construction a Commissioner would have authority to punish an offence, however contemptuous, and often involuntary, by the imposition of a fine, amounting to any number of thousands of rupees as above noted. Yet when the offence becomes

more certain, and obvious and open, and wilful, and urgent, he cannot impose a fine of a higher amount than rupees 500, which also in the opinion of the Board could not have been intended by the Legislature,

"11th. In short the very strictness and caution with which the penal parts of the enactment are limited, the extent of fine laid down, the reference to the highest authority necessitated, all forbid the idea that the attachment clause had ever the purpose now attributed to it. Can it be supposed that less restriction would have been imposed on the Revenue officers in such a clause so construed, than in a mere matter of fine?

The next document published is a letter from Mr. Secretary Mangles, dated 11th April last, complimenting the Board upon "the ability" with which its opinions had been stated, but telling them, nevertheless, that the purport of Sec. 12, Reg. 11, of 1819, still appeared to his Lordship to be so plainly that indicated in his (the Secretary's) former letter, that his Lordship was unable to yield his assent to the arguments urged by them in contravention of that opinion. And further, that his Lordship's view of the matter was supported by a majority of the Sudder Judges to whom the point had been referred, to this extent "that if the attached lands be finally adjudged liable to assessment, Government are entitled to the mesne profits during attachment; but they hold, on the other hand, that if the lands be declared exempt from public assessment, the proprietors have a just claim against Government for the mesne profits which accrued whilst the lands were under the charge of the Revenue authorities."

The letter of reference to the Sudder Judges, the official answer, and the several opinions of the Judges follow in due order. The gentlemen learned in Regulation law, do not appear to have found the point quite "so plain" as the above quoted letter reporting their opinions would lead us to believe. The majority in favor of his Lordship's construction of the Clause was the smallest possible, namely, three to two, those who concurred with him to the limited extent stated being Mr. D. C. Smyth, Mr. Rattray, and Mr. Hutchinson; Mr. Braddon and Mr. F. C. Smith being entirely of the Board's opinion. We subjoin that of Mr. Braddon:

"Whether lands attached under the provisions of clause I, Section 13, Regulation 11, of 1819, be eventually adjudged to be liable to assessment or otherwise, I conceive that the collections during the period of attachment do not belong absolutely to Government. Had it been so intended surely it would have been stated in plain and explicit terms that the collections would become forfeited to the State. It may also be presumed that the order of the Board would have been declared subject to the confirmation of Government as we find it laid down in Clause 3 of the same Section, that the Board are not competent in such cases to levy any fine (however small) they may impose upon a proprietor or farmer of land for neglecting or refusing to attend the Collector, or to furnish any documents or accounts required by that authority, until it is confirmed by Government. It seems to me that the words 'on account of Government' in the clause in question, means no more than 'on the part of Government.' That I am not singular in this opinion is evident from the Persian version of the clause, the part of which bearing upon the point may be rendered in English 'the Board of Revenue or other authority exercising the powers of that Board, shall be competent to direct the attachment of the lands and appointment of a person to make the collections on the part of Government in the same manner as collections of other lands the property of Government are made.'

"May little or rather no stress at all upon the use of the word 'permanently' at the latter end of the clause,

as when rent-free lands are adjudged to be liable to assessment they necessarily become permanently so liable, and as Section 21, Regulation II, of 1819, was in force, the Board of Revenue or other authority exercising the powers of that Board, could not legally declare lands liable to assessment without having before them proceedings of the Collector after he had completed his enquiry, and recorded his opinion as to the liability of the lands to assessment or otherwise.

(Signed) W. BRADDOCK.

16th February, 1837."

By this decision of a majority of the Sudder Judge the Board are instructed to regulate the practice in all future cases. But the question of justice is blinked altogether. A penalty repudiated by the Board as flagrant unjust, is ordered to be enforced hereafter because it is declared to be the law—there is nothing said about altering the law to make it what it ought to be.—*Calcutta Courier*, July 21.

CONSULTATION, TUESDAY, 13TH JUNE, 1837.

CHARGES AGAINST THE OMLAH OF THE COLLECTORATE OF TIRHOOT.

Mr. Officiating Commissioner Brown, of Bhaugulpore, on the 12th May last, forwarded to the Board original petitions and copies of the instructions which had been at several times addressed to the Collector of Tirhoot, touching the charges which have at several times been thrown out against the native Omlah of that district.

Mr. Harding, Mr. Brown's predecessor, on the 18th of January last, called Mr. Collector Wilkinson's attention to orders passed by him on the above petition, and Mr. Harding considered it his duty to acquaint the Collector, that the Omlah attached to his office are universally spoken of in the most unfavorable manner not only by a few disreputable characters generally attached to all public offices, but by all classes in different parts of the districts.

It also appeared that on the 6th of February last, Mr. Harding, in reply to a letter from the Collector, in which he informed Mr. Harding of his having suspended a notification for the attendance of the writer of the petition with proof in support of his assertions against the Omlah of the Collectorate. Mr. Harding observed that the remaining portion of the Collector's letter required some explanation and observations, which Mr. Harding most readily made, in the hope, that he would encourage the Collector to co-operate cordially in the adoption of some measures calculated to expose the truth or falsehood of the different petitions, which had from time to time been presented, and in order to remove or confine the very general opinion which prevails of the principal Omlah having for some time past exercised a most undue influence in the performance of the duty as connected with the offices to which they are respectively attached.

Mr. Harding observed, that the notification the Collector had issued was "all very well, *pro forma*," but the Collector should be aware from the experience he has had of the native character, that it will be unattended with any good result, for no one who dislikes wasps (says Mr. Harding) would in his senses thrust his hand into a wasp's nest. The object of Mr. Harding's former and present communication, was to impress upon the Collector, the necessity of holding that kind of intercourse with the respectable zamindars of the district, as would convince them that the native officers have not the

power, they are supposed to possess, and that the Collector is most ready and willing, to afford redress to all well founded complaints which may be preferred against the Omlah until the impression had been made, and that a public notification would have the opposite effect to that which it was intended to have produced.

Mr. Harding observed, that it was for obvious reasons desirable, that the European functionary presiding at the head of an important office, should himself be the person to institute enquiry respecting complaints against his own immediate subordinates, and that it is only when he was weak enough to identify himself with his Omlah, and fails or omits to exercise a vigilant and wholesome control over their official acts, that the interposition of higher authority becomes necessary.

Mr. Harding said, that he had not been long in his present situation before he became acquainted with the general unfavorable estimation in which the Collector's Omlah were held, and Mr. Harding was not altogether unwilling to believe that the allegations against them, were the result of disappointments, and much exaggerated; experience, however, had convinced Mr. Harding that so much dissatisfaction could not exist without some good cause for it, and if the Collector would make enquiries with an earnest desire to elicit the truth from independent individuals, Europeans or natives, Mr. Harding did not doubt, but that the Collector would discover that the complaints preferred, had something more solid to support them, than mere rumour.

Mr. Harding concluded by observing, that legal proof was not absolutely necessary for the removal of a native ministerial officer from his situation, although indispensable to substantiate in a Court of Justice any specific charge of corruption, or other offence punishable under the Regulations, and that the Collector might rest assured, that Mr. Harding's successor, who was soon expected, would not fail to afford the Collector every support in his endeavours to remove the existing odium attached to the principal native officers under his controul.

To G. F. BROWN, Esq., Officiating Commissioner of Revenue for the Division of Bhaugulpore.

No. 120.

Miscellaneous Department.

SIR,—The Sudder Board of Revenue having had before them your letter, No. 1,110, dated the 12th ultimo, direct me to observe, that they have read with much satisfaction on your predecessor's letter to the Collector of Tirhoot, of the 6th February last, and entirely concur in the sentiments therein expressed. They remark, however, that it is not sufficient for a Commissioner to point out to his subordinate the course which ought to be pursued in a case like that under reference. Sensible of the responsibility which must attach to him if entertaining a wrong opinion of the unworthiness of the Collector's Omlah, he contents himself with expressing his displeasure, and bidding the Collector make enquiries; he must watch the Collector's proceedings, and if convinced of their insufficiency, set on foot measures promising better results, otherwise it is obvious, that the delinquents will but receive encouragement, from impunity, to go to greater lengths of corruption.

2d. The Board request that you will take the opportunity of your next visit to Tirhoot to make very strict enquiry into the complaints that have been preferred, and into the causes which have brought the Omlah of that district into such dispute, and that you will also roughly investigate all cases of misconduct on their part which may be brought to your notice, by petition or otherwise, and in conclusion they direct me to

that they feel persuaded that their anxiety for the credit of the public service is not greater than your own, and that they anticipate from your exertions, every reform that is required in the Tirhoot Collector's office.

I have the honor to be, Sir, your most obdt. servant.

(Signed) C. E. TREVELLYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, 13th June, 1837.

CONSULTATION, TUESDAY, 13th JUNE, 1837.

PURCHASE OF A MEHAL ON ACCOUNT OF GOVERNMENT, — DUNAJPORE.

Mr. Commissioner Hawkins, of Bauleah, on the 9th May 1837, reported the purchase of a Mehal on account of Government, viz. Mongah Dhuragee Pergunnah Hangore, Zillah Dunajpore, the Sudder Jumina of which is 638 rupees. It was sold for a balance of rupees 225-13-9½ and purchased on account of Government for 201 rupees. The Records of the Collector's office shew a Rughba of Beegahs 1054-14½ besides Minbau 119 beegahs 2 biswas lakhiraj; but it is impossible to say what may be the probable assets of the Mehal without inquiry. The Mehal is locally situated within the Deputy Collectros of Bagrah; and Mr. Hawkins requested the sanction of the Board to its transfer from the Rent Roll of Dunajpore, to that of Bograh.

To J. Hawkins, Esq., Commissioner of Revenue for the division of Bauleah

Miscellaneous.

Sir,—In reply to your letter of the 9th ultimo, No. 116, reporting the purchase on account of Government of Mouzah Dhurajee, &c. Pergunnah Khangore in the district of Dunajpore for rupees 201, and requesting authority to transfer the estate to the rent roll of the Booghrah Deputy Collectorate, I am desired by the Sudder Board of Revenue to observe, that the facts of the large quantity of land stated to appertain to the estate, the small amount of the Sudder Jumina, and the trifling amount of the purchase money, warrant the apprehension, that fraudulent alienations of land have been made; by neighbouring proprietors, and the estate purposely thrown on the hands of Government.

2. The Board, therefore, consider, that until its real circumstances are ascertained, it would be highly unadvisable to make the proposed transfer.

3. An uncovenanted Deputy Collector, would, in the Board's opinion, be well employed, in taking charge of such an estate under the clear understanding, that the manner in which he should discharge this duty, would be made the test of his fitness for office.

I have the honor to be, Sir,

Your most obdt. and humble servt,
(Signed) C. E. TREVELLYAN,
Additional Secretary.

Sudder Board of Revenue, Fort William, June 13, 1837.

CONSULTATION, TUESDAY, 20th JUNE, 1837.

COGNIZANCE OF DAKHIL KHARIJ SUITS.

Mr. Officiating Comisioner G. F. Brown, of Bhaugulpore, on the 22d of May last, submitted, for the consideration and orders of the Board, copy of letter from Mr. Special Deputy Collector Travers, relative to the propriety of Dakhil Kharij suits being cognizable by him.

Mr. Travers was impressed with the idea that the investigation and decision of those cases naturally belong, to his jurisdiction in preference to any other. In the Commissioner's opinion, the duty appertains to the collectors of revenue alone.

The special deputy collectors appeared to Mr. Brown to have no legal control or right of interference in any way with the Register of mutations; though, where individuals may apply to for Dakhil Kharij to a collector of revenue, and it turns out on enquiry that the property is a rent free tenure, it is of course the duty of that functionary to certify the case to the resumption officer, with a view to its being brought on his file; but it would still remain the province of the collector, and not of the resumption officer, to order the Dakhil Kharij or otherwise.

The case which gave occasion to this reference relates to the Mehal of Jhunowra alias Gopaulpoor, which was decreed in favor of Government by Mr. Travers on the 18th September 1836.

A person named Deveepershaud, who had purchased an eight anna share, applied to have his name, entered as malick of half the mehal; this was ordered to be done by Mr. Travers, on the 7th January last, though Deveepershaud's claim was denied and opposed by the opposite party. An appeal was in consequence preferred to the Commissioner.

Mr. Travers on being called upon to explain under what authority he interfered in the matter, stated that the letter of the law, was defined in clause 11, section 2, regulation 111 of 1120, pointed out his office as the most fit place for adjudicating suits of this nature, and requested that the point should be referred to the Board of Revenue for final settlement.

Mr. Brown concluded by observing that the mehal having been decreed in favor of Government four months previously, it was to all intents and purposes no longer a Lakhiraj tenure, which made Mr. Travers's interference still more unaccountable; but Mr. Brown wished to have the decision of the Board on the general question, as to whether a special deputy collector is under any circumstances justified in directing any alteration in the Register of Permutations.

No. 121.

To G. F. BROWN, Esq.

Officiating Commissioner of Revenue for the Division of Bhaugulpore.

Miscellaneous Department.

Sir,—The Sudder Board having had before them your letter No. 1222, of the 22d ultimo, direct me to inform you that they concur with you in opinion, that in no case whatever has a special deputy collector any right to deal with Dakhil Kharij cases.

"2. I am directed to aid that you might, with the greatest facility, and therefore ought to have communicated your sentiments on this subject to Mr. Special Deputy Collector Travers in an English letter instead of a Persian roobocarrée. You are requested to furnish a translation in English of your roobocarrée, in order that it may be brought together with these orders in the English proceedings of the Board.

I have the honor to be, Sir, your most obedient servant,

(Signed) C. E. TREVELYAN, *Additional Secretary.*

Sudder Board of Revenue, Fort William, 20th June, 1837.

CONSULTATION, TUESDAY, 20TH JUNE, 1837.

JURISDICTION OF THE SPECIAL DEPUTY COLLECTORS IN CONNECTION WITH DAKHIL KHARIJ SUITS.

Mr. G. F. Brown, officiating commissioner of revenue, Bhaungulpore division, applied to the Board, in his letter (No 1222) of the 22d May last, for their decision on a question relating to the jurisdiction of the special deputy collectors, under the following circumstance :

From a letter (No. 49 of the 10th April last,) from Mr. Special Deputy Collector Travers, to the commissioner, in question, it appeared that Mr. Travers is impressed with the idea that the investigation and decision of Dakhil Kharij cases naturally belongs to his jurisdiction in preference to any other. In the opinion of the commissioner, however, the duty appertains to the collectors of revenue alone. He observes, in his communication to the Board as follows :

3. " The special deputy collectors appear to me to have no legal control or right of interference in any way with the register of mutations ; though where individuals may apply for Dakhil Kharij to a collector of revenue, and it turns out on enquiry that the property is a rent free tenure, it is of course the duty of that functionary to certify the case to the resumption officer, with a view to its being brought on his file ; but it would still remain the province of the collector, and not of the resumption officer, to order the Dakhil Kharij or otherwise."

4. " The case which has given occasion to this reference relates to the mehal of Jhunowra alias Gopaulpoor, which was decreed in favor of Government by Mr. Travers on the 8th September 1836. A person named Deveepurshad, who had purchased an eight-anna share, applied to have his name entered as malik of half the mehal. This was ordered to be done by Mr. Travers, on the 7th of January last, though Deveepurshad's claim was denied and opposed by the opposite party. An appeal was in consequence preferred to me."

5. " Mr. Travers on being called upon to explain under what authority he interfered in the matter, states, that the letter of the law, as defined in clause II, section 2, regulation II of 1828, point out his office, as the most fit place for adjudicating suits of this nature ; and requests that the points be referred to the Board of Revenue for final settlements."

It will not escape observation, that the mehal having been decreed in favor of Government, for four months previously, it was to all intents and purposes, no longer a lakhraj tenure, which makes Mr. Travers' interference still more unaccountable ; but I wish to have the decision of the Board on the general question, as to whether a special deputy collector is under any circumstances justified in directing any alteration in the register of permutations."—*Englishman*, July 12.

CONSULTATION, TUESDAY, 27th JUNE, 1837.

LOCAL ENQUIRIES REGARDING LAKHIRAJ LANDS, JESSORE.

Mr. Special Deputy Collector Lowth, of Jessore, on the 24th of April last wrote to Mr. Commissioner Pigou, regarding local enquiries as to Lakhiraj lands. Mr. Lowth was of opinion, that they should be confined entirely to the ascertainment of boundaries and localities, and to mapping and measuring of lands under investigation. He thought also, that this local enquiry defined and confined as above, should never take place, until the land of which it is the subject, has been brought upon the file for judicial trial under Regulation II. of 1819, and never without a special order for enquiries from the resumption officer. Mr. Lowth was aware, that to make preliminary enquiries previous to the bringing a case on the file is emphatically his duty, and his only, and that it is one which he can never with propriety delegate to a subordinate. These being his views, it was only necessary to add in answer to the query contained in the Board's letter of the 23th ultimo, that the duties upon which he proposes to employ Deputy Collectors and Amceens under them, are those of ascertaining localities and boundaries, measuring and mapping lands after they have been brought on the file, and while the investigation under Regulation II. 1819, is proceeding. With respect to the order in which resumption duties should be carried on, Mr. Lowth thought to state his intentions which are as follows :

He proposed first to get rid of the existing file, made over to him by his predecessors.

Next to enter upon Lakhiraj cases involving tenures of more than 200 beegahs (Government Standard.)

Thirdly. To investigate alluvial cases and churs.

Fourthly. To take up Towfeer, as far as it may be found to exist.

Lastly. To complete the round of his duties by disposing of such of the small cases, if Lakhiraj, as being under 100 beegahs, and not included in the limits of a decennially settled estate, may be subject to investigation under the laws in force.

Mr. Lowth also took the opportunity of requesting instructions on a certain point, which appeared to him of very great importance. He considers that the search for Lakhiraj lands, should be conducted by examination of the Registers and Taidads in the office of the Registry of deeds, and the records of the Civil Court and the Collectorship gene ally. It is possible, says Mr. Lowth, that this search in any given district may be totally unsuccessful. There may be no Registers and no Taidads, and the records of the Courts and Collectors' offices may, on enquiry, furnish no information ; was (asked Mr. Lowth) he, under such circumstances, if they should arise, to receive information of the existence of Lakhiraj lands from Guindahs, and other interested, or disinterested persons ? or, to send out, or go out to seek for such lands in the Mofussil, or was he to refrain altogether from further enquiry ? He put the foregoing queries, to obtain authoritative instructions from the Board, and in the meantime expressed his own general opinion, that no Mofussil search be made by resumption officers or their native subordinates, when records and documents fail, as a general system of search through native subordinates, will always be converted by those agents into a means of oppression and extortion, and what is termed personal search by the resumption officer, must, Mr. Lowth feared, in every case, be in a great measure, a search by native officers under his name.

In a former letter Mr. Lowth stated, that it would be necessary to appoint two native Deputy Collectors with efficient measuring establishments for that Division; however, as the first part of the season is now passed, he suggested the employment at present of one native Deputy Collector with an establishment consisting of three ameens on 15 rupees per mensem each; six rupengeers, and three peons at 4 rupees each per mensem: also, should it be necessary to increase the establishment hereafter, a further reference would be submitted.

Towfeer lands, Mr. Lowth considered to be such, as are comprised in bheels and jheel, which were at the time of the decennial settlement full of water, and have since dried up, so as to allow of cultivation, the same not having been included in the decennial settlement; also any other lands, excepting chure and lakhiraj, not included in the decennial settlement, come under this head or in few words lands in excess of those for which the decennial settlement was concluded.

To place in a clear light Mr. Lowth's views on the subject of the difficulties he would have to contend with, in the event of this being obliged to visit in person the lands mentioned in any Taidads, amounting perhaps to 200 beegahs scattered through half a dozen villages, and distributed through as many pergunnahs, Mr. Lowth forwarded translations of two Taidads. No investigations connected with Lakhiraj's lands have been conducted (observe! Mr. Lowth), through the Police darogahs: since the date of his receiving charge of his office, neither have any perwannahs for enquiries respecting other lands been issued, save two about some chur lands. Mr. Lowth finding in many cases, however, that instructions had been sent to the Police Darogahs according to the orders of the Collector prior to Mr. Lowth joining the station, to which no answers had been received, Mr. Lowth issued other Perwannahs calling for the information originally required.

Mr. Commissioner Pigou, in forwarding Mr. Lowth's communication, solicited the authority of the Board for the modification submitted by Mr. Lowth for the reasons assigned by him.

Mr. Secretary Trevelyan, under the direction of the Board, communicated the following observations and orders to Mr. Pigou.

That the modification proposed of Mr. Lowth's establishment, has been sanctioned.

Mr. Trevelyan, observed, that no particular orders appeared necessary on the first seven paragraphs of Mr. Lowth's letter, with reference especially to the instructions (since issued) contained in the Board's circular of the 16th ultimo. Mr. Lowth was cautioned against giving credence to uncorroborated information received from goindahs, and not to act on such information till it is confirmed from other credible sources. The Commissioner has been requested to submit, after communicating with Mr. Lowth, a nomination roll of a Deputy

Collector under Regulation IX of 1819, to be employed under that gentleman, and that the Commissioner should at the same time recommend such subordinate measuring establishment, as he may consider necessary, and that no unnecessary delay should take place in adopting the above measures.

With regard to the bheels or jheels referred to by Mr. Lowth, Mr. Trevelyan observed, that the Board thought that if they were, at the time of the decennial settlement, included as jukler in permanently settled estates, the alteration of their condition allowing of cultivation will not render them liable to assessment. From Mr. Lowth's explanations Mr. Trevelyan observed, that Mr. Lowth seemed to be of opinion that he is at liberty to resume any number of parcels of land amounting in the aggregate to more than 100 beegahs, if they be all included in one Taidad. But that the Board thought that he should be informed that the point for consideration, is whether the lands claimed to be held under one sunnud or grant (whether situate in one or more villages) exceed a hundred beegahs. It was not apparent from the Taidads, translations of which had been submitted, whether the several parcels of land are held under one, or so many separate grants. In the former case, the Board declared them all resumable; but if the latter be the case, it is to be observed, that there are only two parcels which the Special Deputy Collector can proceed against, viz, 151 beegahs in Bhunponathpore, and 101 beegahs (a Bheel) in Pergunnah Suleenabad. The preceding remarks will, it was hoped by the Board, enable Mr. Lowth to act without injury to established private rights, and with due discrimination of circumstances.

The Board hoped it was unnecessary to repeat their injunction against the employment of Police darogahs, if in Revenue matters, and that Mr. Lowth should be instructed to cancel the orders issued by him, if he has not already received reports in conformity to his Pergunnahs referred to by him.

Presidency, Tuesday, 25th July, 1837.

PRESENT, JAMES PATTLE AND HENRY WALTERS, ESQs.,

MEMBERS, C. F. TREVELYAN, ESQ., ADDITIONAL SECRETARY.

Correspondence.—Regarding Edilpore and Suleemabad Papers, Government Queries.

Government.—Rules regarding settlement of Bas-hashee Grants, ditto.

Deputy Register Sudder Dewanny Adawlut.—Dismissal of Bhownany Sohal from the Mooktharcaship on the part of Musumuts Munglakoomar and Kossila Koomar, Proprietresses of Pergunnah Cheraud, &c. in Zillah Samu.—Proposed by Junior Members.—*Bengal Hurk.* July 27.

ALLIPORE COURT.

ALLIPORE, FRIDAY, JUNE 30, 1837.

Before J. H. Patton, Esq., Magistrate.

TUMULTUOUS ASSAULT ATTENDED WITH MURDER AND WOUNDING.

Rojjoo Sirdar, Ookeel, and six other persons, were charged thisday with having been principal and accessories in a tumultuous assault, and with having murdered one villager, and severely wounded two others.

About twenty witnesses were examined on the charge, which was fully corroborated, and the Magistrate committed the assailants to take their trial at the ensuing sessions at Allipore.

In this case a fact of some interest came forward. The Magistrate a short time ago had Ookeel before him on another, but a minor charge, which after proof caused vakerl to be sentenced to pay a fine or to be imprisoned for a certain time. Under the new rule Ookeel lost no time in placing his appeal before the Judge, and pending a reference of some proceedings, prayed to be released on bail. The application was granted, and Ookeel returned forthwith to the village, where he had not been long when his fondness for broiling brought him to the present dilemma, not free in any respect from the first charge.

In the above cases we have proof of the mischief of liberty offenders committed, or sentenced by the Magistrate, pending appeals, and we believe it not the first instance of the kind. We have for better than twelve month watched the proceedings of the Magistrate, and it would be manifest injustice to withhold praise, that nothing less than his vigilance and indomitable exertions to bring offenders to immediate punishment, has placed the 24-Pergunnahs in state of quiescence formerly unknown. In further proof of our assertion we may add, that gang robberies are becoming extinct, and serious native affrays as rare as the former. In the neighbouring zillahs we have daily reports of the most daring depredations and even in the city, the amount of crime far exceeds the 24-Pergunnahs. We are therefore of opinion that in all cases of appeal delinquents should not be allowed to bail; but on the contrary, that the appeals should be investigated with the strictest scrutiny, and all subsequent evidence, if available, should be rejected on the ground of their not having been produced during the investigation by the Magistrate.

The zillah, we again repeat, is now as peaceable as ever it could be, and recommend it should not be laid open to disturbances to the great detriment of the peace, welfare, and prosperity of its numerous inhabitants.

FRIDAY THE 14TH JULY, 1837.—TRIAL FOR MANSLAUGHTER.

(Before W. Cracroft, Esq., Sessions Judge)

KATEE DEWA, PROSECUTRIX, *versus* JOHN KIERNANDER.

The judge some days ago, by circular, summoned several of the residents of the 24-purgunnahs to form a jury for this trial. It was thought that the benefits of trial by jury was held in its true estimation, as it ought to be, particularly to East-Indian Mussulites; but we

were surprised at seeing only refusals. All the Christians, save Mr. Mathews, a British subject, made some excuse to avoid the summons.

At 11, A. M. the judge opened the sessions, and on the Mahomedan law officer having taken his seat, Mr. Kiernander was brought to the bar attended by his legal adviser, Mr. R. Dias. An objection was taken by Mr. Dias on behalf of the prisoner to his being tried by the Mahomedan Code, in support of which Mr. Dias cited section V. Regulation VI. of 1832, and prayed that the services of the Mahomedan law officer should be dispensed with. The judge immediately assented, and the Mouvie retired. There was some difficulty in obtaining a jury; the judge, however, got a Mr. Chiu, who, with Mr. Mathews, answered as assessors under clause III. section 3 of the above mentioned Regulation.

Katee Dewah, widow of Tonoo Poramanek, deceased, having been duly sworn, charged the prisoner at the bar with having some time in the month of Assaur last, killed her husband, Tonoo Poramanek, by violent treatment, and that she was informed of it by Sheestadur, boatman.

The prisoner pleaded not guilty.

Cabil, manjee, being duly sworn, deposed, that he has no connection with either the prosecutrix or the prisoner. In Jato last, on a Saturday noon, witness was conveying the prisoner in a boat to Kedegree: witness and twelve men, Gour, Mijoo Matabader, Chota Matabdee, Jeitee, Meetno, Gournath (sick) and Tonoo, deceased. At night the boat was anchored at place called Rungatalla. Stopped there all that night, and proceeded on in the morning, and at a place called Gorramarra, the flood came on, and the boat was anchored there, when the crew cooked and eat their victuals. Two ships were in sight, and the prisoner desired to be put on board one of the ships. The deceased replied that his orders were to put the prisoner on an Europe ship at Kedegree, and declined putting the prisoner on board of one of the ships in sight. The prisoner asked the deceased, if he, the prisoner, was to be guided by the orders of the deceased, and on this the prisoner kicked and fisted the deceased. The deceased immediately seemed faint and fell on the deck of the vessel. The deceased began bleeding, and the boat proceeded to Kedegree. There was a ship at Kedegree, with an officer on board, whom the prisoner went and visited. Witness asked the prisoner if he would go on board the Europe ship, or on shore, and on his mentioning the latter, they proceeded to Gungza Creek, and after anchoring, Mijoo, daree, accompanied the prisoner on shore to the house of a Mr. Paul. Witness with Gour, Matabdee, and Lalmahorred, went to Kedegree bazar, and having made purchases, witness sent the other three companions to the boat, and proceeded to the prisoner, to ask him if he would go on board; but the prisoner said he would not go on board that night. Witness then returned to the bazar and while smoking there, Gour, Mijoo, and the prisoner's Khansamah came and informed witness, that Tonoo daree had died; it was then between 10 and 11 P. M. When witness first went on shore, he left Tonoo lying on the fore part of the boat in a senseless state, and not able to speak. There were no marks on the body of Tonoo, but there were black marks on his face, caused by the blows he had received. Tonoo was kicked by the prisoner under the ribs; does not recollect on which side. No one gave the deceased any assistance or water from the time he was struck to the time of his death. It was about 8 or 9 P. M. when witness went on shore to the bazar. The men were rowing and how could they assist

Tonoo. There was no fire on board from noon to 8 p. m. and none of the men smoked. Witness was seated and smoking with Mr. Paul's servants in their bansa, near Mr. Paul's house. One man was seated with witness, his name is Gour. Nobody washed the blood from the deceased's mouth. Last saw the blood on the following morning in the place where Tonoo fell after the beating. There was blood still on his face.

Cross examined by Mr. Dias.—At 4 p. m. of the following morning, witness reported the death of Tonoo to the Superintendent, and the Superintendent told witness it was false and struck him. The Superintendent was at the time of the report at Diamond Harbour. A boat rowed from Kedgerree to Diamond Harbour in one hour. The body was thrown overboard by the orders of Mr. Iveson. On the evening of the report Mr. Iveson took the body on board a ship, and after having it examined by a Doctor had some conversation in English. Witness went on shore, and that night Mr. Iveson went for witness, on shore, and desired witness to have the body thrown overboard. Witness said he could not do so, as the deceased had relations. Mr. Iveson's cook and bearer then threw the body overboard. Did not tell Iveson that the man died of cholera. Mr. Paul's house and the bazar are close together. Witness was aft holding the rudder when the deceased was first struck. As the prisoner wished to put the boat under weigh, witness went aft and stood by the rudder. There is a ladder proceeding to the cabin of the boat; does not recollect how many steps it has, and does not know the height of the roof of the cabin. About five or six kicks were given by the prisoner on the body of the deceased; cannot say how many blows were struck. The man was assaulted on the fore part of the boat.

Mautanbder, of age 30 years, boat man, deposed. Has no connection with either the prosecutrix or the prisoner. At about noon, at a place called Gorramarrab, while the boat was at anchor there, a vessel was passing up. The serjeant (prisoner) desired to be put on board that vessel. Tonoo Poramanek declined doing so, saying he was desired to put the serjeant on the ship at Kedgerree. The prisoner asked Tonoo, if he (the prisoner) was to be guided by the orders of the deceased, and then struck him. Tonoo said that he was ordered to put him on an English ship. Tonoo was struck before the mast. Blows were struck, and kicks with shoes on. About 4 or 5 blows and as many kicks. The kicks and blows were promiscuously inflicted on different parts of the body. After getting the beating, Tonoo went and laid himself in the cabin of the boat, after which the boat was put under weigh and proceeded to Kedgerree where there was another English ship lying with an officer on board. The prisoner desired to be carried on board that vessel; he then visited the other officer, and then returned to the boat which was pulled into the creek, and on anchoring, the prisoner landed and was accompanied by witness, Mijjoo Lallaha, and Gour, to Mr. Paul's house. The manjee went to the bazar, and having made purchases, sent witness and the other men on board, and the manjee staid on shore. When witness and the men returned on board, Tonoo said he felt a suffocation in his throat, and he was about to die, and desired witness to take him on deck. Witness then brought him from the cabin on deck. Tonoo then laid on deck, and after some time witness desired Sheestedhur to see how Tonoo was, and Sheestedhur said Tonoo is dead. Mijjoo and Gour then went on shore to report the death of Tonoo to the prisoner. Neither the manjee nor prisoner returned to the boat that night. On the following morning they both came on board. The prisoner desired us to board a vessel lying in the stream. We did so and the prisoner gave the men a letter and desired them to leave it at the Telegraph. On the return of the boat the prisoner was taken on board, and the boat proceeded to Diamond

Harbour. The manjee then went to the Superintendent and informed him of the death of Tonoo. The manjee returned to the boat. No body entered the cabin all that day. The serjeant was inside with Tonoo. Tonoo was asleep, and the prisoner was lying on the couch. Witness put him no question. The prisoner's khansamah was on top of the boat, and went into the cabin when called in and took Tonoo out of the cabin. The deceased bled from the mouth and nose, and after his death, he also bled, and the blood fell on deck.

Cross examined by Mr. Dias.—The report was made to the Superintendent at 4 p. m. of the following day. All the men went on shore to dry the sail, leaving the prisoner and his servant on board; it was then 11 A. M. Four men, Mijjoo, Lalla, Jaite, and Meettoo were on shore, facing the boat.

Sheestedhur boatman deposed, that the prisoner struck Tonoo several blows and kicks, which caused Tonoo to bleed. Tonoo was lying down. Two vessels, inward bound, approached; the prisoner requested to be put on board of one of those vessels. Tonoo told prisoner he would not do so, but would put him on board the vessel at Kedgerree. The boat proceeded on to Kedgerree, and the prisoner was put on board of a vessel. There, the prisoner then returned and went on shore, saying he was going to dine at Mr. Paul's and on landing took Mijjoo and Gour with him. The manjee also went with the prisoner. The manjee went to the bazar and returned a short time after, and after the crew had eaten their victuals about 10 or 11 p. m., Tonoo said "I am being suffocated," and desired to be taken out of the cabin; he was brought out to the middle of the deck and laid down, where he expired. A little while after, Gour, the Khansamah, and Mijjo went to report the death of Tonoo to the prisoner. The prisoner did not come on board that night nor did the manjee. Tonoo, after the beating, crept into the cabin. No assistance or water was given to Tonoo, as he did not ask for any. Tonoo was a dandee and not the manjee of the boat.

Cabin manjee recalled.—Never saw the two ships that were coming up, nor did he know their names. Never saw the ship before that he was taking the prisoner to Kedgerree. The ship at Kedgerree was at anchor. Heard that the ship was at Kedgerree. Did not authorize Tonoo to refuse the prisoner's orders. Never saw Mr. Kiernauder before the occasion above referred to.

Sheestedhur, recalled and cross-examined by Mr. Dias.—The body was examined by a Doctor at Diamond Harbour, and by another Doctor at Kedgerree, whose names the witness did not know. The Doctor spoke something in English which witness did not understand.

William John Fadda, Surgeon of the Bark George the Fourth, deposed. Saw the body of a native boatman on board a Custom House boat, on or about the 10th or 11th of June last, at 9 A. M. Saw nothing on the body to lead the witness to have supposed that the man died any other than a natural death. Observed an effusion of blood from the mouth, nose and ears. It is generally the case in instances of sudden death by apoplexy, particularly after death. The body was in a very decomposed state, and there was froth and bubbles of air from the nostrils, shewing the decomposition of the body, and formation of gas. There was not the least mark of violence or even a scratch on the body or face, as in that respect the body was very particularly examined. Did not open the body from its decomposition, but had the body been otherwise, it would have been opened. The body being very offensive, witness ordered it to be thrown over board. From the appearance of the pupils of the eye, the cause was attributed by me to pressure on the

brain from apoplexy or effusion of blood. If death had been caused by a beating the mark of some of the blows must have appeared. Took a candle and witness passed his hand carefully over every part of the head and neck, and could discover nothing attributable to external violence. In cases of apoplexy the head first becomes putrid, which prevented an internal examination.

Mr. Dias declined cross-examining this witness. Thomas George Iverson, Superintendent of Customs at Diamond Harbour, in the service of Government deposed. On the morning of the 10th of June last, the *Abercrombie Robinson* was reported by Semaphore at Kedgee. Mr. Kiernander, the prisoner at the bar, was dispatched on duty to that vessel, in Mr. Kirby's boat, employed by witness on behalf of Government. Gave Kiernander the necessary letters to the commanding officer and directed him to proceed forthwith, which he attended to most promptly. Heard nothing more from Mr. Kiernander till the boat returned about 4 in the evening of the 13th instant, while witness was at dinner and Mr. Apothecary Beatson with him. The manjie of the boat who has given evidence in this case, reported that a man had died from three days illness, and added that on the 10th the deceased had taken some rice and vomited, after which he was taken with cholera and died. Witness was a little annoyed at the manjie keeping away so long, desired him to return to his boat, and witness said he would go and have the body examined. Dark hours intervening at the time, witness delayed the examination about half an hour, but sent Mr. Beatson, steward and apothecary of His Majesty's 96th Regiment, now at Chinsurah, to examine and report if the deceased had died a natural death, or from any other cause. Mr. Beatson did so, but as a further precaution witness took the body to the *George the Fourth* and had it examined by Dr. Faddis, who immediately after examining it desired it should be thrown over board in consequence of its decomposed state. Had the body retained till the following day to give the relations an opportunity of seeing it, but they not appearing, witness then had it thrown into the river it being quite impossible to keep it any longer. Witness asked the manjie why information had not been given of the state of the man's health before the boat left, but received no satisfactory answer, but that he had been ill three days and had done no work. The boatmen were bound to obey Mr. Kiernander, and he was perfectly justified in hailing all vessels until he reached the one he was posted to, as he would have been personally responsible to the Board of Customs for carrying my orders into effect and the crew were not at all justified in disobeying his injunctions. The manjie said nothing about the subject of the present trial, nor did he after a subsequent trip. Witness should have known nothing of it, had not the Collector desired witness to enquire into the cause of the death of Tonoo, reported to have died of a beating inflicted on him by the prisoner.

The witness was here proceeding to relate the nature of the Collector's report and something he had heard from a Mr. George Kirby, when Mr. Dias submitted that the witness was going into hearsay evidence, inadmissible in such a case. Mr. Dias also took a legal objection to Mr. Kirby being allowed to depose, as from Kirby's examination before the Magistrate, he, Kirby, said certain things from hearsay only.

The Court allowed the objections taken by Mr. Dias. George Kirby, Post Master at Diamond Harbour, was informed that a man had died on board his boat which was at the beach near Mr. Iverson's house. Witness saw Messrs. Iverson and Beatson proceeding, as he believed, in his boat to have the body examined by the Surgeon of the ship *George the Fourth*.

Joseph Charles Hutchinson, assistant Superintendent of Semaphore and Post Master at Kedgee, deposed. Some time last month Mr. Kiernander came to witness at Kedgee, and asked for refreshments, and requested witness to Semaphore for relief for him as he complained of fever, and witness had a faint recollection, that the prisoner added, either that a man was dead, or in a dying state on board his boat. Witness desired Mr. Kiernander to write to witness to signalize for relief, and having received a note from him to that effect, witness made the required signal. Mr. Dias declined cross-examining the last three witnesses and the Court adjourned at 6 p.m.

Saturday, July 15, 1837.

The Judge and the two assessors having taken their seats, the Court opened at 11 a.m., and Mr. Kiernander having been placed at the bar, the following witnesses were called.

Nujjon, boatman, deposed. In Jaito last Mr. Superintendent Iverson desired Cabil the manjie of the boat to which witness belonged, to convey the prisoner to an English ship at Kedgee, and accordingly on a Saturday in the afternoon, the prisoner was taken on board the boat, which proceeded as far as a place called Runga-fulla where it anchored for the night. The anchor was weighed again at 4 a.m., of the following morning, when the boat proceeded as far as Gorramareah where it was anchored in consequence of the flood tide having come on; the men consequently went on shore to cook and eat their victuals. While eating two inward bound ships were passing up; the prisoner desired the manjie to put him on board one of the two ships. The men were then on shore, and four of the men, witnesses, Mectoo, Joide and Lall Mahomed were bringing a sail on board, and when witness went on board he saw Tonoo seated before the mast with his hand on his mouth. Witness asked the manjie what caused Tonoo to be seated as he was, and the manjie on board and some of the men informed witness that the prisoner had struck Tonoo in consequence of his having refused to board the vessel as ordered by the prisoner. Mataubdee Dhauro then took hold of Tonoo and took him inside the cabin. He said nothing until evening. While at Gunza Creek, Kedgee, when the prisoner went on shore, Tonoo asked witness to prepare a chillum for him and witness desired Mataubdee to prepare the chillum which he gave Tonoo and Tonoo after smoking it, went to sleep, and so did the rest of the crew. After some time Tonoo called out *I am dying*, then Choto Mataubdee brought Tonoo on deck where he laid down, after which Choto Mataubdee said Tonoo is dead. Witness and the other boatmen called Sheesteehur, a Hindoo daree, and desired him to call Tonoo and hear if he answered. Sheesteehur called, but got no answer. Witness, Gour, and the prisoner's khausama went on shore and at the bazar at Kedgee informed the manjie of Tonoo's death. The manjie and khausama then went to inform the prisoner of the death also. After some time the manjie desired witness and Gour to return to the boat and take care of the body. When the boat reached Diamond Harbour, the manjie, Gour and Juggoo went to inform Mr. Iverson of the death of Tonoo. Does not know if any of the men washed Tonoo's clothes.

Cross-examined by Mr. Dias, Tonoo did not crawl out of the cabin to the deck. Mataubdee alone brought him out. Mataubdee held Tonoo under the arms in bringing him out. Mataubdee went down to bring Tonoo up. Does not know whose house it was that

the manjee was in at the bazar. Did not see a woman in it. It was a bazar house. The door of the house was shut when witness first arrived there. Called to the manjee. There was no light in the house then. Tunnoo was not ill previous to the day of the beating. Did not vomit his dinner the day of the beating.

Bara Mataubdee, deposed. When Tonoo died witness was standing by the rudder of the boat. Tonoo was then forward before the mast. Cannot say if any of the men assisted Tonoo or not; the boatmen were by the body. Witness did not see any body give Tunnoo a chillum of tobacco. Witness saw the prisoner give Tonoo some blows and kicks. The blows and kicks hit Tonoo on the face and stomach. Tonoo after the beating remained in the cabin of the boat. None of the boatmen gave Tonoo either water or tobacco, on the day of the beating. Deceased spoke nothing till the evening when he said "I am dying." When Tonoo said he was dying, chotta Mataubdee went into the cabin and lifted Tonoo up, and brought him on deck and seated him there. Tonoo died an hour after he was brought on deck. Tonoo died sitting; he rolled down before he died. I was forward in the boat when he died. He was not sick that day, nor was he sick previous to that day. Tonoo fell after the beating, and was not flogged after he fell. Tonoo was a tall man and taller than witness. Did not see the manjee wash the bloody clothes. Gour, Nujoo and the khansama went to inform the prisoner of Tunnoo's death. It was then about 10 or 11 p. m. When the prisoner was put on board the English ship, a gentleman came down into the boat and examined the body of the deceased. The prisoner and the doctor examined the body.

Chota Mataubdee recalled, said, I filled a chillum and gave it to Tonoo who smoked it. Witness got fire in the boat.

The Prosecution closed after the reading of the whole of the Foudary deposition.

The Judge asked if the defendant had prepared an answer, or would give it *vice voce*: Mr. Dias begged to be allowed half an hour's time, within which he said he would be prepared with a written answer. The request was granted and Mr. Dias filed an answer to the following effect.

That the prisoner left Mr. Iveson at half past 4 p. m., of the 10th June last with instructions to proceed on board an inward bound ship, and to remain on board in charge of the cargo. The prisoner proceeded in Cabel Manjee's boat and anchored for the night at a place called Rungafulla. At 3 a. m., on the following morning he proceeded on till noon to a place called Gorramarrah where the boat again anchored. The whole of the crew went on shore to cook their victuals, and while the men were on shore the boat sail was washed overboard, as the sea was making a clean breach over the deck. Some of the men then came towards the boat and carried the sail on shore to dry. Two inward bound ships were observed by prisoner coming up, and at that time Juggoo darree and the deceased came on board. Juggoo darree went aft, and Fenoo remained on deck. Prisoner desired him to call the men on board and pull toward the two ships. He took no notice of the prisoner's order though prisoner repeated it often. Much delay having occurred, and symptoms of fever having been felt by the prisoner, prisoner went on deck and supporting himself by the mast desired the deceased to call the men as quick as possible. The deceased replied he would neither receive nor obey any orders from serjeants and that he would not put the prisoner on any vessel but the one at Kedgerree. Prisoner got irritated and gave

the deceased one or two back handed thumps, after which the prisoner's fever continuing to become severer, and there being a hot sun, prisoner went into the cabin. He had not been there 10 ten minutes when the manjee came into the cabin and on being requested by prisoner to pull along side of the two ships also refused to obey his, the prisoner's orders. The boat then proceeded on and reached Kedgerree about evening, contrary to the prisoner's orders. The manjee pulled into Gunzarah Creek, and being very unwell and twenty-seven hours without food, the prisoner went on shore, accompanied by two of the men, to the House of Mr. Hutchinson, to procure refreshment, and to request him to semaphore prisoner's illness, and for relief. When prisoner left the boat, he ordered his bed not to be moved, thinking he would have been able to return to the boat that night. Mr. Hutchinson directed prisoner to the house of Mr. Paul a publican, where prisoner's fever obliged him to take up his night's lodgings. At 3 p. m. of the following morning one of Mr. Paul's servant announced the manjee. The prisoner on meeting him was told that a dandee had died on board. It was then dark and as the prisoner still continued ill, he desired the manjee to put the boat back, and that at dawn of day the prisoner would be able, go on board. Early in the morning the prisoner went on board and after proceeding on a little below Kedgerree boarded the *Abercrombie Robinson*. He found a surgeon, Mr. Stoke, on board, and told him of the death of the man on the boat. The Surgeon and the Pilot, Mr. Harris, both came into the boat, and several military gentlemen, passengers of the ship, were witnesses to the examination of the body by Dr. Stoke, who declared the subject to have died of apoplexy brought on by indigestion. Doctor Stoke also gave a certificate to the above effect, which the prisoner filed in the examination held by the magistrate.

The prisoner was also informed by Mr. Superintendent Iveson, at the Magistrate's, that he Court, Iveson, had the body examined at Diamond Harbour by the Surgeon of the ship "George the Fourth," who also pronounced the man to have died of apoplexy.

The defence also contained some minor points. The judge observed that Mr. Kiernander had mentioned nothing in defence of his having told Dr. Stoke that he had flogged the man.

Mr. Dias replied that if the judge wished it Mr. Dias would insert it, but if allowed to entertain an objection he would rather not bring that on the defence, as it would necessarily lead to further evidence.

Alfred Harris, first mate of the H. C. Marine, deposed. That on or about the 11th or 12th of June last, either a little before or after 7 a. m., a Custom House officer joined the *Abercrombie Robinson*, on which vessel witness was in charge. The ship was lying at anchor a little below Kedgerree. The Custom House boat came along side with Mr. Kiernander on board to join the ship as Custom House officer. Immediately on boarding, the vessel, Mr. Kiernander informed witness, that there was the body of a man who had died on board the boat, and wished the Doctor to examine the body. The Doctor went into the boat; and witness followed him, and witness saw a body lying on one side of the boat. The Doctor was, when witness went on the boat, feeling the body about the chest and the pit of the stomach, and witness asked the Doctor as to the cause of the man's death. The Doctor replied that the man had died of apoplexy, and witness also felt the body, and saw no marks whatever upon it. The only thing perceptible on the body was froth and a very slight quantity of blood on the mouth. Witness then asked the Doctor if the blood and froth were symptoms of apoplexy, and the Doctor replied in the affirmative. Witness then enquired of the boatman, if the deceased had

been previously sick, and their reply was in the negative. Witness further asked if the deceased at the time of his death made any noise from his throat, and the men replied "yes." The boat men after the enquiries proceeded up the river, Mr. Kiernander remaining on board. None of the crew gave the least hint of the deceased having been beaten by the prisoner, nor did Mr. Kiernander tell witness any thing regarding it. Saw no blood on the boat, besides what witness has already said. The deceased was of middle age. Is not aware of Mr. Kiernander's conversation with the Doctor, but he may have gone into detail. The crew had every opportunity of making their statements regarding the subject of this trial as they remained long by the ship's side. They ought to have done so to witness. The boat went on shore and returned a second time to the ship. Witness saw the manjoe on board the ship. Cannot recollect the Doctor's name. Does not know the Doctor's hand writing.

Cross examined by Mr. Dias.—Saw the Doctor deliver a paper to the prisoner after the examination of the body, but does not know the nature of it. The paper produced bears resemblance to the paper delivered by the Doctor to the prisoner. Witness heard the Doctor say, that he would give the prisoner a certificate.

John Beatson employed in the Subordinate branch of the Medical Department.—On the afternoon of either the 12th or 13th June last, while witness was on a visit at Mr. Iveson's at Diamond Harbour, the manjoe of the boat, who had taken Mr. Kiernander down to Kedgerree, came to Mr. Iveson's, and made a report, that one of his crew, during his absence, had died of cholera on board. Mr. Iveson asked witness to examine the body which witness immediately did carefully; but only an external examination. On witness's return, witness told Mr. Iveson, that it was witness's opinion that the man had died of apoplexy, and not of cholera. There was not the least mark of violence about any part of the body. There was a slight bleeding from the nose and mouth, which is always the case in all sudden deaths, particularly apoplexy. Did not enter into an internal examination, as it did not appear necessary, as witness was quite satisfied that the man had died of apoplexy. The vessels of the head and neck bore the general appearance of apoplexy: saw nothing remarkable about the eyes. Was present sitting at the table when Mr. Iveson received the manjoe's report. There were one or two men of the crew with the manjoe. Can recognize the manjoe of the boat at once, but not the other men. Witness remained at Diamond Harbour till the 14th of that month, and the report of the manjoe had made was never contradicted. The men were never checked, and during the time witness was at Diamond Harbour, the manjoe and the men had the fullest opportunity to make any report they pleased.

Mr. Dias said he would call no more witnesses, but requested permission of the Court to be allowed to make some remarks on the evidence adduced on the prosecution.

Judge.—I think you have a right to address the Court.

Mr. Dias opened his address by stating to the assembly, that they should be careful of the sense in which they comprehended the crime of the manslaughter with which the prisoner at the bar stood charged, as that was a crime divided into three separate degrees by the most learned lawyers at home such as justifiable homicide, homicide by misadventure, homicide by self-defence. Under the last head the prisoner could not stand charged, but the assessors had to consider which of the two former heads were applicable to the prisoner's situation at the

bar. In Mr. Dias's opinion there was evidence enough to overrule the second head of manslaughter, and it struck him forcibly, that the charge alleged against the prisoner, as attempted on the prosecution, could not, if proved, amount to more than justifiable homicide. That crime Mr. Dias said was thus interpreted by the Law. "And that there must be no malice coloured under pretence of necessity." In the prisoner's case there was no evidence to prove either malice or a pretence for necessity. Mr. Kiernander had never seen the deceased before this unfortunate occurrence, and could not therefore have any difference with him; it was under the extreme necessity of enforcing his orders that without previous provocation he was led, under the influence of the moment, to strike three back handed slaps on his face. The case here assumed a justifiable act, as it is stated in the *I Hawk. P. C. 75*, "and an officer who kills one that resists him in the execution of his office, may justify the fact without losing his life for it."

The Court here remarked, that in the case of the prisoner at the bar it was not resistance but disobedience. Mr. Dias replied, that he quoted the authority under the impression, that if an officer is justified in killing a man for a resistance, it would be a fair inference that an officer should be justified in merely punishing an underling for disobedience of orders; for, said Mr. Dias, Mr. Kiernander was held liable for giving due effect to the orders of his immediate superintendent as had been proved in the prosecution by the evidence of Iveson, that the boat and the crew of it were placed under the immediate orders of the prisoner at the bar. Mr. Dias therefore begged of the assessors to bear that circumstance particularly in mind, as it was undoubtedly a justification for the three slaps. Mr. Dias then informed the Court, that the establishment of a preventive service necessarily prevented the smuggling and mal-practices of the boat-men and the villagers at the several stations down the river, and the Court should not wonder if the prosecution were a conspiracy originating with the boat-men and the smugglers, as the continued disobedience which was evinced towards Kiernander's orders, made Mr. Dias suspicious that the orders were not promptly attended to, to give time to some smuggling that was then carrying on at Kedgerree. Mr. Dias then went into the evidence of Cabel manjoe and the two Mataubdees. Cabel Manjoe, said Mr. Dias, this day deposed upon oath that he had no fire on board from noon to 10 p. m. of that evening, and Burra Mataubdee told us to-day, that he had prepared a *chillum* for the deceased and procured the fire in the boat. Cabel manjoe said, that he saw the prisoner strike deceased, but that it afterwards appeared that the boat was under way, and that he was steering by an English rudder which he could not do standing; and his being an eye witness of the assault is disapproved, as if he was working the rudder the roof of the boat would have prevented his observing the assault on the deck. Mr. Dias went on to say, there was not a tittle of evidence as to the symptoms the deceased showed at the moment of death, though it was not to be denied that a man had died on board that night. Cabel manjoe said, that the death was reported to him at Kedgerree Bazar: another witness states that the Cabel manjoe heard the report from inside of a *basar house*, which circumstance should justify the Court to set aside Cabel manjoe's evidence in toto.

The Judge here informed Mr. Dias, that there was sufficient before the Court to make it deprive the prosecution of Cabel manjoe's evidence as true, as beyond those Mr. Dias had pointed out, numerous discrepancies were already too glaring to be overlooked. Then, said Mr. Dias, the next witness, Mataubdee, stated that he heard the deceased say "I am dying," but goes on to say that he went and slept after hearing those words. The

witness then suddenly awoke and desired Sheesteebur, another witness to see what the deceased was about, and Sheesteebur after having gone to the deceased said, "Tonoo is dead," so that Neethce Mataubdee and Sheesteebur were eye witnesses of the death of Tonoo, Mr. Dias then impressed on the minds of the jury, that they had a choice of rejecting the evidence on the prosecution as unworthy of belief, and attributing the cause of Tonoo's death to sudden apoplexy only, as was borne out by the evidence of no less than three medical men and informed the assessors that he was of opinion, that if this case went against the prisoner at the bar, it would be the means of encouraging the lowest class of natives at the stations below, to be constantly impeaching the conduct of the preventative service. He then reminded the jury that it was proverbial that the natives would not hesitate at a conspiracy or a perjury, as the records of the Zillah Court daily exhibited a mass of perjury so great as it would be hard to describe. Mr. Dias had practised better than two years in all the courts in the Zillah, and in several of the cases in which he was entertained, he had discovered that if a native had ever so good a cause or ever so good evidence in support of his cause, he would feel dissatisfied if he was not provided with at least two purchased evidences. Mr. Dias would therefore ask the court to place the evidence on the prosecution (save that of Mr. Iveson and Surgeon Fadda) in contraposition with the evidence adduced on the defence. He would ask the assessors if men in honorable employment and British subjects were to be disbelieved and a preference given to the very lowest caste of natives. Mr. Dias could not suppose that the court would be so disposed, he would therefore conclude that the prisoner at the bar had from the 19th of June last up to the present day been made an associate of

better than a thousand felons, convicted of the worst of atrocities. Mr. Kiernaander, previous to that period, had been a respectable member of society, and he now depended on the verdict of the court for his restoration into Society and into the bosom of an anxious family. If the verdict of the court went to criminate the prisoner at the bar, it would at once hurl him into poverty and disgrace; but Mr. Dias hoped very sincerely, and to him it did not appear possible, that a court comprised of British subjects would return any other verdict than that of full and honorable acquittal, which Mr. Dias anxiously expected, not only from the gross discrepancies of the native witnesses, but the respectability of the British witnesses, and the evidence adduced on the defence. Mr. Dias then left the prisoner at the bar to the mercy of the Judge and to the due consideration of the gentlemen assessors.

After Mr. Dias's address, the Judge and the assessors retired into an adjoining room, and after a lapse of half an hour they again returned to the bench and the following verdict was proclaimed by the Judge. "The court having taken the evidence into consideration and the defence, are of opinion, that the blows given by the prisoner at the bar, are proved not to have been the cause of Tonoo's death. That the examination of his body proved that Tonoo died of apoplexy. The prisoner is, therefore, fully acquitted and ordered to be discharged. The verdict seemed to give general satisfaction, as during Mr. Dias' address the court room was crowded to excess with spectators both natives and Christians. The sessions were adjourned at 6 p.m., and will, we believe, be soon resumed as no less than three commitments for murder remain yet to be tried. Begat Hukura, July 18.

MISCELLANEOUS.

CALCUTTA.

CHOLERA.—The ravages of cholera, since the setting of the rains, have considerably abated, but many still daily fall victims to this baneful malady.

THE CROPS.—Accounts of the indigo crop remain unchanged. The grain crops have considerably improved since the setting in of the rains, and an average quantity of grain is now expected to be the out-turn of the season.

WRECK IN THE BAY.—The wreck of a large vessel, of about six hundred tons, was met by the *Mary Anne Webb* and *Elizabeth* on their passage to Calcutta, in latitude 17° 41' N., longitude 94° 23' east.

NARRATORY.—The following is an extract of a letter from Mr. MacGowan, a passenger on board of the schooner *Suan*, which was run away with by her commander from Madras roads recently:—

"Moulmein, 24th May, 1837.—I wrote you from Madras mentioning I intended coming to Moulmein in the schooner *Suen* of whose running away you have no doubt heard, and I don't know whether to say fortunately or unfortunately, I was on board. Instead of coming direct to Moulmein as I expected when I left Madras, we went to Car Nicobar, and there the worthy Captain of the said schooner thought proper to embezzle the cargo and take himself off, and as I had no alternative I brought the vessel over and delivered her to the owner in Rangoon."

RE-SALE OF OPIUM.—A positive sale of opium took place at the Exchange Rooms on the 25th of June according to advertisement, Mr. Parker attending on the part of the Board to receive the Deposit of defaulters up to the last moment. There were 54 lots of Patna opium on the list in the morning, but by payments made and security given in the room, the quantity was reduced to 23 lots of which the purchase prices at the June sale were—for 2 lots 1335 rs. for 11 lots 1456, and for 10 lots 1570; the first lot was knocked down at 1415 rs., after which the price immediately fell to 1400. The extremes were 1385 and 1416, and the average rs. 1399-9 per chest. Many of the trade were in attendance upon the look-out for a bargain expecting the prices to go lower.

AN ALLIGATOR CAPTURED.—A larger alligator, of the snub-nosed species, was taken to the kitchen of the Magistrate of Hoogly. It was twelve feet from the snout to the tip of the tail, and five and a half feet round the body. It was alive, and was caught at Tripany, a few miles above Hoogly, a celebrated bathing place for the natives. It was killed and skinned a few days subsequently, when the arm of an adult female, with some ornaments on, was found in the brute's maw. Three women had been missed from the Tripany bathing place during the fortnight preceding the capture of the alligator.

LIGHTNING.—At 6 p.m., during the violent thunder and lightning, the brig *Sir William Wallace*, upon the patent slip, was struck by the electric fluid. It first struck the head of the main topmast; in its course it shivered the mast to pieces and the mast about two-third down to the deck. After playing about that part of the mast,

near the deck it cut out several small pieces glanced off to the starboard pump, knocking the casing over it to pieces and throwing the top ashore to a distance of about 60 feet. In descending into the pump, part of the electric fluid burst out of its side splitting the beam at the after part of the mast nearly in two, and tearing off the casing from the under side of the deck, ran in between the timbers and came out in an opening covered with copper, which it tore off and exploded. The other portion that went through the pump, passed out of the bottom plank which was worked Bombay fashion, with a rabbit which it separated in so trifling a degree as scarcely to be perceptible, although it shattered the sheathing board for about 2 feet and tore a piece out of the copper about five by eight inches; here it again exploded. During the shock smoke came out from the vessel and the hull trembled and the whole of the ground about the ship, appeared convulsed. The house close to the ship had the verandah separated from the main building, under which were Mr. Beauchamp, Captain Tingate and Mr. Reeves. The latter was knocked down and the two first had great difficulty in standing upon their legs, but fortunately all came off unhurt. Several trees at Seehpore, it appears, have also been blasted by lightning.

MILITARY ORPHAN SCHOOL.—The Revd. M. Ruspini has been unanimously elected to the Deputy Governorship of the Kishlerpore Military Orphan School and has accepted the situation.

Two of the vacancies in the Military Orphan Management have been filled up by the election of Captain J. Thomson, Engineers, and the election of Captain R. C. Macgregor.

THE ALIEN LAW.—Lord Auckland has received information of a very important decision of the Privy Council. On deciding on the appeal from the decision of the judges, in the *Martine* case, the Privy Council has laid it down, that the Alien Law does not apply to India.

THE BLACK ACT.—Intelligence has been received by Lord Auckland, on the subject of the Black Act, and its legality has received the sanction of the Company's Counsel, and the law officers of the Crown.

INSOLVENT COURT.—SATURDAY JUNE 24.—There was much business in the Insolvent Court to day. Francis Lewis Barber, some time secretary to the Hoogly River Insurance Company, was opposed by the Advocate-General on behalf of the Bank of Bengal. In his examination the insolvent stated, that he had drawn two accommodation bills, as secretary to the Insurance Company, for the sums of rs. 708, and 874, which were endorsed by one Stapleton, and discounted by the Bank. Stapleton was paying his addresses to the insolvent's daughter, and on the Bank demanding payment, had stated himself to be a minor. The Advocate-General submitted that the insolvent must have been aware of Stapleton's circumstances, and that his conduct in putting forth a man of straw as the endorser of the bills, was such as the court ought to make an example of.

Mr. Leith, for the insolvent, took two grounds: first there was no evidence before the court that Stapleton was a minor; secondly, if such were the fact, there was nothing to show the insolvent knew it. The court under the circumstances, thought there was misconduct in the transaction, but not sufficient to stay the insolvent's discharge.

The Advocate-General and Mr. Leith shewed cause against an order nisi obtained by Mr. Clarke in a former day to allow the assignees of David Clarke in England to prove for about six lakhs in the Estate of Messrs. Fergusson and Co.

Mr. Clarke begged the Court would postpone the case till next Court day; he had received the document upon which he had founded his application from the assignees in England, without sufficient information and was not prepared for the grounds upon which the Advocate-General and Mr. Leith resisted his application.

The Court postponed the case on the Advocate-General not objecting.

Mr. Justice Malkin pronounced his decision in a case of much importance to military men. The application was for an attachment against an insolvent officer for the non-payment to his assignees of one-third of his pay and allowances. The officer alleges that he cannot comply with the order of the court as the paymaster has already deducted, and is deducting, one half of his pay, for decrees of the Military Court of Requests, though the debts for which the decrees are made are on the insolvent's schedule. The judgment is that the decrees have no effect after the insolvency, and the stoppages are illegal.

C. St. L. Kearnan, was declared entitled to the benefits of the act.

CHARGE OF MALPRACTICES.—In consequence of a representation made by the Commissioner of the district the conduct of the Judge of the station of Hooghly, Government, in concert with the Sadder, have appointed a judicial officer to proceed to the spot and hear and investigate there, all complaint which may be made against the functionary in question.

SAILORS' HOME.—The Sailors' Home was opened on the 4th instant, when a suitable sermon was preached at the Scotch Kirk, by the Revd. Mr. Charles. At two o'clock the seamen and friends of the institution dined at the Town Hall, Sir J. P. Grant presiding.

PLAGUE.—No accounts have been received during the week contradictory of the statement of the suppression of the plague, and its ravages if not wholly checked, seem to be scarcely perceptible.

MONSIEUR DUPUIS' BALL.—Monsr. Dupuis had costume went off with a great deal of spirit on the night of the 3rd inst., and reflects great credit on that gentleman. It opened with a grand promenade of all the pupils (about one hundred) in different fancy costumes. The most prominent were, a couple of nautch girls and two young ladies in Neapolitan dresses. There was a sprinkling of young Turks, Greeks, brigands, penseints and nondescripts. Among the adults; there were five in character, a richly dressed Persian, a magnificent corsair and a Tancréd, also a couple of baboos who spoke broken English remarkably well. The stewards were attentive, and bestirred themselves in procuring partners for bashful young men. In short the whole affair was very well got up. There were about 800 present, and the party broke up at 2 a. m.

NEW ROAD.—A well made pukka road from Kishnagar to the river Hooghly is now nearly complete. It has been constructed at the expense of Government and is about six miles in length.

CONFIRMATION.—There was a general confirmation at the Cathedral on the 29th ultimo.

ICE.—Another cargo of ice and apples has been brought out by the *Paragon* and is now being stowed in the ice house.

BABOO KRISHNA MOHUN BANERJEE.—On the 24th of June Baboo Krishna Mohun Banerjee was ordained at the chapel of the Bishop's College by the Lord Bishop of Calcutta. The Baboo is well known as having been a member of a high caste Bramhin family. He received his education at the Hindoo College, and was in the first instance engaged as a teacher of Mr. Hare's school. While here, he started the *Enquirer* which he conducted for a number of years with great ability. He subsequently became a convert to Christianity of which he has ever since been a staunch and devoted follower.

BABOO ROPILOL MULLICK.—On the 1st instant that very wealthy individual Baboo Ropillo Mullick breathed his last. It is said he has left behind him nearly one crore of rupees. Besides his four sons who will get fifteen lakhs each, his widow, daughter and *gooroo* will be the chief participants of his kingly fortune. Five hundred rupees were scattered at the river aside from religious motives, and it is rumoured that a lack of rupees has been set aside for the shroud expenses.

BENGAL BANK.—The Bank of Bengal on the 6th inst. declared a dividend for the past half year at the rate of seventeen per cent. per annum. The profits of the half year yield fourteen per cent of this rate, and the other three per cent. arise from sums recovered in the doubtful debts' account.

UNION BANK.—The Union Bank nett profits and funds applicable to the dividend of 30th June, exceed 14 per cent, which was shared out to the hungry but fortunate proprietors. The *Purse* has brought out new Company rupee notes for the Union Bank.

In consequence of the Marwarree merchants at the abortive opium sale last week, having observed a large collection of vehicles at the Union Bank on the day the proprietors met to share their fourteen per cent. profits, those wise men of the West took it into their noddles that there must be something wrong in the state of things, and rumours of a probable run on the Bank were rife among the bazar sages for a day or two. The *Courier* shewed by extracts from the Bank books, to which, as a proprietor, the Editor had access, that nothing had occurred to disturb the even tenor of the Bank's prosperous course.

THE KING OF OUDE.—The King of Oude died on the 8th instant. Minute guns were fired from the Fort in consequence on the 15th instant.

STRAITS ADMIRALTY COMMISSION.—Official powers have been received from England, granting an Admiralty Commission to the Recorder's Court in the Straits. This will put an end to the great inconvenience hitherto experienced in dealing with captured pirates and relieve our Supreme Court of a part of the duties imposed upon it.

TREASURE.—The *Enterprise*, steamer, brought up on the 9th instant, from H. M. S. *Winchester*, sixteen lakhs of treasure transferred from Madras on Government account for coinage at the Mint.

REGISTRY OF COOLIES.—It is said that the authorities, with a view to impose a check upon coolies running away with property entrusted to them, have determined to register and badge them all.

THE LADIES' SOCIETY.—The Ladies' Society held their Thirteenth Annual Meeting on the 12th instant at the Town Hall, the Lord Bishop presiding, on which occasion, as usual, there was a sale of fancy articles, the proceeds of which are to be divided between the Ladies' Society and Mrs. Wilson's Orphan Refuge. The Society is greatly in want of assistance, and has not been very successful, though its labours have been unremitting.

SPECIMENS OF THE MANUFACTURES OF SINDE.—A box of specimens of the manufactures of Sind received from Captain Burnes, have been transferred to the Chamber of Commerce. They are of a coarse but strong and close texture, and some of the longees and soosees exhibit a good deal of taste in the blinding of their colours.

THE PEECE.—The scarcity of the copper coin still keeps up its price in the market, and murmurings and curses are every day liberally bestowed by the poor upon the Government, which either cannot or will not remedy the evil by which they are afflicted. The loss of five pice in each rupee to a poor man who gets but three or four rupees per mensem, is a very severe affliction, however slightly the deduction may be felt by those who receive as many thousands; and who, though callous to the sufferings of the needy, would, we opine, be tolerably loud in their complaints and petitions for redress, if they were mulcted in the same ratio, with respect to salary, as the poor laborer is. Surely the Government might have waited a while, and provided itself better to meet the exigencies of the people, concomitant on the changing of the coin of the realm, before they adopted that measure; and not have necessitated itself to adopt the subterfuge of making men take, by compulsion, at sixteen annas per the rupee, the identical coin the Government a short time since purchased from them at about seventeen annas per rupee—which in the market is valued at about eighteen annas—and which the Government will, perhaps, again shortly render illegal and buy up at the latter rate. It is well that it is only the meek natives of India who are thus treated.

Week after week we have reported the unmitigated sufferings of the poor, consequent on this scarcity of copper money in the market; and yet no efforts seem to be made to ameliorate the state of affairs. Really the conduct of Government, respecting the coin, is much to blame. Unable to coin at the Calcutta Mint, a sufficient quantity of copper to meet the exigencies of the people, they yet, to save themselves a paltry expense, abolished the Madras Mint establishment, and called in, at a rate profitable to themselves, the old coin, unmindful of the injurious effects this proceeding might have on the populace. When the scarcity of pice became seriously felt in all quarters—when private individuals coalesced to check the extortions of the pice-holders, and did the duty of the Government, by relieving the burthen imposed on the public of Calcutta and its vicinity;—when these philanthropic individuals petitioned Government to defray the expense of the establishment they were obliged to maintain, what was the reply they received to their reasonable request? Why, a sneering intimation that the Government would not grant their petition, and would, when they thought the state of affairs required their interference, adopt measures fully adequate to remove the grievances complained of. What have they done?—what efficacious measures have they adopted to amend matters? Why, they have removed their prohibition to let the Madras Mint be employed, and

have sanctioned the coining there of copper, and thereby, no doubt, the denizens of the benighted Presidency have been much benefited. In Calcutta, they have established shops in several parts of the town, where they vend, at a rate which yields them a considerable profit, circular bits of old copper, covered over with verdigrise, and which, despite the Government ordinance, will not pass current in any other place besides the said shops and Government establishments, as they have by abrasion scarcely any impression left on them, are totally denuded of all distinguishing marks. The people are mulcted more than one anna in consequence; but no new piece comes forth from the Mint to supply the place of the defaced ones; at the Government change shops, which coin, as we have before said, yields the Government a rich harvest, as it was very lately bought up at about seventeen annas per rupee. Honorable Sirs, who have the guidance of the affairs of this Government, we call upon you to redeem your pledge—to forego your pre-ent unfair and thimble-rig proceedings respecting the currency, and to resort, at the present crisis, to those energetic and efficacious measures, which you promised you would adopt when the state of affairs required your interference. The loss and tribulation produced by your at least seeming inertness, which all poorer classes are now subjected to, strongly call for your interference,—redem, therefore, your pledge, but in fairness, as a preliminary measure, call in your old defaced copper at the same rate as you issued it—sixteen annas for the rupee.

NATIVE EDUCATION.—A *pathshala* has been established at No. 31, Sham-bazar, since the 1st of last month, under the auspices of Raja Kalkrishna, an auxiliary to the Hindoo Benevolent Institution, whose instruction is given in the Bengalee language, from eleven to four every day, Sundays excepted.

EXCHANGE ON BILLS.—Government have lowered the rate of exchange on bills taken from parties shipping goods to England through the Company. The rate is now fixed at 2s. 1d. per Company's rupee.

MR. MARTIN.—Mr. C. R. Martin, the Civil and Sessions Judge of Hooghly, has been suspended from office, pending certain enquiry into his official conduct; Mr. J. H. Patton, the Magistrate of the Twenty-four-Pergunnahs, has been appointed to Mr. Martin's situation, and Mr. A. Sence succeeds Mr. Patton.

HINDOO BENEVOLENT INSTITUTION.—Lord Auckland has sent a donation of 250 rupees to the Hindoo Benevolent Institution.

DOCKING COMPANY.—On the 25th instant, the first half yearly meeting of the Docking Committee was held and the state of affairs, it appeared, was highly gratifying.

MAJOR-GENERAL BROWN AND THE NAWAH-FERAI-ODD-DOWLAH.—Major-General Brown, C. B., landed on the 27th instant, from Benares, in the river steamer, under the salute due to his rank. The Nawah-ood dowlah, has also arrived from Benares by the same opportunity.

BAI YOUNG TANK CASE.—This case has after all been given in favor of the Magistrate of the Twenty-four-Pergunnahs by the Sudder. One of their reasons is, that Mr. Pattle did not in the course of the proceedings held by Mr. Patton urge the plea of being a British subject, and that, therefore, Mr. Patton was justified in punishing Mr. Pattle by fine; but even setting that aside, they consider all Magistrates fully empowered to punish delinquents for offering open resistance to the execution and enforcement of their processes. Another ground assumed by the Sudder, is that of Mr. Baiwell's remission of

the fine on Mr. Pattle should be annulled, in as much as Mr. Pattle at first filed a petition of appeal before Mr. Commissioner Pigou, and then of a sudden attempted to obtain a *certiorari* to remove the proceedings before the Supreme Court, failing in which, Mr. Pattle renewed his appeal after the lapse of the usual term of appeals (one month), and that therefore his application should have been set aside.

MR. KIERNANDER.—Mr. Kiernander, the tide-waiter, who was confined on a charge of manslaughter for causing the death of a boatman, has been fully acquitted and set at liberty.

FORGERY.—A European of the name of John Lewis Miller, was on the 27th instant, brought down from Serampore upon a warrant, on a charge of forgery and obtaining money under false pretence, from Peter Roussel, a hotel-keeper in Chunam Gully.

THEFT EXTRAORDINARY.—A theft was committed in the Chambers of the Chief Justice on the afternoon of the 22d instant, and the things carried off were his Lordship's wig, shoes and coat. It is stated that his Lordship was about to go to visit the Governor-General when the discovery of the theft was made.

EXTENSIVE ROBBERIES.—An extensive robbery was about a fortnight ago committed at the residence of Baboo Sumbhoosunker Bose, of Baug-Bazar, by a servant of his,—the property carried off being to the amount of about a thousand rupees, consisting of several articles of silver, a watch, about five hundred rupees worth of bank-notes and some cash and documents. Luckily for the owner, the fellow was caught the day following, with the whole of the property in his possession in the Hooghly Zillah.

A dacoity has lately been perpetrated at the dwelling house of a man of the name of Bhudder in Rampoor in the pergunnah of Bhoorsoot. The ruffians, about fifty or sixty in number, entered the house about midnight and putting two of the inmates to death, wounding a third, carried off property to a considerable amount.

SUICIDES.—A convict in Nud deah committed suicide on the 15th instant. The man ever since he had been convicted had been endeavouring to destroy himself, and at last succeeded in effecting his purpose, by jumping into the river.

A few days ago, a diver at Andool committed suicide by hanging himself by the neck. The deceased, it is stated, was actuated by a malady which preyed upon him, being unable to bear which any longer, he sought refuge in death.

FATAL ACCIDENT.—One of the midshipmen belonging to the *Reliance*, while bathing under the bows of that vessel on the night of the 10th instant, suddenly disappeared. The unfortunate young man must have fallen a victim to the numerous sharks now in the river opposite to Calcutta.

MELANCHOLY ACCIDENTS.—A native of the name of Joy Kissen Sett, drowned himself in a state of insanity about a week ago, in a tank in his own garden at Taulah. The deceased was an interesting young man, and belonged to a very respectable family. He was educated in the Hindu College; but the distressed state of the affairs of his family, had obliged him to accept of the situation of a writer in one of the Govt. offices on a small salary, which he continued to hold till a few months ago, when he was discharged, on account of the loss of his intellect.

MURDERS.—On the 24th instant, three Africans, two men and a woman, the two former named Sealee Nobin and Sealee Ismail, and the latter Nurgez, were brought to the Police Hospital with dreadful wounds on their persons. The following is the substance of the particulars which have reached us regarding the individuals. Nurgez was the wife or the concubine of Ismail, who had left her destitute of the means of subsistence some five or six months ago, a circumstance which obliged her to form a connexion with Sealee Nobin, as a matter of necessity for her support. On the 23d instant, Ismail returned to Nurgez, and finding Nobin with her, at once flew into a rage, and struck him a severe blow with a table knife in his belly. He then inflicted several blows with the knife on Nurgez, and last of all, he run it into his own body a little below the chest. Nurgez and Nobin have expired of the wounds they received, and the Coroner's inquest held over their bodies, has returned a verdict of wilful murder against Ismail alias Ibrahim, who continues in an almost hopeless state.

A European named Brooks, who lives some where about Chowringhee, was on the evening of the 26th instant, in a quarrel, wounded near the heart with a table knife, by one Mrs. Howe, alias Miss Kearney. He was immediately sent to the General Hospital for medical assistance where he continues in a hopeless state and the aggressor is confined in the Town Guard.

A woman has been murdered in the Twenty-four Pergunnahs. The body was discovered in a pool, by a flock of crows and kites hovering over it, and had the throat cut from ear to ear and the abdomen and thorax ripped up. The husband of the deceased is supposed to be the perpetrator of the horrid deed.

A washer was recently murdered in the suburbs of Calcutta, by three of his servants, who were induced to the perpetration of the deed in hopes of obtaining a small quantity of money the murdered man had accumulated. The villains have been apprehended.

EXTORTION PUNISHED.—Mr. McCulloch, of the conservancy department of the Police, brought up three of the *moordasfurashas*, employed in killing pariah dogs about the streets of Calcutta, stating that on the 23d instant, the prisoners were detected in creating a nuisance in Rada Bazar and Old China Bazar, by exposing rotten dogs, to the great annoyance of the passengers and the shop-keepers, and extorting money from the latter.

The Magistrate sentenced the prisoners, who, admitted the charge, each to pay a fine of ten rupees or to be imprisoned in the House of Correction for two months—and to be dismissed the service.

MOFUSSIL.

MOORADABAD.—A disease—the yellow jaundice—prevails in this town and the surrounding country, and is of a very fatal character. The numbers who have already perished from it were ascertained, by a census which the Magistrate ordered, to amount to 1800, in the city alone, within a period of three months. Quarantine regulations, as in force at Agra, have been established here for the exclusion of plague. Earthquakes have continued to occur for several months, the intermission between them being three days now, and not, as formerly, one day.

MOTTRA.—On the 11th ultimo, a body of invalids took their departure from the station, and amongst the number, the old Subadar-Major of 10th Cavalry, Mier Sulabut Ali. He was a fine, gallant old soldier, of more than 52 years' service, and a great favourite with the European officers. His portrait, an excellent likeness, drawn by Mr. Melville of Kurnaul,—is hung up in the Regimental Mess-room,—a compliment seldom paid to our native fellow soldier, and with which the old gentleman was highly gratified.

NEEMUCH.—The rains appear to have set in at this station, but very lightly, a few light showers only having fallen. No apprehensions whatever are entertained of the plague; indeed there are no marks of its existence in the station, or the country round.

JUGGURNAUTH.—In consequence of the unprecedented drought that has lately been experienced, a very great scarcity of rice prevails at Juggurnauth, and hundreds of persons are therefore famished.

CUTTACK.—The famine at Cuttack still continues to the same frightful extent as noticed before. It has caused thefts and gang robberies to increase in number every day; and want of water had been so great, that in certain places in the Mofussil, it sold at six *kulsies* for the rupee.

MERUT.—The Committee for inspecting the Pay Master's accounts, continues to sit. The defalcation amounts to Rs. 80,000, and has been created solely by the bobos attached to the office. No blame attaches to Lord Gordon, beyond a too great confidence in these people.

DEYRA DHON.—In consequence of numerous applications to Government for extensive tracts of land in Deyra Dhon from enterprising gentlemen anxious to establish themselves there, it is reported that the branch of the Revenue Survey, at present employed in the Delhi district, under Captain Brown, will be ordered to proceed to the Dhon, and prepare a Survey of that valuable tract of country.

DELHI.—A small theatre has been erected by a spirited individual of the station, and it will open for the amusement of the public in a short time with two very favorite pieces.

Dr McIntosh, the Civil Surgeon, while proceeding from Delhi to Goorgaong by dak, was robbed by a gang of armed ruffians, who rifled his palankeen of every thing it contained, and then effected their escape to the hills.

The King is very ill from a bowel attack, which it is feared, he will not survive at his great age.

AGRA.—The Retiring Fund Memorial has been despatched with more than 500 signatures attached. The 14th Regumut has paid in its quota at the subscription required to defray the expense of forwarding it.

A man has been executed for murder.

A prisoner in attempting to escape from his gang, which was working on the road near the Taj, was observed by a chapprasee, who pursued, overtook, and meeting with resistance in capturing him, struck him with his sword. The blow divided the femoral artery and the man expired.

The rains still keep away and the country is consequently much parched, and the usual effects of a protracted rainy season are beginning to manifest them-

selves. This want of rain extends over all the country as far as Mirzapore, where but a few shower have fallen.

The College examination was attended by a number of visitors, Civil and military, who witnessed with much interest the progress of the students in the English language, particularly of the two senior classes, who in addition to a very considerable knowledge of that language, displayed a very respectable proficiency in the elements of general education.

Shoolceeman Shukoo, brother of the King of Delhi, has withdrawn from Agra, to escape the tyranny—as he calls it, of the Company's Courts. Notwithstanding his handsome pension of rupees 6,000 per mensem, he was deeply embarrassed, and was constantly sued by his creditors, a proceeding which naturally inspired his royal mind with disgust. He has selected Gwalior for his temporary residence.

Mr. Gordon, of the Agra Bank, is about to proceed to Calcutta, to push the proposal submitted to Government, to sanction the issue of bank-notes by that institution. The views of Lord Auckland are, it is said, favourable as regards the general principle, of granting to the country a more extensive paper currency than it at present enjoys, and are somewhat opposed to those entertained by Sir C. Metcalfe.

Cawnpore.—A squadron of the 5th Light Cavalry proceeded to Lucknow on the 11th instant, and a squadron of the 7th were under orders to move.

A native saddler recently met his death in the following unfortunate manner. He was employed by Mr. Cornish the coach maker, who kicked him in the side for some fault, from which the man died: on examination of the body it appeared, that his liver was burst by the blow. Mr. C., who immediately gave himself up, was sentenced by the Magistrate to eight months' imprisonment and a fine of 100 rupees.

The weather has been very sultry and oppressive, with high winds and dry typhons. The thermometer at day-light has been at 90.

Two or three courts-martial are sitting as a matter of course in such weather.

A sweepstakes came off on the 16th inst., for 5 gold-mohurs—dist. round the course. Mr. Adam's grey Arab, Mr. Ximenes' black mare, and Mr. Fitzgerald's black mare. The grey took the lead and kept it with ease—no time. About 100 gold-mohurs changed owners on the occasion.

SHAHJAHANPOOR.—The Nuwab, Buhadoor Khan, has been committed for trial before the Sessions' Court at Bareilly, for his part in the late murderous riots at Shahjahanpore. The Magistrate, Mr. Bullen, and Mr. Barron, have been summoned as witnesses in the case. The principal Mussulmans are leaving no means unattempted to extricate themselves from the awkward situation they are in, and among others have sent a vakeel to Sir Charles Metcalfe, who will of course decline to receive him.

The new Kotwal,—a Hindoo—has had notice of assassination duly served on him, which will probably be carried into effect some fine night.

SAHARUNPOOR.—This city has suffered considerably from a late conflagration, which consumed the houses of

the poorer inhabitants, who are consequently in much distress.

SAHARUNPOOR.—On the 7th instant, two officers, Captain G. S.—the, of the Cavalry, and Ensign R.—b—n, whose literary warfare has lately been before the public, met with their seconds, from their several places of residence, at the central point of Saharunpoor, for the purpose of an appeal to the ultima ratio. The magistrate, however, was apprised of the circumstance,—interfered and bound them down to keep the peace. The parties have since made friends.

LOODEWANAH.—A son of Sooja-ool-Mouk has just died. Dr. Faulkener passed lately through Loodecuanah on his way to Lahore.

BAREILLY.—An attempt to assassinate the principal Hindoo inhabitant of this city, Buswant Roy, has just been made. The intended victim of Mussulman fanaticism was proceeding on his elephant, with his usual number of attendants, through one of the streets of the town, when he was shot at by a Mussulman zealot, with a blunderbuss. He fortunately escaped, but the servant behind him was wounded. His attendants immediately proceeded to seize the ruffian, who killed one and wounded another, and it was not until his hands were severed from his arms by sword blows, that he was over-mastered. In this state a sheet was thrown over him until the Police arrived, and when they came and the sheet was removed, it was found that the unfortunate wretch had bled to death.

BHOLPOOR.—Shoolceeman Shukoo has reached this city, en route to Gwalior. So solicitous is the Raja to acquire a character for peace and regularity with the British Government, that it was with the utmost impatience he witnessed the temporary sojourn of his royal guest, whose ill-managed followers, he justly feared, would come into collision with his own people.

NATIVE STATES.

PESHAWAR.—The news from this is common and uninteresting. The only item worth a glance is the sack of a village on the Utuk, by Khooshal Singh, and the massacre of every human being it contained. It is said that even the tombs and mosques were injured, if not partially pulled down.

It is said that several of the Sudars in Dost Mahomed's force at Durh Khybur, yielding to the temptations of advance, had determined on going off to Runjeet Sing. On hearing of their intentions, the son of Dost Mahomed gave expression to some "round oaths": very high words passed amongst these noble chiefs, but some wise people managed to reconcile matters and to obtain their pardon. Active preparations for war are being made, and there can be little doubt but that some of these days, there will be a really grand fight.

MUNROOPORE.—A serious rise in the price of corn has taken place here, in consequence of some of the principal dealers in that article having made heavy purchases under the impression that famine must follow the present singular season. The Brahmins, the usual bidders of ill, have predicted a grievous one for the next rubber harvest.

Grain has attained a distressingly high price in consequence of the unprecedented drought of the season. As a relief to the poor, the Rajah has allowed them to cut wood in his game preserves for sale.

SONDHOOR.—The epidemic in this town, pronounced by the most intelligent hukeems in it to be the plague, has, it is computed, caused the death of as many as 200,000 people, and certainly not less than 16,000. It has now almost totally disappeared and is entirely extinct in Marwar.

OWAYOR.—The Mamrjee has resigned his appointment as principal adviser to the Raja in consequence of a misunderstanding which lately took place between them, and is about to leave the place. He is now a detenu, by the Maharajah's orders until he shall give, what is perhaps not very easy, an account of his stewardship.

Mama Goormsh Rao mentioned some circumstances regarding one Tarah, attached to Maharajah Junkoo Rao's zenana, to Major Sutherland, on which account the Maharajah discharged him:—he went to his own quarters and collected his followers. Upon hearing of this, the Maharajah sent for him under pretence of making up the quarrel. When he presented himself in compliance with the request he received: he was, by the Maharajah's orders, arrested and placed in confinement. Owing to disturbances at Gwahar the dak has been stopped for twelve days.

NUWABPOOR.—The Nuwab of this State has banished robbery from his territories, and taught his subjects the rare knowledge of prizing honour and virtue more than golden store. This interesting object he has accomplished by stripping his subjects and leaving them nothing to be robbed of.

NUBUND.—Payindur Khan has boned twenty camels from the followers of Runjeet Sing's army, and is carrying on his depredations, and committing ravages on all sides: it is supposed that the Maharajah will send a large force to give the "offending villain" a sound drubbing!

OF DL.—Nussur-ood Dowlah, the uncle of the deceased monarch, a man of about seventy years of age, has been proclaimed King by the British Government. Some disturbances succeeded the decease of the late King, of which, we believe, the following is a correct account:—

At about 11 o'clock at night, the Resident, Col. Low, having received the announcement of the King's death, proceeded to the Palace. He was accompanied by his aids, Captain Patton and Mr. Shakespeare, and a few personal attendants. About 3 o'clock in the morning, the Begum, accompanied by her son, and about 2,000 people, came down towards the grand gate of the Palace in solemn procession, with lights, guards, &c. Col. Low immediately directed Captain Patton to make a stand at the great gate; that officer accordingly proceeded to the gate, and succeeded for some time in excluding the party of the Begum. Elephants, however, were called into requisition, and after about half an hour the gate, by the assistance of these brutes, was pushed down, falling inwards, with a crash, and nearly killing Captain Patton, and his few attendants. The mob of the Begum then rushed in and Captain Patton, endeavouring to make good his post, by resistance and expostulation, was at length knocked down, and severely beaten with the butt ends of muskets. The palankeen of the Begum and her son then crossed, the quadrangale, accompanied by the attendant mob, and proceeded towards the great hall of audience, and succeeded in making good their entry— notwithstanding the attempt made by the small party within to shut the door against them. Col. Low did all they could in the way of representation and command, to induce these misguided people to retire; both he and Mr. Shakespeare, who was with him, were hustled about in the most disrespectful manner, and on their persisting in the attempt to prevent the object of the Begum and her son, they were abused, and every de-

monstration of ill feeling short of actual violence, was exhibited by the party who now had possession of the Palace. The Begum was accompanied by a vakoel, who under the circumstance of the Resident being in the Palace, was supposed to enter into a negotiation with him. Col. Low, and Mr. Shakespeare, however, finding the people determined, and seeing the ceremony of the coronation of the boy going on, succeeded in pushing their way down, to the great gate; and the troops to whom messages had been dispatched, at length made their appearance. The tables were then turned, and the Resident was relieved from the situation of extreme peril and embarrassment. An order was immediately sent to the Begum and the Prince, to break up the ceremonial and depart. An evasive answer was returned; and it now being manifest that the whole population was crowding round the Palace, in a very dangerous state of excitement an order was sent by the Resident to the Begum's party to quit the palace in one quarter of an hour, or the troops would be ordered to fire. The order was disregarded, and at the expiration of the time given, the troops opened on the mob, who instantly dispersed.

ULWAR.—It is said that the Ulwar Rajah is desirous of introducing the English mode of Government into his territories; and several discharged Court officials, have already set out from Delhi for Ulwar, to offer their services to the Maharajah.

LABOUR.—At the meeting of the Council an account was received from the authorities residing near the Attock describing the destruction of the bridge, from the rapid rise of the waters, and its reconstruction by the boat people; a hint was given as to the propriety of rewarding the labourers, to which a favourable answer was given.

Dhucna Nath represented that General Ventura had written to him, that if the Maharajah would consent he would advance and surround Jullalabad with six regiments. He was told that an answer would be given after the rains.

The chair bearer of the Maharajah, having lately returned from Peshawar, stated that Rajah Dhyap Sing and Now Nehal Sing were encamped at Baruk, and that the Son of Dost Mahomed had, on the approach of the Maharajah's forces, left a thousand men, horse and foot, at the Aile Masjid and had himself gone to Dhukul Lalpore from want of pay and provisions many of these men had left their posts and proceeded to their homes. The country of Peshawar, from the said effects of war, had become a desert, but matters appeared likely to mend and the prospect, become more cheering after the arrival of the Maharajah's Army.

There was a dispute between Judawhur Sing and Ujun Sing, the Son of Hurree Sing, for the command of their father's troops, which was settled by Koonwur Now Nehal Sing's telling them that the disputed point would be settled by the Maharajah.

Futteh Khan, Punjar Walla, and Payindah Khan, Durband Walla, having joined their forces, amounting to 20,000 horse and foot, had ravaged the country of the Yusoozias on both sides of the Attock, situated within the boundaries of the vast domains of the late Hurree Sing; they had destroyed and burnt several villages.

WAR IN SEHORE.—A letter received from Sehore, dated the 4th instant, contains the following:—The Nuwab and the Begum encountered each other about ten days ago; the conflict was smartly contested, but the Begum's guns and well mounted cavalry gave her an advantage over the Nuwab who has no guns nor cavalry. About two hundred men were killed and wound-

ed on either side. The Nuwab made a sally on the Begum's troops, which had got into a suburb to plunder; a few were killed and the rest were driven back a mile beyond their trenches by the Nuwab's men. The Nuwab has about 2000 men in the fort of Ashla, and the Begum a like number besieging it: her best gunners (two Portuguese men) were killed in the sally; the fire of the guns is now therefore wholly ineffective. In the mean time the rains will be falling and must drive the Begum's troops back to Bhopal, or drown them in the muddy fields they occupy, unless despair drive them to an escalade.

MEYWAR.—An extensive zameendar of this district has refused to pay his quota of revenue to the Blount-poor Rajah—a proceeding in which he is countenanced by the Rajah of Ulwar. A force is now in readiness to start from Blountpoor to enforce payment, which will probably lead to a miniature war between these two States, until the Company's officers interfere.

MADRAS.

TRIVERTER.—A most foolish fracas has recently taken place at Madras. It would appear that the fashionables there had determined to establish Re-unions, and a list of lady patronesses was prepared and circulated, when Mr. A. D. Campbell, of the Civil Service, Acting Judge of the Sudder, discovered the name of Mrs. Norton, the Advocate-General's wife, placed above Mrs. Campbell's. He remonstrated and desired, unless Mrs. Campbell walked up the list, and Mrs. Norton down, that the former's name should be withdrawn altogether. The Advocate-General replied, that he had nothing to do with the formation of the list; but as Mrs. Norton had hitherto received precedence before the wives of Judges of the Sudder, he saw no sufficient reason to acquiesce in any change, in order to gratify Mr. Acting Judge Campbell. It is said that Mr. Campbell claims the precedence in consequence of some old letter in the time of Sir John Anstruther, in which, on Committees with the Judges of the Sudder and Supreme Court, the Advocate-General was directed to sit under them.

THE MINT.—Orders have been issued for the immediate preparation of the Mint for the execution of copper coinage, and no delay will be incurred in carrying these orders into effect.

COTTON.—The first arrivals of cotton from the southward this season have made their appearance. Two or three dhonies came in on the 27th ultimo, laden with cotton the produce of Tinnevely.

GRANT TO THE HORTICULTURAL SOCIETY.—The Madras Government have obtained the sanction of the Supreme Government for the grant of an annual sum to the Madras Horticultural Society.

DOCTOR O'CONNOR.—The Governor General in Council has recognized Doctor O'Connor as the Head of the Roman Catholic Church at Madras; and has also placed under his spiritual controul the Catholic soldiery stationed at the Mount. This last decision has been accelerated, if not caused, by the contumacious treatment experienced some months ago by the Rev. Mr. Stephens, consequent upon the burial of a Catholic soldier.

THE AMHERST AND CONWAY.—The Company's sloop of war *Amherst*, Captain Sawyer, arrived at Madras on the 25th ultimo, from Trincomallee and lauded a

d-tachment of the 23d Bombay N. I. consisting of Captain Leddel, 1 subaltern and about 100 rank and file.

H. M. Ship *Conway*, sailed from Madras on the night of the 16th ultimo, and arrived at Trincomallee on the morning of the 18th, which is probably the quickest passage ever known in the S. W. Moonsoon.

ACTS OF THE BENIGHTED.—The American ship *Star*, which suffered so materially in the November gale as to put it beyond the power of the agents to effect the necessary repairs to her even on bottomry—was sold and purchased under the impression that she would be entitled to a Company's pass, undergoing repairs to a certain extent. When, however, the purchase was completed, it was with difficulty that a pass could be obtained at this presidency, to allow the vessel to proceed to Coringa; and then only under certain restrictions, which were that she should be broken up on her arrival there; and the Collector of Rajamundry was written to, to see this stipulation carried into effect. The purchasers thinking themselves handsly dealt by, appealed to the Supreme Government. The result was a reply from Mr. Secretary Princep, that the *Star* would be entitled to a pass, after she had undergone repairs to the extent of two-thirds of what she had been sold for. This letter was forwarded to Madras, with a reiteration of the request that this Government would authorize a pass to be granted, but it still persisted in abiding by its first decision. In consequence, the Agent for the owners in Calcutta, submitted a second application to the supreme Government, which produced a Minute in Council to the effect, that the Collector of Rajamundry was authorised to grant a pass to the vessel after the completion of the repairs referred to; and the said Minute was ordered to be read in the Council of Fort St. George. The repairs were consequently proceeded with; but the vessel has been since sold, and is now French property.

CHOLERA.—Cholera has appeared, though to no great extent, in H. M.'s 63d regiment. Two companies, in which the few cases occurred, have been detached, and are encamped in the neighbourhood of St. Thome.

SUPPLY OF ICE.—Arrangements have been entered into with the American speculators in the shipment of ice and the Committee of the Madras Club, to obtain an early supply of that luxury; and the conditions are the consumption of a stipulated quantity and the construction of an ice-house—both which preliminaries the Club is said to have ratified.

THE LATE ACCIDENT ON THE BEACH.—The last act of Lord Elphinstone, before quitting Madras for Bangalore, was to address an official letter from the Council Board to the Superintendent of Police, desiring to know whether a Coroner's Inquest had been held on the body of the unfortunate sufferer, in the late fatal accident in the surf,—if so, to state whether any evidence had been elicited which attached culpability or remissness to the Beach Establishment; and in the event of no inquest having been held then to report the cause of the omission.

CORONER'S INQUEST.—The Coroner of Madras has still abundant occupation; and, what with the oppressive heat of the weather, the distance he has to travel over, the difficulty of assembling juries, and the tedium caused by the raw materials of which they are composed, his office is assuredly no sinecure.

On the 14th ultimo, as Mr. Gleig, of the Civil Service, was landing with his family from the *Aurora* when the surf was comparatively as smooth as a mill-pond, on the boat approaching the outer surf the crew, as usual, demanded a buoy, which Mr. Gleig most peremptorily re-

fused, and for which he was as nearly as possible precipitated into the sea with Mrs. Gleig, two infants and three servant maids. The boatmen no sooner passed the outer surf than they brought the broad side of the boat to the wave, and Mr. Gleig says that nothing but the extreme lowness of the surf saved them from upsetting. The affair is under investigation.

MR. CHAS. WM. BLUNT, Barrister, has been appointed Common Assignee, in succession to Mr. Savage, who has resigned the office. Mr. Blunt was sworn in on the 16th ultimo.

THE DELINQUENT BOATMEN.—The boatmen who were confined for wilfully upsetting Col. Passmore, Capt. and Mrs. Dunbar, and others in the surf and robbing them, have been tried and acquitted for want of evidence.

BOMBAY.

THE IMAM OF MUSCAT'S FRIGATE.—A frigate of thirty-two guns, belonging to H. H. the Imam of Muscat, from Zanzibar 7th June, arrived on Saturday morning, having Capt. Cogan and the officers and crew of the Prince Regent yacht as passengers.

THE BERENICE.—The *Berenice* went into dock on the 6th instant. It is rumoured that great differences of opinion exist as to the extent of repairs required as to her boilers, and as to the time within which they may be accomplished. The Engineer sent out in the ship from Glasgow, pledges himself to put her in complete repair in eight days; two months are marked out by the opposite party as necessary.

DESTRUCTION OF COCONUT TREES.—It is said that in consequence of the destruction of a great number of coconut trees by the late gale, the Augria state has been deprived of an annual revenue of 25,000 rs. nearly.

RESTORATION OF ALLOWANCES TO THE SHASTREE FAMILY.—It was stated some months ago, that positive instructions had been sent to Baroda to restore to the sons of the late Gungaher Shastree Putvurduhu their former allowance. It is now said that H. H. the Guicowar having refused to pay the amount due to the Shastree's family within the specified period, and intimated a wish to appeal to the authorities in England on the subject, the sum is to be given from the Kattiawar tribute, and that a part of it has already been paid.

QUARTER-MASTER GENERALSHIP.—It is bruited that Quarter Master Generalship of the Army, has been offered to and declined by Col. Lodwick.

MR. WAGHORN.—Mr. Ashburner, Mr. Waghorn, and Mr. Higginson left Malta in the same steamer for England, on the 4th April, the May packet may therefore bring some intelligence of the reception, or probable reception, of the application from hence for a chartered bank. Mr. Waghorn has purchased the *Lady Emily*, a vessel of 150 tons, formerly a Government yacht, with excellent accommodations for passengers, for the purpose of employing her as a packet between Alexandria and Marseilles.

The paddle shaft to the *Hugh Lindsay* which she lost in the late gale that was experienced at Bombay, has been fished up.

SHIPWRECKS.—On the 15th ultimo, Bombay was visited by a severe hurricane, which committed fearful havoc. The following is an imperfect list of the damage sustained by the shipping which is estimated at above twenty-five lakhs:—*Hastings*, Company's receiving ship, driven from her moorings upon the pier head, bilged, must be docked, 5 feet water in hold. *Aurora*, floating chapel, ditto lost on the rocks. *Northumberland* driven up in the bayon, bilged and broken back, supposed total loss. *Great Harwood*, on the rocks under flag staff, bilged, and supposed total loss. *Edinburgh*, (1,500 tons,) on shore off Fort George, with 3,000 bales of cotton. Hopes of getting her off on being lightened if the weather continues moderate. *Mary Dugdale*, with 2000 bales of cotton for China, on shore. Cargo may be saved, but the ship expected to break up next tide. *Richard Walker*, with 1000 bales of cotton and wool, on shore, a total wreck. The goods may be landed damaged. *Rapid*, on shore at Musjeed Bundur; may get off. *Julia*, ditto ditto. *Hugh Lindsay's* bowsprit and larboard paddle carried away by the *Berenice*, which struck thrice, but is now at anchor under Butcher's Island. *Briton*, with 3000 bales of cotton for Liverpool, totally lost in Colaba: three lives lost and most of the cargo floating on shore. *Ranger*, on shore, a total wreck. *Hind*, a total wreck. *Corsair* still afloat, but greatly damaged. *John Stamp*, on shore, with 1800 bales of cotton. It is supposed will be got off by unloading. Company's brig *Tiptoe*, dismasted.

ROBBERY AT CHEWBY.—On the night of the 10th ultimo the house of a merchant named Bucha Baisette was burglariously broken open, and property to the amount of about 2500 rupees taken away. His wife was severely wounded and many other people in the house were cruelly beaten. The depredators are supposed to have been about 60 or 70 in number. To evade their being recognized they had coloured their bodies in various ways.

HIS HIGHNESS THE GUICOWAR.—On the 6th ultimo, the Resident of Baroda, with his assistants, Messrs. Mallot and Courtney and the Karbharies of the residency, waited on his Highness the Guicowar in a durbar, which was attended by his Karbharee Venceram and other Durukhdars. The Resident had a private interview with His Highness for about two hours, the object of which was believed to communicate to His Highness the final decision of our Government on the subject of several important matters on which differences have some time since existed between it and the Baroda durbar. The Resident is said to have clearly intimated to Sanyjee Rao that it was the wish of the Company's Government that His Highness should dismiss Venceram from his administration, for it was owing to his advice that the present differences had arisen; and further, that should His Highness not comply with the requisition, the British Government would confine Venceram by virtue of the treaty. The orders now communicated by the Resident are very strong, and should the Guicowar not attend to them, it is said they are to be strictly enforced: that the Kattiawar, the Rewa Kanta, and the Myhee Kanta, tributes are to be withheld; and that satisfaction is to be demanded for several injuries which have been received from him.

COLONEL OVANS.—Colonel Ovans is appointed acting Resident at Sattara in supercession to Colonel Lodwick.

COURT MARTIAL.—The court-martial, on Lieut. Robertson, 10th regiment N. I., held at Belgaum, for having interfered, contrary to the express orders of the Government, in the affairs of the Sawwut Warce state; 1st, in confining Wittal Rao Baba Row Maneskur, a karkoon, on the occasion of the expulsion of Ram Raw Bhandaree, under orders from the British authority;

2nd, in having placed in confinement Dhondoo Vishnoo Apte, Vakeel of the British Government; 3rd, in having unceremoniously entered the palace of the chieftain and demanded an interview with him while he was engaged at his devotion. On the two first charges Lieut. R. being found guilty, and on the 3d, not guilty, he was sentenced to lose one step in his regiment, and to be severely reprimanded by the Commander-in-Chief.

CEYLON.

The Honorable Company's ship *Amherst*, bound from Mangalore to Bombay with detachments of H. M. 6th Regt. and 23d Bombay Native Infantry on board, has arrived at Trincomalee. She could not make Bombay and has with difficulty been enabled to reach Trincomalee, having on board 140 men who have been obliged to live upon roasted gram for some days. The *Columbia*, also bound for Bombay with 300 troops on board, parted company from the *Amherst*, and has not since been heard of.

BURMAH.

A letter has been received from Col. Burney, dated 1st May. All was quiet at the capital, and the new government on the whole, appear well disposed towards us though intoxicated with its easy and unforeseen success over its rivals in the state. Some alarm appears to have existed at Ava that the English and Taliens had joined and were overrunning the southern part of the country. The new king has put a few of the late ministers to death in a most cruel manner. One, it seems, was *sawn* in two perpendicularly; and others were crucified and embowelled. The Men-thaghee that was, is yet alive in prison.

The old King is under restraint. The heir apparent has, it seems, a great deal of outward respect shown him by the Court,—contrary to his solemn promises. It may be considered, however, as something wonderful that he has abided so well by his promise and spared so many lives.

He has seized treasure to a very considerable amount from the late ministry.

Moulmein Chronicles to the 24th ultimo, intimate, that Lieut. Smith of the 13th N. I., the officer who was deputed at the close of April last, to join Col. Burney in order to afford him the means, if necessary, of communicating with his Government, returned on the 16th instant, having executed the duty entrusted to him with skill and promptitude. He left Rangoon on the 3d May and arrived at Ava on the 24th of the same month, having met with no obstacle or interruption in his trip beyond the expression of some insolence and impertinence on the part of the new king's troops stationed at the place where Lieut. Brevor was prepared to make fight, when opposed on his passage up with the Resident's relief escort. The arrival of Lieutenant Smith is represented as having had a good effect, inasmuch as it has shewn to the Court of Ava, that the British Government require the communication with its representative to be kept free and open, and that on any suspicion of foul play towards him, the petty local British authorities round Ava, are on the *qui vive*, and ready to do their utmost either to assist him or to resent any outrages offered him. The country still continues very much disturbed.

SINGAPORE.

Singapore journals to the 10th of June mention, that the Dutch Commissioners, appointed to co-operate with the English authorities in the future suppression of piracy in the Straits, had arrived at Singapore; and that the Singapore Government were endeavouring to discourage our naval Commanders in the Straits, from exerting themselves to capture the pirates, by obliging them to transmit all the pirates they capture to Calcutta, on their own responsibility, defraying the expences of their conveyance as well as that of witnesses necessary for their conviction!

PENANG.

A wreck.—The commander of the brigantine *Genoviva*, when about twelve leagues to the westward of Pulo Bias, fell in with a vessel apparently water logged, having two lower masts standing. She was in sight for one hour, and as the sea occasionally took her, the hull was clearly discerned to be that of a square rigged vessel.

THE EX-KING OF KEDAH—A very numerous meeting of the European and native community assembled on the 30th of May, at the Library, to take into consideration the letter addressed to the principal merchants of the settlement by the ex-Rajah of Keda, and to adopt measures for representing his grievances to the Supreme authority in India, and ultimately to His Majesty in Council. After the expression by several individuals, of their indignation at the unjust treatment His Majesty had received at the hands of the British Government, the following resolutions were proposed and adopted:—

1st. That this meeting deeply sympathizes with his highness Sultan Abdul Tejjulin Halim Shah, and consider that the circumstances of his case should be represented by a respectful petition of the community of this Island to the Supreme Government and to His Majesty in Council,

2nd. That a Committee of the following gentlemen be requested to frame the petition:—Messrs. W. Anderson, Caunter, and Brown; and by desire of the meeting, Mr. Stua. was selected to be one of the members.

CHINA.

Canton papers to the 22d have been received, from which the following has been extracted. The foreigners were still threatened with expulsion, but had been indulged with twenty days, in addition to the period prescribed for their departure, to settle their affairs on their representing to the Viceroy that they could not depart until they recovered from the Hong Merchants the debts due to them: and the Hong Merchants, who had anticipated the severe displeasure of the Viceroy for not succeeding in expelling the foreigners, were agreeably surprized to experience a kind reception from him at an interview they had with him on the subject; at which, however, he informed them, that he would not receive from them any further communication respecting foreigners, except the announcement of their departure from the celestial empire. The gunner of the ship *John Bannerman*, who had been left on board when that vessel was

deserted by her crew, has arrived at Macao in a Chinese boat, and states that on the weather moderating, a number of Chinese went off to the wreck of that vessel, and plundered her of her freight of specie to a large amount. The robbers threatened the life of the gunner but were induced to spare it and conveying him to Alacrao for a reward of twenty dollars. A new Club, called the Junior's Club, has been established in Canton. A chop has been sent through the Hong Mer-

chants to the Viceroy, from the general body of creditors, requesting a settlement of the debts of the Hing-tae Hong. An edict has been issued in the province of Fokien, against the receiving or paying dollars with the "old head" (Carolous IV.) at a premium upon syce silver. The editors of the *Canton Free Press* and *Register*, were squabbling with each other, and certainly in point of temper, he of the *Free Press* had much the advantage over his antagonist.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, July 31.)

INDIGO—The weather during the last week has continued very favorable for the planters—the rains have been light and the rivers still continue low.

Accounts received from England of 1st May are very unfavorable, and there must be heavy losses upon last season's shipments, but the low prices are attributed entirely to the state of the Money Market.

RAW SILK—Nothing doing whatever. Prices in London quoted 8 to 11-6 in the end of April.

The following are the Stocks and Deliveries, viz:—

STOCKS IN HAND.

	1st May, 1837.	1st May, 1836.
China.....	sold and unsold.....	7,803.....2,521
Bengal P. T.	3,310.....739
" Company's sold 919 }	3,165
" unsold.....392 }	3,165

12,424 B.	6,425 B.
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DELIVERIES.

	1837.	1836.
April. Jan. 1 to Ap. 30.	April. Jan. 1 to April 30.	
China.....	611 2,198	603.....2,057
Bengal P.T. 348	1,378	340.....1,363
" Compy's 151	1,072	382.....1,948
1,110 B. 4 948 B.	1,325 B.	5,358 B.

SICK PEST COONS—Cossimbazar Corahs have engaged enquiry during the week for Shipments to London. We have however no change in prices to notice,

Accounts from home to the end of April represent the market in as unfavorable state as mentioned in ours of the 15th instant. We annex a statement of the Import and Deliveries in April, and from 1st January to 1st May 1837, compared with the same periods in 1836.

	Imported		Delivered		Stock 1 May.
	April	Jan. to 1 May.	April	Jan. to 1 May.	
Baudams & Chopps 1836	13,416	44,897	14,571	74,933	61,811
Ditto..... 1837	4,739	56,313	9,140	50,347	50,413
Corahs..... 1836	31,066	90,397	22,432	78,713	21,518
Ditto..... 1837	9,295	82,851	11,398	80,135	43,816

COTTON—Holders continue to ask much too high prices, there is consequently little or nothing doing. The following are the quotations.—Banda, half screwed bales,

at Co. rs. 13-12 to 14-4; Bhomurgurh at 12-12 to 13-12; Jaloon, half crewed bales, at 12-8 to 13-12; Cutchoura, ditto, at 11-14 to 12-12, and Rajapore at 12-4 to 13-5 per bazar maund.

SUGAR—There has been some enquiry during the week for the English and American markets, and prices remain without alteration. The following are the purchases reported:—Chaprah, 1000 mds. at sa. rs. 4-14 60 ditto at 5-7; 130 bags at 5-6; 500 mds. and 900 bags at 5-4; 1050 bags and 1000 mds. at 5-2, and 100 mds. at 5; and Ghazeeapore, 600 mds. at 5-5 per factory maund.

SUGAR—Has also engaged attention for Shipments to England—and our last quotations are supported; viz. Benares, 1st sort new, at Co. rs. 10 to 10-10, and 2d ditto ditto, at 9 to 9-12, and Khaur at 3-8 to 4-4 per bazar maund; Candy, country, at 11-8 to 16 per bazar md.

LAC—Continues in limited enquiry, and remains without change in prices. The purchases of Shell Lac reported are for America, and that of Lac Dye for England. The former, 40 mds. at sa. rs. 26, and 20 boxes at 28 and the latter, 12 boxes, at 28 per bazar maund.

DRY GINGER—In limited enquiry, and remains at our former quotations. A purchase of 150 mds. is reported at sa. rs. 6 per bazar maund.

SAFFLOWER—A few transactions are reported for England at unaltered prices; viz. 60 mds. at sa. rs. 24, and and 70 ditto at 24-12 per bazar maund.

GRAIN—In moderate demand, and prices have slightly given way. The following purchases are reported for the Mauritius and the Eastward.—

RICE Bullum,.....	2000 bgs,	sa. rs. 1	8 per b. md.
Moonghy,.....	500	" " 1	6 "
WHEAT, Dooda,....	2000	" " 2	2 6 "
.....	2000	" " 2	2 "
.....	250	" " 1	4 "
PEASE,.....	500	" " 1	2 "
BOON GRAM, Patna.....	300,	4	6 "

OPIMUM—The trade completely paralyzed for the present, and the non-arrival of Vessels from China affords good grounds to believe that the anticipated stoppage has taken place in the quarter.

BEETLENUT—Several sales have been effected during the week at unaltered prices; viz. Eastern, 500 mds. at ct. rs. 4-8, 1800 do. at 4-8-6, and 1500 ditto at 4-9 per y. md.

COSSA.—A sale of 40 mds. has been effected at sa. rs. 14-12 per bazar maund.

CUBENS.—Without sale; but the price is quoted at a slight advance; viz. at 13-8 to 14-4 per fy. md.

CLOVES.—Without sale, and remain as last quoted; viz. Bourbon, small, at ct. rs. 1-1 to 1-1-6, and Amboyne at 1 2 to 1-2-6 per fy. seer.

MACE AND NUTMEGS.—The sales effected, show a small reduction in the price of the latter; viz. Mace, 2 mds. at sa. rs. 5-4, and 2½ mds. at 4-12 per fy. seer; and Nutmegs, 6 mds. at sa. rs. 2-6 per fy. seer.

PEPPER.—Eastern Bhoory has declined a shade from our last quotation: viz. at ct. rs. 12 to 12-8 per fy. md.

BLACK TIN.—Has also declined in price; viz. old at ct. rs. 28 to 28-6, mixed at 27 14, and new at 27-8 per fy. md.

MULE TWIST.—Has improved about 2 pie per morah on our last quotations. The position of the market in respect to demand, continues favorable. The following are the sales reported:—

avg. no.

19 bales nos. 42 to 60, 51 ea.	500 „ lb. 0 5 7½ p. m.
47 bales nos. 40 to 90,	500 „ „ 0 5 9½ „
23 bales nos. 40 to 70,	500 „ sa. rs. 0 61 „

TURKEY RED YARN.—The following sales are reported at our last quotations, viz. German Dye,—bales nos. 40 to 50, each 500 lb., at sa. rs. 2 and 1 English Dye, 9 bales, nos. 34 to 68, 500 lb. each at sa. r. 1-8-6 per lb.

ORANGE AND OTHER YARNS.—Without enquiry.

CHINTZES.—The market continues in a depressed state, a parcel Bengal Stripes being the only sale reported since our last; prices remain without alteration; viz. Single Colors, at co. rs. 3 to 4-8, Neutrals at 6 to 7, Turban Sets at 5-8 to 7, and Pines at 6 to 8 per piece—Gown Chintz, at 5 to 9 as. per yard.

WHITE COTTONS.—Without any change since our last. A small demand has been manifested for Jaconets and

Cambrics for the consumption of this place, but we have no change in prices to notice.

WOOLLENS.—Sale continue limited, and prices without alteration. A sale of 58 pieces assorted, at co. rs. 2-6-9 per yard, is the only transaction reported.

COPPER.—Within the last two or three days experienced a small improvement on Tile, Ingot and Old. We have however not heard of any transaction at these prices. The following are the sales reported:—

Sheathing 16 a 32 oz.	310 mds. at sa. rs 35 3 p f md.
16 a 32 oz.	350 „ „ 33 14 „
Tile, 14lb.....	150 „ „ 31 4 „
Old,	125 „ „ 33 0 „

IRON.—Market very quiet, and prices without alteration. A sale of 40 cwt. Nails of sizes, is reported at sa. rs. 14 per cwt.

STEEL.—A sale of 800 tabs Swedish is reported at ct. rs. 6-11-6 per fy. md.

LEAD.—Without sale, and the assortments remain as in our last.

SPELTER.—A sale of 500 mds. has been effected at ct. rs. 6-11 per fy. md.

TIN PLATES AND QUICKSILVER.—Without sale, and remain as last quoted; the former at co. rs. 18 to 16 per case, and the latter at ct. rs. 4-5 to 4-6 per fy. seer.

It will be seen from our present quotation that Government have reduced the rate of Bills taken from parties shipping goods through the Company. The rates of private bills have also lowered and sales to a good amount have been made during the week at our quotations:

s. d. s. d.

Bills on London and Liverpool at 6 months' sight, or 12 months' date, with and without Shipping documents,..... 2 3 a 2 3½ per sa. r.

Government advances on Goods to extent of 2-Jds on approved value 2 1 a 0 0 per co's r. Bills of Houses to the constituents 2 1 a 0 0 ditto.

American Bills 2 4 a 0 0 per sa. r.

MONGHYR.

A FORMIDABLE SWEEP OF THE BESOM OF RESUMPTION.

Purgunah Furkeeah is probably the largest of all the purgunahs in the districts, comprehended in the province of Behar, measuring no less than from 800 to 1,000 square miles of country. According to this estimate, it will be found, that it contains upwards of 5,60,000 beegahs of land. A scientific survey is being carried on under Lieut. Egerton, and the Hon. E. Drummond has been especially appointed by Government, to effect the resumption of all tracts of country not included in the decennial settlements. The result, we hope, will hereafter be made known to the public, either by sanction and order of Government or by those who are as much interested in it as the state can be. At present the resumption proceedings seem to have the sign-board of *hali me langere* affixed to them, with what view it is not easy to conjecture. If they are conducted with a due regard to the rights of the Zameendars: why should there be any mystery in this department of the measures of Government? Are Government conscious of sanctioning their local officers to prosecute investigations with unfair leaning on their side? If not, why not permit the public to satisfy itself that Government may be relied upon for the equity of its measures? Here is one of the largest purgunahs in Behar under process of resumption without the world knowing whether there was any such tract of country in India, or that it had been made the seat of investigations of a nature which cannot fail to prove interesting to every one possessing rights in Mofussil landed property and nearly as much to the body of the public. Here, when the resumption proceedings will have been brought to a close, a very large amount of revenue will be derivable by Government, from the *cutfeer* or lands held in excess of the *husband* or *rubbah* of the Zameendars books at the time of the perpetual settlement, and this almost elandestinely, unless we believe that the inhabitants of purgunah Furkeeah alone, and the frequenters of the resumption courts constitute the public of India.

The lands brought under the new resumption settlement, comprise both such as have been recovered by the Zameendars from unprofitable wastes, and such as remain to this day uncultivated. The former is held in excess of the lands included in the decennial settlement, and the latter by being presumed to be so, because allowed to remain unproductive. According to the information, we hear many villages or mouzas of the former description of lands have been resumed, and the Government settlement thereon concluded. As it might have been naturally expected, the occupants of these lands have used every means in their power of arresting the measures of Government, but their murmurs have not reached further than the resumption kutcheries and the immediate seat of operations of the Mofussil authorities. The Zameendars of Furkeeah complain of heavy assessment, represent that mouzas included in the permanent settlement, but which have been swallowed up by the rivers, and lost their ancient names, and by fresh alluvion recovered from the waters, to which new names have been given by the people of the place where these occur, have been brought on the resumption books, and taken possession of by Government. How far these statements can be relied on, must have been duly considered by the resumption officers. This, however, is certain, that most of the lands resumed by them after local and other investigations worth paying for, have been engaged for by the Zameendars.

The disproportion of cultivated and waste lands resumed by Government is very great, the respective extents of

which cannot be accurately stated by us without being admitted into the penetralia of the public (?) records, or bringing under requisition the no less inscrutable, unattainable and often incomprehensible putware papers of the Zameendars themselves. But this we can vouch for, that when the whole of the new *bundabust* shall have been concluded, Furkeeah alone will have contributed by the besom of resumption some 30 or 40,000 rupees clear profit to the State.

It is certainly painful to see an immense tract of country lying unproductive, and useful to none but tigers and wild buffaloes. It does not appear that the rivers Ganges and Gunduck, on the north banks of which it is situated, deposit any additional coat of soil on it by the annual inundations or *baha*, as the natives term it; though we can scarcely imagine, from our own knowledge of the former river, how that can be, for it seldom fails, sooner or later, to elevate low lands over which it flows periodically, producing the most luxuriant soil that can be possibly conceived. We know little of the Gunduck more than this, that though its water is regarded as unwholesome, the annual overflowing of its banks render the cultivations thereon remarkably productive.

The purgunah Furkeeah is situated nearly opposite to Monghyr, and the waste or *weeran* lands extend from within four or five miles of the shore of the Ganges to about fourteen or fifteen miles in the interior; some parts of which are exceedingly fruitful, being overrun with high coarse grass, but in some places there are groups (for they are too small to be called forests) of *sissoo* trees which of course yield good timber.

That many detached spots in this wilderness had at some distant period been the sites of villages none will deny, that have examined the *seekur* or artificially elevated places. It was once the seat or hold of a band of marauders, headed by a *dosad* who had been dignified by his numerous clans by the title of *Rajah*, and carried on his depredations with impunity to the no small loss and vexation of the surrounding Zameendars and their ryots, till the father of *Baxarnee Sing*, late Zameedar of *Bhaufkur*, overpowered him, and dispersed his trainbands, a number of whom, with their chief, he without ceremony put to the sword. This wild tract is watered by the rivers *Tiljaagah* and *Bahgmutee*, which run through it in their progress from the mountains and discharge themselves into the Ganges at a little distance below *Bhagulpore*; but before it reaches its waters, is joined in its course by the river *Koosee*. This advantageous position of the tract of country we are speaking of, would to some appear as the cause of its being formed by accumulations of deposits from the abovementioned rivers, but how comes it then, that these annual deposits of soil have ceased altogether leaving the lower portions of it still so very shallow as to be unfit for purposes of cultivation, as the waters do not (so it is stated by some) disappear from them till so late in the year as December and January, when the rubee crops are in great state of forwardness in other places? If the abovementioned rivers have contributed to throw up this portion of the country, we should opine, that they will also aid its further elevation, and ultimately form some of the finest arable land in the district.

From all we have ascertained, there can scarcely be a doubt, that the resumption by Government much exceeds 200,000 beegahs of land, including such as are utterly waste and such as now pay revenue. How far such an extensive acquisition of lands by Government operates to the disadvantage of the Zameendars we are not able to

decide! if we turn a deaf ear to the cries of the latter, but there can be no question that the resumption officers have faithfully acquitted themselves to Government, for nothing can be more satisfactory than the facts we have brought to light, that the result of their exertions have already added much to the public-revenues, which will be proportionably augmented in the progress of the settlement, especially at the expiration of the leases that have been granted for the new Muhals, when higher rates of jumah will no doubt be demandable and agreed to by the farmers.

It does not, however, appear quite so satisfactory to us, that the resumption authorities have been able to proceed in their investigation on the strength of documentary evidence. Have they been able to satisfy themselves that the cultivated portions of the resumed lands, were really encroachments of the Zemindars on those that were not included in the permanent settlement? Where could they have obtained the information corroborative of that assumption? Surely the Zemindaree *putwaree* papers could not have been the correctest guides to it? We do not beg the question here, for it is notorious that the *putwaree* papers are not trust-worthy, even in questions of common disputed property. Why should they in this instance be deemed respectable enough to warrant their being made the basis of investigations involving such important results both to the State and the Zemindars? The quinquennial records being compiled from the *zumeendar's* papers, could not be regarded as much more respectable than the *putwaree* papers. As to local enquires, we should hold them very cheap indeed, although supported by the asseverations of informants. At any rate, we should like to see how these resumption investigations have been conducted; for as yet we have only the assertions of the Zemindars to afford us a clue to them, and these are by far not favorable to the measures adopted by Government and we will decide on the merits of a case on *ex parte* evidence?

We could have stated the boundaries of the *pergunnah Furkeeah*, and the comparative features of the nature of the soil and other capabilities of this and the adjacent *pergunnahs*, at least of Chye and Bullia; but we are ignorant of the encroachments of Government on the latter ones; but this we know, that the uncultivated portions of them are not considered as possessing those advantageous capacities for the speedy acquisition of revenue which have been met with in the wastes of *Furkeeah*; shall we suppose, that therefore that *purgunnah* has been first pounced upon?

We learn from some of the Zemindars who have had their portions of the grasp of the resumptions, that the rates at which the resumed lands have been assessed are very exorbitant in some if not many instances, 12 annas in the rupee have been exacted without consideration of the circumstance of lands being every third year unavoidably allowed to remain fallow, and in most cases two or three years in order to their acquiring capabilities of yielding remunerating crops. This is certainly a measure that must needs operate much to the disadvantage of the sufferers, and we cannot regard it as equitable, but on the contrary oppressive in the extreme. We asked them, "why do you then agree to the assessment? why not let others engage for them who are disposed to encounter risks in the long run?" The reply was, "for a very powerful reason, namely, that as we are said to have encroached on the *taufeer* lands, we conclude Government or the Government farmers seconded by authority, will encroach on our *bona fide* lands, and then to whom should we apply for redress? Better keep off the marks and save the residue, than come in too close contact with the feelers of *umeens*, *sugaweels*, *tuhseeldars*, or *all genus omnes*, who under the pretence of discharging their duty faithfully to Government, but in reality to lead us to procure their forbearance, will positively do

more harm and create a worse description of vexation than we have been subject to already." We have not yet had such an insight into the recorded public proceedings of the resumption courts, copies of which we presume are available to parties concerned in them, to furnish a more minute statement of the routine form or mode in which the resumptions have been conducted. We would recommend it to all holders of landed property to apply regularly (*lea zahitah*) to the resuming authorities for copies of the English correspondence during the process of the *bundabust* or process of resumption, that might be passing between them and Government, in order that they might be in possession of the nature of the instructions of the higher powers, and the opinions returned by the local officers, and by all means such as might pass between the Commissioners and Government. It will be of no use to obtain copies of these after the die is cast, i. e., after the *bundabusts* have been agreed to and concluded. There is a notion prevailing among the superstitious natives, that it is necessary to disconcert the progress of the incantations of witchcraft by raising a hue and cry about it, otherwise when the internal agency has been successfully terminated, the fate of the person or persons intended to be possessed or destroyed will have been effectual decided beyond the possibility of escape. If it is but made public betimes, an effectual interruption procured, the charm is disturbed, and the reputations can no longer be prosecuted or persevered in successfully. This fact, we think, well worthy the remembrance of those over whose heads the eagles of resumption are hovering. The unobserved pounce may be checked by the cry, "ah! I see you!" Time may be given for reconsideration of the matter; and, in many cases, we doubt not a favorite act may be entirely discomposed and thwarted.—*Harkara*, August 8.

JOINT MAGISTRATE'S COURT, 22ND JULY, 1837.

Case of torturing and death by the Jemadar and Burkundazes of a Police Thannah.

In consequence of a robbery having been committed in the house of a person named Kishoonpaul, a Bengallee, at a place called Chukacee, in the circle of thannah Mullepore, investigations were directed to be made, and means used for the apprehension of the offenders. The Jemadar of the thannah, accompanied by burkundazes and a train of subsidiary followers furnished by the Zemindars, proceeded to a place called Gola, and among other measures resorted to for the discovery of the robbers and recovery of the property stolen, caused a number of persons, men and women, to be brought to him, and among them, an old woman of the name of Moonghua, and a young one named Billia, on whom, by his orders, a series of cruelties were inflicted, the like of which has but rarely been brought to the notice of the public. Not that they are of rare occurrence, for there is scarcely a police thannah in the whole country, we may almost venture to say, where such similar acts are not committed by the darogas and their subordinates. They are but seldom brought to the notice of the local Authorities, either by the parties injured thereby, through dread of the vengeance of the police people, or by the unconcerned spectators of their sufferings, since the loss of time and the expenses they would thereby incur would be thrown away on account of those with whom they are not in any way connected. One or two cases, however, within our certain knowledge, and that occurring very recently too, in a neighbouring district, had been regularly brought into court, and the mohurrir and jemadar of the thannah were punished, though we regret to say, very inadequately. It was proved that these worthies had endeavoured

to obtain information that might enable them to trace the robbers in a case of theft, by dint of torturing the woman in the most inhuman and brutal manner. In addition to beating and the application of various other forms of cruelty, the miserable victim of their barbarity was reduced to a state of perfect nudity in the presence of many spectators; and, to make their horrid brutality a *neplus ultra*, bruised chillies were forced into a certain part of her body, which delicacy forbids our mentioning, thus furnishing a refinement in the diabolical catalogue of tortures, which it is impossible to excel. In the case we are now reporting, this last means of torment was not resorted to, though threats were held out that it would, and the followers of the jamadar were ordered (so the deponents allege) to keep the chillies in readiness, but death came to the relief of the hapless woman! The case before the court this day, was brought on at the suit of Mohun, a relative of the poor tortured woman, whose son and other relatives were named as the supposed perpetrators of the robbery. The jamadar of the *thannah*, who was deputed to make the necessary *sooruthal*, or inquest, and furnish the usual *kifouet* or report, failing to apprehend those persons, had the deceased, with several other women and men brought to him on the 2d of May last, in the neighbourhood of the police *pharea*. Here, in the presence of his followers and other spectators, he first held out threats to the poor woman to discover the thieves, failing in which mild mode of procedure, he ordered them to be bound with cords and tortured with an instrument well known at all the *thannahs*. This was shewn to the court. It consisted of two pieces of bamboo, each a foot and a half long, split downwards from the top to the knot at the bottom, and a narrow piece taken out from the middle lengthwise to form an aperture for the introduction of the member intended to undergo pain, which was effected by their being drawn down to cause both the ends of the other part of the bamboos to meet. Along with torturing, with the above described machine, the women were inhumanly beaten with fists, and then kicked without ceremony. This resource of a petty tyrant also failed. The Jamadar had their hands tied behind their back, and while they were lying along on the ground, their slender cloths were snatched away from them and their shame exposed to the brutal state of a stupid and wicked rabble; but while the followers of the *jamadar* were preparing to consummate the nameless deed *Moonghia*, the old woman, fainting away from the effects of the excessive sufferings she had undergone, breathed heavily, gasped, and died! Hereupon the *Jemadar* cried out, "she has fainted away from the effects of the heat." The other woman being young, stood out the brunt of all these sufferings, and escaped only with her life. All this occurred in the evening of the second day of their coerced attendance on the behalf of the *Jemadar*. Alarmed at length by the serious turn the affair had taken, he used his diligence to get the body of *Moonghia* transported in a kind of bier or *kuttoles*, nearly 2 days's journey, to Monghyr, for the purpose of being inspected by the magistrate. But this was not done before the morning of the next day, and in the interim, he took the precaution to get up a *sooruthal* or inquest on the body, and thereby discovered, no doubt much to his satisfaction, that there could be no doubt of the woman's having killed herself outright by swallowing opium, preferring death to being compelled to disclose that the individuals suspected of the robbery, and who were so closely related to her, were really the thieves. On the corpse reaching Monghyr, in a very decomposed state, it was inspected by the civil surgeon and his report was filed, but it being in the English language, and not read in court (to our knowledge) we are not able to mention the purport of it.

The following is the defence of Buratulee Jamadar: he went to make *tudarook* at gola in consequence of a robbery committed in the house of Kishoonpaul, where he investigated the matter. He did send for *Moonghia*,

but did not treat her ill. While he was conducting the investigations it commenced raining. He broke up the party and went out to Mouza Teonghura. The woman, *Moonghia*, must have swallowed opium during his absence at the place, and died. Prays that justice conformably to the celebrated equity of Nowsherwan might be measured to him in this case, wherein he was opposed by incorrigible *budmashes* (vagabonds) who had manufactured evidence to procure his ruin. When he went to make the *Tudarook*, he was accompanied by *Mookund* and *Jymungal Sing*, *burkundazes*. He had reasons to suspect *Diwua*, *Doolma*, *Chundooa*, *Parshad*, and others whose names he did not remember. He conducted the *Tudarook* near the muth (pagoda of *Muhudeb*), to which place he sent for *Moonghia* for the purpose of asking her about her son, and son-in-law, who had absconded. Asked her to tell him who the thieves were. She remained with him about two or three hours and then went away. She came to the muth three hours afterwards a second time, in consequence of his sending for her. Does not now remember at what time of the day. When she came, it began to rain very hard which dispersed the assembly, and prevented his ascertaining what she knew of the affair. Did not put *Moonghia* in charge of any person, but she of her own accord took shelter in the house of *Karee Munda*, and he betook himself to that of *Debes Munda*, and remained there 3 or 4 hours. No further investigations were made at that time, and no *burkundazes* were placed over the woman. He went again in the morning and sent for all of them by *Thamroo*, and questioned *Moonghia* again about her son and son-in-law. She said that they were gone to bathe; and again that they had gone to *Mouzah Teonghura*. At this time the woman remained only one hour with him, after which he gave her leave to go and eat. He then went away to *Teonghura* taking *Jymungal Sing*, *burkundaz*, *Roodchund* and others with him. When he returned from that place, he saw her under a *jake* tree, in a very weak condition and in a state of insensibility. and oppressed by a hiccup. The *jake* tree was at the distance of a beegah from her house. She was lying speechless under it. In the evening she expired. Could not send the body to Monghyr that evening, as he could not procure people enough to hold a *sooruthal*; but forwarded it the next morning. The deceased was 60 years of age. It is not customary to *chullan* old woman dying in the course of nature. It having been discovered that she had died by eating opium, he considered it his duty to send her body to be examined by the Magistrate, otherwise he would not have done it. If he did not *chullan* her some suspicion might have rested on him. He supposed he would be suspected of having brought about her death, in consequence of hearing the prosecutor say that *Moonghia* had died from the effects of the beating and other ill-treatment she had received. When he was proceeding to hold the inquest on the corpse, he heard the prosecutor exclaim that she had lost her life by beating, torturing, &c. by his orders. The object of the prosecutor in wishing to bring him to a scrape was to cloak himself and the other *budmashes* from the result of the present investigations. They are wicked people and very *zabur dust* in those parts, and bear inveterate animosity against him, owing to his having, in another instance, sent them to be tried in a case of theft, in which they were concerned. He did not imagine that the body of *Moonghia* would suffer any injury by decomposition before it reached Monghyr, and any marks it might have had of violence thereby obliterated. Could not say when a corpse would reach Monghyr by being pushed on night and day without stopping.

The other defendants exculpated themselves in the same manner. The witness for the defence had seen no beating, had heard that the woman had died by swallowing opium, but knew that prosecutor and the accused persons were all *budmashes*. The case has been postponed for further inquiry.—*Hurkaru*. August 15.

THE LAND REVENUE.

We have now before us a statement of demands, collections, and balances of Land Revenue of the settled and unsettled Districts of the Bengal Presidency from February to April 1837, of the results of which we shall submit some account to our readers with such remarks as those results may suggest. The entire statement is not adapted to newspaper publication, and an abstract of its contents, with occasional specific references, will supersede the necessity of such a course.

	Bengal Province.	Behar Province.	Orissa Province.	Burmese Provinces.
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Total demand including arrears of last Toujee, ..	90,96,285	35,97,776	24,50,024	3,66,077
Total collections,	59,12,102	19,81,716	4,70,179	2,49,516
Gross balance,	31,84,183	16,16,050	19,79,844	1,16,560
Deduct authorized remissions,	1,32,351	446	6,742	—
Net balance of 4th Quarter of 1836-37,	30,51,831	16,15,603	19,73,102	1,16,560
Explanatory arrangement of the Net balance :				
In immediate train of liquidation,	14,05,575	2,92,605	6,61,783	1,09,783
Expected by distraint or sale of lands,	13,28,208	12,22,585	10,18,471	—
Suspended by authority,	14,175	2,117	25	1,133
Remaining balance,	2,43,872	98,299	2,92,822	5,643
Net balance of 4th Quarter of 1833-34,	40,48,000	17,46,300	13,40,774	43,868
Ditto of ditto of 1834-35,	28,21,235	16,96,063	14,90,504	1,11,066
Ditto of ditto of 1835-36,	40,25,732	17,54,636	12,03,495	1,32,621

Omitting fractions and references to partial corrections stated to be necessary, the above table presents an accurate general view of the land revenue of the Bengal Presidency during the last quarter of 1836-37; and, as far as the mere amount of collections is concerned, the result compared with that of former years may justly be pronounced satisfactory. The aggregate net balance of 1833-34 has been reduced nearly three lacs, and that of 1834-35, or 1835-36, fully three lacs and a half. In this point of view the most unfavorable aspect is presented by the province of

Orissa, where the net balance has increased from twelve lacs to more than nineteen and a half—an effect ascribed to the calamities of season, from which, judging by this test, no part of the province appears to have been exempt, except a portion of the Midnapoor district under the management of the agent to the Governor-General at Hazareebagh under Regulation X111 of 1833. The largest portion of Midnapoor, Puttapor attached to Midnapoor, Hijlee, and the three divisions of Cuttack, all exhibit a considerable increase in the amount of the net balance at the end of the quarter under consideration.

In the provinces of Bengal the encroachment of the net balance in the district of Moorshedabad is particularly worthy of note on two grounds, first, because of the amount of balance which exceeds three lacs; and second in connection with the amount, because of the fact that the collector has only fiscal duties to discharge. It also deserves to be particularly noted in the districts of Buggoorah, Sylhet, Bogree, &c. attached to Midnapoor, and another portion of Midnapoor under the agent to the Governor-General at Hazareebagh, because, although the amounts respectively are small, yet the increase during the last four years with very slight fluctuations has been progressive, so that in Buggoorah the amount was in April last three times what it was in April 1833-34; in Sylhet, it has also been doubled; in Bogree, &c. it has been more than quadrupled; and in the portion of Midnapoor referred to it has been more than quadrupled. It is only in the case of Sylhet that we are aware of any reason that can be assigned for the progressive increase. The multiplicity and intermixture of minute tenures render the affairs of that district very peculiar and difficult of management. Considerable reductions have taken place in Hoogly, Burdwan, Mymensingh, and in the 24-Pergunnahs, although the balances are still large, the reductions have also been considerable in Rungpoor, in Tipperah, and especially in Nuddea.

In the province of Behar, the increase of net balance is principally found in the districts of Patna and Tirhoot; in the former chiefly owing to the transfer of six Pergunnahs from the Behar district. In the latter district the collector is both magistrate and opium agent, and has been so for several years; but this fact will not account for the increased balance, because in the three preceding years there was a small, but progressive, diminution. We suspect that we must look for the real cause in the circumstances and condition of the people.

In the Burmese Provinces the only item deserving of special notice is the progressive encroachment of the net balance in the last quarters of the four past years in Lower Assam, so that it is now nearly double what it was in April 1833-34. A steady and progressive encroachment as in this and in the Bengal districts previously cited, however slow the progress, and however small the comparative amount, should receive prompt and searching attention from those who have the welfare of the country in charge, because it tends to show that there is some permanent cause in operation affecting the resources of the country, and the revenue of Government.—*Englishman*, August 14.

ASIATIC SOCIETY.

To the Right Hon. GEORGE, LORD AUCKLAND,
&c. &c. &c.

Governor-General of India in Council.

MY LORD,—I have been requested by the Asiatic Society to become the organ of a respectful representation to your Lordship in Council on a topic of great importance to the interests of the Society, which was made the subject of a Resolution passed at a general meeting held on the 7th instant.

I have now, accordingly, the honor to submit a copy of that Resolution, and with every deference and respect to solicit for the prayer of it, the most favorable consideration to your Lordship's Government.

The Asiatic Society has been in existence for more than half a century. Founded by the illustrious Sir William Jones, with the concurrence and support of the no less illustrious Warren Hastings, it has uniformly enjoyed the countenance and protection of the high officers placed at the head of the Indian administration, many of whom have joined in its objects with more than the formal interest of nominal patrons, and have contributed individually to its records of literature, or to its collection of antiquities and of curious natural productions.

It would be quite superfluous to enumerate, in addressing the Society's official patron, the many eminent men whose names have adorned and still adorn its list of members, or to recall the services they have severally rendered to science and to literature; but it is by no means to these alone that the Institution owes its efficiency, its stability, and its reputation. Without the co-operation of the many, the talents and abstract studies of the few would have been comparatively ineffectual; and the learned world in many cases would have been deprived of the chief benefit of their studies and knowledge but for the combination which is so necessary to effect undertakings of magnitude and expence, and for the stimulus which emulation, and publicity, and a common interest never fail to excite.

Since its foundation the Asiatic Society has expended more than three lakhs of rupees upon the prosecution and publication of its Researches in the languages, the philosophy, the history, the geography, physical, and statistical of India; and there is no branch of useful knowledge connected with this country that has not received illustration through the judicious employment of its fund.

On one or two occasions the Society has received handsome donations from individuals, but it has never yet solicited or received public aid from the Government of the country. In venturing therefore to propose a measure for which there was no precedent in its history, the Committee of papers, with whom the suggestion originated, deemed it incumbent on them to shew the Society at large the grounds upon which they rested their recommendation. and the substance of the arguments they then used I am now requested by the Society to lay before your Lordship in Council.

It is not from a declining Society that an appeal is made, to save it from impending ruin or to enable it to support its expences on the same scale of efficiency as heretofore. On the contrary, the Society never had a more flourishing list of contributing Members, nor was it ever more actively engaged on the multiplied

objects of its attention. Indeed it would be difficult to mention any department in which its duties have not materially increased within the last few years.

By the transfer of the Oriental publications from the Education Committee a very important and responsible task has been thrown upon the Society, which it is most anxious to perform with diligence and satisfaction to the increasing body of Oriental scholars in Europe, who have expressed a common feeling and interest in its efficiency and permanency.

By the transfer of the Oriental manuscripts and printed volumes from the College of Fort William the Society's library has been doubled, and the charge and responsibility of its management proportionately increased. The Society cannot be insensible of the obligation of making known its contents, of encouraging and providing accommodation for copyists, and of guarding property of increasing value. Thus the extension of the library has been attended with consequences which are felt in various matters of detail that cannot well be described.

Literary publications have also sought the Society's auspices in greater numbers of late than heretofore; and the government has paid it the compliment of seeking its advice and of following its suggestions in respect to many literary undertakings for which the public patronage had been solicited.

The government of France has condescended to employ the Society as the medium for procuring additions to the superb Oriental library of the French nation, and many distinguished Orientalists of the Continent have solicited the same favor.

From all these sources the responsibility, the substantive existence of the Society, has derived strength and lustre; but every enlargement of its connections and every new field of its operations cannot but call for some additional expenditure or point out some desideratum which the Society's means are unable to provide; and this must be always more prominently felt where, from all the officers of the institution affording their services gratuitously, there is a reluctance in imposing new duties or expecting an increased devotion of their limited leisure.

But it is particularly in the physical branch of its labours—a vast field comprehending, according to the emphatic expression of Sir William Jones, "whatever is produced by nature within the geographical limits of Asia," that the Asiatic Society feels itself most backward and deficient of means.

The rapid strides that have been made in physical inquiry throughout the world in the present age, have been compassed only by national efforts. By these have the schools of Paris been raised to the perfection of which they now boast, and her museums stored with most instructive and precious collections.

By the combinations of the wealthy, aided by a popular government in England now beginning to rival her. A national museum is indeed throughout Europe become an essential engine of education, instructive alike to the uninformed who admire the wonders of nature through the eye alone, and to the refined student who seeks in these repositories what it would be quite out of his power to procure with his own means.

The Asiatic Society, or it may be allowable to say the metropolis of British India, has had the germs of a national museum as it were planted in its bosom. As at Paris a new era was opened in the history of its great museum, the Jardin des Plantes, through the discoveries of extinct and wondrous animal forms exhumed from the rocks on which the town was built, and which required all the adjuncts of comparative anatomy for their investigation even by the master-hand of the great Cuvier; so in Calcutta, through the munificence of a few individuals and the development of fossil deposits in various part of India hitherto unsuspected of the basis of a grand collection; and we have been driven to seek recent specimens to elucidate them. Our desire has been warmly seconded by all who have enjoyed the opportunity of contributing; from China, from New South Wales, from the Cape, and from every quarter of the Honorable Company's possessions, specimens of natural history, of mineralogy, and geology, have flowed in faster than they could be accommodated, and the too little attention they have received has alone prevented similar presentations from being much more numerous; for it is but reasonable to suppose that of the stores continually dispatched to England or the Continent, the Society would have received a larger share, had it done proper honor to what it has received.

In May 1835, the Society resolved to try the experiment of appointing salaried officers to the charge of its museum. For two years economy in other departments has enabled it to maintain this system, and the good effects of the measure are visible to all who visit the rooms. Yet not being able to purchase more than a small portion of the time of a competent naturalist, the benefit has been comparatively limited, and now at the very commencement of the experiment the state of the Society's funds will compel it to withhold further support from its incipient museum unless some fresh source of income be provided.

These then, are the motives that have persuaded the Society of the propriety of an appeal to the Ruling Power:—not to contribute to the ordinary wants and engagements of the institution, but to convert that institution into a public and national concern, by entrusting it with the foundation and superintendence of what has yet to be formed for the instruction of our native fellow subjects, as much as for the furtherance of science,—a public depository of the products of nature in India and the surrounding countries properly preserved, properly arranged, and properly applied.

To effect such an object it is indispensable that the services of a professional naturalist of high attainments should be engaged, and that he should have at his command the means of working effectually, and devoting his whole time to the employment.

What, it may be asked, will be the return to Government if the State undertake to supply such an officer? To this question more than one satisfactory answer may readily be given.

The Honorable Company have in Leadenhall Street a very valuable museum supported at considerable expense. To that museum, ours would be a powerful auxiliary. Duplicates of every sort here collected might be set apart for England. Again, the local Government, has scientific expeditions continually employed in exploring the country. Geographical, geodesical, and statistical information is continually under collection without any office of record, or officer of analysis, to whom it can be appropriately referred for digestion. Efforts are continually misemployed for want of proper direction, and opportunities are lost for want of

proper instructions that may be ever regretted by the scientific world. Again, the means of education in the natural sciences would be improved or rather created by the formation of a museum, the superintendent of which would always be able to devote a portion of his time to demonstrations and lectures, either expected as a part of his duty, or yielding a means of partial reimbursement.

But the Society feels that it is almost unbecoming to suppose that the Government of a great country would ask for reasons to support the present application; for the encouragement given to botanical pursuits by the maintenance of two public gardens at considerable charge and some placed at the disposal of the Agriculture and Horticultural societies and to similar institutions, are so many evidences that the Government have only to be convinced that the object is one of essential public benefit, or calculated to promote scientific discovery, when the inclination to provide the necessary support will not be wanting. The expenditure that has been bestowed upon the theoretical admeasurement of the earth's surface, for the elaborate determination of which the Honorable Company's Government has been justly held up to the admiration of the world, is an instance particularly in point. The Society has ever felt that the public grants to those and numerous other objects of a similar nature, have been boons to itself, so far as they have promoted the researches contemplated, in its original foundation; and if on this occasion it fails to impress upon Government the claims of other branches of science and literature, all of which require and will benefit by the establishment of a public museum, the Society will attribute it rather to the weakness of the appeal made on its behalf than to the real weakness of its cause.

I have only in conclusion to explain, that although the Society in the accompanying resolution has ventured to name a specific sum which would probably be sufficient for the objects which it has in view, yet the members would leave it entirely to the superior judgment of your Lordship in Council to determine what sum it would be expedient to devote from the public finances towards the general furtherance of the Society's objects; should it indeed appear to you that the application which I have been requested to lay before Government, is based on sound and reasonable arguments, and that it merits the consideration and support which I have ventured, as much from my own feelings as from my duty to the Society, to urge in its favor.

I have the honor to be &c.

(Signed) EDWARD RYAN.

Calcutta, 15th July, 1837.

President

To the Honorable Sir E. RYAN, Knight,

President of the Asiatic Society.

Honorable Sir,—The representation submitted by you on behalf of the Asiatic Society of Calcutta has been considered by the Right Honorable the Governor-General of India in Council with the attention due to the importance of the objects for which the assistance of Government is solicited, and to the character of the Society and of those who have united in the resolution to make this appeal.

2. The Right Honorable the Governor-General of India in Council fully admits that the public of Europe and of Asia have incurred a heavy debt of gratitude to the Society for the persevering and successful efforts it has made for more than half a century to develop the literary resources of Asia, and to ascertain and collect objects of scientific and antiquarian interest.

His Lordship in Council feels also, that although the publication of these results through the Researches of the Society and in other works of wide circulation, has contributed largely to the advancement of general science, and has given to the labours of its members all the utility that such diffusion could impart, still without a museum and library in which the products of art and nature, and especially coins and other interesting remains of antiquity, might be collected for the personal examination of the more curious one important means of deriving benefit from those labours must still be wanting.

3. His Lordship in Council is further sensible that the expense of establishing such a museum, with its necessary adjuncts, cannot be expected in this country to be met by voluntary contributions from the limited number of persons who take an interest in such pursuits; and therefore, although the Society has already done much towards preparing the ground for such an establishment, that it cannot be maintained in the creditable and useful condition necessary for the attainment of the objects desired, unless aided liberally by the Government, in like manner as similar institutions in Europe are supported from the public treasury.

4. But although his Lordship in Council acknowledges all these claims on the liberality of Government, he yet feels precluded from giving his immediate sanction to the specific annual grant solicited by the Asiatic Society in this instance, without previous reference to the Honorable the Court of Directors, to whom, however, it is his intention, in forwarding your representation, to submit a strong recommendation in its favor.

5. There are many circumstances which induce the Governor-General in Council to consider that the proposition submitted on this occasion is peculiarly one to be decided by the home authorities, rather than by the Local Government. In the first place, the Honorable Court of Directors are themselves at considerable expense in keeping up a museum and library at the India

House, and through his Lordship in Council concurs with you in thinking that such institutions in Europe, however perfect, do not supersede the necessity of providing similar institutions in India likewise,—with reference especially to the spirit of literary inquiry and scientific research which it is desired to excite and encourage amongst the native youth of India; still the fact that the Honorable Court have a separate institution of their own, points to the propriety of making them the judges of its sufficiency or the contrary for Indian purposes; moreover, were the Government of India to sanction a specific annual grant for a museum and library in Calcutta under the management of your Society, such a grant would reasonably be made a precedent for similar applications from learned societies at other presidencies, and his Lordship in Council is not prepared to decide, without a reference to England, upon the relative claims of such societies with reference to the circumstances of the institutions themselves, and of the presidencies and places where they may be established.

6. His Lordship in Council feels convinced that the Society may rely with confidence on the liberal disposition of the Honorable Court and on its desire to promote and encouraging objects of public utility especially such as have a tendency to advance knowledge and to extend the spirit of research, now peculiar to European nations, to the population of the countries under their Government: his Lordship in Council has therefore the less hesitation in referring the Asiatic Society's present representation to the decision of the home authorities.

I have the honor to be, &c.

H. T. PRINSEP,

Secy. to Govt.

Council Chamber, 28th June, 1837.

[Asiatic Journal for June.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of the Society was held at the Town Hall, this morning, August 9, at half past 9 o'clock.

PRESENT.

The Hon'ble Sir E. Ryan, President, in the Chair.

Dr. Wallich.	Nawaub Tohowerjung.
W. Crocroft, Esq.	Dr. A. R. Jackson.
W. Storm, Esq.	Dr. Huffleagle.
R. Watson, Esq.	N. Alexander, Esq.
C. K. Robison, Esq.	D. Hare, Esq.
A. Colvin, Esq.	M. A. Bignell, Esq.
W. Spier, Esq.	D. W. H. Speed, Esq.
E. Sterling, Esq.	G. F. Speed, Esq.
E. Harding, Esq.	W. Gibbon, Esq.
G. A. Priusep, Esq.	Hyde Gardener Esq.
M. Manuk, Esq.	A. Grant, Esq.
D. McPherson, Esq.	H. M. Low, Esq. and
J. S. Stopford, Esq.	John Bell, Esq.

Visitor. -

Mr. D. McDougall.

The proceedings of last Meeting were read and confirmed.

The following gentlemen, proposed at last meeting, were elected members of the Society.

Lieut. William Munro.	W. Kerr Ewart, Esq.
William Haworth, Esq.	J. B. Higginson, Esq.
Dr. Duncan, Stewart.	John Jenkins, Esq.
James G. Quhou, Esq.	G. F. McClintock, Esq.
Baboo Hurrymohun Sen.	William Griffith, Esq.
Captain H. Kirke.	R. Thomas, Esq.

The following gentlemen were proposed, viz:—

F. P. Buller, Esq., C. S., and P. Barron, Esq., Shahajenpore, proposed by the Secretary, and seconded by W. Storm, Esq.

F. T. Fergusson, Esq., and L. Roussac, Esq., proposed by the Secretary, and seconded by W. Storm, Esq.

E. Preston, Esq., proposed by G. F. Speed, Esq., and seconded by W. Storm, Esq.

Thomas Maddock, Esq., C. S., proposed by Dr. Wallich, and seconded by Dr. Huffleagle.

James Church, Esq., proposed by E. Harding, Esq., and seconded by C. K. Robison, Esq.

Owen John Elias, Esq., proposed by H. Walters, Esq., and seconded by the Secretary.

The president opened the business of the day, by submitting a series of propositions, with a view to preserve order and regularity in the proceedings which are liable to much interruption from motions being introduced at every stage—viz.—

1st. That all motions shall be brought forward at the monthly meetings, before the reading of fresh papers and letters commences, clearly written out, and signed by the mover, or party deputed to bring forward such motion, the Secretary to record all propositions in a book to be kept for this purpose.

2d.—Motions of which notice has been given at a previous meeting, shall have precedence of all others, and in order to guard against confusion, the Secretary will number the propositions in his register.

3d. Motions brought forward after the time alluded to in the 1st proposition, shall not be attended to; but they may be handed over to the Secretary who will note them, as "new motions without notice;" to be brought up at the next General Meeting, in common with others, which may be then submitted.

Proposed by Alexander Colvin, Esq., and resolved *unanimously*, that the above series of propositions be added to the standing rules of the Society.

The Secretary informed the meeting that he had formally notified to the several members, their nominations to the standing committees appointed at the last general meeting, who had all accepted office, save Mr. C. R. Prinsep, who objected to sit on a committee, while an exception existed to the prejudice of the cattle of New Holland. In consequence of Mr. Prinsep's objection, the Secretary had submitted data in opposition to the opinion which gave rise to the offensive clause, and the President have submitted that with reference to the minutes, he thought the exception ought to be removed, and it was.

Resolved, that the clause in question be rescinded. This resolution being passed, adds the name of Mr. C. Prinsep to the cattle committee.

Dr. Jackson, was quite willing to give his best aid to the coffee and tobacco committee, but felt that he would be more at home, on the subject of cattle, and requested that his name might be transferred from one to the other, which will be done.

The President had much pleasure in submitting copy of a despatch from the Hon'ble the Court of Directors to Government, bearing date the 22d March 1837, in reference to the Society's report upon experiments made at Agra, forwarded in a letter from the Secretary to Mr. Secretary Bushby, under date the 26th September 1835 for transmission to the Hon'ble Court, accompanied by samples of cotton twist, and cloth.

The Court of Directors express much satisfaction at the exertions of the Society, and although their views were cramped, by reason of the limited space, which marked their operations, the Court are pleased to augur favorably of them as indicating successful results, from a more extended application, to a variety of soil and climate. The letter goes minutely into an analysis of the samples of produce sent home by the society, shewing the prices assumed by Messrs. Wills and Earle generally to range a shade below those adopted in England, by brokers, upon whose reports, the Court's remarks are framed and as some discussion arose as to dates of valuation, it was agreed to hand over the letter to the standing Cotton Committee, to compare dates, for the satisfaction of

the Society, as the subject was one of the first importance.

The motion of Mr. Bell, made at last meeting, having for its object, the speedy introduction of the Otahite sugar-cane, on an extensive scale, in Bengal, had been, in pursuance of a resolution then passed, submitted to the standing sugar committee, and was now brought forward, under a favorable report re-modelled, in some respects, to meet exigencies, but the same generally in substance.

Proposed by Dr. Wallich, seconded by the Resident, and unanimously resolved. That the report of the Committee, (with a few verbal amendments, suggested at the meeting,) be adopted.

Note. The report and resolution, being too long for insertion here, will appear in separate form, for the information of the public.

Read a letter from F. Macnaghten, Esq., Government Agent, to the Secretary, dated 7th August, rendering two accounts current of the funds of the Society to the Government Agency Office, brought down to the 30th April 1837, showing the amount of fixed assets at that time, to be sicca rupees 15,500. Since which the Secretary had invested 1,500 rupees more, the sum now in Company's paper, being 17,000 company's rupees.

Mr. Robison, submitted two gold medals, of different thickness the one to cost about 230 rupees the other at 150, but some Members thought that a medal more worthy of the society, ought to be had, by commissioning a new die, from England, and it was agreed to refer the question to the medal committee, recommending for the present, that one of those now presented be adopted to meet the engagements of the society, with successful competitors.

Mr. Robison, presented samples of silk, the produce of Mr. Mutti's silature in the Dekhan. The silk is of very superior quality produced from the worm bred in the full grown mulberry tree, and was sold by Mr. Mutti to natives at 16 rupees per seer, being 2 rupees more than the best China silk was then selling for. This price Mr. Mutti calculates to leave him 11 rupees profit per seer, since he can under tree cultivation, produce this silk for 5 rupees per seer. The proud position, in which Mr. Mutti now finds himself, after the most patient, uncompromising zeal, by which he has most completely refuted the authority of Dr. Lush, who was obstinately opposed to Mr. Mutti's conviction, cannot but be most gratifying to himself, and most encouraging to others, who prefer plain practice to abstract theory.

Read a letter from Dr. J. McClelland, dated 20th July, presenting to the Society, 3 copies of a Catalogue of "objects in natural history," collected by him in Assam.

Mr. Cracroft, presented to the society, 2 folio volumes containing a splendid collection of dried specimens of plants and shrubs, gathered by him in Van Dieman's Land, in the best possible preservation.

Read a letter from Dr. A. Campbell, dated Nipal Residency, 25th July, forwarding 34 specimens of the Agricultural productions of the Valley of Nipal, together with 8 others of the field productions of the plains of Sarun and Tirhoot. Suggests the transmission of some of these specimens to the Agricultural Committee of the Royal Asiatic Society of Great Britain, for the purpose of ascertaining, the relative value in commerce of some and for the introduction in England, or the more suitable countries of Europe, of others.

Resolved. That the Secretary do adopt Dr. Campbell's suggestions, reserving some of each kind for comparison in Calcutta and that a portion of each be handed

over to Dr. Wallich for experiment in the Society's Nursery.

From George Leyburn, Esq., dated Nunnore, Shahabad, 7th July, presenting a quantity of cotton and seed the produce of Egyptian seed supplied by this Society in May 1836, and sown at the commencement of the rains in July.

From F. Harris, dated 27th July, presenting some cotton the produce of Egyptian seed received from the Society in May 1836, and planted in the Sounderbuns.

(Mem. These samples were directed to be made over to the Committee for report.)

N. B. Parties growing cotton, are particularly requested to send some entire pods, and to state the number of pods in each bush, on an average.

From Major Syers, Secy. to the Cuttuck Society, presenting some cotton and tobacco, adverted to in his letter of the 22nd ultimo, and noticed in last month's proceedings.

• Mem. referred to the Cotton Committee.

From Captain Jenkins, dated Assam 30th July, to the address of the Secretary, promising to send down for the inspection of the Committee, a maund of the Area silk and samples of the cloth and thread manufactured from it, requesting further information on certain points in Mr. Gouger's letter which he does not exactly understand, (referred to the silk Committee.)

From Dr. Wallich to the Secretary, dated 18th July, 1837, giving cover to a letter to his address, from A. Aiken, acting Secretary to the Society of Arts, London, dated 27th February last, on the subject of several specimens of Assam silk, sent to the Society by Captain Jenkins through Dr. Wallich, for examination.

(Referred to the silk Committee.)

From Major C. C. Smyth, Bareilly, dated 10th July, forwarding samples of brown nankin and white bourbon cotton grown in his garden.

(Referred to the cotton Committee.)

From Dr. Huffleagle, dated 23d July, presenting to the Society some seeds of the grape and apple from the fruit brought out in the ice, accompanied by a healthy plant of each which Dr. H. had raised and submitted as samples of what may be effected, if every member would apply himself to some experiment however trifling. The Secretary had previously received several seedling vines from the same gentlemen, from the same source, which have been planted out and are now doing well.

Resolved.—That Dr. Huffleagle is entitled to the special thanks of the Society for his interesting experiment.

From F. Farnell, Esq., Secy. to the Branch Society of Beerbloom, reporting favorably of the Upland Georgia and Sea Island cotton, also of the American maize and coffee plants, which are doing well. Requests a supply of oats for trial.

From W. Moore, Esq., deputy post master, dated 4th August, desiring information as to the Society's views, in regard to the accumulation of returned packets by the Secretary, now in the General Post Office. These packets contain returns of prices of grain in Persia forwarded by the several district Magistrates, but although superscribed "services," have postage marked upon them.

The Secretary was directed to write again to Dr. Stewart, on the subject of an appeal to Government, as

his first letter remained unanswered up to this date. Until the question was decided the letters might be allowed to remain at the General Post Office.

From W. Liddell, Esq., Secretary to the Madras Society (without date), stating in reply to the Secretary's query regarding the missing share of the plough purchased from Captain D'Almeida, that it was forwarded in a complete state from Madras.

From E. Stirling, Esq., to the Secy., dated July 24th, drawing attention to an approved plough now in use at Bombay, and as one of their ploughs has been long promised to this Society, Mr. Stirling's communication was referred to the commerce of implements of husbandry and machinery.

From Mr. Laidlay, Secretary to the Branch Society of Moorshedabad, stating that the different seeds furnished by this Society have (with the exception of the Canada maize) proved excellent.

Presents a green mangoe plucked from a tree, bearing two crops a year, and offering to send down some slips from the tree.

From Mr. Boaz, a specimen of "South American" cotton (query what kind and from what source derived?) said to be grown in Mr. Peuney's garden, Circular Road.

From Mr. G. Pratt, dated 9th Aug., offering (with reference to a query proposed by Capt. Jenkins, in last month's proceedings,) some information on the subject of stick and shell lac, and presenting to the Society, 10 different specimens of the same.

(Referred to the Committee for oil seeds.)

From Lieut. Brodie, dated Assam, 13th July, stating that he has not succeeded with the tobacco and cotton seeds forwarded by the Society and requesting fresh supplies.

From Dr. Wallich, dated 8th August, enclosing a letter from Monsieur Bedier, Governor of Chandernagore, which contains an extract from one of the Bourbon authorities, stating that the order which had been given for the sugar cane, by His Excellency Monsieur Bedier, has not been forgotten. The same authority promises to forward the cane for this Society, on his return from a distant part of the Island.

Resolved.—That the special thanks of the Society be offered to the Governor of Chandernagore for the warm interest he takes in the interest of this Institution.

The same letter from Dr. Wallich, gives cover to one from Lt. Kirke, adverting to some experiments he proposed making in the Doon, but Lt. Kirke's communication is private, and not addressed to the Society for publication.

The Proceedings of the Agricultural Committee were read and confirmed. The Committee reported favorably on the sugar cane, &c. in the nursery, and settled the matter of exhibition, which is to take place on Tuesday morning next, at 6 o'clock, proposing as Judges, Messrs. Craicraft and Stirling; Dewan Ramcomul Sen and Baboo Radhakant Deb. The Committee further proposed, that Dewan Ramcomul Sen and Baboo Radhakant Deb, be solicited to make up a Catalogue of the native kitchen vegetables with their properties and uses.

The following propositions, will be brought forward at next meeting.

Proposed by Mr. Storms, seconded by Mr. Robinson, that premiums be given for the importation of the best cow and merino, or Saxony ewe.

Proposed by Dr. Jackson, seconded by Mr. Bell, that an abstract of all a premiums be offered for a certain cultivation of carrots, for feeding cattle.

Proposed by H. Walters, Esq., seconded by Mr. Bell, that an abstract of all premiums, offered by the Society, be printed in Hindee, and Bengalee, for distribution among the natives.

The thanks of the Society, were ordered to be offered for all the above communications and presentations.

JOHN BELL,

Secy. to the Agril. and Hortl. Socy.

Town Hall, Calcutta, 9th Aug. 1837.

SUGAR.

Premiums to be awarded by the Agricultural and Horticultural Society of India, to encourage the importation of Otaheite sugar cane, and its cultivation in Bengal.

Report of the Sugar Committee, on the motion brought forward by Mr. Bell at the July General Meeting of the Society, with a view to encourage the importation of Otaheite sugar cane, for distribution throughout India.

In accordance with the Resolution passed on the 12th July, a meeting was convened at the Society's office, Town Hall, on Wednesday morning the 31st August, when Alexander Colvin, Esq., was unanimously elected chairman of the standing Sugar Committee.

Presents.

A. Colvin, Esq., in the chair.

W. Storm.
D. Hare.
G. U. Adam.

A. Muller.
J. W. Masters.
John Bell.

The Secretary informed the Committee that Mr. N. Alexander, who was prevented from attending by being on the Grand Jury, had called upon him to explain his intention to have opposed Mr. Bell's suggestions, on the grounds of experiments made by Messrs. Henley and Blake, the results of which Mr. Alexander said were unfavorable to the encouragement of the Otaheite, in preference to indigenous and China cane, that were thought to yield more saccharine matter, than the Otaheite kind, while they did not exhaust the soil in the same ratio.

The Committee after giving their best consideration to the objections offered by Mr. Alexander, do not think them based on sufficiently accurate data, to warrant their adoption, as many circumstances might have combined to lead the parties making such experiments to arrive at wrong conclusions and have therefore agreed to the following report.

REPORT.

Your Committee cannot allow the opportunity which presents itself at the commencement of their labors to pass without an expression of regret that so little has yet been effected in the way of introducing a superior cane

throughout India, but they cannot withhold their humble tribute of praise, which is due to the persevering zeal of Major Sleeman, who from a small supply of Otaheite cane, brought by him from the Mauritius in 1827, has now raised a nursery at Jabulpore which feeds the surrounding district.

To the exertions of Col. Colvin the Upper Provinces are likewise indebted for the introduction of this superior product, and the society of Lucknow boasts of an extensive nursery of the same description of cane.

The comparatively slow progress of its introduction into the Lower Provinces may fairly be imputed to circumstances over which the society has no controul, since its attention to the importance of the measure may be traced in its report upon experiments carried on at Acra Farm, and the distribution of cane produced there is evidence of the anxiety felt to give it a fair trial.

The average weight of middling sized Otaheite cane grown at Acra was 9lbs. each, while that of the common dessee cane was 11lb. each.

The experiments further showed that excellent ratoons* were produced from the stools of the first year's plant, and this is a very important point to be kept in view, when placed in juxtaposition with the stunted indigenous canes which require a new rotation crop every year at an immense waste of labor and irrigation, and it is a singular coincidence, that the same prejudice existed, not very many years ago in the West Indies, against the introduction of the Otaheite cane in the slave islands, under a similar impression as that entertained by Messrs. Henley and Blake, of its watery qualities, until from actual experiments made on a large scale by one or two public spirited individuals, the spell was broken, and now nothing save the "Otaheite" waves triumphant in every island.*

That such will be the case a few years hence in India your Committee entertain very sanguine hopes, and under this conviction, and with a view to bring about this consummation as early as possible, they would recommend the adoption of Mr. Bell's suggestions in the amended form now submitted.

Proposed 1st.—That one rupee be offered for every full grown Otaheite cane, or for every eight feet of cut cane that may be imported by sea from the Mauritius, or other place beyond the continent of India, within the next eight months from this date, and that it be optional with the society to limit or extend their purchase to or beyond 1,000 canes, the money for such canes to be paid under a certificate of the Agricultural Committee, as to their vegetating powers on examination immediately after arrival at the Honourable Company's Botanical Garden.

Proposed 2nd.—That in addition to the premium of one rupee for each cane, the gold medal be awarded to any individual who shall first import as above two stunted full grown full length Otaheite canes, or a quantity of cut packed cane equal to 1,600 running feet, within the period notified in the 1st proposition.

Proposed 3rd.—That in addition to the premium of one rupee for each cane, the silver medal be awarded to any individual who shall import as above the second two hundred whole canes or cut canes (packed) equal to 1,600 running feet, within the period above described.

* Norx. For examples of success in India, see. Trans. vol. 3rd, pages 42 (56 para. 4) 57, 72 para. 1, 2, 3,

Proposed 4th.—That a premium of two thousand rupees and the gold medal be awarded to any cultivator who can exhibit, on or before the 1st Jan'y. 1839, fifty regularly planted Bengal beegahs of Otaheite sugar cane, in the best condition and most advanced state of cultivation, and of at least six months' standing, in any part of Bengal each plant to be four feet apart, and laid in holes 18 inches deep, after the West India plan of cultivation, on condition that the first year's produce be offered to the Society for purchase, and on condition that the cultivator allow the stoles to remain, the rattoons produced from such stoles being offered for sale to the Society, at a price not exceeding two pice per full grown ratoon, or, in the event of the above not being claimed, the sum of one thousand rupees with the silver medal be awarded for any quantity of cultivation not less than 25 beegahs, on the same terms or conditions as above, preference being given to the largest extent of cultivation.

Proposed 5th.—That it shall be incumbent on the competition to transmit at their own expense, not less than twenty of their best canes to the Secretary, accompanied by a certificate under the signature of the nearest authority, on honor that the cultivation is so many beegahs; and the decision of the Sugar Committee will be received by the Society, in evidence of the successful candidate.

Your Committee have been induced to confine competition to Bengal, as it is considered that the Otaheite cane has through the several channels already adverted to, been firmly established in the Upper Provinces including Goruckpore.

In conclusion, advertng to a letter read at the last General Meeting of this Society, to the address of Mr. Willis, your Committee, while they regret that any feeling like jealousy should exist on the part of the Mauritius planters, to which is attributed the difficulty of obtaining supplies from thence, do not regard this feeling with the slightest apprehension as to the ultimate successful introduction of the Otaheite cane, and they are disposed rather to attribute the difficulty to some other cause; for it would be fully in the Mauritius planters to exhibit any dread of competition from India, by simply denying us a few plant canes, when he is aware, or at least he may now learn from this report, that we are independent of foreign supplies, but, hold out those premiums only to induce an early consummation of what must in a few years take place, without further assistance from without.

Lastly.—Your Committee desire to recommend that their propositions, based on the suggestions of the Secretary, be adopted without any more delay, as notice cannot be longer protracted with any fair prospect of obtaining plants in season and within the period prescribed, and that the Secretary be requested to annex to the series of resolutions, a memo, pointing out the mode of packing, &c., which has been on actual trial found best.

Alex. Colvin,
A. Muller,
E. U. Adam,
W. Storm,

J. W. Masters.
D. Hare.
John Bell.

[Hurkaru August, 12.

An exhibition of Indigenous Vegetables took place, at the Town Hall, this day, Tuesday, the 15th August 1837, at 6 A. M.

Members present.

His Excellency Mons. Bodeer,
Governor of Chandernagore,
Dr. Wallich,
Mr. Storm,

Colonel Caulfield,
Nawaub Tohowerjung,
Mr. Walters,
Mr. J. Jenkins,

Mr. Cracroft,
Mr. Masters,
Mr. N. Alexander,
Mr. R. Watson,

Mr. Gardener,
Mr. D. Macfarlan,
Mr. John Bell.

Judges.

Dr. Wallich and Mr. Cracroft.

Names of Maters.	Place of cultivation.	Description of vegetables, &c	Rewards
Haurao	Soonace	Asparagus	2
Hamsarain	Moochee Jeel	Ditto	1
Emaumdee	Moocheekolla	Ditto	1
Hullowdhur	Ditto	Ditto	1
Mudoo	Moochee Jeel	Ditto	1
Moocheeram	Moocheekolla	Almonds (country)	0 6
Muttoor	Ditto	Avocado Pear	2
Maudhoo Ghose	Singar hat	Ditto	2
Jaudhoo Ghose	Ditto	Beans (French)	2
Borahurry	Moocheekolla	Ditto (Ditto)	2
Bisson Paul	Ditto	Ditto (country seem)	1
Sambuchund	Soonace	Bheet (red and white)	3
Lolichund	Singar hat	Brinjals	1
Sadooram Ghose	Moocheekolla	Ditto	1
Goluck Mundel	Singar hat	Banapatti and Lookee	1
Nubbokisto Doss	Moocheekolla	Dheraus	2
Hlauboo	Singar hat	Cucumbers	2
Haurao	Soonace	Cuddoo (long)	1
Haurao	Soonace	Ditto (short)	1
Fremnarain	Moocheekolla	Cuchoo	1
Bissonauth Ghose	Ditto	Capaicums (Nepal)	1
Jherroo Mundel	Singar hat	Ditto (Bengal)	1
Toherm	Moocheekolla	Cheercheengoe	1
Rheloo	Singar hat	Ditto	1
Haurao	Soonace	Cherree Mella	1
Mudoo Mundel	Moocheekolla	Chilhes (mirichdhan)	1
Mudden Paul	Jharroola	Carrots	1
Nundoo Ghose	Moocheekolla	Cabbage sprouts	2
Ruttoo Ghose	Ditto	Cauliflower plants	1
Povan	Ditto	Citron	1
Unknown	Unknown	Custard Apple	1
Hyder	Moocheekolla	Figs	0 8
Nawaubdee	Ditto	Ginger	1
Secboram Ghose	Moocheekolla	Gerkins	1
Bozahurry	Soonace	Indian corn (country)	1
Nubbokisto	Moocheekolla	Ditto (American)	1
Raumnauth	Ditto	Kurella	2
Sox mutty	Moocheekolla	Koonra	1
Gooruchurn	Moocheekolla	Leeks	1
Sambo	Singar hat	Limes	2
Serdeo	Moocheekolla	Mango	1
Muddoo	Kudderpore	Omrals	1
Kurteem	Singar hat	Oal	1
Sardoo	Jharroola	Onion	1
et bo	ooche kolla	Otaheite Apple	2
Roopekund	Ditto	Pulwul	1
Nurmin Ghose	Singar hat	Ditto	2
Bissonaul	Moocheekolla	Parley (English)	1
Daber	Ranchandpore	Ditto (country)	2
Haurao Doss	Singar hat	Pine apple	1
Unknown	Unknown	Ditto	2
Monsoraddee	Moocheekolla	Radish	2
Bissonauth	Singar hat	Ditto Horse	1
Jameerut	Soonace	Sang chowatie	1
Kallachund	Moocheekolla	Ditto laul	1
Kosaul	Ditto	Ditto sere	2
Kalichund	Ditto	Ditto poi	1
Kosal Mullic	Moocheekolla	Ditto methoe	1
Kunace	Soonace	Ditto pat	1
Haurao Doss	Moocheekolla	Sugar cane (Maurit)	4
Emaumdee	Ditto	Spinage	2
Sardoo	Jharroola	Sallad	2
Hurria	Moocheekolla	Ditto	2
Ramcomul	Singar hat	Turnips	3
Gooropee mud	Moocheekolla	Tumeric	1
Ramchdr. Paul	Ditto	Tomato	1
Goorochurn Doss	Soonace	Tarat	1
Kurteem	Soonace	Tal (fruit)	0 8
		Yam (Batavala)	1

Distributed to unsuccessful candidates..... 20 8

Total Rupees.. 170 0

JOHN BELL, Secy.

Agry. and Flor. Society of India.

[Hurkaru, August, 17.

THE NEW MEDICAL COLLEGE.

We were yesterday gratified by another visit to the laboratory of the new Medical College, having heard a hint that something new and beautiful was to be exhibited.

It is indeed a matter of great pride and triumph to Professor O'Shaughnessy, that with all the disadvantages India holds out in the means of getting up apparatus, and in a climate that is enough to damp any ardour (but his!) he should, as far as we can ascertain, have far outstripped his European competitors in the power and efficiency of his galvanic combinations. His discovery, that the membrane of Daniel might be advantageously replaced by leather, has given him the means of increasing his plates from the limits of a mere bladder to the dimensions of a large hide, or in fact (by uniting sheets of leather) to any size! while the durability of this material renders it safe from the accidents of fracture and decay, to which the former substance was so liable, and maintains its effects constant for a long time.

Dr. O'Shaughnessy, has now arranged an entirely new battery in eight large wooden troughs, containing each four copper and three zinc plates about 3½ feet by 2½ feet. The wires conducting from this train to the discharging troughs of mercury, wherein a steel file was placed perpendicularly, when brought in contact with the latter, ignited and fused the steel with a magnificent scintillation, consuming it like a candle. Arches of thick wire of silver, copper, iron and platina were ignited in

their entire length, and the various other effects already witnessed were shown on a magnified scale. The mixed gas given out by the decomposition of water amounted to seventy cubic inches per minute, and being transmitted through a safety cylinder of oil to a blowpipe jet, poured forth with a velocity, sufficient to keep alight a candle of chalk like that applied to the oxyhydrogen microscope, burning with the brightness of a small star. We have no doubt that with a larger battery the application to microscopic illumination might be most effectively and economically made, or even on a grander scale to light-houses and night telegraphs; but is it not incumbent on the society at large to aid by subscription in meeting the expense of these grand experiments? We know that the first subscription raised by the frequenters of the Government House *Saloon*, has long since been exhausted, and we must not forget that improvements in such inventions outstep calculation, so that an apparatus to-day thought complete will be superseded and set aside to-morrow. The step has been necessary; and the money well laid out; but "many more, many more," destruction of vases and plates and cylinders must take place before the maximum of effect and of benefit is elicited. Calcutta, as a community of professing savans, delighting in experiment and revelling in scientific assemblies, should be eager to share in the merit of such discoveries, and to do honor to the individual, through whose inductive talent and research they have been enabled to taste of such a mental feast.—*Cal. Cour. Aug. 30.*

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta held at the Asiatic Society's Apartments, the 5th August 1837.

Letters from the following Gentlemen were read :

1.—From D. Ross, Esq., stating that he begged to present to the Society a specimen of oil from the Deodard-tree. This oil is in high repute amongst the natives as an external application for rheumatism. It is employed by Veterinary Surgeons for the cure of bursæ and other sores. The oil is dark colored and thick, possessing rather an agreeable odour.

2d.—From the same gentleman, enclosing an extract from a letter of Dr. Trail, Professor of Medical Jurisprudence in Edinburgh. The purport of Dr. Trail's communication was to express his grief for the death of the late Mr. Twining, and his admiration for the talents and eminent worth of that distinguished individual.

3rd.—From Mr. Mackinnon of Tirhoot, stating that he begged to forward for the Museum of the College some urinary calculi which he had extracted, and a specimen of exostosis of the tibia from a leg which he had removed by amputation. The calculi and the diseased bone presented very beautiful examples of morbid structure. Two of the calculi were removed from the same individual. Dr. Mackinnon states that in one of the operations, finding some difficulty in getting into the groove of the staff he withdrew the latter altogether and cut directly into the bladder. The manœuvre proved quite successful. The patients who formed the subjects of these operations had all recovered.

4th.—From R. Baillie, Esq., Madras establishment, forwarding the history of a case of congenital malformation.

5th.—From F. Brett, Esq., containing an account drawn up by the patient himself, of a case of deafness and a description of some improvements in a coustic instrument invented by the sufferer.

The patient states that his deafness succeeded to a cynanche maligna which he caught whilst serving at the siege at Bhutpore. He made trial of several descriptions of ear trumpet, some of which afforded him considerable relief, but none were effective for all voices, those of females were most readily heard. Loud voices, he says, were not always so readily heard as lower ones, indeed raising the speaker's voice above the natural pitch generally rendered the sound indistinct in all the instruments which he employed. In many cases the ear trumpets were altogether inefficient. From these causes the writer was induced to make numerous alterations and improvements on the apparatus he used; these consisted chiefly in adapting a number of perforated plates placed parallel to and at a short distance from each other in a zigzag direction in the mouth piece of the instrument; the holes in the plates were exceedingly small; these plates were varied in number and situation so as to suit voices of different characters and timbre. Some alterations too were effected in the ear pieces; the best are made of bell-metal, which is incomparably better than silver or horn, but the writer states that he believes ivory would be superior to all other materials. The ear pieces have all pin head apertures. This gentleman insists much upon the advantage of applying the mouth-piece to the corner of the speaker's mouth instead of directly in front. All

his mouth pieces are contrived to accomplish that object. He states that the instruments when applied under the chin, or between the neck and throat, or even upon the chest of the speaker, rendered the voice more distinct than when it issues from the centre of the lips. In some of the instruments a few of the plates are perforated. The mouth and ear pieces are separated by a long thin hookah snake.

The paper was accompanied by the instruments which were exhibited to the Meeting.

Mr. Brett remarks upon the care that it would appear from its history that the pathological changes in Mr. * * * *s ear are probably closure of the eustachean tube and deposition of organized lymph in the tympanum, perhaps also in the cochlea and semi-circular canals. He says that the object of these instruments is the concentration and direction of the vibrations of sound. The effect of applying the instrument to the corner of the mouth is evidently to prevent the vibrations of the air by respiration being mixed and confounded with those of the voice. The zigzag plates have perhaps the effect of a micrometer of sound, and thereby serve as a substitute for the cochlea and semi-circular canals, whose structure these instruments somewhat resemble, and the circumstance of the acuteness and pitch of the voice being increased or diminished in the exact ratio with the number of these zigzag plates, whilst it corroborates the supposed physiological use of these mysterious parts of the organ of hearing, shews morbid diseases to have taken place in the structure and function of some of these parts.

Mr. Oxley's case of injury of the head, presented at a former meeting, was then read and discussed. A middle aged man, a Hindoo, was struck on the head by the fall of a tree. He was rendered senseless by the blow, and when brought to the hospital, lay perfectly tranquil, like a person asleep; body warm, respiration natural,

pupils contracted, pulse 72 and regular; a large wound was observed on the back of his head, and the skull in that situation was found to be fractured and depressed. The trephine was applied, the depressed bone elevated, and pieces of broken bone to the extent of two square inches, removed. The dura mater was uninjured. The man began to speak shortly after the operation and showed more consciousness. He gradually returned to his senses, the wound began to heal and he appeared to be doing well. He was attacked with slight symptoms of phrenitis, but they were relieved by leeches, purgatives and salivation. Indeed he appeared to be recovering fast when he was seized with diarrhoea, which carried him off. On dissection several ounces of serum were found to be effused under the arachnoid and the ventricles were filled with a similar fluid. There was some also at the base of the cerebellum; the substance of the brain was unusually firm. Mr. Oxley remarks, that this case is interesting because, after the accident, the respiration was natural, pulse regular, and pupils contracted, with perfect insensibility in opposition to the usual description of the state of such a patient by most authors, especially by Mr. Abernethy. There was effectual compression both by bone and blood, the removal of which caused the pulse to rise, and yet there was no disturbance of the respiratory function, no stertorous breathing and the pupils were not dilated, shewing that the signs laid down by Mr. Abernethy cannot be considered as invariably correct.

It was curious also to observe the appearances of the brain when the patient had made no complaint of uneasiness in that organ for many days previous to his death.

H. H. GOODRVE,

Surg. Med. and Phys. Society.
[Bengal Hurkarn, August 16.]

STEAM COMMUNICATION.

The Committee of the New Bengal Steam Fund publish for the information of the subscribers to the Fund and to the Petitioners, the following letters from Captain Grindlay and Major Head, with their reply to the latter gentleman:—

The committee refrain from offering any remarks on the letter from Capt. Grindlay; but they have much satisfaction in directing attention to the unanimous resolution of the provincial committee at home, whereby they pledge themselves, collectively and individually, by all means in their power, to support any motion that may be moved in Parliament, provided such motion is intended to advance a comprehensive communication with the various parts of the Indian empire.

It would appear that Lord William Bentinck has stated that he could not find a proper opportunity for presenting the petition till the 6th June. The committee are quite satisfied, that this delay has not occurred without good reason. They are confident that the cause is in good hands; and they believe that, backed by the strong expressions of public opinion, which they anticipate will arise when the question is discussed in Parliament, the comprehensive scheme has nothing to fear. At this distance they can of course afford no immediate aid; but they desire to repeat the expression of their entire concurrence in the present views of the provincial committee, and their determination to afford that committee all the aid in their power, should a continuance of exertion at home be necessary.

It will also be gratifying to the subscribers to learn that Mr. Tait had arrived, and had already commenced to take an interest in the home proceedings, as also that he, together with Mr. James McKillop, had joined the London Provisional Committee as honorary members.

By order of the Committee,

CHAS. B. GREENLAW,

Secretary.

*Town Hall, Calcutta, }
the 31st July, 1837. }*

London, 1st May, 1837.

T. C. B. GREENLAW, Esq.

Secretary to the Bengal Steam Committee.

Sir,—I embrace the opportunity afforded by the recurrence of the first of the month to keep you advised of the progress of opinion and events here as to the establishment of Steam Communication with India.

Before proceeding to the detail of any actual business transactions, I must observe that a considerable portion of any time (as you will probably be aware) is continually occupied in endeavouring to direct in the desired channel the various under currents of public opinion and private interest. These minor movements from their multiplicity and complexity do not admit of being detailed or even enumerated. I am persuaded, however, that

their utility is not small, and that though one of them by itself might appear trivial, their united force will be found eminently serviceable in assisting to achieve the great object of our labors. I pass on to the relation of the latest and most important occurrences of a public nature which have taken place in connection with the subject.

On the 28th of last month (April) the committee of the London Association for establishing Steam Communication between England and India, held a meeting at which our home committee were invited to attend. After reading communications from India, the chairman of the association, Major Head, expressed himself desirous of supporting Mr. Mullin's motion in Parliament for a select committee on Steam Navigation with India. In this, however, the majority did not concur, and it was thought more advisable to wait the development of the intentions of Government which would be called forth on the presentation of the petitions, and if these were not satisfactory it would then be the proper reason for the Steam Navigation Company to urge such further means as might be demanded by the wants of the English and Indian communities.

Among the topics adverted to, was one of some interest introduced by Mr. Larpent of our committee. He stated that he had heard that in consequence of the establishment of French steam boats between Marseilles and Alexandria, the East India Company and the post office authorities were about to make arrangements for the transmission of letters by that route three times every month in addition to the existing monthly communication by the Malta packet. Mr. Larpent also made an avowal very gratifying, and in my judgment very just, and well warranted, in declaring his perfect conviction that both Sir James Carnac and Mr. Loch were cordially desirous of giving every facility to promote the fulfilment of the fair expectations of those who take an interest in the question.

You will probably have heard of Mr. Waghorn's having proceeded to England. He was present at the meeting, and stated that he had just proposed to the chairman of the East India Company a new plan of communication, namely, for the *Hugh Lindsay* to run constantly between Suez and Mocha, the *Atlanta* and *Berenice* between Mocha and Bombay. From what I have heard I think this arrangement not unlikely to be adopted.

I believe I have mentioned the most important points in the proceedings of the meeting; which will at least be sufficient to shew that the question is not sleeping.

Mr. Turton has arrived and has become a member of our committee. I accompanied him to the house of Lord Wm. Bentinck, with whom we had an interview of considerable length. His lordship took a very comprehensive view of the progress and present state of the question. He stated that however favorably disposed he might be, towards the London Steam Navigation Association; he regarded the French plan of communication above referred to as certain to destroy all possibility of pecuniary advantage from the European part of the project, and he admitted that he saw insurmountable objections to His Majesty's Government given up by the Mediterranean establishment. His lordship expressed great anxiety to expedite proceedings, but declared that he could not find a proper opportunity for presenting the petitions before the 6th June. He appeared to place the most entire reliance on Sir John Hobhouse, who has declared himself anxious for the presentation of the petition to take place, believing that this movement would strengthen him in his position and facilitate his negotiations.

There can be no doubt whatever, that the presentation of the petitions or any other indication of public interest would have these effects. I have again and again on these grounds urged the importance of popular demonstration. I still hope that I may be successful in obtaining that which I am sure would do good. The feeling expressed by the President of the Board of Control would seem irreconcilable with the continuance of any distaste for a public meeting in the metropolis, and I am most anxious as I always have been, to see one.

Such is the state of our prospects at home, and I think on the whole it may be regarded as a satisfactory one. It seems certain that we shall get a communication to some extent; and when we have made a beginning we must lend the whole force of our efforts to render it perfect. I own that things proceed more leisurely than I think justified by the importance of the object; but I am a single person, and if unable to inspire others with as much ardour as I feel, I can only submit. Whatever I can do singly shall be done. Whatever exertions of mine can be useful in aiding or carrying out the proceedings of others in the common cause, shall be cheerfully and vigorously contributed.

The return of Mr. Lynch, of the Indian Navy, to Bagdad, it is understood, is for the purpose of keeping up a communication by way of Beyrout and the Persian Gulph. There is, however, no ground for alarm from this circumstance. Whatever political or commercial objects may be contemplated, it never can be intended to establish this route for the Red Sea as the highway between England and India. The practicability and certainty of the one and the problematical character of the other, place them out of the pale of comparison. Whatever is done for the benefit of India must and will be done by the Red Sea.

I have the honor to be,

Sir, your most obedient servant,

(Signed) R. M. GRINDLAY.

To C. B. GREENLAW, Esq.,

Secy. Committee, New Bengal Steam Fund.

East India Steam Navigation office, 6, Crosby Square,
May 1, 1837.

SIR,—On the 1st ultimo, I had the honor of addressing you in reference to your communication of 26th December, since doing so the Provisional Committee have had before them the several documents submitted from the New Bengal Steam Committee. I am requested to reply thereto in the name of the London Association, and at the same time to report to you the proceedings of this Committee since I had the honor of last addressing you. The communications made to you at different periods by this Committee since the 20th August, (referred to by you) will have explained most of the points remarked on in your letter and will have satisfied your Committee, the steps taken in London in the first instance that were such as were necessary to forward and promote the object in view. This measure (however wrongly or by whatever party it has been urged) has been prevented from progressing on the plea of expence. This Committee gave in a plan by which Steam Communication with India might be established to create a saving to Government by performing the Mediterranean Packet duty for a less sum than is now expended on the Mediterranean Government Packets. Again, the moderate demand of compensation asked of the East India Company could not be objected to, considering the important duties to be performed for them. For the first time the project of Steam Communication with India obtained such support as at length to receive

the serious attention of H. M. Government and promises of assistance. Although not yet finally accomplished it is so far advanced as to be pretty certain at least to India; and Steam Communication beyond Point de Galle as well as to Bombay is now listened to without the advocates of the measure being looked on as enthusiasts or the scheme being condemned as involving ruinous expence; with this enlargement of public views the plans of this association have been gradually developed and the proceedings of the committee on Friday last, a copy of which is annexed, will shew that little difference exists between the London and Calcutta Committees as to the most efficient and comprehensive plan of Steam Communication due to the vast interests involved in this undertaking.

It is a source of regret with many members of this Committee, that the Calcutta communication was not of a more compromising character, and that more was not left to your delegates in London. The opponents to Steam Navigation avail themselves of the expression contained in the 3rd para. and they make no allowance for the present position of the question, nor do they seek any information on the subject, but thus weaken the exertions making by the association to obtain Steam Communication with all the presidencies of India. No exertion will, however, be wanting to bring the measure to as early and favorable a termination as possible, and with this view the Committee will not relax in their labors.

The gentlemen associated with me on this occasion, feel sensible of the expression of approbation for their exertions conveyed in your letter. As regards the acknowledgment made to myself, I return my most sincere thanks to you and to your Committee, and feel gratified in having been permitted in any way to forward so interesting and useful a project, doomed as this is to benefit so many millions of the human race by opening the way to improvement.

I have, &c.

(Signed) C. F. HEAD, *Chairman*.

London P. C.

No. 6, Crosby Square, 28th April, 1837.

TO THE SECRETARY OF THE STEAM COMMITTEE, Calcutta.

Present.

Major Head, <i>Chairman</i> .	— Fletcher, Esq.
James Bonar, Esq.	— Larpent, Esq.
Capt. Locke, H. C. S.	Mr. Waghorn.
Capt. Grindlay,	George Denny, Esq.
Capt. Thornton, R. N.	Capt. Probyn, H. C. S.
Capt. Nairne, H. C. S.	John Woolley, Esq.
John Hutt, Esq.	Capt. Barber, H. C. S.
G. Palmer, Jr., Esq.	

The minutes of the last meeting were read and confirmed.

* The following is the paragraph alluded to.—C. B. G.

"With these sentiments, this committee regret they cannot concur in the plan laid down by your committee, as it would assuredly be incomplete and therefore inefficient; they consider no plan can be efficient which does not embrace the whole communication from England to Calcutta, thereby including every part of India, dropping the mails and passengers in its progress, whether at Gibraltar, Malta, Alexandria, Bombay (from Socotra) Galle, Madras and so on to Calcutta, proceeding the whole way with the utmost despatch."

The chairman stated to the Committee, that in compliance with the resolutions of the last meeting of the Committee, he had written to Mr. McKillop, and also to Mr. Turton, the views of this Committee in respect to the present position of the Steam question. That the most desirable method of proceeding appeared to be by means of a Committee of the House of Commons to investigate the claims of all India to regular Steam Communication, and of all India to participate in benefits derivable from this measure, also to determine in connection with various documents and details received recently from India, and on behalf of the commercial interests of this country, the best mode for establishing the sought for object, on a permanent and satisfactory footing, as most likely to develop the great advantages expected from its adoption. The co-operation of the gentlemen nominated to attend to the proceedings of the Calcutta Steam petition was requested. It was further reported that Mr. McKillop and Mr. Turton attended at the office of the Committee since the above communication has been made, and being satisfied that the desire of the association was to obtain for all the presidencies in India the benefits of Steam Communication direct with England, those gentlemen had become honorary members of this committee, with the desire to promote their views. Those gentlemen were prevented from attending the committee on the present occasion, but Mr. Fletcher, Mr. Larpent and Capt. Grindlay, who were acting with them, were at the table. The chairman proceeded briefly to detail various and strong arguments from Calcutta, as contained in the communication received from the Bengal Steam Committee, and in so doing pointed out the necessity for one responsible agency between England and India.

The difficulty and expence of overland communication in India, caused from defect in climate and in roads, and the great advantages that India must derive by connecting this Steam Navigation with internal navigation by means of Iron Steamers. The Chairman next read a communication just received from the Bombay Steam Committee, detailing in strong terms the desire felt at that presidency for Steam Communication by way of the Red Sea, and encouraging the committee to proceed in their endeavours to promote a cause, on the successful issue of which all India stand anxiously expectant. It was also reported that accounts from Madras had been received detailing favorable views entertained in that Presidency of the present project, and the desire that prevailed to co-operate with this Committee, at the same time pointing out the desire of Madras in common with the other Presidencies, to obtain a direct communication with England. Those remarks from Madras were in reference to answers about to be sent to letters received from this Committee.

The Chairman stated, that on urging His Majesty's Government to adopt some certain mode of communication with India, there was sufficient cause in the irregularity attending the transmission of the last mails from this country. The Sept. mail had not reached Bombay on the 19th January, and it is believed the mail of that month and the three following months will have reached India by the same conveyance. Various statements, as to the intention of Government and the East India Company in respect to this measure were now talked of, but no definite arrangements had yet been come to. The business part of the year had far advanced; and it was thought extremely desirable that all parties interested, and who advocated this measure, should consult as to the most desirable mode of proceeding.

The Chairman stated, this was the object of the present meeting. Mr. Larpent stated that he as chairman and Mr. Hastie as deputy chairman of the East India and China Association, both took interest in this measure

and had at different times sought for information in reference thereto. Mr. Hastie had in the House of Commons recently learnt from one of the Members of the India Board that His Majesty's Government was proceeding in it, and was anxious to have it adjusted. He (Mr. Larpent) had recently made enquiries of the Secretary of the East India Company, and he found there was correspondence pending between His Majesty's Government and the East India Company in reference to the same subject.

He believed the importance and necessity of it was now fully felt in all quarters. He considered that much credit was due to the gentlemen of this committee whose exertions had greatly advanced the cause.

Mr. Larpent considered that in the present stage of the question, it would be advisable to await the result of the Government announcement to be made in the House of Commons, when Lord William Bentinck brings forward his motions on the 6th June, and to be guided by it. At this moment Mr. Waghorn was introduced, who stated that he had seen various official persons in reference to this measure, and amongst others he had just seen and conversed with the chairman of the India House, who thought favorably of a plan for carrying on the India Mails by the French Steam Packets between Marseilles and Egypt, and of connecting this with India communication. There was no satisfactory explanation as to the mode proposed to navigate the Red Sea. Mr. Waghorn was understood to say that Mails by the French Packets were to be conveyed to Alexandria 2 or 3 times a month, to be forwarded to Mocha, and the East India Company were to navigate the New Steam Vessels between Bombay and Mocha. This explanation was not satisfactory, and Mr. Waghorn in strong terms expressed his hopes that this association will still urge the measure forward, and his belief that nothing would be done without it. He illustrated this by several strong facts. His duty he considered was to improve the now existing communication, but it was for this committee to have it done completely. Some further conversation took place as to the necessity of perseverance and the duty of this Committee to watch the interests of their subscribers and of the Indian public, and to obtain not only a Steam communication with India, but with all the presidencies of India, and with Ceylon. The visitors then withdrew, when the Committee after some discussion adopted unanimously the following resolutions:—

"It was resolved, that Mr. Ashburner, who is deputed from India to attend to the progress of the Steam Question, should be invited to become an honorary member of this Committee.

"That from the intense interest existing in India and all parts of our Eastern possessions, relative to the subject of Steam Communication with those countries, it becomes a paramount duty with this association not to relax in their efforts towards establishing this important undertaking, and with this view this Committee pledge themselves collectively and individually, by all means in their power, to support any motion that may be moved in Parliament, provided such motion is intended to advance a comprehensive communication with the various parts of the Indian empire."

"That the gentlemen appointed as delegates from the various presidencies of India, be requested to co-operate with the association in their endeavours to establish Steam communication with India, on a basis worthy of so important an undertaking."

"That the East India and China Association in London be requested to give their support to any motion

that may be made in Parliament for the purpose of securing a permanent and comprehensive Steam Communication with all parts of India."

"That this committee desire to express their sense of the important services rendered by Mr. Waghorn to the cause of Steam Navigation to India generally, and their obligations for his valuable information conveyed to this committee this day and on other occasions, that Mr. Waghorn be invited to become an honorary member of this Committee."

I have, &c.

(Signed) CHARLES T HEAD, Chairman.

Provisional Committee.

To MAJOR HEAD, Chairman, Provisional Committee, &c. &c. &c.

SIR,—I have the honor by direction of the Committee of the New Bengal Steam Fund, to acknowledge the receipt of your letter dated 1st May last, with its enclosure, and to lose no time in repeating the entire concurrence of this committee in your present views.

It affords this committee great satisfaction to find, that Messrs. Jas. McKillop and Turton have become associated with you as honorary Members of your committee, and they anticipate much benefit to the general cause of all India from this union.

That Messrs. Jas. McKillop and Turton have become associated with you as honorary Members of your committee, and they anticipate much benefit to the general cause of all India from this union.

My last letter dated 28th ult., will have put your Committee in possession of the readiness of this Committee to sanction any grant out of the New Bengal Steam Fund in aid of your views which the Home Committee may see fitting to make.

I have the honor to be, Sir, your most obdt. servt.

C. B. GREENLAW, Secretary.

True Copies.

C. B. GREENLAW, Secretary.

Town Hall, Calcutta, the 31st July, 1837.

[Hurkaru, August 21,

The Steam Meeting, as we noticed on Saturday, was very fully attended. There could not have been less than four hundred persons present. On the motion of Mr. Pattle, seconded by Mr. Parker, Sir Edward Ryan took the chair, and read the requisition of the Committee calling the Meeting.

He then desired the Secretary to read the report which was as follows:—

REPORT.

Of the Committee of the new Bengal Steam Fund to the Subscribers to the Fund, and to the Petition, at the eighth half-yearly general meeting convened under the 10th Regulation of the original meeting of the Subscribers to the Fund held on the 22d day of June, 1833.

On the occasion of the last meeting of the subscribers to the New Bengal Steam Fund, and to the petition, held on the 18th February, the Committee stated that the cause of Steam Communication between England and India had at length assumed that position at home which must in a short time lead to its establishment.

They are now happy to be able to say that they still continue to feel satisfied that such will be the case, and they see little reason to fear that the communication will not at once be extended to all the ports of India.

The Committee have, as usual, communicated to the subscribers through the medium of the newspapers the progress of affairs at home, as they became known to them through letters received from Captain Grindlay and Major Head; but it will be convenient on thus meeting the subscribers to notice the several incidents that have occurred.

In April last, the Committee received letters from Captain Grindlay and Major Head, up to the beginning of February. On that occasion they communicated to the subscribers that Captain Grindlay would appear by the communications received from him to have followed the directions given to him with great energy so far as directing public attention to the general question was concerned, but they expressed their regret that they found reason to be much dissatisfied with the tenor of his advocacy, so much so that they considered it to be most inexpedient that the interests of the subscribers should any longer be placed in his hands, and they at the same time published their unanimous resolution in which they requested him to close accounts with the Home Committee. Nor have the subsequent communications, received from Captain Grindlay, at all tended to alter the sentiments of the Committee on his behalf.

Under date 23d June, the Committee published communications from Captain Grindlay and Major Head up to the 14th March.

The letters of Major Head intimated that Lord William Bentinck was in direct communication with him with reference to the simultaneous establishment of the communication direct to all the principal ports of India, and Captain Grindlay reported that the Lords of the Treasury and the President of the Board of Control were of opinion that no plan would be worthy of adoption that did not provide for such direct communication with the principal ports; yet, notwithstanding, he knew, as is clear from his letter of the 1st May, that there was opposition at work against the principle thus laid down by the Lords of the Treasury and President of the Board of Control, and fully adopted by Major Head and his Committee, he does not appear to have taken any steps whatever from that date up to the 1st May to support the Principle, or to assist in the proceedings evidently going on under the auspices of Lord William Bentinck, although under date the 1st April, the letter of the Committee in reply to Major Head's proposition, in which letter that principle is laid down as a "*sine qua non*" for the concurrence of this Committee, was published in the *Times* news paper; and indeed the annexed sketch of a proposed petition, embodying Captain Grindlay's views, and forwarded officially by him under date 7th January for the information of the Committee, sufficiently evinces that no decided support of the views of the subscribers to the New Bengal Steam Fund and to the petition to the House of Commons could be expected from him.

The committee, however, are happy in being able to state, as just noticed, that Major Head's Committee had, prior to the receipt of the Committee's reply, consequent on communications with Lord William Bentinck, prepared a petition to the House of Commons, praying, "that no measures will receive the sanction of your Hon'ble House that do not ensure a regular, expeditious and monthly communication between the different Ports of India and England," and they have obtained a further petition to be prepared by certain Merchants, Bankers, Traders and others, in the city of London, referring to the Resolutions of the Select Committee of the House of Commons, and "praying that the house will adopt measures for establishing a regular monthly Steam

Communication by way of the Red Sea between the principal ports of India and England."

On this radical change in the views of the London Provisional Committee, viz. from proposing the immediate establishment of the communication to Bombay alone, and its subsequent extension to the other ports of India, as circumstances might enable them to do so, to at once establishing it on the plan originally proposed by this Committee, they desire to direct the attention of the subscribers to that part of their last report in which they gave their reasons why they could not concur in the original proposition of Major Head's Committee. Among these reasons are the following:

18. "But as the proceedings of the Committee, and indeed of all India, are based on these resolutions, it would obviously have been impossible for the Committee to concur in Major Head's scheme, without abandoning the strong ground they have taken, and possibly placing themselves in opposition to the proceedings in progress at home by their own agents acting under their directions.

19. "Again Major Head's scheme was framed in entire ignorance that any movement was in progress here, and of course in ignorance that that movement was based on the resolutions and before its projectors could be aware of this, they had brought their scheme to the notice of the authorities at home.

20. When, however, they become aware of the great importance of this ground, especially if the country generally should respond to the appeal, nothing can be more probable than they will abandon their present scheme and take their stand also on the resolutions. If then the Committee consistently could have and had concurred in Major Head's plan, the reply to the expression of such concurrence might have been an announcement of the abandonment of the plan."

The Committee leave the subscribers to judge in how far they were right in the above view taken by them on the occasion referred to. They have, however, the further satisfaction of knowing that their reply to Major Head must be considered as strengthening the views entertained by his Committee when they received the reply.

Major Head, in a letter dated 3d April, from himself individually, after explaining the grounds on which he originally proposed to commence with Bombay alone in the first instance, and those on which his views and those of the Committee have progressively been altered, says.

"Having received this communication from your Committee, I wrote this day to Lord William Bentinck to request an interview. I will make known your views to His Lordship, and I do so the more readily, as similar sentiments were expressed by this Committee, and are embodied in a petition ready to present with that from Calcutta; also petitions from the Merchants of London and from the Merchants connected with Ceylon to the same effect."

The latest communications received were dated 1st May, and were published in the Calcutta papers of the 4th instant.

In making these communications know to the subscribers, the Committee refrained from any remark on that of Captain Grindlay, and they still desire to leave it to the judgment of the subscribers at large; Major Head's letter, however, is a source of much satisfaction to the Committee.

It appears that on the receipt of the Committee's reply, he called a Meeting of his Committee and invited the attendance of the Members of our Home Committee and that of Captain Grindlay.—Mr. Turton and Mr. James McKillop having previously become Honorary Members of Major Head's Committee,—these two gentlemen were however unable to attend the meeting; but Messrs. Larpent and Fletcher and Captain Grindlay did so: Major Head addressed the meeting and noticed the reply of the Calcutta Committee in these words.

"The chairman proceeded briefly to detail various and strong arguments from Calcutta as contained in the communication received from the New Bengal Steam Committee, and in so doing pointed out the necessity for one responsible agency between England and India."

"The difficulty and expense of overland communication in India caused from defect of climate and in roads, and the great advantages that India must derive by connecting this Steam Navigation with internal navigation by means of iron steamers."

And the visitors having withdrawn, the provisional Committee unanimously came to the following resolutions:—

"That from the intense interest existing in India and all parts of our Eastern possessions, relative to the subject of Steam Communications with those countries, it becomes a paramount duty with this association not to relax in their efforts towards establishing this important undertaking, and with this view this Committee pledge themselves collectively and individually by all means in their power to support any motion that may be moved in Parliament provided such motion is intended to advance a comprehensive communication with the various ports of the Indian Empire."

"That the gentlemen appointed as delegates from the various presidencies of India be requested to co-operate with the association in their endeavours to establish Steam communication with India on a basis worthy of so important an undertaking."

"That the East India and China Association in London, be requested to give their support to any motion that may be made in Parliament for the purpose of securing a permanent and comprehensive Steam Communication with all parts of India."

The Committee now beg to refer the subscribers to the proceedings had by them in relation to those communicated by Major Head.

On the first intimation from that gentlemen of the intention of his Committee to petition the House of Commons not to sanction any measure that does not ensure a regular, expeditions and monthly communication between the different ports of India and this country, the Committee lost no time in expressing their entire concurrence in this view, and in pledging themselves to afford the provisional Committee all the assistance in their power in their endeavours to establish a perfect Steam communication between England and the principal ports of India, and they opened a credit with the house of Sir Charles Cockerell, Bart., and Co. for £1,000, in favor of the Home Committee, intimating to that Committee that they would readily sanction any grant which the Home Committee might see fitting to make in aid of the views of the provisional Committee while those views continued to have the concurrence of Lord William Bentinck and the other members of the Home Committee.

On receipt of the letter from Major Head, dated 1st May, conveying the resolutions above noticed and the

intimation that Messrs. James McKillop and Turton had joined his Committee as Honorary Members, the Calcutta Committee expressed the great satisfaction they felt at this latter proceeding, anticipating as the Committee do, much benefit to the cause from the union of the only two Indian Members of the Home Committee with that of Major Head under the views now advocated by him.

The Committee would now observe, that the petitions were to be presented on the 6th June last. They trust, that the result will have been a resolution for the immediate establishment of the communication to all the three Presidencies. But should it for any cause not be so, they will at least have the satisfaction of knowing that the plan originally proposed by them will have received consideration, and that at all events it had at one time the concurrence of His Majesty's Government. Further, should it have been resolved to establish the communication to Bombay alone in the first instance, this Committee stand pledged to the Home Committee as follows, under date 1st May last.

"Should it have had that fair consideration and the determination should have been come to establish the communication to Bombay alone, whether permanently or with the intention of eventually extending it then we would request that on our part every legitimate means may be used to obtain the extension at the earliest possible period. On hearing, that such a determination has been come to, we shall lose no time in endeavouring to strengthen your hands by obtaining still further expressions of the public desire in India; and we shall continue our utmost exertions until our endeavours are crowned with success or are rendered utterly hopeless."

The Committee appeal to their constituents for a concurrence in the arrangements they have made in support of Major Head's present views, and they appeal for concurrence in the above pledge.

They consider a strong and united expression of desire for the immediate establishment of the perfect communication and of determination to continue to press it till accomplished will be of the utmost use, if unfortunately the hopes and wishes of all India, with little exception, should be frustrated by the partial Communication being alone established.

Accompanying is a statement of the funds, shewing a balance of Co's. Rs. 51,448-1-10 exclusive of interest due, amounting to Co's. Rs. 546-2-2, making in round numbers Co's. Rs. 52,000, subject to a credit of £1,000 on the house of Sir Charles Cockerell, Bart., and Co. in favor of the home Committee; who it is understood have furnished to Captain Grindlay £700 out of the £1,000 originally remitted to them, thus having £1,300 at their disposal.

By order of the Committee,

CHARLES B. GREENLAW, Secretary.

Town Hall Calcutta, August 16, 1837.

Mr. Greenlaw then stated that he had that morning received letters from Captain Grindlay dated 1st June, and a copy of a letter addressed to Lord Melbourne by Dr. Lardner, and a small work on Egypt, by Mr. Waghorn. In noticing these, Mr. Greenlaw observed that the Committee had on more than one occasion informed the subscribers that they had arranged under a distinct agency from that of Captain Grindlay for the further advocacy of the extension of the communication to the principle Ports of India; and they were indebted to that

agency for obtaining the kind and powerful interference of Dr. Lardner in their favor. It was not for him to take up the time of the meeting in remarking on the ability displayed in the letter. Mr. Waghorn's work was written with a view to impress on H. M. Government the absolute importance of rendering English interests in Egypt paramount; it was not written avowedly in support of the Steam Communication, and although it only bears incidentally on it, yet it did so in a very important way, and it appeared to him that the work was most creditable to Mr. Waghorn, and exceeded any thing he had ever before given to the public.

Mr. Greenlaw then read Captain Grindley's letter as follows :—

To C. B. GREENLAW, Esq.,

Secretary to the Calcutta Steam Committee.

Sir,—I trust I may commence my usual monthly communication by an expression of well-founded confidence that our cause is prospering although this confidence is grounded more upon the progress which the question had previously made than upon any new movements occurring during the last month. Our position is, however, at least as good as it was, and I am inclined to hope that he has even gained something in point of strength.

You are already well acquainted with the opinion which I entertained from the first in favor of a succession of public meetings commencing in the metropolis and spread throughout the country for the purpose of supporting the petition from India, by others embodying the same prayer from the people of England. I have never seen the slightest reason to abandon my original conviction of the advantages to be drawn from this course, and I have never ceased to lament the impediments which have been opposed to its adoption. A Meeting of our home committee took place on the 16th ultimo, at which Lord William Bentinck and Mr. Taitton attended; and I availed myself of the opportunity to submit the memorandum, No. 32. Its purpose, you will perceive, was to urge once more the importance of convening a public meeting in London, and to suggest that Lord W. Bentinck should be requested to use his influence to remove the scruples of Sir John Hobhouse.

This was a necessary preliminary to such a movement, incalculable as I believe the advantages to be derived from a public meeting would be, if the veto of Sir John could be withdrawn. It is quite clear no benefit could be reasonably expected from any measure, however judicious in other respects, if adopted in defiance of an authority on whom so much depends. Lord William expressed himself anxious to have some definite information as to the state and prospects of the East India Steam Navigation Company before communicating with Sir John Hobhouse on the subject at all. I was in consequence deputed to propose to Major Head, the Chairman of the Company, that our committee should attend theirs at its next meeting, that by free conference and interchange of opinion each body might acquire a perfect knowledge of the views of the other, and by making arrangements for acting in concert, be enabled to act with greatly increased effect.

This overture appears to be demanded by the interests of the common object which we have in view.

It was our endeavour to act in the spirit of the received adage that "unity is strength." In reply to my proposal, I was informed by Major Head, that he was printing some documents which he thought would furnish all the information required by Lord William,

and that in his judgement a meeting of the committees was unnecessary. I renewed the application some days afterwards, and received from Major Head a reply of which I enclose a copy (No. 34). We were thus thrown altogether upon the printed documents, which, however, on their arrival, appeared too vague and general to answer Lord William's purpose, or to enable him to state any thing specific to Sir John Hobhouse. We are, in fact, for any practical purpose, no better informed of the views of the Steam Company than we were before. But I hear that it is the intention of that body before the presentation of our petition, to address a letter to Sir John Hobhouse, containing something more tangible, and that a copy will be furnished to Lord William.

This is the present position of affairs. My own opinion is that the communication will be established by the joint provision of the King's Government and the East India Company, and that the line will be occasionally shortened by overland communications to and from Marseilles.

I see nothing discouraging in our prospects, my impressions are decidedly of a contrary character. I believe, however, that we should have had a much better chance of an extended plan, had we been backed as we might have been by the expressed opinion of a numerous body of London Merchants, re-echoed from every place of commercial consequence in the Kingdom. Lord William is fully sensible of the assistance which might have been derived from this course, but believes it now too late. This is lamentable. I shall never cease to regret the rejection of my proposal in the month of October. (No. 7) till we have the extended line in full operation.

Mr. Waghorn has not been idle during his sojourn in this country. In a tour to Liverpool and Manchester, he procured some hasty petitions. That from the former place has been presented by Lord Sandon, but this proceeding having taken place without reference to any general plan, a large portion of the effect which might have been produced, is necessarily lost. Mr. Waghorn appears to feel and regret this. These isolated movements are of very little value, system and perseverance being absolutely essential to success.

I am endeavouring to keep up attention to this subject by the continued circulation of my pamphlets and notices; so that in the event of any discussion arising in Parliament, or a reference of the question to a committee, there may be some general information afloat calculated to lead to a sound and liberal conclusion. My habits of life afford me many opportunities of effecting the same object privately, and inclination no less than duty lead me to be ever on the alert to improve them. Under all circumstances, whether encouraging or depressing, I shall continue to labour to promote the views of those who have honored me by commanding my services, and I trust the success to which all our hopes are directed is not far distant. I do not, indeed, despair of being able in my next monthly letter to communicate the final settlement of the question. I wish I could speak as confidently with regard to the completeness of the communication; but we must hope for the best, and if the comprehensive plan be not adopted in the first instance, it must at all events soon follow.

Since writing the above, I have received a pamphlet by Dr. Lardner, recommending

- 1st. The regular establishment of Steam Navigation with India.
- 2nd. The route by the Red Sea.

3rd. The comprehensive plan admitting to its full advantages not only Bombay, but Calcutta, Madras and Ceylon.

The time will not admit of any observations and none will be necessary, as I enclose a copy for your information. I trust that this publication will do us service, emanating as it does, from a well known member of the scientific world, taking up the right side of the question and maintaining the principle in its full extent.

I have the honor to be, Sir,

Your most obedient Servant,

R. M. GRINDLAY.

London, 1st June, 1837.

Mr. Greenlaw then said, that the Meeting might like to hear an extract from a private letter of Captain Grindlay's, which he read to the following effect.

"We are now within a few days of the crisis; Lord William Bentinck's motion stands for Tuesday the 6th instant, and we have at present no reason to apprehend a postponement. Of the general result, I entertain no apprehensions; as I have seen the progress of the negotiation, and I know that the moving powers are at length fairly and sincerely pledged to the measure; my only doubt is regarding the extent to which that measure will at first be carried. I see no reason, however, to believe that either of the authorities entertain any narrow views on the subject. In the first instance, the communication will be opened by the Steamers now attached to the Bombay Presidency, but it by no means follows, that the communication will continue to Bombay direct: on the contrary, I have reason to believe, that the Supreme Government will be empowered to make such arrangements as may be deemed most effectual with the means at their disposal, which will forthwith be increased by the addition of other steamers to be purchased and built here. Therefore I think you will be satisfied that in a reasonable period you will have a full and comprehensive system established by the joint authorities, who evidently are resolved not to surrender this important machinery to other hands."

Mr. Henry Torrens then rose for the purpose of moving the first resolution. He referred to the vague and indefinite character of Captain Grindlay's communications, which appeared to him to partake more of the character of diplomacy than of the straightforward reports of an agent to his employers. He contrasted this conduct with that of Major Head, Captain Barber and the other gentlemen who had acted with them. These gentlemen had now advocated a plan at home which, if brought to bear, would be felt beneficially throughout the whole of India, instead of confining the greater part of the advantages derivable from a Steam Communication with England to one single spot. He regretted that any party in England should have thought that Steam Communication could not successfully be brought direct to all the ports of India, that it could alone be taken to Bombay; and he considered that the warmest thanks of the people of India were due to Major Head, and Captain Barber, for their present exertions, and endeavours to do away with this delusion, as was evidenced in the proposed petition to the House of Commons, in their resolution to support no plan that did not provided for such extended communication, and in their call on the India and China Association to pursue the same course. He therefore most cordially proposed the thanks of the meeting to those gentlemen in the terms of the following resolution, which he then read.

Resolved 1st.—That this meeting entirely approves of the course of proceedings had by the Committee in

regard to Major Head's Committee at Home, and that the thanks of the Meeting be given to Major Head, Captain Barber and the other Members of the London Provisional Committee for their continued unabated exertions in promoting the establishment of the desired communication; and specially for their having united with the Bengal petitioners in praying for the immediate establishment of the communication to the principal Ports of India, and that the Chairman be requested to convey the thanks of the meeting direct to Captain Barber as well as to Major Head.

Mr. Greenlaw wished to propose, with the consent of the mover and seconder of the motion, a small addition. The motion proposed a vote of thanks to Major Head, Capt. Barber and the other members of the London provisional Committee. The acts of Major Head in this matter were all public and his communications had been made known in the Indian papers, the Indian public are therefore fully apprized of the just claims he has to their thanks; but Capt. Barber's exertions were more private, and were not so well known. They were only generally known by report, but those who were in communication with Capt. Barber on the subject knew that his zeal, exertions, and devotion to the cause could not be surpassed. As evidence of his zeal, Mr. Greenlaw held up a large parcel of letters, and said that these letters, thirty-three in number, had been written by Capt. Barber from August to May, to him alone, independent of equal numbers doubtless to many other parties here as well as at the other Presidencies. Of those to Mr. Greenlaw he said, three had been written on the same day, one at the breakfast table, one when Capt. Barber had gone to the city, and one on his return home. This was abundant evidence of his zeal; and that his zeal had been well directed, or at all events in the way calculated to merit the approbation of the meeting; all that Mr. Greenlaw could say was that, if the meeting could have read the letters of Capt. Barber as he had read them, if they could know the anxiety he felt for the completion of the whole measures as he knew it, he would be contented to stand by the side of Capt. Barber and share their approbation with him. He thought it right to say thus much before he called on so large and so respectable a meeting to sanction the addition which, with the consent of his friends who had moved and seconded the Resolutions, he desired to make to it—it was

"and that the chairman be requested to convey the thanks of the Meeting direct to Capt. Barber as well as to Major Head."

Messrs. Torrens and Stocqueler having consented to the addition being made, the motion was passed unanimously.

Mr. Pattle then addressed the meeting, stating that on him had been conferred the honor of moving the next resolution. He said, all present must gladly perceive that the public anxiety for the success of the important question of Steam Navigation had hourly increased. Not only was the present meeting more numerous attended by Europeans than on any former occasion, but it could boast of a most highly respectable and numerous accession of native gentlemen. It was surely very gratifying, Mr. Pattle observed, to perceive mixed with them on this interesting occasion, such numbers of the most respectable native inhabitants of this city, brought there by their just appreciation of the valuable advantage derivable to their country and to themselves, by the accomplishment of the great object in progress, and watching the proceedings with an anxiety which unquestionably manifested the deep interest thus excited in their minds. The fact of such a concourse of respectable native gentlemen having attended this meeting wherever made public in our own country, could not fail to have

weight and to establish a general conviction, that the natives are not only not indifferent to such important public matters, but that this particular question has their warm support and wishes for its success.

Mr. Pattle assured the meeting that he was fully persuaded they needed no inducement to make them strenuously persevere in every measure promising the establishment of Steam Navigation to all the presidencies of India. That success must crown such endeavours he trusted was not doubted by any person present. If unremitting perseverance had conquered all difficulties, and brought to pass such events as Catholic Emancipation and Parliamentary Reform, who could (Mr. Pattle asked) for an instant believe that whatever might be the opposition offered to the success of the important object for which they were that day assembled it could fail to be vanquished by the energy, talent, and influence with which it would be successfully maintained and supported. All India must and will be prepared to aid incessantly the advancement of this measure, and Mr. Pattle expressed himself confident that those who heard him would concur with him in opinion that it was highly expedient by a strong declaration on the part of the meeting to persevere in petitioning until the establishment of Steam Communication direct to all the parts of India was obtained. Gentlemen, said Mr. Pattle, in conclusion, persevere, agitate, agitate, and believe nothing has been done until all your desire has been accomplished: let your endeavours be worthy of the great cause you have undertaken and the unquestionable high desert of both cannot fail to obtain for you success.

Mr. Pattle then moved the second resolution which was seconded by Col. Becher and passed unanimously.

Resolved 2ndly.—That this Meeting entirely concurs with the Committee in considering a strong and united expression of the public sentiments in relation to Steam Communication with England particularly expedient at the present moment; and therefore hereby declare their unabated desire for the immediate establishment of the Steam Communication direct to the principal Ports of India, and their determination to pursue by all legitimate means such extension at the earliest possible period in the event of their just expectations of its immediate establishment being frustrated.

Mr. William Prinsep, in bringing forward the next resolution, claimed the indulgence of the meeting, being quite unused to appear before the public as a speaker at a public assembly; but seeing his friends in the civil and military services stepping freely forward in support of this great and stirring question, it would ill become Calcutta as a trading city, that none of her merchants should stand forward to support with their voice a measure of so much importance, and in which he believed that all would acknowledge the mercantile class had ever supported with zeal and ardor equal to that of any other of her inhabitants. He regretted deeply that it had not fallen to some other person more competent than himself to bring forward the resolution he would propose, and the more particularly after the eloquent manner in which they had already been addressed. He would not, however, shrink from the task since he felt the warmest interest in the success which at last began to appear within their reach, and without further pressing upon their time and attention, would at once submit the following resolution which, after being briefly seconded by Mr. Earl, was unanimously agreed to.

Resolved 3rdly.—That in furtherance of the above resolution the Committee be instructed to continue to watch the proceedings at Home, and in the event of the communication being established to Bombay alone,

whether permanently or with a view to its future extension, to take such steps as may appear necessary to them—until a public general meeting of the inhabitants of Calcutta and its neighbourhood can be duly convened, to consider what further measures may then be necessary.

Mr. Spier proposed the fourth resolution and said, that the resolution which he had to propose bore reference to the exertions which Lord Wm. Bentinck has made and is now making to promote Steam Communication between the two countries. It is well known his lordship never listened to any narrow and limited mode of accomplishing what is in truth a general object. He contemplates not merely the direct effects of a more rapid intercourse, but the no less certain, although indirect results, the accelerated improvement of India, which must take place by the closer approximation of an ignorant and enlightened people. This could never be accomplished by a mere line of communication with Bombay, but only by extending it to all the principal ports of India. From many, if not all, of these ports, lesser channels of Steam Communication will be formed, which will carry civilization, knowledge, and commercial prosperity to the interior and most remote provinces. Already we see one of these successfully established, as if by anticipation, from Calcutta to Allahabad, which is only waiting to be rendered still more effective by being joined with the large and main trunk of Steam Communication from England which we have now every hope of soon seeing accomplished. This subordinate channel we also owe to the noble Lord, lately at the head of this Government, and he was therefore sure, the Meeting would heartily concur with him in the resolution, which he then proposed and which, being seconded by Mr. Montefiore Joseph, was passed unanimously.

Resolved 4thly.—That this Meeting have learnt with the utmost satisfaction that the parting pledge of Lord William Bentinck to the people of India was to the following effect.

“I cannot command the opportunity of forwarding its future success, but if within my reach you may depend upon my most earnest efforts to promote its progress and to obtain for India an advantage so great in all its direct and indirect consequences, that in my opinion it would be cheaply bought at any price”—is in course of redemption, and they trust that his endeavors will be crowned with success.

That in the present stage of proceedings at home no further expression of their sense of His Lordship's proceedings is called for at the time, but the Meeting are not unmindful of what they owe to His Lordship's exertions.

Mr. H. M. Parker would have been well pleased if it had not devolved upon him to move the next resolution, since it conveyed censure and might wound the feelings of an individual; still he could not hesitate in performing this duty, because he sincerely believed that the censure was well deserved. An approval of the measures adopted by the Committee in removing Captain Grindlay from his agency, was the object of the resolution. Mr. Parker confessed for his own part that he could scarcely look upon it as a removal from the agency of the Bengal Steam Committee, since an agent, in the true acceptance of the word, Captain Grindlay cannot be said to have proved himself. It was absolutely impossible to discover from Captain Grindlay's letters to Bengal what measure of Steam Communication he advocated; and from all that can be gathered from his correspondence, he might precisely as well be the agent for Bombay or for Penang, or for any other port in the eastern seas, as for Calcutta. He reminded Mr. Parker of the old school-boy riddle of what went round the house and round the

house and never entered the house; for he talked of the scheme, and the great scheme, and the advantageous scheme, and the scheme of Indian Steam navigation exactly as any man would talk on the subject who knew nothing beyond the general bearings, who knew no difference between steamers running to Bombay only or to Bombay, Madras and Calcutta,—who was, in short, an indifferent speculator, and not a paid agent of a public who wishes and views on the subject had been long, and warmly, and repeatedly manifested. Look even at the petition to Parliament, a copy of which has been laid before the meeting this day, and which Mr. Parker believed might be called Captain Grindlay's petition. It communicates to the House of Commons three startling facts of which that illustrious body will of course, until the petition be placed before them, remain profoundly ignorant. One is that commerce generally is greatly promoted by accelerating the communications between two countries having great dealings into each other; a second that India takes a great quantity of British manufactured goods and returns a great quantity of raw material; and the third, that the route of the Red Sea is the preferable one for Steam Communication. But where is there one sentence, one word, one allusion in that petition to the great object of the Calcutta association, to that scheme of Steam intercourse which has been very properly termed the *comprehensive*, and which would include direct communication with Bombay, Madras and Calcutta? Why, a Bombay agent and a Bombay committee might have placed precisely such a petition before the Commons House of Parliament, without even risking for a moment that exclusive communication which has been generally advocated on that side of India. And now, even at the twelfth hour, we receive a letter from Captain Grindlay (by a route which, if the transmittal of letters be the only object in view is perhaps the best) sending copies of Dr. Lardner's pamphlet, in perusing which our agent appears for the first time to have made the interesting discovery that the scheme of direct Steam Communication to all three presidencies is a very good scheme indeed. The Committee may say they relinquished Captain Grindlay as an agent, but from all we have read of his doings, even in his own letters, he appears to have relinquished them as a Committee. He hoisted a vague and misty banner with no decided blazonry and no speaking motto, when his flag ought to have been foremost in the battle, glittering with a device those who run might read, and in construing which there could be no mistake—"Steam Communication direct with the three great Ports, with the three capital cities of British India." This should have been the legend or colour nailed to the mast. Has Capt. Grindlay done this? Has he exerted himself to make manifest, to spread, to render popular in all quarters the views of those by whom he was employed? There can be but one answer to such a question! He who is not for us is against us, and in such a case the course to be pursued is very clear. Mr. Parker, therefore, begged to propose the following resolution.

Resolved 5thly.—That the appointment of Captain Grindlay as Agent to the Calcutta Committee having emanated directly from the Committee, it is competent to the Committee to remove him from such Agency without reference to the subscribers, but this meeting concurring with the Committee in opinion that the tenor of the advocacy of Captain Grindlay has not been in consonance with the petition and memorials of the inhabitants of Calcutta and its neighbourhood, consider that the Committee have acted with sound discretion in removing him from their Agency.

Mr. Stocqueler seconded the motion.

Captain T. J. Taylor, (Madras Army) said, that as a Member of a Sister Presidency whose interests were linked with those of Bengal, and as a Member of the Committee which drafted the last memorial to the Court

of Directors and Board of Control and the Petition to Parliament, he was glad of the opportunity afforded him of seconding the above resolution. He well knew the nature of the instructions sent to Captain Grindlay and no doubt whatever remained in his mind, no doubt could rest with any man who read Captain Grindlay's letters, that that gentleman had failed in the duty confided to him. Indeed it seemed to him (Captain T.) that the successive letters of Captain Grindlay were each a greater shuffle than the last, that instead of enforcing the general, the comprehensive plan, Captain Grindlay indulged in vague generalities, full of nothings, as if his only object was to blink the merits of the general question, and to blind the Calcutta community as to the real intent of his exertions. To him (Captain T.) it was perfectly clear that Captain Grindlay had supported the exclusive interests of those with whom he was connected by old ties of association, and familiar intercourse, of those with whom he had served his whole Indian career, and had neglected the general interests of those, by whom he was specially paid for support. Under such circumstances, Captain T. did not see how the Committee could have acted otherwise than they did in sending Captain Grindlay to the right about in the most cavalier way possible; and he trusted that this energetic and judicious measure of the Committee would receive the unqualified approbation of the meeting.

Captain Birch said, that he rose to notice briefly an expression which, if he was not mistaken, fell from Captain Taylor, in seconding the motion now about to be put; because he was sure that that gentleman by no means intended to be understood to mean what nevertheless the actual words to which he alluded must be taken to convey. He must presume that Captain Taylor's words will be correctly reported in the newspapers, and therefore, as a Member of the Committee, he felt desirous that they should not go forth without some explanation. If he was not mistaken, the expression used was this, that Captain Taylor himself approved, and called upon this meeting to join him in approving, the Act of the Committee, "in having turned Captain Grindlay to the right-about in the most cavalier manner." Now, though he was quite satisfied that Captain Taylor meant to approve of the act of the Committee as one which circumstances fully justified, yet he thought it right to mention that the decision of the Committee was by no means hastily formed, and that he for one, certainly did not agree to that decision till he became painfully convinced of its necessity. The subject underwent deliberate investigation in the Committee; and his only object in saying these few words, was, to remove the possibility of any impression getting abroad unfavorable to the Committee, feeling quite sure that Captain Taylor had not the least intention of giving rise to such an impression.

Mr. R. S. Thomson drew the attention of the meeting to another circumstance regarding Captain Grindlay, which he thought ought not to be overlooked; it was evident he was not guided by the same independent principles as Major Head and Captain Barber, but had made use of our funds to promote a selfish purpose, as the advertisement of his private Agency so insiduously introduced at the end of his pamphlet clearly indicated: had Captain Grindlay been as arduous in advancing the comprehensive plan, which he was bound to do, as he seemed to be in endeavouring to secure notoriety and publicity to his Agency scheme, he would have stood in a better position with us than he does now.

Mr. Greenlaw stated, that it was scarcely possible any matter could have had fairer or fuller deliberation. As soon as practicable after the arrival of the mail, which brought four months' despatches, the Committee met and

the whole were read over. There was then a feeling favorable towards Capt. Grindlay, as his letters shewed he had been moving with energy; some little remark was made touching a passage in the pamphlet incidentally noticed. A further meeting was therefore agreed on for the purpose of considering the matter fully. At that meeting it was well discussed; and the feeling was unanimously opposed to Capt. Grindlay's conduct, but it was still thought proper to give the matter yet further consideration; and the four copies of the pamphlet were directed to be circulated among the Committee with a note by him, the Secretary. This was done and every member of the Committee kept the pamphlet as long as he considered it necessary to do so to enable him to become master of its contents. Then another meeting was called at which every member of the Committee attended except one, and there was but one feeling on the subject, which again had considerable discussion; the only question being the most delicate way in which they could communicate to Capt. Grindlay that they no longer required his services.

Captain Taylor, explained that in using the word "cavalier" he did not mean to imply the slightest censure on the Committee, or that their conduct had been hasty or not well considered: Very far from it. Capt. T. entirely approved of their proceedings. He merely meant that they had summarily dismissed Captain Grindlay, and that he thought Captain G. very richly deserved it. The Resolution was then put from the Chair and passed unanimously.

Mr. Greenlaw then said, that he had received a letter from a party calling herself the widow of the late Captain Forth, claiming remuneration, as she considered that he had died consequent on a disease caught while in command of the *Forbes*, and that there was an unadjusted claim due to him. Mr. Greenlaw observed that she was mistaken, the unadjusted matter being whether or not the Committee should call on him for payment of the amount at issue. The Chairman interposed, and observed, that whatever the contents of the letter might be, it would be better that it should be referred to the Committee, and if they thought necessary it might be submitted to some future meeting of the subscribers.

Mr. Willis drew attention to Dr. Lardner's letter to Lord Melbourne and thought that publicity ought to be given to its contents.

The Chairman entirely concurred with Mr. Willis in considering it important that the utmost publicity should be given to Dr. Lardner's pamphlet, that it should be republished in this country, and generally distributed. He considered the statements, figures and facts, to be wholly unanswerable; and he should like to see any of those who advocated the more restricted communication attempt to meet them. Their publication here could not fail to confirm all in the paramount importance of the whole measure, and prepare the public mind for future exertion if it should be necessary.

In the conflict of parties at home, which was drawing to a crisis just at the very period when our petition was about to be presented, it is more than likely that India may, with its interests, be forgotten, and our petition amidst the struggle may excite little or no attention. The more necessary, therefore, is a demonstration at this time and at this place which may reach the next session of Parliament, (if unsuccessful now) when the subject may be again brought forward under more auspicious circumstances; and with a continued proof that the people of India will never allow the cause they have so deeply at heart to sleep or slumber. The distribution of Dr. Lardner's letter throughout India, therefore, would help, with the stimulus of this meeting, to keep all the friends of the measure on

the alert and ready to start forward with one voice and mind, if occasion should be given for another petition. He could not but express his gratification at presiding over so large an assemblage, the largest he had witnessed, except that which originated these proceedings. The number of the natives who had attended was also a source of much satisfaction. It shewed that they really did desire to see the communication established.

The Chairman then adverted to the vote of censure passed on Captain Grindlay, and said, that he was sure they would now agree with him in passing a vote of unqualified approbation. Mr. Greenlaw had informed them that Captain Barber had written him thirty-three letters since August, that three of them were written on the same day, one at his breakfast table, another in the city, and the third on his return home, and he had asked and obtained a direct expression of the thanks of the meeting to Captain Barber, in which he entirely concurred. But while they thus justly appreciated the exertions of Captain Barber, how much more would they appreciate those of Mr. Greenlaw, if they knew how many letters he had written even on that day on the subject of this meeting. He had had several occasions to bear testimony to Mr. Greenlaw's exertions in the cause, and had before said that the public were much indebted to him; and he declared his opinion to be that if ever Steam Communication should be established on the general plan to all the ports of India, it would be owing mainly to him. They ought not to separate without a vote of thanks to Mr. Greenlaw; and he hoped that the time was not far distant, when, all their hopes and wishes in this matter being accomplished, they might be enabled to give him some more substantial mark of their approbation; but although he thus particularized Mr. Greenlaw, it would not be just to overlook the merits of the Committee. They had from the beginning to the present moment sedulously watched every opportunity of promoting the cause entrusted to them, and they were indeed well entitled to the best thanks, not only of the subscribers, but of the whole Indian public. The chairman's proposition was received with acclamation.

The above is but a very imperfect sketch of what fell from the Honorable Chairman; gathered from the recollection of bystanders, without the advantage of correction by the speaker, it must be taken as a mere outline of what was in itself an eloquent and impressive address.

The Chairman now declared, that the objects of the meeting were accomplished and it might be adjourned, —but Mr. Pattle rose and begged the meeting would allow him to trespass on their patience a little longer. You have, gentlemen, he said, responded with a highly creditable warmth of feeling to the eloquent appeal made to you by our learned Chairman, and although he could not hope (Mr. Pattle observed) to give to any representation he could make, the same persuasive and convincing language, yet he was sure to find in the generosity of their dispositions and the virtue of the proposition he had to submit an ample and certain advocacy. This was not an occasion, Mr. Pattle declared, which could allow of this meeting closing with a mere formal vote of thanks to the Chairman. He has told you, gentleman, (Mr. Pattle continued) how deeply indebted you are to Mr. Greenlaw and the members of the Steam Committee, but it must be well known, that from the first moment the Steam Question was agitated, to the present hour, the learned Chairman's support of it has been incessant, that it has had all the interest and influence he could bestow. In one word, that it had been impossible to surpass either the zeal, energy, or incessant interest he has manifested for its success. Mr. Pattle concluded by proposing a vote of thanks to the chairman, expressive of the gratitude of the meeting for the very essential services he

had rendered. This proposition was received with enthusiasm and carried by acclamation, after which the meeting dissolved..

APPENDIX A.

SKETCH OF PETITION.

By Capt. Grindlay referred to in the above Report.

To the Honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Merchants and Traders, Proprietors of East India Stock of the City of London and persons connected with and interested in Indian Affairs.

SUEWETH,—That the Commerce between Great Britain and the King's dominions in India is of great extent and has been long increasing, that the people of India have been for some time past large consumers of goods, the produce of the manufactures of this country, and that while such consumption affords stimulus and employment to the industry of this kingdom, India possesses the means of affording an extensive supply of the raw material most in demand for the use of British manufactures.

* That it is an established principle that regular and frequent means of correspondence are essential to the operations of commerce, and that rapidity of communication is especially adapted to aid and extend them. That under this belief, the legislature has within the last half century effected extraordinary improvements in the means of domestic and foreign communication, by the establishment of mail coaches, the employment of Steam Packets and other similar measures. That nothing would so greatly tend to the development of the Agricultural resources of India, and the preservation and extension of the desire of that country for the manufactures of England, as the establishment by or under the sanction of Government of a regular system of Steam Communication between the two countries.

That in the opinion of your petitioners, the route by the Red Sea is the preferable and indeed the only practically one, and that they believe the voyage thereby may be performed throughout the year.

That in the month of July 1834, a Committee of your Honorable House, after a minute investigation of the subject, recommended the immediate adoption of measures for the regular establishment of Steam Communication by that route. That your petitioners have anxiously waited in expectation of that recommendation being acted upon, but that as yet no attempt has been made by Government to carry it into effect. That your petitioners would especially solicit the attention of your honorable house to the opinion of the Committee above referred to, that the expense of the Communication might be greatly diminished, an opinion which later information and more accurate calculations than were then submitted to the Committee have shewn to be accurate.

That the number of letters passing between Great Britain and India amounts to annually, and that a moderate passage with the profits to be derived from passengers and the conveyance of light packages might be fairly expected to defray immediately the greater portion of the charge and ultimately the whole of it.

That the Communication desired by your petitioners would not only be beneficial to the commerce with India,

but also to that with China and the Islands of the Indian ocean.

That the wishes of the Mercantile Community in India are directed as strongly as those of your petitioners to the attainment of this great and influential improvement, and that its concession would tend to unite the two countries to each other and to give vigour and stability to the British dominion.

Your petitioners therefore pray that your Honorable House will be pleased to adopt such measures as may be necessary for carrying into effect the recommendation of the Committee of your Honorable House in 1834, and establishing with the least possible delay an authorized line of Steam Communication with India by the Red Sea.

And your petitioners will ever pray, &c.

(A true copy)

C. B. GREENLAW, Secy. N. B. S. F

APPENDIX B.

Summary Statement of Receipts and Disbursements, on account of the New Bengal Steam Fund, from the 1st February to the 31st July, 1837.

To Balance as per last account, dated 11th February 1837, published in the Calcutta Papers of the

and of that month.

Company's Paper

Sa. Rs. 51,200

or Co.'s Rs.... 54,613 5 4

Cash,..... 555 13 2

—————55,169 2 6

To Interest received on Company's Paper.....

1,092 4 3

—————56,261 6 9

DISBURSEMENTS.

By Thomas Waghorn.

Cash paid for a set of Bills of Exchange on account the grant of Co.'s Rs. 4,000 to Mr. Waghorn on the 16th December last, as per Resolution of that date, with interest to the day of remittance at 4 pr. ct.....

4,101 5 6

By Secretary's Office.

Clerk's pay from 1st Feb. to the 31st July,.....

224. 0 0

Extra Writers, transcribing letters and home proceedings for publication,.....

41 0 0

Printing charges, 408 11 5

Stationary, including Blank Book for Proceedings...

34 0 0

—————707 11 5

By Charges general.

Cash paid Messrs Thacker and Co.

* Sic. in origines—"postage" is evidently meant. C. B. G.

for copy of the
Asiatic Journal, 3 0 0
Petty contingen-
cies,..... 1 4 0

4 4 0
4,813 4 11
Balance Co.'s Rs. 61,448 1 10

Errors Excepted,

C. B. GREENLAW,

Sec. to the Committee of the New Bengal Steam Fund.

Town Hall, Calcutta, August 16, 1837.

Balance composed of the following.

Company's Paper
Rs. Rs. 51,200
or Co.'s Rs.... 54,613 5 4
Cash in Secretary's
hands,..... 11 15 1 54,625 4 5
Less cash due Uni-
on Bank,..... 3,177 2 7

* Balance Co.'s Rs. 51,448 1 10

Hurk. Aug. 21.]

* Besides this balance there is interest due on Co.'s rupees, up to the 31st ultimo, Co.'s rupees, 546 2 2. But the whole subject to £1,000, on account of a letter of credit granted by Messrs. Cockerell and Co. in favor of the home committee,

PUBLIC LIBRARY.

At a meeting of the Proprietors and Subscribers to the Calcutta Public Library, held on the 5th August, 1837.

J. F. LEITH, Esq., in the chair.

The curators reported the works purchased and presented during the last month. Mr. Dyce Sombre, in addition to his liberal contribution of 500 rupees in aid of the vested fund, has presented to the Library some valuable books. It was also reported that two chests of books have arrived from England per "*Bengal*," a list of which, together with those that have been bought and presented since the last annual meeting, will be soon given to the proprietors and subscribers.

The circulation of books, &c. during the last month was as follows :

Total No. of works,..... 494
No. of Novels,..... 433
General Literature,..... 348
Periodicals,..... 159

W. Kerr Ewart, Esq., has become a proprietor.

And the following gentlemen have become subscribers.

W. Adam, Esq. E. Stirling, Esq.
W. L. Mond, Esq. B. Waterhouse, Esq.
N. Palaiologus, Esq. A. Muller, Esq.
R. B. Finlayson, Esq.

Messrs. J. Allan and J. H. Pollard have withdrawn, and one subscriber's name has been struck out from the

books, in consequence of his declining to pay up the arrears of his subscription due to the Library.

STATE OF THE FUND.

Union Bank.

By Balance of last month,.. 892 6 2
„ Cash transferred from the
Savings' Bank,..... 400 0 0
„ Collections sent,..... 1,080 0 0
2,372 6 2
„ Cheques drawn for pay-
ments for July,..... 296 3 6
2,076 2 8

Savings' Bank.

By Balance of last month,.. 20 0 0
„ Collections sent, .. 254 0 0
274 8 6
„ Amount placed in fixed account,.... 2,000 0 0
„ „ invested in Company's
papers, 2,100 0 2
6,450 11 0
„ In course of collection, 2,087 10 8
Co.'s rupees.. 8,538 5 10

Calcutta Public Library, }
7th August, 1837. }

[*Englishman*, Aug. 10.

UNION BANK MEETING.

At a Special Meeting of Proprietors of the Union Bank, held on Monday the 14th August, J. W. McLeod, Esq., in the chair.

It was moved by T. Holroyd, Esq., the Chairman of the Directors, seconded by Colonel Battin, and passed unanimously.

That this meeting hereby confirms the following resolution as passed at the Special Meeting of Proprietors on the 14th July, 1837, *Vide* list.

“ Resolution 5th. That it be referred to the Directors, assisted by a committee composed of the following members, Messrs. *Theodore Dickens* and *James*

Young, to take the necessary steps to obtain a Charter or Act of Incorporation from Government for the following purposes :—

1st. To enable the Bank to sue and be sued by its Secretary, to take conveyances and hold all property in his name.

2d. To limit the responsibility of the Bank to the amount of its paid up capital.

3d. That it be an instruction to the Directors and the Committee to offer as a condition for obtaining a Charter, that the amount of notes of the Bank, payable on demand, shall not exceed two-thirds of the Capital.”

After which the Meeting broke up.—*Hurkaru*, August 14.

OPIUM TRADE MEETING.

The Opium Trade Meeting at the Board this morning was almost as crowded as an Opium sale. Upwards of sixty persons were in the room, when Mr. Parker opened the proceedings, and the number soon increased to more than double, including a large proportion of natives.

Mr. Parker commenced by reading the Resolution of Government, which had been laid before a previous meeting, and having briefly stated the course of the negotiation, and the assistance given to it by a committee of three gentlemen, Mr. Charles Lyall, Mr. Braine and Mr. DeSouza, he suggested that the Meeting should appoint a Chairman and proceed to business. Mr. Braine immediately proposed Mr. Lindsay, which nomination was opposed by Mr. Cockerell, on the ground that Mr. Lindsay represented China interests only and must therefore be assumed to have a bias inimical to the Straits merchants: he (Mr. Cockerell) would prefer somebody unconnected with either, and would therefore propose Mr. N. Alexander. On a show of hands, however, the first nomination was carried.

The Chairman (Mr. Lindsay) called upon Mr. Braine to read the Committee's report. In this document it was observed, that the three first sales of the season having averaged nearly the same price, which price was about 200 rupees higher than the fourth sale, they considered the most fair plan of distributing the bonus on Opium now in the godowns was to reduce them all to one price. That, for various reasons specified, it was quite impossible to ascertain what Opium was unsold in China at any particular date—that the forfeiture of uncleared Opium here and a re-sale of it would involve a greater sacrifice to Government than the highest bonus which had been asked for—that two schemes had been under their consideration, one providing for a bonus of 30 lakhs altogether, the other for a bonus of 40 lakhs—that of the Opium of this season actually shipped for China, it might be assumed that about 5000 chests would remain unsold when the news of these proceedings should arrive, on which the proposed refund would be about 250 rupees per chest—assuming a distribution of 30 lakhs, and that a bonus be given of 300 rupees per chest on all Opium remaining in the godowns, of the first three sales, and 100 rupees per chest on what remained of the fourth sale; on the June Opium, however, it had afterwards been determined to recommend a bonus of 150 rupees. And with respect to the Straits, it having been ascertained that no Opium remained there unsold on the 1st of June, they conceived that all shipments to the Straits before the 1st of May might fairly be excepted from compensation, and that subsequent shipments to the Straits and also all re-shipments to China should be put on the same footing as direct shipments to China from Calcutta.

Mr. Parker then read a letter from Mr. Secretary Prinsep, in reply to the Merchants' petition; and holding the Resolution of Government in his hand, and also a proposed letter to the Court of Directors on the subject, observed that he did not consider himself at liberty to read these, but would state the tenor of the former as far as concerned the petitioners. He wished it to be understood that Government recognized no right in them to indulgence of any kind, and had treated the question purely as one affecting the interest of the revenue. That, believing it to be expedient in that point of view to make concessions to get the remaining opium of the season cleared off, and that the cheapest way to effect this was by a remission of price rather than by forced re-sales,

the Governor-General in Council had resolved to remit a sum equal to about 15 per cent. upon the Opium in store on the 1st of August, and would have preferred to divide it rateably among the different sales; but as the Merchants wished to have an unequal rate, namely, 300 rupees per chest on the three first sales and 150 on the fourth, these rates would be admitted, subject to the condition that all Opium of the February sale must be cleared in cash by the 15th September, all Opium of March by the 15th October, and all of June by the 1st of December. That Government did not recognize any claims to compensation for losses on shipments made, the result of speculations being no concern of Government; but as those who might have Opium on hand in China would be injured by the present measures, Government was disposed to grant a further sum of 10 lakhs for distribution among persons so situated. However this not being quite consistent with the principle laid down above, Government wished the distribution to be made by a graduated scale, giving the largest proportion to the most recent exporters, as these were likely to be the holders most affected by the bonus on future shipments.

The Chairman said that it appeared from what had fallen from Mr. Parker, that of the two questions before the meeting, the bonus of 18 or 19 lakhs, and the compensation to port shippers, the first was definitely settled by the resolution of Government; the second was the only one now open for discussion. The Committee had prepared a scheme which should be produced. It would however be proper to determine first how the votes should be taken; he presumed that no person ought to vote who was not bona fide interested in the trade. Hereupon a little discussion ensued, in which Mr. Cockerell, Mr. Parker and one or two other gentlemen took part, and it was ruled by the Chairman, in concurrence with Mr. Parker, that the right of voting should not be limited to those who had signed the petition, but that all persons interested in the trade as principals or agents might give their opinions.

Mr. Braine then read the Committee's plan, which commenced by showing impracticability of distinguishing what Opium was sold and what unsold in China, and assigned that reason, and also the wishes of the principal shippers who had been consulted upon the question, for suggesting that an equal sum per chest should be given upon all Opium shipped to China before the 1st of August, which sum they conceived the ten lakhs would warrant them in fixing at 150 rupees per chest; and that the same amount should be refunded on all Opium shipped to the Straits after the 1st of May, and also on all Opium reshipped from the Straits to China.

Three Resolutions to this effect having been read by Mr. Braine, and the Chairman having suggested that they should be put separately, Mr. Cockerell said he thought this a hasty mode of proceeding—that the Petition had never been sent to him for signature; that he knew nothing of these resolutions and required time to consider their effect. Mr. Braine observed that the petition having been drawn up by himself, it was necessary for him to explain, that his reason for not sending it to Mr. Cockerell was, that he considered it useless to do so, Mr. C. having declared it was absurd to ask Government to indemnify people for bad speculations. The following Resolutions were then proposed and carried by large majorities:

Moved by James Stewart, Esq., and seconded by Rustumjee Cowasjee, Esq.

1st Resolution.—That as it is admitted to be impracticable to ascertain what Opium shipped to China may be actually on hand, it be proposed to Government to award 150 rupees per chest to all shipments of the January, February and March sales from 1st January to 31st July.

Moved by Mr. Lackersteen and seconded by Mr. McDonald.

2nd Resolution.—That as Government state most distinctly they cannot allow any return to parties who are known to have actually sold their Opium, and as it is known that none remained on hand in the Straits on 1st June; it be proposed to give all the shippers of January, February and March sales to the Straits 150 rupees per chest on all shipments since 1st May, thus putting all those who may have Opium on hand on the same footing as the shippers to China.

Moved by Mr. Cragg and seconded by Mr. Mackay.

3rd Resolution.—That as it is possible some of the Opium shipped to the Straits may have been trans-shipped from those places for China, it be proposed that any Opium which it may be proved to the satisfaction of the Board has been so trans-shipped prior to the arrival of dispatches now to be sent, be placed on the same footing as the shipments direct from Calcutta to China, that is, to receive 150 rupees per chest on the January, February, and March sales.

That the Government be recommended to receive rupees 25,000 to meet said claims.

Protest applicable to the three first Resolutions. Moved by W. Fergusson, seconded by Mr. Cockerell.

"That as it is proposed to give 150 rupees per chest on all Opium shipped to China from the 1st January, to the 31st July, whether sold or not, it is fair and equitable to give the same bonus to what has been shipped to other parts, though sold like a portion of what has been sent to China.

This amendment was moved immediately after the 1st Resolution, but not pressed to a division, Mr. Cockerell observing that of course it would have little support at the present meeting. A suggestion from the Chair was therefore adopted, that it should be signed as a Protest, and Mr. Parker promised to send it up to Government with the resolutions.

Moved by Mr. Charles Lyall and seconded by Mr. Dow—and carried *nem. con.*

4th Resolution.—That in case the sum of 10 lakhs allotted by Government, after reserving a sufficiency to meet the claims referred to in the 3d Resolution, be not adequate to refund of 150 per chest for January, February and March sales, a rateable deduction be made from all.

Mr. Parker here observed that no notice had been taken of the graduated scheme recommended by Government; upon which the following Resolution was moved by Rustumjee Cowasjee, Esq., seconded by Mr. Lyall, and carried *nem. con.*

5th Resolution.—That in consequence of the above resolutions having been carried, it is deemed unnecessary to entertain the graduated scheme.

At the suggestion of Mr. Parker, the following was moved by Rustumjee Cowasjee, Esq., and seconded by Mr. James Stewart, and carried.

6th Resolution.—That instead of refunds on account of past shipments being made in money, they shall be given in transferable certificates, which shall be received by the Board in payment for the Opium still uncleared from the godowns, according to the amount shewn in each certificate. In the event of a certificate not being brought into the Board in payment for Opium by the 30th November next, the Board will discharge the sum specified in such certificate on presentation.

Amendment moved by Mr. Dearie and seconded by Mr. Manuk—and negatived.—

"That such purchasers who have no Opium now to clear, be paid the amount of the refund that may be due to them in cash."

Moved by Mr. Braine, and seconded by Baboo Dwarkanauth Tagore.—

7th Resolution.—That the return upon Opium actually shipped be, in all cases made to the shipper under guarantee to settle with the parties beneficially interested.—*Nem. con.*

Moved by Mr. James Stewart, and seconded by Rustumjee Cowasjee, Esq.—And carried unanimously.

8th Resolution.—That the thanks of this Meeting are due to the Government for their liberal consideration of the existing state of the Opium market.

Thanks were then voted to the Chairman, and the Meeting broke up.—*Calcutta Courier, August 16.*

In consequence of a notice in the *Exchange Gazette* in these words "A meeting of those parties, interested in the opium Trade, who dissented from the resolutions as proposed at the meeting held this-day, at the Office of the Board of Customs, Salt, and Opium, is requested at the Chamber of Commerce, to-morrow, the 17th instant, at 10 o'clock A. M. precisely. Calcutta. 16th of August 1837." Several mercantile gentlemen attended; but, as became very soon obvious, with totally different views and opinions; and an attempt was made to "burke" the meeting altogether.

It was contended, in the first place, that it was irregular to call any meeting at the Chamber of Commerce, otherwise than through the Secretary under the sanction of the committee, or at the requisition of a certain number of Members and more especially a meeting, at which persons not Members might, under the terms of the notice, attended; and secondly, that a meeting so summoned was calculated to convey an impression to the Government that the Chamber of Commerce, as a body, were opposed to the resolutions passed at the Board of Customs, Salt and Opium.

These objections were met, and we think satisfactorily, by shewing that there was no rule to prevent meetings at the Chamber of Commerce, which were connected with objects of even partial interest, and that in practice, as in the case of the committee of Bonded Ware-house Association, such meetings did take place and were open to persons not Members of the Chambers.

That the locality of the Chamber of Commerce was selected as more generally convenient, and that it was an over-strained interpretation to confound the mere abode with the occupant, the stable with the horse; and

that virtually there was no difference between a meeting of the dissentients there or at any private house.

That in the meetings held for framing and carrying on the negotiations on the opium relief-petition, the Dissentients were neither invited nor did they intrude themselves; and consequently they were not prepared for the interruption of parties in the opposite interest, nor expected they should take any part in the present proceeding, although there was not the slightest objection to their being spectators of what might pass, the utmost publicity being acceptable to the Dissentients.

After a long and animated discussion, at which, as we have before had occasion to observe in all Calcutta meetings, the talkers outnumbered the hearers in the proportion of 10 to 1, the rival parties seemed to adopt something in the shape of a compromise. At least each followed its own objects.

The Dissentients, Mr. Cockerell in the chair, passed the following resolution, proposed by Mr. N. Alexander and seconded by Mr. Martin.

"That the following Committee be appointed to draw up a dissent to the proposition submitted to the opium meeting of yesterday; and that the Committee be instructed to draw up a protest against the partial and unjust division of the "bonus" given by Government; and to request that the same be equally apportioned among all shippers from Calcutta.

Mr. Cockerell,
Mr. Fergusson,
Mr. Apar,

Mr. Harding,
Mr. Alexander,
Mr. Muller.

The gentlemen, whose interests were more closely connected with China, and comparatively indifferent to the Singapore and Java trade, signed the following requisition to call a meeting of the Chamber of Commerce.

To J. CULLEN, Esq.

Vice President of the Chamber of Commerce.

Sir,—We the undersigned Members request you will be pleased to call a Special Meeting of the Chamber, on Saturday next, at 11 o'clock, upon the subject of the late Opium Question.

J. CRAIG.
J. D. DOW.
WM. BRUCE.
C. LYALL.
W. S. SMITH.
G. U. ADAM.

W. PRINSEP.
J. S. STOFFORD,
RUSTOMJEE COWASJEE.
NATHL. ALEXANDER.
J. B. HIGGINSON.

[Hurkaru, August 18.

THE OPIUM PROTEST.

2d Resolution.—"That as Government state most distinctly they cannot allow any return to parties who are known to have actually sold their opium, and as it is known that none remained on hand in the Straits on 1st June, it be proposed to give all the shippers of January, February, and March sales to the Straits 150 rupees per chest on all shipments since 1st May, thus putting all those who may have opium on hand on the same footing as the shippers to China."

The portion of this resolution which excludes opium shipped to any other place except China, previous to the first of May, is founded on the production of a *Singapore Chronicle* of the 1st June, which states that on that date, no opium existed in that market, unsold.

The undersigned dissent from the correctness of this conclusion for the following reasons:

1st. Because Singapore is not the only opium market beside China.

2d. Because Singapore is a Depot from whence opium is distributed over the whole Eastern Archipelago,

3d. Because Penang, Malacca and Java, more important markets for this consumption of the Drug, have been excluded from all consideration.

4th. Because the same description of evidence on which that part of the resolution which excludes the straits is founded, can be assumed with reference to a considerable portion of the Bengal opium in China.

The resolution to which the undersigned allude is as follows:

"That as it is admitted to be impracticable to ascertain what opium shipped to China may actually be on hand, it be proposed to Government to award 150 rupees per chest to all shipments of the January, February, and March sales, from 1st January to 31st July.

The undersigned dissent from the correctness of this conclusion for the following reasons.

Because, by the last advices, from Canton a portion of the opium proposed to be included in this resolution has been sold as per Canton Price Current.

Because, by the last advices, an active trade was carrying on in the yellow Sea, and accounts of positive sales and returns of specie to Canton have been received in Calcutta.

Because, before the advices of the present measures of Government can reach Canton, a further portion of opium must be beyond the reach of competition, and therefore on the principle laid down by these resolutions as little entitled to benefit by the boon from Government as the opium assumed to have been disposed of in the Straits,

The undersigned do not, however, rest their dissent to the partial distribution of the funds on these grounds alone.

They believe that the principle on which Government are disposed to afford relief to the shippers of opium since 1st January 1837, has no relation whatever to the outcome of the speculation, that they care not whether the buyer closes his accounts with a loss or a gain; all the Government profess to look to is, the revenue arising from opium, which they think will be prospectively benefited by a certain concession of money.

Government have accordingly fixed two definite sums, to be disposed of in about the proportion of one-third on the opium already shipped and two-thirds on that which remains uncleared.

It appears, therefore, to the undersigned, that the intention of Government can only be fairly carried into effect, by confining the question of appropriation to Calcutta, alone, and including every chest of the present year's opium in the measure of relief.

The undersigned consider the scale and partial distribution as wrong in principle as turning a question of revenue into one of commercial relief, and opposed to the views and intentions of Government, who can only avoid the commercial question by declining altogether to consider the profit and loss of sales of opium in foreign countries.

The undersigned beg respectfully to submit that Government dealing with the question as connected with revenue of the country alone, should without reference to time or place direct that the sum to be appropriated to opium already shipped, should be divided rateably amongst the parties who cleared it out, and that the remaining sum be appropriated as recommended by the Board of Salt and Opium.

Calcutta, 18th August.

[Hurkaru, August 21.

THE BLACK ACT.

7, King's Bench walk, Temple, May 31, 1837.

Dear Sir,—I beg to acquaint you for the information of the committee, that I arrived in London on the 4th of April, having left Bombay on the 4th of December, as my letter from Malta will have previously informed you. I put myself in immediate communication with the parties to whom I was referred here, at least when I quitted Calcutta, and as soon as the new elections in the directions had taken place, with the India House. Unfortunately neither your letter of the 22nd November 1836, (since received in duplicate) nor the memorial or petition had then arrived, and I was therefore unable to do more than to see the chairman and deputy-chairman, and endeavor to pave the way with them for future operations. I have found very attention at the Board of Control from Sir John Hobhouse and Mr. Gordon, with both of whom I was previously acquainted, and Mr. Vernon Smith as well as at the India House; and both these and at the India House, they at once acceded to my request to delay the settlement of the dispatch to Bengal in reply to theirs, upon the subject of the Act, until the memorial should be before them. It arrived on the 10th, and I received it on the 14th instant. I have since been busily employed upon, and have had it copied and circulated with some observations of my own, which I had previously prepared to meet some of the objections which I encountered in conversation upon it. From Mr. Larpent, Mr. Crawford, Mr. Hasle, and the members of the East India and China Association, individually, I have received every assurance of active co-operation, but as a body collectively, they seem to think it beyond their province. I think not, as I am aware is the opinion of my constituents in India; but I have thought it better in the outset, not to combat this feeling strongly, until it become necessary and proper to endeavour to enlist the public feeling generally in our cause. I have sought to avoid the excitement of any hostile feeling until the India House and Board of Control shall have declared themselves. If they shall be hostile I must then seek to strengthen our cause by every possible means, and to knock down opposition as far as in my power by combating the objections of all parties. The chief one which I have encountered, is the idea that we seek exclusive privileges. The memorial and petition are well calculated to disarm and injure this, and will give increased weight to the observations which I had previously circulated amongst a few, and am now circulating more widely with the memorial. There is, as of course we were prepared for, a strong desire at the India House and the Board of Control, to support (as they term it) Lord Auckland. I am using every argument and exertion in my power to satisfy them, that it is not his measure, and that it is not the principle of equality of rights that we combat, and which we would rather support, but the operation of the act which is directly opposed to the equality which it professes to promote. Both Sir James Carnac (the chairman,) and Sir John Hobhouse have promised me every consideration before the despatch is finally settled; but they will indisputably act together and I have not much expectation of succeeding with them—though they both have the reputation of fair men in all matters of general importance. There is, however, so strong a desire always to uphold the India Government, that I think we shall fail except perhaps in some modification which, as far as I can gather, the Directors, themselves propose to make. I shall endeavor to learn the nature of it if possible. Lord William Bentinck, I regret to say, is directly opposed to us; but I can get nothing of reason from him, or any one indeed, except the objection to make a distinction between Native and

European. I have not met from Sir John Hobhouse and Sir James Carnac, down to the lowest person with whom I have conversed, one single attempt at refutation of our argument, and I do verily believe that in their minds they admit the justice of our case, but they will not, I fear, act upon these feelings. The memorial will be before the court, officially next Wednesday, and they have promised there shall be no delay. Until I know their decision, I cannot determine on the most prudent course to pursue as to the petition, and unfortunately the session, though it will be late, is now much advanced. The petition, however, shall be presented this session, and I shall get whoever presents them to give notice of motion or resolution declaratory of the disapprobation of Parliament either for this or the next session, as may be most expedient. If the next I intend to employ the interval in engaging as far as possible all ranks with us. Unfortunately the apathy of the public on Indian matters is not yet removed. I will do all I can to arouse them from it. I hope to have a powerful coadjutor in Mr. Albany Fonblanque and the Examiner. It is amongst the earliest acquaintances of my childhood, and I am in hopes, feels with us. Sir Alexander Johnson has taken a very kind interest in our cause. Ferguson must of course vote with the ministers, if at all, but he is with us; all our old Indian friends are staunch with us, and will assist in any way they can, amongst others, Hogg and Bagshaw, on opposite sides of the house. The act is not yet returned to the House of Commons. I shall send a duplicate of this by Mr. Waghorn's despatch of the 5th proximo, from Marseilles, lest, as I think not unlikely, any accident should befall the Bayreuth despatch, by which this will go.

I am, my dear Sir, very faithfully yours,

Thos. E. M. Turton.

T. Dickens, Esq., Calcutta.

P. S.—My address in London is in the Temple (as I have dated this) where I have for the present taken chambers.

Austin Friars, London, April 28, 1837.

Sir,—I have the honor to acknowledge your letters, dated 14th and 22nd November, addressed to me as chairman of the East India and China Association, the first requesting by the authority of the committee of the inhabitants of Calcutta and the interior of India, who have signed petitions against Act No. XI. of 1836, and for whom you act as secretary, the aid and co-operation of our Association in obtaining the object of the petitioners and entering also into an explanation of the case, the evils which the said Act is, in the opinion of the committee, is likely to entail upon the English inhabitants, and the measures which they wish to adopt in concert with Mr. Turton to avert them. The second letter encloses 2nd of a set of bills for £600 on Sir Charles Cockerell and Co. to my order, which is accepted, and at its maturity shall be held by me as directed—viz. £500 to be paid to Mr. Turton on account of his services as agent of the petitioners, and £100 less the expenses incurred by the Association, at the disposal of that gentleman for charges to be incurred by him.

The two statements alluded to in the letter of the 14th November have not reached me, but I presume they will do so when the original letter arrives. I shall take the earliest opportunity of laying these letters before

the Association from whom I have no doubt they will receive that attention, which the importance of the case and the high respectability of yourself and the members of the committee demand, and I shall hereafter report their determination thereon.

I have had the pleasure of an interview with Mr. Turton, and when the memorials arrive, we shall communicate further. In the meantime I beg to assure you, and through you the committee, that should the nature of the East India and China Association preclude their entering into this matter, as a body, which I think probable, I shall in the absence of any other person being authorized

by the committee, under such contingency, receive and distribute the funds agreeably to the instructions I may receive, and give individually my best assistance towards obtaining for the petitioners in the first instance the fullest and most impartial enquiry into the nature and extent of the grievances, of which they complain; and lastly, the adoption of such remedial measures as the result of the enquiry may entitle them to claim.

I have the honor to be, Sir, your obedient servt.

G. G. DE H. LARPENT.

T. DICKENS, Esq., Calcutta.

SUPREME COURT.

JULY 28, 1837.

Gopal, cooper, and Warris, coolie, were tried for stealing a bag of corks from the premises of Wm. Turner, Esq., on the 1st May last. Prisoners pleaded not guilty.

Attaram, first witness, deposed, that he saw the second defendant taking away a bag of cork, when his master was out, followed and brought him back, and on his master's return communicated it to his master, by whose order he sent them to the police office.

Cross-examined by Warris, cooper.—Never permitted any goods to pass without the prisoner's orders.

Narrain Sing deposed.—Defendant is the durwan of Mr. Turner. Assaram, the last witness, put the second defendant, in this deponent's charge on the day that deponent went to the Police Office. Mr. Turner was then absent from home. It is now 6 months since deponent has returned to his service after an absence of 10 months on leave. Gopal was employed during his absence.

Mr. Wm. Turner, deposed.—Deponent is a merchant and agent, has no partners: the two last witness were his servants. It is now about one year or thereabouts that the prisoner Gopal first entered his service. On deponent's return he saw the coolie in custody and the cooper at work in the godown. After hearing of this theft, deponent sent both the prisoners into custody. The coolie is a perfect stranger to the deponent. All the property in the godown is this deponent's property. One bag of corks was pointed out to this defendant, as being the property stolen by the prisoner. The corks were not removed from deponent's premises through the door from which the property always passes to and fro from deponent's premises, but through a private door. Deponent never gave any orders for the removal of any corks that day. Deponent purchased 3,000 gross of corks, but when he went to count them, there were found to be only 2,346 gross.

Warris, cooper, in his defence stated, that after his first arrest he was released and then again taken up by the prosecutor. During this period he often went and consulted the police jemadar. Prisoner has never acted dishonestly towards his employer and only obeyed his orders. Prisoners put the corks, by the order of prosecutor's sircar, publicly on this coolie. Prisoner has evidence to show, that the prosecutor conspired with the second prisoner before bailing him to criminate him. The second defendant said, that he is a coolie and being called to take up a load, it being his employer's, he did it. One of the prosecutor's durwans followed him and stopped and arrested him whilst he was going with the load in the direction he was ordered.

Mahomet Syne, Jemadar of the Police, deposed, that he heard Mr. Turner accuse Warris of this theft.

The judge addressed the jury, stating that there is a distinction as to the degree of crime of theft committed by a servant, and another person, therefore, if they are guilty the second prisoner can only be found guilty on the second count. After this he detailed the evidence on the case and left the case in the hands of the jury.

The jury found the first prisoner guilty on the first count of stealing the property of his master, and the second prisoner not guilty.

The judge after admonishing the second prisoner to be more circumspect in his conduct told him he would be released when the Grand Jury would be discharged, and deferred the sentence of the first prisoner for the present.

Debnarain Roy and Roopchand, were charged with burglariously entering on the 1st of July, the house of Sheebchunder Patter and stealing several articles therefrom.

Prisoner pleaded not guilty.

Sheebchunder Patter, the prosecutor, deposed.—He resides in Hauthkhala and farms the market of Raja Roy Kisson at that Khala, and advances money to tashmen who have shops in that market. Deponent's house is a mud plastered hut tiled over. Deponent missed the property on the morning at about 8 o'clock. The night previous he had retired to rest at midnight. The theft was committed on the night of the 20th of Assar last. Deponent slept on the shrine of his household gods that night, and his family in the hut where the theft was committed. When deponent entered the hut he perceived a breach under the foundation of his hut about one cubit in diameter. Four or five women were sleeping that night in the hut. The foundation being of brick cemented with clay, the noise made in their removal did not wake the inmates. On discovering the breach in the hut, deponent examined his property and found the lock of a trunk in the hut broken open, and all the articles in it abstracted, (Here deponent detailed the articles stolen.) After the theft, deponent found 2 dallies in the house of the prisoner Debnarain Roy; they were taken out of that prisoner's house by Frankistopal, who arrested the prisoner, and sent deponent information. Deponent then gave information to the thana, brought some police peons and arrested the prisoner at an arrack shop. The dallies were made over to the charge of the thandar of the

division : afterwards deponent went by the Police orders by the information of the 1st prisoners, and with some Police peons and searched the 2nd prisoner's house, where he found 3 more dallies which were taken in charge by the thanadar. Roopchund seeing this, ran away, but he was stopped by a chowkeedar and brought back. Prisoner denied all knowledge of the theft, and claimed the clothes as his own at the Police. Roopchund at first denied the house where the clothes were found to be his, but afterwards owned it to be his. After this they searched the house of one Lallchund which adjoins Roopchund's house, and found there 3 coverlets of his and made them over to the Police peons.

The property was all this deponent's property. Lallchund then, in Roopchund's presence, said, these clothes were thrown by Roopchund into his hut, and Roopchund denied it. On Monday the 21st Assar, these discoveries were made. None of the jewellery has been found. This witness was then remanded, cannot say what is the length of each dallie, they vary from 8 to 9 cubits.

Prampal. This witness said that he was a neighbour and partner of the last witness : hearing of the theft in his house he made enquiries and found 2 dallies in Debnarain's house, not answering to the clothes. Debnarain can afford to wear the description of the dallies, stolen from the prosecutors house. He gave the information of the theft. The reason why he suspected Debnarain was because he was in the habit of smuggling salt. The rest of this witness's evidence was confirmatory of what the other witness deposed.

Maunchee Ponrah, the naib thanadar, deposed to searching the houses of the prisoners, finding the goods and arresting the prisoners, and taking charge of the stolen property found in their houses. He further added that the prisoners found other persons taking away the goods and challenged them when they left the goods there.

Lallchund deposed to the prisoner Roopchund having the goods in his hut. This witness admitted that he was once before suspected for harboring bad people and had had his house searched twice.

Here Mr. McCan produced the box with the articles in them, and the prosecutor identified them to be his property.

The prisoner said that he was smoking in the night when some persons passing by with some clothes they threw them into his hut when he challenged them. The other said he was forcibly taken into custody and charged with stealing his own clothes. They both said they had no other witnesses than God Almighty.

The judge here charged the jury, detailing the particulars of the evidence in this case, and defining that burglary by night was a capital offence. He added, that it is further requisite to ascertain, whether the articles exceeded in value sa. rupees 50, beyond which it constituted the higher offence, and thus left the case in their hands. The jury wished to know if a person be found guilty of stealing a portion of stolen property does the law consider him guilty of stealing the whole.

The Judge said that if the property has not been stolen at different times, and if there are no grounds to suppose that it was committed by different persons at different times, then, if several persons committed a robbery jointly, each person is guilty of stealing the whole. But it is generally more a matter of fact, the conclusion of which must be adduced by the Jury themselves from the evidence before them, as the finding in such cases must greatly depend on the nature of each case.

The Jury after retirement of two hours, brought in a verdict of stealing in a house, articles valued under 50 rupees.

The judge then sentenced them to 7 years' transportation each. - *Hurkaru, August 1.*

JULY, 29, 1837.

(Before Sir B. Mulkin, Knt.)

Edward Chinnery, was tried for committing a larceny, on the 28th June, by stealing the property of W. W. Robinson.

Counsel for the prisoner, Longueville Clarke, Esq., Attorney, G. E. Hudson.

P. Leal, sworn. Deponent is an Assistant to Mr. William Wood Robinson, a merchant, who sells miscellaneous goods. Defendant remembers sending, on the 28th June last, out of the shop, to Mrs. Captain Henderson, 2 seers of green tea and two seers of wax candles by a coolie, hired for the occasion and known to the establishment. The coolie returned with a voucher signed H. B. H. Deponent could recognize the voucher if he were to see it. Deponent has heard Mrs. Henderson is the wife of Captain Henderson.

Cross examined by Mr. Clark. Deponent does not know the Christian name of Mrs. Henderson. Deponent does not know the prisoner, but recollects sending twice some goods to a person named E. Chinnery. Deponent said he was the only Assistant then in the shop. Prisoner's Counsel remarked, that deponent was not now in the shop but in Court. Prosecutor has other assistants but deponent has charge of the shop.

Kadur, coolie, sworn. Deponent earns his livelihood by carrying burdens, and has occasionally taken loads from Mr. W. W. Robinson's. Recollects being ordered to take a parcel about one month ago, from Mr. Robinson's to one Mrs. Henderson at Park-street. Deponent met the prisoner in the way and showed him the receipt to enquire the residence of Mrs. Henderson. After the prisoner had read the receipt and asked deponent if he had brought the goods from Mr. Robinson's shop : on deponent replying "yes," prisoner took deponent to a female friend's house in a lane and told him to sit down. Shortly afterwards the prisoner came out and took the goods from the deponent's basket. Deponent asked for a receipt and refused to part with the goods ; as otherwise Mr. Robinson would hold deponent responsible for the goods. The prisoner hesitated a little and then signed the receipt and gave it to the defendant, and on deponent's demanding his hire, prisoner desired the deponent to tell Mr. Robinson to charge it in his bill against him.

Cross-examined. The prisoner when the deponent overtook him was in a palkee. Deponent did not see the prisoner sign the receipt. The prisoner took the receipt into the house, signed it, and returned it to the deponent. This was not in Park Street but in the burying ground lane. Deponent was going towards Park Street when the prisoner took deponent to the other house. Deponent subsequently pointed out the house where the prisoner took these goods from him to Mr. Robinson and a Police constable. Deponent has seen the prisoner before at Isserchunder's wine shop in China Bazar. Never took any parcels to the prisoner before Mr. Robinson.

Perry, the constable, sworn. Recollects the last witness pointing out a house to the deponent, where he said he had delivered some goods from Mr. W. W. Robinson.

One Mrs. Smith then resided there, and not Mrs. Henderson. Deponent does not know Mrs. Henderson. The next day deponent called at the prisoner's and had a conversation about her. Mr. Clark objected to this conversation being taken here in evidence. He quoted Chitty, saying, that where a written declaration of the prisoner has been taken before a magistrate oral evidence is inadmissible, and he likewise objected to the examination being read on the ground of their being taken on oath.

The Judge over-ruled this objection, and the deponent's examination continued. When this conversation occurred between this deponent and the prisoner, the prisoner was in deponent's custody; no other constable was then with the deponent only some chokeydars and thanadar. The conversation was in English. Mr. Clark said, this strengthens his argument, as the prisoner was then in custody, and it forms a part of deponent's declaration at the Police and that would be the better evidence.

Witness's examination continued. When the prisoner saw deponent at his door he said, "come in. I know what you want me for; do not be afraid." After deponent had got prisoner in custody he asked him how he came to be so very foolish; prisoner replied, "I do not know, but suppose it must have been at the instigation of the devil." Deponent asked him what he had done with the tea and candles; prisoner replied, "I have given the tea to Mr. T. Hampton for sale, and the candles to my mother;" adding, "I think it would be better for him to return the goods." Prisoner took deponent to Mr. Hampton, desiring deponent not to mention who he was. On arriving at Mr. Hampton's house the prisoner asked for the tea. Mr. Hampton replied, "how can I give it? I have sold the tea and paid you two rupees in part payment." The prisoner replied, never mind, give me what remains unsold, and we will settle the account afterwards." Mr. Hampton then gave back a seers of tea and deponent took charge of it. Prisoner then went to his mother and asked for the candles and she denied having taken them; after this deponent took prisoner to the Police.

Cross-examined. Deponent did not think this act of the prisoner to be a foolish freak; he went to arrest him by Mr. McFarlan's orders. The questions deponent put to the prisoner were quite voluntarily and before the prisoner had confessed any thing to him.

D. McFarlan, sworn. Deponent took the prisoner's examination, and the depositions of the witness before prisoner in his hearing; prisoner read the deposition and then signed it. There was a lady at the Police, but deponent does not recollect her name: not thinking her statement necessary to the case she was not examined. There were no threats or inducements held out to the prisoner to make the statement he made regarding this matter.

Mr. R. Habberley, identified the examination of the prisoner and produced the forged receipt signed H. B. H.

The examination was then read date the 7th July 1837, and the prisoner said, "I am guilty of the crime and I am sorry for it." After this the receipt was read.

G. W. Bright, deposed. He is a partner of the firm of Messrs. W. W. Robinson and Co. Captain Henderson is a customer of theirs. The initials of his Christian name are H. B., but what they stand for deponent cannot say. Deponent was Mr. Wood's partner when this transaction occurred.

Captain H. B. Henderson, deposed. He resides in Theatre road. Deponent deals with Mr. W. W. Robinson. Heard on his return from office that there was a mistake regarding an order of his. Deponent's name is Henry Berkley. Deponent's coolie went with the orders

and deponent heard that Mr. Robinson desired the man sent to go, and he would send the goods by a coolie of his own. Deponent has not heard of any other officer of the same name as this deponent in Calcutta.

Mr. Clark said, that on the authority of the case of King against Jackson, there is no cause for the case to go before a jury. After this Mr. Clark read this case. He then argued, that as there is an absolute parting of the goods by Mr. Robinson to the coolie, and by the coolie to the prisoner, although it may amount to a fraud yet it does not constitute a felony. The Judge said, he has another case which he will mention afterwards, and it bears nearer to this case quoted by Mr. Clark. He then over-ruled the objection.

The prisoner declined saying any thing in his defence and called Mr. Paul to prove his character, who gave him a very good reputation.

The Judge then addressed the Jury, stating that although the theft was small, yet as there is no absence of fraud it does not amount by law to a joke, whatever the prisoner may think of it. He then said that in the case he alluded to and promised to quote in reply to the case quoted by Mr. Clark, it is stated that fraudulently obtaining a parcel from a carrier is a fraud; for a carrier is only bound to give it to the person to whom it was directed. If the admissions of the prisoner and the evidence be admitted, there is no doubt but that he is guilty of the crime laid to his charge. After this he left the case with the Jury.

The Jury found the prisoner guilty of the crime laid to his charge, but they recommended him to the mercy of the Court, because of his youth and because they imagined that when he committed the crime he did it under the impression that he was committing a frolic and not a larceny.

The Judge, after this sentence had been recorded, desired the prisoner to stand down for the present, and after he has considered how for he can attend to the Jury's recommendation he will pass a sentence on him.

Gobardhun and Gourbux Sing, for larceny, committed on the property of G. W. Anderson.

Gousy deposed.—He is the khansama of Mr. G. W. Anderson, the Law Commissioner. Does not know Mr. Anderson's name in full, but knows the prisoners; they were Mr. Anderson's servants—Gungadeen was door-keeper and Gourbux a watchman. Deponent paid the servant's wages. On 14th April deponent brought 400 rupees, from the Union Bank on a cheque signed by Rustomjee, who gave deponent a cheque on Rustomjee for the 400 rupees. This money was drawn to pay 250 rupees to the servants as wages, and 150 rupees for the household expenses disbursed by this deponent. 200 rupees of the wages had been paid and the rest was locked up by the deponent. The prisoners had received their wages. Here deponent described the articles which were locked up with the money by this deponent. Deponent on returning to his duty next morning found the trunk broken open and the box in which the money was, together with the books, were abstracted from the trunk. The same evening the box and the books were found in an adjoining compound and part of the property was recovered about one month and a half afterwards, when the prisoners were arrested at the Police office.

Gorah Sing, deposed.—He is a peon in the employ of Sir J. P. Grant and knows the prisoners. Heard the 2 prisoners once disputing on the cross roads near Bavunbustee about 45 days ago. Gungadeen said to deponent, that Gourbux had Mr. Anderson's property by him.

Gourbux said he got it from Gungadeen's mistress. There was another person at the time at a short distance called Buldeo. Deponent had them taken up and brought before Sir J. P. Grant, who sent them to the Police office. Deponent, when Gungadeen spoke to him, perceived a bag in his hand, and snatched it out of his hands: the purse contained a pair of earrings and a gilt watch chain. Deponent delivered the purse and its contents to the thanadar of the Chowringhee division.

Chirchund missur, thanadar of Chowringhee thanna, deposed, that he had received a bag with a pair of gold earrings and a gold gilt chain, from the Police Magistrate, who took it from Gorah Sing and gave it to the prisoner. Deponent recollects going with Gousv. khansama, to the house of Mr. Dashwood to search the hut of Mr. Dashwood's durwan. Deponent found in the trunk of Beharry Tewary, Mr. Dashwood's durwan, a penknife; deponent took the penknife and the trunks of Gungadeen and Gourbux, whose trunk was with Mr. Bietzick's durwan, to the Police office both locked. Beharry Tewary pointed out the trunks to the deponent. If deponent were to see the trunks he could identify them. On the trunks being opened, in Gungadeen's chest a red cloth bag was found—nothing in Gourbux's trunk.

Beharry Tewaree, deposed.—He is Captain Dashwood's door-keeper. Recollects that about 45 or 60 days ago, last witness came to search witness's room. The prisoner Gungadeen, after his release on bail from the Police, came and put up with deponent. The penknife deponent borrowed from Gungadeen to cut vegetables.

Here Mr. J. J. McCann produced the goods mentioned in the bag and they were identified by Jherchund Missur, to be the property he received from the police from the hands of Gorah Sing. Gorah Sing identified them to be the same he received from Gungadeen, and Gousy identified them to be the property he had locked in the trunk on the night previous to the discovery of the robbery. The penknife was likewise produced and identified to be the same that Jherchund found in Beharry Tewary's trunk; it was likewise identified to be a portion of the property stolen from the trunk on the night of the robbery.

M. Crow, deposed. He is Interpreter to Mr. McMahon, the Magistrate. Deponent was present when the 3 first witnesses were examined. Deponent examined the deposition and said, that they were taken some days previous to their being explained and signed. The date in the deposition, 16th May, corresponds with the day on which they were taken, and not the day on which they were signed.

The prisoner, Gourbux, in his defence, said, that the statement of the informer was false, as he was arrested at the Custom House, where he was employed. Gorah Sing wanted Gourbux to lend him 20 rupees, and because he refused to accommodate him, he has laid this false information against him. Gungadeen said, in his defence, that Gourbux entrusted him with 86 rupees, and next day Gourbux came and demanded the money, saying that he had now a favorable opportunity of sending it home, and after he had received the money he left the bag and the knife with him. This prisoner called on R. D. Mangles, Esq., who gave him a very good character, saying that he was in his service for three months, about 15 months ago. Gourbux called a witness, who said he knew nothing about the prisoner.

None of the witnesses could tell what Mr. Anderson's Christian name was.

Here the Judge addressed the Jury, stating that there was a difficulty in finding the prisoners guilty on the last count of the indictment, as there was no proof to show

what Mr. Anderson's Christian name was. The Judge found it in the indictment to be George William, but G. W. may stand for other names besides George William: besides this, a part of the property has been shown not to be the property of Mr. Anderson. The Judge added he asked every witness who he thought could inform him what Mr. Anderson's Christian name was, but he could not elicit it from any of them. He believed that the names mentioned in the indictment were correct, yet there is no proof of it given in this case. After this the Judge detailed the particulars of the evidence, remarking that only a small portion of the property had been found in the prisoner's possession, and that after a lapse of 6 months, after the theft; after this he alluded to the re-crimination of the prisoners of each other, and left the case to the discretion of the Jury.

The Jury after a short retirement, pronounced both the prisoners not guilty.

The Judge after admonishing the prisoners to be more circumspect in their future conduct, discharged them.

Radahmoun Roy, was tried for burglariously entering the dwelling house of Kishno Mony, and stealing several articles, belonging to Torabaly therefrom.

Kishno Mony, deposed, that she gains her livelihood by her labor and lives by herself in a brick-built lower-roomed house, in Coburdangah. Recollects being robbed on the 9th of Bysak last. Deponent was sleeping that night on the roof of her house; the house has 3 doors. Before going to rest, deponent secured all these doors. Deponent went to rest at midnight. The watchmen called on deponent about 3 o'clock A. M. On coming down deponent saw several Police peons, and Radahmoun in custody. Deponent knew him before; he used to visit a female who lived in the upper apartments of deponent's house, and Sheebo had several articles belonging to deponent, with which the prisoner was running away when Sheebo arrested him. Deponent after this perceived that the bolt of one of the doors had been forced open, through which she conjectures the prisoner must have made his entrance into the house. Sheebo then took the prisoner and the articles found on him to the Police Office.

Sheebo, peon, deposed. Deponent was going his rounds at about 3 o'clock, when he saw Radahmoun going with a bundle in his hand, and challenged him and asked him who he was. Radahmoun replied a "subject." Deponent asked him what he was carrying in the bundle, and prisoner replied some eatables. Deponent asked him from whence he procured these eatables at this late hour of the night, and wished to see them. The prisoner refused to show the contents, on the plea that the food would be contaminated, and offered to show it to deponent if he would follow him to his house. Deponent refused to comply with this request, and insisted on seeing the contents of the bundle on the spot; and when the prisoner saw the deponent determined to see the contents of the bundle, and previous to letting the prisoner pass, the prisoner then attempted to throw the bundle into a drain close by, and deponent perceiving this snatched it out of his hands and felt its contents to be hard. Perceiving this, the deponent remarked, that eatables could not be so very hard, and took the prisoner to the Thana, where the Thanadar opened the bundle and found it contained jewellery, and asked the prisoner what he had to say to this bundle containing jewellery instead of eatables as he had stated; and how he became possessed of them. The prisoner then confessed. Here the Judge checked the witness and said, never mind what he confessed, state what he did. The deponent said, that in consequence of this confession, deponent

went to the prosecutrix's house, who identified the articles to be her property. The rest of this witness's evidence, was but a corroboration of the evidence given by the last witness.

Mr. McCann produced the jewellery, and the prosecutrix identified the articles to be her property.

The prisoner in his defence said, that he was returning home from Kaly Ghaut, where he had gone to pay his devotions during the day. He was met by Sheebopoon, who asked him for a donation. This the prisoner refused to give, and then Sheebopoon thrust these goods into his hands, charged him with stealing them from Kisto Mony's house, where he had not been on that day, and took him into custody.

The Judge very briefly charged the Jury, dilating the particulars of this case, and the evidence given on it, and left the case in their hands.

The Jury said, that they wished to read the indictment in order to ascertain, if any of the counts of it charged the prisoner with stealing from a dwelling house, for they had their doubts as to whether he was guilty of burglary, or only stealing from a dwelling house.

The Judge replied, that burglary included stealing from a dwelling house, and as to the Jury's remarks of their not being evidence to satisfy them, that the prisoner broke open into the house, such crimes are not committed in open day and in presence of witnesses; but if the goods were found in the prisoner's possession and the bolt of the house broken open, the natural pre-emption is, that the prisoner is the person who committed the offence. However, if they thought the prisoner guilty they cast pass a general verdict, and the Judge would award the punishment at his discretion.

The Jury brought in a verdict of guilty.

Sentence of death was then recorded against the prisoner, and commuted to 14 years' transportation to the S. E. Coast of Martaban.

After this the Court adjourned to 11 o'clock, A. M. to-morrow morning.—*Hurkurn, August 2.*

JULY 31, 1837.

(Before Sir B. Malkin, Knt.)

Attaram, alias Roogoo, was tried for stealing a promissory note the property of Rada Nath Mittur.

Rada Nath Mittur, deposed.—He is a merchant and resides at Hautcola. His son, Benasur Mittur, has the charge of his cash. On the 9th April last, deponent received four bank-notes of 100 rupees each; and took a memorandum of their numbers. Produces a book and reads the numbers, which he had entered in it. The prosecutor stated, that after he had received these notes he put them as he believes in a box on his writing desk. Subsequently, deponent required the use of these four notes and searched for them fruitlessly. Amongst his papers in the box in which he imagines he had kept them, he found locked the key. Deponent some times leaves the key there. Deponent's bearers had ingress and egress to that room, and other servants go there when called. The prisoner Roogoo, was deponent's sirdar bearer. The deponent after missing his notes gave on the 17th May notice to the bank. After this, deponent saw one of these notes at the Police Office in the hands of Mr. J. J. McCann, and shortly after this he perceived the other three on the table of Mr. Robinson, the magistrate.

Prisoner had been off and on nearly twelve years in the deponent's service.

Benasur Mittur, deposed, and proved the numbers of the notes deponent gave, to corresponded with what the prosecutor stated.

In this stage of the proceedings, the jury intimated to the judge that they wished the witnesses for the prosecution to withdraw. The Judge said, that it was not usual for them to be ordered to do so; but if the jury requested it he would order them to withdraw: the jury said that they wished it, and the witnesses were ordered to withdraw.

Benasur Mittur's examination continued.—Deponent does not know where his father kept these notes, but he subsequently heard of their loss and that they were advertised. Afterwards deponent saw these notes at the Police Office; but previously deponent saw one of these notes in the hands of Shamchund at the house of Hurry Dass. Deponent knows the prisoner, he was a bearer of the prosecutor and carried his palkee: he was called Roogoo by his master, but his brethren called him occasionally Attaram.

Roogchund Seth, deposed. He is a writer in the Bank of Bengal. Deponent knows Nobinchund Dutt, he is a money changer and brought a note for change at the Bank; it was a note which was stated to have been lost. Deponent from a memorandum in his book read the number of the note which he said was for sacca rupees 100, and he received the change on the surety of one of the Podars of the Bank, who said that he knew Nobinchunder and stood guarantee for him. After this the note remained in deponent's charge till it was demanded by the Police authorities: it was then stamped, cancelled, and deponent took it to the Police Office to Mr. McFarlan, who desired him to deliver it to a gentleman there. The note was presented at the Bank on the 26th May, and 2 or 3 days after this, it was called for by the Police authorities.

Nobinchunder Dutt, a money changer, deposed. Deponent remembers that on the 26th of May last he took a Bank of Bengal Note for 100 sacca rupees, which he had received from Hurry Dass Dullall, No. 307, at 9 o'clock A. M. on that day, to the Bank, to have it changed. Hurry Dass received the change from deponent for the note 106-10. Hurry Dass stated that he was a broker when he brought the notes for change, and directed deponent to make the entry in the name of John Perry, Comitolah. Deponent on giving security to the Bank after the note had been stated to be stolen properly, received silver in change. If deponent were to see Hurry Dass he could recognize him. Afterwards Hurry Dass was called in Court and recognized by this deponent.

Hurry Dass, deposed. That he is under arrest in this business on suspicion, but added he is innocent. [The Judge in this stage of the proceedings warned Hurry Dass that he must be very cautious in his answers, and not to answer any question that may hereafter tend to criminate him.] Deponent is a milk man and recollects that on the 26th May last he took a Bengal Bank Note of sacca rupees 100 for change to the last witness and received in silver from him 106-10 company rupees. Deponent at first received 50 sacca rupees in a note and 53 company rupees but the person who had given the 100 sacca rupees note to be changed to this deponent, perceiving the note to be pasted, refused to take it and desired to have all in silver, and then he returned the sacca rupees 50 note to Nobinchund, and received 53 rupees more in silver. The person who gave deponent the note, told deponent to say that the note belonged to Mr. Perry, who

resided at Cossitolah; and deponent told Nobinchunder so. Deponent did not state his profession at that time to Nobinchunder Dutt; there was no necessity for it, for Nobinchunder had long known him to be a milkman. Does not recollect stating to Nobinchunder that he was a broker. Deponent received this note from the prisoner at the bar who desired deponent to get this note changed, and left three more with this deponent of 100 sicca rupees each. On being asked how he came to receive four notes of so high a value, from a person from whose circumstances in life, deponent must have known that he could not have come honestly by them; deponent replied, that whilst deponent went to get the note which the prisoner gave him to be changed, prisoner during his absence left the other 3 notes there. Shortly after Nobinchunder gave the change to this deponent, Nobinchunder asked deponent how he came possession of them, and when deponent mentioned the whole transaction to Nobinchunder, and arrested this deponent and took him to the Police office, where he delivered all the notes the prisoner had left with him to the Police authorities. Deponent resides at Foudzary Dalakana where the prisoner was when deponent took the 50 rupees note to him, when he refused to take it.

Nobinchunder recalled. Never saw Hurry Dass before the transaction just mentioned. Gave him at first two notes of 25 rupees each, and not one of 50 rupees; if he had given one of 50 rupees he would have entered it in the day book; money changes in Calcutta do not enter the nos. of notes under 50 rupees.

Sham Dass, deposed. He is a Police man and recollects Hurry who was on the 6th of June under a rest. Went twice with deponent to have his house searched. Deponent on the first search found 100 compans's rupees and on the second search deponent found under a wooden platform 8 notes of 100 rupees each put between the mats, and the post of his hut. Hurry Dass mentioned nothing about the notes to this deponent; deponent himself found them on the second search; he afterwards brought them to the Police, and gave them to Mr. McCann.

Mr. J. J. McCann, produces the 3 notes, and the 100 rupees which he had received from Sham Dass, and one note from Ranchanl; deponent received the silver sealed, and has not counted it. The prosecutor was here recalled and read the nos. of the notes Mr. McCann produced in Court, and they corresponded with the nos. he had previously deposed to have lost. He identified them to be the notes he had lost by reference to his books. Deponent is unacquainted with Hurry Dass, the milkman.

Kunoye, deposed. He is a ticca bearer. Looks at Hurry Dass, and says he is deponent's landlord, and his name is Manneab; he has no cows. Recognizes the prisoner. Deponent saw the prisoner once at his landlord's house: it was on the evening previous to the landlord's being arrested.

Ghooma, Ticca bearer, deposed the same as the last witness.

The prisoner in his defence, said that the prosecutor desired him at the Police Office to call Roopchand Seth, and when he brought him to the Police Office Hurry Dass at the Police Office charged him with the theft, and he was taken into custody. He called the prosecutor to give him a character, and the prosecutor said that with the exception of this charge he had always found the prisoner to be a good and honest servant, and he never robbed him, even though he had many opportunities to do it before if he felt disposed to do so.

The Judge briefly charged the Jury, detailing the evidence taken in this case and commenting on it.

The Jury after a short consultation returned a verdict of not guilty.

The Judge said that although it is usual to discharge prisoners when the Grand Jury is discharged, yet on account of the good character the prosecutor has given him, the Judge thought there could be very little doubt that the witness Hurry Dass committed the crime and charged prisoner with it; he was therefore ordered to be released.

Shake Bandoo, stood charged with stealing from the house of Shake Rahim Ally several articles of jewelry.

Shake Rahim Ally, cloth merchant, deposed, that his shop is in Rada Bazar, but he resides in Chunan Gully. Deponent knows the prisoner who was his servant; he likewise attended on deponent's brother, Ameer Ally. Deponent pays the ground rent of the land on which the hut stands, but it is joint property. It is 2 months since the prisoner left deponent's service, absconded without the prosecutor's knowledge. The last time deponent saw him was on the evening of the 24th of May, at about 10 o'clock. Missing the prisoner on the morning of the 25th of May, prosecutor searched his house and found the staple of his trunk wrenched off; deponent then opened his trunk and found that the box which had been in it and contained his wife's jewels, had been stolen. The prosecutor detailed the property stolen. When the prosecutor missed the property, deponent went to search for him, and found and arrested him at Moorshedabad. After the prisoner was arrested he was taken to the boat in which he had proceeded to Moorshedabad: and the prisoner there pointed out part of the goods stolen to the deponent, suspended by a cloth from the roof of the boat. The prosecutor recognized the goods and delivered them into the custody of the Police Authorities at Moorshedabad, after which he saw the goods at the Police Office. Meer Wahed Ally accompanied the prosecutor to Moorshedabad. The prisoner at first denied all knowledge of theft, but when the prosecutor threatened to take him to the Thana, he said, "take your goods and let me go." It was after this conversation that he showed the goods in the boat. The last time deponent saw the goods previous to the theft, was the day previous to the theft. Prosecutor's wife kept the key of the trunk in which the goods were locked up.

Ameer Ally, prosecutor's brother, deposed, that the prisoner on the evening on which he committed this theft, gave deponent some decoction of *subjee* leaves for to drink, saying that it would cool him. About an hour after deponent had drunk this, he became stupified and recollects nothing of what occurred during that night. On waking at 8 o'clock a. m. next morning, deponent found his brother and his family weeping, and on enquiry learnt of the robbery and the abscondment of the prisoner.

Wahed Ally deposed.—That he accompanied the prosecutor in this case to Moorshedabad at his request. Deponent knew the prisoner at Patna, his native city; never saw him in Calcutta, during the period he was in the prosecutor's service. Deponent was present when the prisoner was taken into custody at Moorshedabad.

Mr. J. J. McCann, produced the jewels, which were identified by the prosecutor to be portion of the property which had been stolen from his house.

Prisoner said that his master beat him and he therefore absconded from his service: for this reason and because he had been on terms of intimacy with the prosecutor's wife, he through spite pursued him to Moorshedabad and had him arrested.

The Judge briefly addressed the jury, who, without retiring, found the prisoner guilty.

The Judge said, in consequence of the proof of his drugging the potation of Ameer Ally being very clear, he should have been transported for life; but he cannot, under existing circumstances, pass a less sentence than transportation for 14 years to Martaban.

The prisoner was then sentenced to 14 years' transportation.—*Hurakru, August 3.*

August 1. 1837.

(Before Sir B. Malkin, Knight)

Abbas Fuzil, and Meer Mulik, were tried for stealing ten bags of sugar, the property of James McKillop, Esq.

Sumbo Chunder, Sircar, deposed, that he is a sircar in the service of Messrs McKillop, Stewart and Co. Mr. Stewart is a partner of the firm. Deponent recollects sending 240 bags of sugar on the 18th of April in 3 bhurs to be shipped on board the ship *Lord Wm. Bentinck*, which was then lying in the Kidderpoor docks, and each bag contained by measurement about 200 cwt. each: deponent had weighed 90 of those bags. The bags were shipped at midday, the bhurs were lying at Police Ghaut, and they were dispatched two at 2 o'clock and the third at 3 o'clock p. m. There was a strong southerly breeze at the time and ebb tide. Deponent gave the names of the manjees and the chulundars at the Police Office. He does not now recollect their names. Deponent afterwards discovered the 3 boats lying at 5½ o'clock at Kuddum Tullah Ghaut. Deponent covered the bags and cautioned the manjees and the chulundars to be careful of the property. Deponent did not then count the bags. After covering the bags deponent went home. The day following when deponent returned to the office of his employers, he learnt of the loss of the ten bags of sugar. Mr. Low, an assistant of Messrs. McKillop, Stewart and Co., took deponent to the Police Office, and his deposition was then taken and reduced to writing. Deponent saw at the Police the chulundar and the manjees of one boat at the Police, and learnt that the men of the other 2 boats had absconded. If deponent were to see the ten bags of sugar he could identify them for they were marked G. C. X and Co. The sugar had been

consigned to Messrs. McKillop, Stewart and Co. from the Upper Provinces. Many bags of sugar had been shipped previously, but deponent cannot state the exact quantity. Deponent subsequently heard that the sugar had been delivered by these boatmen at the Kidderpoor Dock, minus ten bags.

Hurroo Chunder Mokerjeea, sircar of the Prosecutors, deposed, that he counted 240 bags of sugar sent by his master to be shipped on board the *Lord William Bentinck* at Kidderpoor. He only weighed them once (reads a memorandum) and the gross weight of what he weighed was 448 cwts. 10 lbs. Deponent does not know any of the boatman; they were brought on the 20th April to Kidderpoor by the police peons.

Cossinath, deposed, that he was a manjee of a police watch boat, and his boat is stationed at Seebpore sand bank opposite the Fort; but it is employed at night to search from Chandpaul Ghaut on the north, to the point opposite Mr. Barwell's house on the south. Deponent recollects arresting the prisoners with ten bags of sugar. On the 19th April, at 4 o'clock in the morning, deponent was rowing up and down the river on the look out: deponent's boat met the prisoner's boat abreast of the Kuddumtullah Ghaut, and deponent challenged it, but received no reply. This excited deponent's suspicion, and he chased them. When they perceived this, two of the boatmen jumped over board and escaped; but deponent succeeded in capturing the boat with the three prisoners on it. Deponent then searched their boat and

found ten bags stowed in her, and when these bags were examined by the deponent they were found to contain sugar. Deponent asked the prisoners how they became possessed of these bags, and they made no reply: Deponent then beat the alarm and the Police chowkey boat No. 4, came to his aid. Deponent then lashed the boat captured to the Police boats and brought them to Chandpaul Ghaut, and put the sugar on two carts and made the prisoner and the sugar over to the charge of the thannadar of that ghaut, from whence they were taken to the Police, where the sugar remained until one of the partners of the firm of Messrs. McKillop and Co. came to the Police office, and after leaving the outcovering of these bags at the Police office which had marks on them, he put the sugar in fresh gunny bags and took it away. After this one of the prisoners named Abbas was taken with the boat to the Kidderpoor ghaut under the custody of the Police peons.

Mr. J. J. McCun, Deputy Superintendent of the Police, deposed, that he recollects ten bags containing sugar being brought to the Police office; they were afterwards claimed by Messrs. McKillop and Co., who left the outer covering of the sugar for the purpose of identification at the Police office, and took the sugar away in other bags. The bags now produced in Court are bags in which the sugar was brought to the Police office. Deponent, from his situation at the Police office, knows the limits of the jurisdiction of the Calcutta Police, and believes the middle of the stream opposite Kuddumtollah ghaut to be within its jurisdiction.

Sumbo Chunder recalled, identified the bags to be the same which were consigned by them to be shipped on board the ship *Lord Wm. Bentinck*.

J. Stewart, one of the partners of the firm of McKillop, Stewart and Co., deposed, that the names of the partners of that firm are Jas. McKillop, Jas. Cullen, John Carrington Palmer and J. Stewart. Deponent remembers sending some sugar, which was consigned to them by Messrs. Gordon, Colly and Co. from Benares. The sugar was the joint property of Messrs. McKillop, Stewart and Co. and the consignees, and deponent recognized the bags which were taken to the police office, to be the same by the marks on them, which was G. C. X & Co. The bags produced at the Court are the same.

This closed the prosecutor's case.

The prisoners in their defence, said, that two persons came to them on the morning of the 19th, and hired their boat to ferry them across the river. The prisoners at first objected, on the plea that their boat was already hired to another person; but these two men said never mind, it will not take you a long time in taking us "a cross and coming back, and paid their pice before hand. Whilst the prisoners were crossing the river, their boat was challenged by a police search boat, and the two persons who had hired them to take them across, said to them to give no reply, and they therefore remained silent. The chowkey boat receiving no reply chased them, and these two men jumped overboard. After this the police chowkey boat overtook them, and perceiving the sugar on board their boat, took them and their boat into custody, and charged them with the theft for which they are now tried. As the prisoners derived their livelihood by the hire of their boat, they are not aware of having committed any crime by hiring their boat to ferry people across the river. They then called three witnesses, who merely proved that early on the morning of the day in which the prisoners were arrested, they recollect some persons coming to the Ghaut, where theirs and the prisoner's boats were moored, and requiring a boat for hire to be ferried across the river and the prisoners hearing them, hired their boat to them for 5 or 6 annas to ferry them across the river.

This closed the defence.

After this the Judge summed up the case, commenting on the evidence taken in it, and detailing it briefly to the jury, and after laying before them the legal bearings of the case he left it to their decision.

The jury after a short retirement returned a verdict of guilty against all the prisoners.

After this verdict was returned, the judge said to them as it is a point of law in England if a thief is arrested in a foreign country, he cannot be tried for it in England, although the owner of the goods might have entrusted them to him in England. Thus, as Calcutta is within the King's dominions and the Zillah 24-Pargunnahs in the Company's territories, it would be desirable for them to ascertain whether the place where they were detected by Cassinath was within the jurisdiction of this Court or of Zillah 24-Pargunnahs.

The jury without retiring said, that they believed the place where they had committed the theft to be within the jurisdiction of Calcutta.

The prisoners were sentenced as aiders and abettors of the principals, if not as principals themselves, to imprisonment for 12 calendar months, in the House of Correction with hard labour.

Copul Sing, alias Neeluh, was tried for stealing some property belonging to Komlakanth Dutt.

Prisoner pleaded not guilty.

Komlakanth Dutt. That he is the servant of Bolloram Doss, a merchant, residing at the village of Sonargong, in the Zillah of Dacca, and receives commission, and his profession is a broker. He receives commission on the business which he transacts for other persons. Deponent has a shop at Bunsatollah Lane. Goluk Podar is not a partner of deponent, but rents half the premises in which deponent's office is. Bolloram Doss pays 10 rupees a month for that portion of these premises which the deponent occupies as his office, and records a credit in his cash transactions with this deponent, for the occupation of that portion of the premises, for which he pays the rent. Occasionally deponent deposits in them the goods of other persons for sale on commission. Deponent remembers receiving some cloths in May, which his master had consigned to him for sale. Ten pieces of this cloth called hummums were once stolen. Deponent was sitting in the upper room of his office, and heard a servant of his, called Kalachand, call out that a person was running away with a bale of cloth from this deponent's godown. When this deponent heard this, he ran down stairs and observed the door of his godown had been forced open. When the deponent saw this, he, together with his servant, gave chase and came up with a person carrying a bundle of clothes on his head, who, when he perceived that he was pursued, threw the bale down and attempted to escape. Deponent ordered his servant to seize him and the servant obeyed the order. The morning previous to this theft, deponent had counted the bales in the godown and found them to be one bale short. This robbery happened on the 20th June last. The prisoner is the person who was seized. Deponent has a slight recollection of having seen the prisoner before occasionally in the Burra Bazar. When deponent came down after he heard the alarm of a person running away with a bale of cloth, and perceived the door of his godown to be forced open, he found one bale of cloth had been abstracted. The bale which the prisoner threw down when he was arrested, was the one which had been abstracted from deponent's godown.

Kalachand deposed.—That he is the servant of Peary Baboo, the brother of Komlakanth Dutt. He saw a

person enter the prosecutor's shop and ran away with a bale of cloth. He gave the alarm and together with the prosecutor chased and at Bunsatollah Lane, arrested the prisoner, who threw down the bundle he had abstracted from the prosecutor's shop, and beat the deponent, who then called out to the passers by—stop thief, stop thief. Hearing this, several persons came to deponent and threw down the prisoner, and delivered him and the prisoner in custody to the Thanadar of the division, who took the prisoner and the bale to the Police Office, and delivered the bale to Mr. McCau at the Police Office. Deponent never quitted the prisoner till he saw him safe at the Police Office. The prisoner abstracted the bale of cloth from the prosecutor's shop at about 10 o'clock; he was arrested at midday and taken before the police magistrate at about 2 o'clock of the same day. The prisoner is the person whom the deponent saw running away with the bale of cloth.

Hurroo, another servant of the prosecutor's, corroborated the evidence of the last witness.

Kheddroo, Chowkeydar, deposed, that he is a Police peon, and he jointly with the 2 last witnesses arrested the prisoner on a charge of stealing a bale of cloth, which was then lying in the street. Deponent took the prisoner and the bale of cloth to the Police Office, in charge of Mr. McCau.

The prisoner wished to point out some discrepancies in the evidence of the 2 last witnesses, who he said had varied in their testimony at the Court house from their depositions at the Police Office.

Mr. J. J. McCau produced the bale, and the prosecutor said, he recognized it to be a bale abstracted from his shop, by the name of Rajh Chandroo Bhoohecah, which is written on it, who is the proprietor of this bale and is Bulloram's son-in-law.

The prisoner in this stage of the inquiry, asked the prosecutor whether he did not quarrel with him on the day of the Ruth jatra, and did not raise this charge maliciously against him on that account. Prosecutor replied, he had never before spoken a single word to the prisoner.

Kalachand recalled by the jury further deposed. That he saw the prisoner come and pick the lock of the godown with a picklock, and open the door of the ware room, enter it, and abstract the bale.

The prisoner in his defence said, that the prosecutor and his servants had maliciously conspired, and falsely charged him with this robbery. He said he wished the jury to observe the lock, and see if it could be picked with a nail, and if it was impossible for a person of his bodily strength to lift up and carry so far as stated a load so heavy as the bale produced in Court. He pointed at the discrepancies of time as given in the evidence in the time stated by the witnesses, which he said varied from 8 o'clock to 10 o'clock A. M.

The Judge said, that owing to the mistake in the indictment, which had stated the godown to be Komla Kanth's, the jury could not find the prisoner guilty of burglary but only larceny, if they believed the evidence.

The jury, without retiring, found the prisoner guilty of larceny.

And the Judge said to the prisoner, that it was solely owing to a mistake in the indictment, he was not found guilty of a burglary; but as he had been repeatedly convicted of minor offences at the Police Office, and is a notorious bad character, he could not but sentence him to the highest penalty the law inflicts on larceny. The prisoner was then sentenced to 7 years' imprisonment.

Burnoo was charged with assaulting an old woman called Gopee, and robbing from her person several articles of jewellery.

Prisoner pleaded not guilty.

Gnopee, the prosecutrix, deposed.—A fire occurred in her neighbourhood at College Square on a Sunday, behind the thana at the northern end of the Square. Deponent does not know the month, as the pupils of the College did not attend, she knew it was a Sunday. The wind was high, and deponent's daughter, Ranny, was in the house, and deponent became alarmed. Moodosoodun, her son-in-law, was not at home. Ranny said to the prosecutrix that she would run off with her two children, to prevent their suffering by the fire, and wrapped up in 2 sarrees her personal ornaments and a few rupees, and desired her to take charge of it. After she had thus spoken, Ranny threw the bundle before her, and ran off with one child in her arm, leading another by the hand. When Ranny threw the bundle before deponent, two of the ornaments and one rupee fell out, and Rajchunder Mistry, one of her neighbours, took them up and gave them to her. There were many persons present at the time when Ranny threw the bundle to her, and saw her throw it to her. After this, Burnoo, the prisoner, came up to the prosecutrix and asked her if she intended to stay where she was to be burnt, and before she could reply, pulled her by the arm into the compound, and perceiving the bundle under her arm said, what have you got under your arm old woman, and snatched it from her with a violent jerk, which threw the deponent on the ground, and by the time she could get up, he ran off with the bundle. Deponent knew the prisoner before; he used to work occasionally as bricklayer, and occasionally as a ship lascar, and lived in the neighbourhood. Deponent knew what the bundle he robbed her of contained, because she saw her daughter tie the jewels in the bundle before her, previous to her giving it to the prosecutrix. Here the deponent detailed a long list of gold and silver jewellery which this bundle contained, and valued them at about 89 rupees. None of the many spectators interfered or attempted to stop the prisoner, although the prosecutrix requested them to do so, on the plea that the prisoner was a good hand at fencing, and a wicked, powerful man, and if they were to interfere he would thrash them all round.

Rajchunder Ghose, a bricklayer, deposed, that he knew Gopee Ranny and likewise Moodosoodun. This witness corroborated the evidence of the last witness, and added, that when he saw the prisoner walk away with the bundle which he took from the prosecutrix, he desired him to return it: to which the prisoner replied, "Will you take care of it for her," and leisurely walked away with the bundle. Nobody attempted to stop him, for he is a quarrelsome man, and the people had enough to do to secure their huts from the fire, as there was a strong wind at the time. Deponent has no quarrel with the prisoner, and only once for one day engaged his services. Deponent cannot say whether Moodosoodun is a man of property; he certainly is not troubled with duns.

Narrain Sing, hurkaru of Baboo Madub Dutt, deposed, that on the day on which this theft is asserted to have been committed, he was sent to call the last witness, and perceived that the persons residing in that neighbourhood were alarmed because of a fire which was then raging at some distance to the southward of the prosecutrix's house: the wind was from an opposite direction. There was no immediate cause of alarm, except that as many fires had lately occurred in Calcutta, people generally become alarmed on the slightest appearance of a fire. The wind afterwards blew the fire away in a contrary direction. Deponent knows Moodosoodun; cannot say what his means are. Here this deponent relates the throwing of the bundle in the same manner as the two

last witnesses; but cannot tell what the bundle contained; it was in a dhotee. The rest of this witness's evidence, with slight discrepancies, was a corroboration of the evidence given by the last witness. This deponent appealed to Mr. J. J. McCan to prove, that the prisoner is a riotous character and broke one Pian Baboo's head about 2 years since. Deponent knows him ever since that time. To a query by the prisoner, deponent says he is not a hired witness.

Ranny deposed, in confirmation to the evidence of the prosecutrix, regarding her leaving with her in two saries the jewels and 40 rupees at the time the fire occurred, on the day this theft is alleged to have been committed by the prisoner. Cross-examined.—If deponent's husband, whenever he could muster 3 or 4 rupees, always purchased some jewel for her, how came she to have 40 rupees by her. Deponent replied, they were kept by for the marriage ceremony of her eldest daughter, and the medical expenses of her mother, who was sick at the time.

Moodosoodun Ghose, bricklayer, deposed, that on the day on which the fire occurred in the neighbourhood he had heard of the robbery of his wife's jewels. Deponent earns from 6 to 8 rupees a month. Deponent did not state at the Police that he did not know how many rupees he had. Deponent knows the prisoner, who has occasionally worked under him, and never had any quarrel with him.

J. P. Namey deposed, that he is interpreter to Mr. O'Hanlon, the Magistrate. Deponent explained the written evidence of the last witness to him, before he signed it. Deponent in it stated, that he did not know what money he had at the time of the alleged robbery.

This closed the case for the prosecution.

The prisoner in his defence stated, that he and his brother Alibux had formerly worked with Rajchunder, who is the paramour of the prosecutrix. The prisoner left the service of Rajchunder, but his brother stayed till he fell from a house; he was then taken home to be cured. After his cure, prisoner went with him to demand his brother's wages, which Rajchunder refused to pay. The prisoner then threatened to sue him for them in the Petty Court, and he in revenge, conniving with his immediate relatives, hatched this complaint against him. Prisoner called 6 witnesses. One of the prisoner's witnesses confirmed this statement of the prisoner.

Another proved, that after the day in which this fire had occurred and the robbery is stated to have been committed by the prisoner, he had occasionally for some days seen the prisoner at work at his occupation openly, without any sign of concealment, and no bold attempt to arrest or molest him. Two more witnesses were called but they proved nothing.

This closed the defence.

The Judge briefly summed up the case and said, that although the prisoner is charged with the crime of robbery, it does not appear that that violence which constitutes a robbery, was used by the prisoner in the commission. If the prosecutrix's witnesses are to be believed, it only constitutes simply stealing from the person. Here the Judge detailed the evidence, commenting on it, and the prisoner's defence showing it has been confirmed by his witnesses.

The Jury, without retiring, found the prisoner guilty of stealing.

The Judge postponed passing sentence.

True bills were found against Sheaburn and Hurrischunder Mallic, for the murder of Rada Bebee; Doorhull, Larceny; James Bemanda, Larceny; Chund dandee, Chumroo dande, and Quadie, robbing on the river. *Hurkaru, August 4.*

AUGUST 1, 1837.

(Before Sir B. Malkin, Knt.)

Mr. W. Cornelius having fainted away during the time he was sitting as a jurymen, he was allowed in future to be exempted from serving on the Petit jury on his affidavit of inability on account of bodily infirmity; a similar exemption had been some time previously granted of Mr. T. Payne on the same grounds.

W. Deale, who was acquitted by the grand jury of the charge of stealing 10 gallons of Rum on board the ship *George the Fourth*, lying off Diamond Harbour, about 6 weeks ago, the property of I Nicholson, the owner of the ship, was this day brought up and discharged.

Mr. P. Atkinson, on being called on the petit jury to-day, stated to Mr. H. Holroyd, the Clerk of the Crown, that he begged to remind him that he had presented to him a petition praying to be exempted from sitting on the petit jury. Mr. Holroyd replied that he had received the petition and had presented it to the judge, who had not as yet passed any order on it. In this stage of the conversation the Judge said to Mr. P. Atkinson that he had received and read his petition, and it appeared to him after its perusal, that the petitioner claims exemption on 2 pleas, first, that he had when in England sat on the grand jury and is not therefore amenable to the petit juries of this city; if amenable at all to be summoned as a jurymen, he can only be summoned to the grand juries. On this objection the judges said he would pass no order at present. Mr. Atkinson, who has served on the grand juries cannot but be aware of the legal proceedings of a British court of justice, and that he must present his petition for such exemption as he has stated, through the regular channel (as we understood the judge to say, on the 1st day of the next session) when his plea would be taken up by the judges of the court, and an order passed on it. With regard to the second plea of the petitioner, viz., of his laboring under bodily infirmity, the court stated they would pass their orders on it, when the petition itself would be taken up by the bench; yet it being one of a urgent nature, as it disqualifies him from acting as a petit juror, the judge would as a temporary order on it, until the petition itself was generally disposed of by the judges, permit the petitioner to be exempted from service on the petit jury during the present Session. After this Mr. Atkinson was allowed to retire, and another jurymen was called in his stead.

AUGUST 2, 1837.

Peerbux was tried for the murder of Oajagur Seek, on the 21st January 1837, by having thrown him off the ground and beat, kicked and strangled him.

The prisoner pleaded that his name is Culloo not Peerbux, and put in evidence to show that his name was Culloo and not Peerbux. The indictment was then ordered to be altered and the name Culloo substituted in lieu of that of Peerbux.

The prisoner pleaded not guilty to the charge.

Ameer Sing deposed: that he is a milliner, and has a shop in the Burra Bazar. Oajagur Sing, the deceased, was this deponent's brother: he is dead and deponent saw his corpse on the 15th or 16th of Maugh last on a Saturday. During the last year of his life deponent was not on friendly terms with him. Deponent generally saw the deceased daily, notwithstanding their misunderstanding, for he lived in the same lane with this deponent. It was only the week previous to the discovery of

his corpse that this deponent did not see him as usual. The corpse was discovered in a godown in Amrahtollah lane. Deponent recognized the corpse to be his brother's by the features. He had it conveyed under a tree and wished, and he then perceived the marks of a cord round about his neck, which led this deponent to conjecture that deceased had been strangled with a cord. The lane has two or three other names besides that of Amrahtollah. When deponent went to the godown where his brother's corpse was discovered, he perceived many gentlemen there, Dr. Bain amongst the rest. Deponent did state to Mr. McFarlan at the Police, that when he saw the corpse he saw no marks on the corpse by which he could conjecture the cause of its death. Deponent did not observe the mark about the neck till after he had washed the corpse.

R. H. Bain, Esq., Police Surgeon, deposed: that he on the 28th of January last, examined a corpse in a lane, the name of which was Tarrachand Dutt's lane. Deponent does not recognize the last witness nor knows a lane called Amrahtollah lane: deponent examined the corpse twice on the 28th and 29th January 1837. On the first examination the body was very black and far advanced towards decomposition, much swollen and offensive, after the corpse had been exposed to the night air. Deponent examined it again the next morning at the ghaut, but perceived no marks on it. Deponent did examine the throat; it was a little whiter on account of the pressure of the lower jaw on it. There was no appearance of strangulation about the neck when deponent first perceived the corpse, and the death appeared to have happened one week previously. The marks of violence on corpses in this country are obliterated in one week. Deponent could not conjecture the cause of its death. Mr. McCan was present on both the occasions.

J. J. McCan, deposed:—that he was present when a corpse stated by Ameer Sing to be his brother's, was examined in Tarrachand Dutt's lane, by Dr. Bain on the 28th January last.

D. McFarlan, the Chief Magistrate, deposed: that the prisoner made his depositions before him without any threat or inducement. The prisoner deposed 3 times, and the depositions were always read to him before he signed them, and he was always cautioned against saying any thing that may criminate him unless he pleased, for it might hereafter tend to his injury at his trial. The prisoner said his name was Peerbux when he signed the examination, and appeared to be perturbed. Deponent recognizes the depositions by his initials on them, and recognizes a paper and a piece of satin which he said were shown to the prisoner when he gave his depositions. Deponent recognizes them by a private mark on them. Ramtoonoo was likewise examined by this deponent, as he verily believes in this prisoner's presence, but deponent cannot swear to the fact. Recognizes and identifies Ramtoonoo's depositions. The prisoner did not appear to be intoxicated when he gave his depositions, and he never refused or objected to sign the depositions.

C. F. Leal, interpreter to Mr. C. K. Robison, the Magistrate, deposed.—That he does not recollect the time when the prisoner was examined by Mr. McFarlan, but deponent explained the 1st examination to him before he signed it, and he appeared to be sober and to understand it. Deponent likewise explained the deposition of Ramtoonoo to prisoner; he understood and signed it. Deponent does not recollect whether the prisoner was present when Ramtoonoo was examined.

W. H. Grant, deposed.—He is clerk to the chief magistrate. Deponent interpreted the 2d examination of the prisoner to him, and he was sober at the time and understood what he signed previous to signing it.

Deponent does not recollect when Ramtoonoo was examined.

Dharney Dhur, Sircar to Baboo Motee Lal Seal, deposed.—Motee Lal Seal had a sircar called Ramtoonoo Roy, who used to collect the rents for Motee Lal Seal. Ramtoonoo is dead. Deponent let out Motee Lal Seal's smaller house. Deponent wrote an agreement in the presence of Ramtoonoo and another servant of Baboo Motee Lal Seal, and another person wrote something in Persian purporting to be his name, and the other 2 became witnesses to it. If deponent were to see the person who signed the agreement he could recognize him. Points to the prisoner and says that is the person who signed the agreement. States that he could not identify him again at the Police Office. Deponent there said on this subject, that he believed the prisoner to be the man who signed the agreement, since which his memory has been refreshed, and he is certain that he was the person who signed the agreement in question.

In the examination of Peerbux taken before D McFarlan on the 11th February 1837, he stated he is a native of Patna; he is a cloth dyer, and his shop is in Amratollah lane, and his residence at Gorbagaun, where the corpse of the deceased Ojgur Sing was found. Prisoner did not know his name at the time. He was murdered by Hossain Bux. There were Hossainbux, Bubroo and Hunnoo in the godown. Motee Bhow and Currembux were outside. Bubroo kept watch at the shoppe door. Hossainbux and Hunnoo knocked him down and strangled him. Motee Bhow had advanced to Hunnoo and Bubroo 70 rupees on an understanding that she was to have a share in the property after they had killed and plundered Oajagur Seik. They inveigled Oajagur into the godown, and after killing him they went to the deceased's house and brought away 2 executors and other goods from the deceased's shop, and put the goods in one Fackeeah's shop. After this all the perpetrators congregated and assembled at Motee Bhow's house, and then ran away to Chinsurah, where they refused to give this deponent his share of the plunder. The piece of satin cloth produced at the place and which was found in Curreem's possession, is a part of the property the murderers plundered from the deceased Oajagur Seik. Deponent in his second examination, dated 13th February, further confessed that the day before the murder he hired the shop in which the corpse was found 8 days after the murder, and removed his dying pansa there in company of Ram Sing, a servant of Motee Lal Seal. Ramtoonoo was present when he signed the agreement.

Hossainbux, thannadar of Coolootoolah, deposed: that on information he received he went with an informer to Chinsurah, and then the informer for fear of a rescue and escape, as the prisoner had many desperate associates, inveigled the prisoner and Curreem into a liquor shop, and there had them arrested. The piece of satin now produced in Court was found in Curreem's house at Chinsurah. Curreem is in custody under a charge of a similar nature as the prisoner. Ramtoonoo's evidence was taken before the prisoner at the Police.

Ramtoonoo's deposition taken on the 13th February 1837, being read, it stated that he was a witness to an agreement the prisoner signed for the rent of the godown in which the corpse of the deceased was found, about 9 days previous to the discovery of the corpse. The agreement was written in Dhurneydhur's book, and it is the one which was produced at the Police Office.

Ram Sing, durwan to Baboo Motee Lal Seal, deposed, that about 8 or 9 days previous to the discovery of the murder of Oajagur Sing, deponent went with the prisoner to give possession of the godown to the prisoner

who had hired it. Deponent when he gave his evidence at the Police, had his doubts as to the identity of the prisoner being the person who had hired the godown in question; but since that period he has refreshed his memory, and he is now certain that the prisoner was the person who had hired the godown in which the corpse was found.

Nursing, the durwan of another Baboo, who lived in the neighbourhood of the shop where the deceased's corpse was found, said he had seen a person very much like the prisoner in personal appearance, occupy the godown 10 or 15 days previous to the discovery of the corpse in it; and this deponent said that this is what he had sworn to in the Police Office.

D. McFarlane proved the depositions of Ameer Sing and the two last witnesses, were signed by them in his presence. After they had been explained to them, they were read. Ameer Sing in his deposition said, that he could not say what was the cause of his brother's death, and Ram Sing and Nur Sing's depositions showed that they could not recognize the prisoner as the person who had occupied the godown in question.

This closed the evidence for the prosecution.

The prisoner in his defence said he had left Calcutta long previous to the murder being committed, to endeavour to get service with Pertab Chund, who claimed the Raj of Burdwan; and if he had been implicated in a murder, he would not have staid in Chinsurah to be arrested. When he gave his examination at the Police, he had been intoxicated by the persons who had arrested him, and they urged him to make the confessions which he then did at the Police. He then called witnesses to prove an alibi in the case.

None of them, however, could tell where he was in March last, the month in which the murder was committed.

This closed the defence.

The Judge here briefly detailed the case, stating, that even the jury should be convinced that if he were a participator in this murder, they cannot find him guilty of a murder. The Judge remarked, that this case is singular, being the only one perhaps that ever came before them with so little of any evidence to prove his guilt, with the exception of his own voluntary confessions. He then stated that the statement he then made was made in a state of intoxication; and they must decide whether it is correct or not: the mere circumstance of the prisoner hiring the house is not in itself any satisfactory proof to fix the prisoner with the guilt. The Judge regreted that the Police had unnecessarily procrastinated the trial for two Sessions more than it was necessary for them to do, for as far as the evidences are concerned which were requisite to the investigation of the case, it was as complete in time for the February Sessions, as it is now; and this delay might be the means of enabling the other prisoners implicated in this murder to escape; and the deponents who were examined at the Police to amend their evidence; in one of which amendments made by Ameer Sing he is directly contradicted by Dr. Bain, who says that there were no marks on the neck of the kind this deponent has described. The confessions of the prisoner, if the Jury believe them to have been voluntarily and deliberately made, (and there is nothing in their nature to doubt them) there is no doubt thereby that if the prisoner was not a principal he at least was an accessory to the murder; for it appears by the confessions, that he was a passive spectator. Put the best construction on these confessions one possibly can, the hiring of the godown just the day before the murder, is a very suspicious circumstance; but it is not in itself conclusive, that the prisoner hired the godown with the intention of murdering the deceased: yet if the

Jury believed that he did it for that purpose, it would only make him an accessory before the fact: it is not in itself fact conclusive of his being an accessory in the fact. The Judge then added, that if they believed these confessions, they must take them altogether or reject them altogether. With regard to the only portion of the property found, it has been in possession of Kurreem and not this prisoner. The Judge then quoted Lord Hall and Justice Fawcett's law on the criminal law, by which is laid down, that in order to make a man guilty of a felony he must be proved to have been an active participator in the crime; but if he was only a passive spectator and took no measures to prevent the commission of the crime, he is not a principal in the crime; and if the prisoner is not found guilty as a principal in the commission of this murder, then he is not guilty of murder and the jury cannot find him guilty on this indictment. If a person keeps watch to alarm the perpetrators of a murder whilst they are committing the crime, or if he stands forward to offer obstruction to any person attempting to prevent the murder, he in that case is a principal even though he might not have used actual violence in the perpetration of the crime, and there is nothing to show that the prisoner did any thing beyond being a passive spectator of the crime. The circumstance of the absconding from Calcutta shortly after the murder, is very suspicious; but the alarm of the consequence of even the slightest participation in this guilt, might be sufficient to induce the prisoner to run away from Calcutta. The Judge then left the Jury to decide whether they believed from the prisoner's confessions and the evidence taken in the case, that he was an actual participator in the murder, or whether he was only a passive spectator; telling them if they believed the former, they must then find him guilty on the present indictment, by which his life is affected; but if the latter, then they cannot but acquit the prisoner, who will, in that case, be tried on another indictment, the punishment of which, it found guilty, although it will not affect his life, will still be a very serious and a heavy sentence.

The Jury retired for a short time and brought in a verdict of guilty.

The Judge said it is usual in such cases to pass the sentence immediately on the prisoner; but by the statute of the law the judges have a discretionary latitude allowed them were they find cause for it, and the judge said in this case he thought there were grounds for postponing the sentence till he had consulted the other judges: not that he entertained the slightest doubt of the prisoner's guilt; but he did not wish to pass any sentence till he had made up his mind to carry it into execution; therefore, he postponed the sentence for the present. At the same time he told the prisoner that he had better not entertain any hopes of mercy, but make up his mind for the worst, and make his peace with his Maker.

E. Chinnery, who was convicted of Larceny on the 29th of July last, was brought up to-day to be sentenced. The judge said to the prisoner, that although the jury when they found him guilty of the larceny for which he was tried had recommended him to mercy on the supposition that the prisoner when he perpetrated the crime, had imagined that he was only committing a frolic; and as on account of his youth, the learned judge added, he was disposed to pay every regard to the recommendation of the jury, and not inclined to pass a severe sentence on the prisoner; for independent of the recommendation of the jury, his crime was not in itself one calling for a very severe punishment. Still it is not one that the judge can permit any person convicted of to escape unpunished; for if he were to do so, no shopkeeper's property would be safe. If the prisoner had committed the crime

in a fit of intoxication, imagining it to be a frolic, and intended not to steal it as he has stated in his defence, why did he not when he became sober instantly return the articles with an apologizing letter either to Mr. Robinson or forward them to Captain Henderson, instead of disposing of them as he did. The judge regretted very much that there was no institution in this country similar to what existed in Britain and America, viz., of separate wards for the classification of prisoners of various grades, so as to keep apart the novices from the more hardened criminals; but that they are all in this country huddled together promiscuously; and thus the beginner in crime is brought in contact with all the contamination he may be liable to imbibe from the more practised felons. As the prisoner is a young man, who perhaps, as the judge hopes he does by this time, fully repents his—expressing it in its most palliating terms—foolish conduct, by which he has brought himself to this disgrace and with a view to enable him to keep clear of the contagion he has already alluded to in his speech and not to heap further disgrace on him by mixing him with the common felons in the jail, and likewise give him full leisure to reflect and amend his future conduct in life, so as effectually to efface the ignominy which this act of which he now stands convicted might attach to him—the Judge, under all the circumstances of the case, as above detailed, considered the most befitting punishment to inflict on the prisoner, was, that he be confined in solitary imprisonment for the space of three calendar months.

Joseph Bernado, who was indicted for stealing two bags of silver, valued at nearly 2,000 rupees, the property of a Persian merchant, from on board the ship *Sir Edward Ryan*, about 10 days ago, pleaded guilty of the charge.

The Judge warned the prisoner and told him, that if he pleaded guilty under the mistaken notion, that this circumstance would tend to mitigate his crime and his sentence, he was mistaken. After this admonition the prisoner persisted in pleading guilty. His statement was to this effect. That he is a native of the Lower Canadas and is a stranger in Calcutta. This is his first voyage to this port, and the ship from which he stole the silver was lying afloat in a dock, the name of which he does not know. She was afloat in the river close to the bank opposite to Calcutta. Prisoner has heard the place is called Howrah or Sulkea, or some such name, but he is not certain of the name of the place near which the ship was lying. The ship is styled the *Sir Edward Ryan*, and she was discharging cargo at the time when the prisoner, who was a seaman on board of her, stole these two bags of silver. This was the prisoner's own account of the theft. The prosecutor was then called and said, that the silver stolen was his property: it was not refined but gross silver in lumps. The value of the two bags might be about 2,000 rupees or thereabout. Prosecutor is a native of Sheraz, a city in Persia, and has come here for commercial purposes. He resides in Mogulpara in this city.

The Judge, after this confession of the prisoner, and the statement of the prosecutor were ended, told the prisoner and Mr. King, the jailor, that the prisoner may be remanded at present and he would afterwards consider what sentence to pass on him, and when he would come to a determination on that point he would have the prisoner called up again.

Doorbul was tried for stealing on the 12th. June 1837, several silver articles, Government Securities, &c. amounting in all to near 1,000 rupees, the property of Sunbath Dose, &c.

Sumbonath deposed, that the prisoner was a bearer in his service for nearly 3 months. On the morning of the 13th June last, whilst the prisoner was in this deponent's service, deponent missed his silver hooka bottom and other silver articles, a watch and Government papers, &c. &c.; they were the night previous locked in a box in the prosecutor's bed room.

In this stage of the proceedings the prisoner fainted away and fell, and Dr. Bain examined the prisoner and said that he had merely a fainting fit; and after he had drank a little water he could revive no doubt. Some water was then brought and given to him to drink, after which he revived and the trial proceeded.

The prosecutor then deposed, after the discovery of the theft, the prosecutor searched for the prisoner, but found that he had absconded; and about 8 days after this had occurred the prosecutor saw the prisoner at the Police office. Here the prosecutor details the property which he missed on the discovery of the theft. The bank-notes had been all cut, with the exception of one for 10 rupees, and the parts had been dispatched to deponent's Goomasta, and Moothoor Sircar, who resides in the interior provinces. The prosecutor's Sircar, Sumboo, keeps his books and entered the number of the notes, half of which were dispatched up the country. After the theft had been perpetrated the prosecutor wrote to Moothoor Sircar to return the $\frac{1}{2}$ notes which he had sent to him by dawk, because he could not in consequence of this theft, transmit to him the remaining halves of these notes, and Moothoor Sircar on receipt of this letter, returned those notes to him by dawk, and the prosecutor has them now in his possession. They were 10 notes of the Bank of Bengal of 50 rupees each. Subsequently, the prosecutor saw his property at the Police office, where he likewise observed the prisoner in custody.

Sumboo, sircar of the prosecutor, produced his books and proved that he had taken down the nos. of 10 Bank of Bengal notes, the halves of which his master dispatched to Moothur Sircar, his goomastah, on the 11th of June last. Here he read their nos. and said that their other halves had been stolen the next day.

Gungaram Boatman said, that he resides in the village of Oturparrah, in the zillah of Hooghly. On the day of the Oultah Ruth Jattrah, deponent observed the prisoner handling some silver articles in a bush behind deponent's hut. Deponent asked him what he was doing, and the prisoner rebuked him gruffly and said, "What is that to you," and asked this deponent to shew him the mainroad. Deponent then under pretence of pointing out the road to him, took him to the stand of Moonboob Khan, police peon, and stated to him what he had observed in the prisoner's conduct. Moonboob Khan then arrested the prisoner, and sent him to the darogah of Buddaputtee thanah, who, after he had examined the silver articles found on the prisoner, and not being satisfied by the prisoner's replies that he had come by them lawfully, forwarded him to the Magistrate's Kutchery at Hooghly, who afterwards sent the prisoner and this deponent to Calcutta.

Moonboob Khan deposed, in corroboration of the last witness's evidence, regarding his arresting the prisoner and taking him to the darogah, who forwarded him to Hooghly and his being eventually sent down in charge of Ram Roy, a police peon of the Hooghly Police Office, to Calcutta. Deponent did examine the silver articles found on the prisoner, and if they were produced before him he could recognize them again.

Ram Roy, police peon, of Zilla Hooghly, deposed to his bringing down the prisoner and several silver articles and notes, &c., in a box by the order of the Magistrate of the Zillah Hooghly, to the police office at Calcutta,

where he delivered the prisoner and the articles, in conformity to the instructions he had received from the Magistrate, to Mr. J. J. McCann, the Deputy Superintendent of the Calcutta Police.

Mr. J. J. McCann produced these articles, and Moonboob recognized them to be the articles he had found on the prisoner, and Sumbonath on being recalled said, that they were articles which were stolen from his house on the night of the 12th June last. The stolen notes were here produced, and on examination their nos. corresponded with the nos. stated by the prosecutor's sircar Sumboo, and likewise with the duplicate notes which were returned to the prosecutor from the Mofussil.

C. K. Robinson, Magistrate of the Police Office, produced the examination of the prisoner, written by this deponent, who at the time he took it, warned him.

Doorbul's examination read.—He said that he is a stranger in Calcutta, and he did not know how to steal; another servant of the Baboo gave the articles to him. The rest of the examination was but confirmatory of the evidence of Gungaram and Moonboob, with this exception that he charged Moonboob with opening the box and taking 6 rupees from him after beating him. In his defence the prisoner further added, that he was ordered by a fellow servant to take these articles to the Baboo's house, at the village of Kuneeteah, where the Baboo would shortly after follow him; and whilst he was proceeding there he was arrested by Moonboob and sent to the thana, from whence he was taken to Hooghly, and afterwards forwarded to the Police at Calcutta. He denied that he ever contemplated stealing these articles found on him.

The Judge briefly charged the Jury, detailing the particulars of the evidence and desiring them to divest their minds from considering the half notes as property, for the prisoner could not in the state they were at the time he stole them, convert them into cash but independent of this, the watch and the other silver articles were in themselves of more value than 50 sa. rs., and if the Jury believed the evidence they could not but find him guilty. The Jury without retiring, found the prisoner guilty, and the prisoner was sentenced to 14 years' transportation to the S. E. Coast of Martaban. The Judge remarked, that from the increased number of cases of persons robbing their masters, which he was sorry to find had been brought before him this session, he could not pass a milder sentence on the prisoner; for he wished the severity of the punishment to act as a detriment to the repetition of a crime which he regretted to state, was greatly tending to the increase in his city.—*Hurk. Aug. 5.*

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AUGUST 3, 1837,
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(Before Sir B. Malkin, Knt.)

Ram Saha Sing, was tried for burglariously entering the house of Goluk Chunder Mookerjee and Gobind Chunder Mookerjee, at Soobah Bazar, on the 4th of July last, and stealing therefrom several bank notes, and other sundry articles; and Luckymony, Moodoosoodoon Chunder, and Ramssoonder Pyne, with being participators in the above crime, by aiding and receiving portions of the said goods knowing them to be stolen property.

The prisoners all pleaded not guilty.

Goluk Chunder Mookerjee deposed,—that he is banian by profession, and resides at Soobah bazar. Prosecutor's son's name is Gobind Chunder Mookerjee, and he carries on his business separately. Prosecutor recollects that on the 4th of July, his house was broken open and

he was robbed: prosecutor, early on the 5th July heard of the robbery from his servants. This information induced the prosecutor to search his house, and he then discovered that it had been entered through a hole in his wall, which hole some person must have made, during the night previous, from the compound of the empty house adjoining this wall. Prosecutor likewise found the padlock of his sitting room upstairs forced open, and one box of the 3 which were placed there during the previous night had been stolen; that box contained his papers and cash: he likewise missed various other articles, among which was a Bank of Bengal note the property of the prosecutor's son. (Here the deponent detailed the property which he missed from the room.) The box which had been abstracted from the room was subsequently found by the thanadar of the division, in one of the rooms of the adjoining house and brought to this prosecutor by him. The box, was open when brought to him, and it had been rifled of all that the robbers could possibly convert into money; but other papers, such as promissory notes, bills, vouchers, &c., which could not have been converted into cash without detection, were left in the box. Prosecutor afterwards saw some portion of the stolen property at the Police Office. All the other property with the exception of this note of 500 rs. belonged to the prosecutor. After this witness's deposition was over, the Judge felt himself unwell and retired for a short time.

Gobind Chunder Mookerjee deposed, that he is the son of the prosecutor; his business consists in lending money on security, and deponent's money transactions are separate from his father's. The Bank of Bengal note which was stolen from the prosecutor's house, was this deponent's property. He recollects the No. of the note; he had a memorandum of it in his books. The No. was 15,585, and it was a note for sa. rs. 500. Deponent had it advertised in the papers, and he subsequently received a letter from the Secretary of the Bank, informing him of the presentation of this note at the Bank. This note is in the charge of the Police authorities. E. J. Mence, constable, produced the notification of the bank. Deponent received it on the 8th July last from Mr. McCa. Deponent pasted the paper on the back. The writing on the back is in this deponent's hand writing. Deponent, when he received this notification from Mr. McCa, likewise received orders to trace back the Bank of Bengal note No. 15,585 for sicca rupees and by the information of a person named Bustomchurnker, deponent traced it to the prisoner Ram Saha, whom he eventually saw on the night of the 8th of July. He was sent, in the custody of a peon of the Police, by Mr. McCa, with a letter of instructions. On being questioned, Ram Saha said he got the notes from Moodoo and Ram Chund at Baboo Coomah's Bazar. Deponent accompanied the prisoner to a shop in that bazar, but not finding them there, was proceeding towards their house when the prisoner was pointed out by the prisoner Ramchund Pyne, as the partner of Moodoo, and the person from whom he had received the note in question. Ram Chund Pyne denied all knowledge of this note, and though he at first said his name was Moodoo, afterwards admitted it to be Ramchund Pyne. Deponent afterwards went to search for Moodoo; when he arrived there, the peon who accompanied him perceived the female prisoner and seized her as she was in the act of running away with a box which this deponent produced in Court. Deponent had the box opened and perceived in it a Bengallee letter and a Bank Note of 100 rs. Deponent then asked her from whence she got this box, and she said she got it from her son. She was in the act of throwing it into the well when the peon apprehended her. This deponent stated this on the information of the peon, for it was too dark for him to perceive what she was about. On further search deponent

found a private door of the inner apartments open and the prisoner Moodoo Soodoon, it appears, had escaped from the door. Deponent found a key there. The prisoner Moodoo Soodoon afterwards voluntarily delivered himself up to the Police. Deponent subsequently went again to search the house, and saw a large backed trunk, and by Mr. McCa's orders he had it removed to the Police, where its contents were examined, and the prosecutor who was present at the Police when this trunk was searched recognized a small brass cup, now produced by the deponent in the Court, to be a portion of the property stolen from his house by its having A B marked on it. This witness wished to depose to something further relating this enquiry, but the Judge told him that the witnesses to that transaction would prove that fact, this deponent was only to answer the questions that the Judge may put to him. This deponent further deposed, that by inquiries at the bazar and by inspection of the 2 last male prisoner's books and papers, it appeared that they were the persons who occupied the shop which Ram Saha pointed out to him.

Badoo Churn Kur, deposed, that he knew the prisoner Ram Saha. The prisoner brought a Bengal bank note of sicca-rupees 500, and put it into the hands of this deponent, in the name Nubboo Komar Law deponent's gomastah. Sadoo Churn Law took that note to the shop of Lall Mohon, a money changer in the bazar, and had it changed. Sadoo Churn brought from Lall Mohon's shop 3 notes of 100 rs. each, 2 of 50 rupees each; and after deducting the brokerage, the balance in silver, and gave the money to Ram Saha, who on that occasion accommodated him with a loan of 100 rupees; those 100 rupees deponent has paid at the Police office. Deponent does not know the Nos. of these notes, they were written by the deponent's sircar Nubboo in the day book. Nubboo is not in Court because he has not received a subpoena. Ram Saha endorsed the note in deponent's presence.

Sadoo Churn Law deposed. He is the servant of the last witness, and recollects the deponent came to his master's shop on the 23d Assaur, with a note of 500 rupees, soliciting change for it; and deponent, after Ram Saha had endorsed the note, took the note to the shop of Lall Mohon, money changer, and had the note changed. Deponent received 5 Bank of Bengal notes to the amount of 400 rupees and the balance in silver. This deponent gave the notes and money to his master who gave the notes to Ram Saha and kept 100 Company's rupees as a loan from Ram Saha. Deponent does not recollect the nos. of any of the notes; they were entered in a book kept by Nubboo sircar.

Ragoonath Day, deposed. He is the nephew of Lall Mohon Podaf and assists him in his business, and knows Sadoo Churn. Deponent recollects that Sadoo Churn gave him, on the 23d Assaur last, a note and deponent gave the change from his uncle's shop at the Burrah Bazar and gave Sadoo 400 rupees in notes and 100 Company's rs. in cash. The gomastah, Puddoo Lochun, made entries of the notes Sadoo Churn gave of 500 rupees, and likewise of the notes he received in exchange. This man is not in Court to-day because he is sick. The entries were made in this deponent's presence, but deponent did not compare these entries. The note of 500 sicca rupees had an endorsement on it when it was given to this deponent to be changed. The gomastah resides at Joorah Sanko, a considerable distance from the Court house: he is affected with sore eyes.

Sadoo Churn recalled. Deponent saw the entries of the nos. of the notes made by Nubboo Coomar; but deponent did not compare them. Nubboo lives at Joorah Sanko, a considerable distance from this place.

Bustom Churn recalled. The notes were put into deponent's hands; deponent read the nos. of the notes and Nubboo Coomar the entries he had made and found them to be correct. After this the deponent read the entries of the notes. That of 500 sicca rupees, was a Bank of Bengal Note No. 15,585, corresponding with the No. stolen from the prosecutor's house. Deponent likewise read the nos. of the 5 notes given in exchange.

Ruggoonath Day, recalled. One of these notes, of 50 rupees, which was given in exchange for the 500 rupees note, was subsequently brought back to the deponent's uncle's shop and exchanged for cash.

Lokacanth Day deposed. He is a money changer, and Ram Chund Pyne is likewise a money changer, and exchanges pice for rupees. Deponent recollects one day Ram Chund Pyne accompanied by a boy came to deponent's shop and brought 3 notes, 2 of 100 rupees each and one of 50 rupees, to be changed for silver. Deponent gave him the money in exchange for these notes he had received from him. Deponent's brother made the entries of these notes, and deponent compared them—(here this deponent read these entries and they corresponded with the nos. Lall Mohon had paid to Ram Saha when he changed the 500 rupees note for him.)

R. Habberly deposed, that he has the 500 rupees note in his custody; he received it from Roopchand Seth, a sircar of the Bank of Bengal.

Bustomchurn recalled. Deponent pointed out the endorsement of Ram Saha on the note, and read it: he said that he had formerly known Ram Saha and can recognize his signature. Ram Saha was the superintendent of a bazar belonging to a rich baboo.

Goluk Chunder Mokerjee, recalled, recognizes the key and the brass cup and the letter to be portions of the property stolen from his house. Deponent knows the cup because there is A B marked on it. This closed the prosecution.

The prisoner Ram Saha, in his defence, said, that one day as he was going to the Sudder Dewanny Adawlut Bustomchurn met him and asked him for the loan of 100 rs. This prisoner replied that he had to receive 100 rs. from Moodooosoodoon; as soon as Moodoo would pay him he would accommodate him with the loan. After this prisoner went to Moodoo's shop and demanded from him the payment of the 100 rs. he owed to him. Moodoo desired the prisoner to wait a short time till his partner Ramchand Pyne returned from the Bank of Bengal where he had gone for some cash. This prisoner waited there, until Ramchand Pyne returned: Moodoo then took from Ramchand Pyne a Bengal Bank Note of 500 rs, and desired him to get it exchanged and pay himself the 100 rs. and return him the balance of the note after he had got it exchanged. This prisoner then went to Bustomchurn's shop and got the note changed, and after lending the 100 rs. to Bustomchurn gave the balance to Moodooosoodoon, who shortly afterwards came to this prisoner and brought him one of the notes of 50 rupees, and requested him to get it changed and pay himself the balance due to him, on account of the interest of the loan which he had just paid, and requested to have his bond returned to him. The prisoner then went to Lall Mohon's shop, had the note changed, and after deducting the amount of the interest paid him the balance. Next day, whilst he was going to the Sudder Dewanny Adawlut, a Police peon informed him that Mr. McCaa wished to see him at the Police office; and when this prisoner heard this he went to the Police.

Moodooosoodoon, and the female prisoner, who are mother and son, in their defence said, that they are not

worth 50 rupees, were never worth that sum in their lives, and if Ram Saha had received a note from any of them, he, as a man of business, would have taken their endorsement on the note. On the contrary they said, that Ram Saha called on them and requested change for the note of 100 rupees. They said they had not so much cash by them in the house, and advised Ram Saha to go and get the note changed elsewhere; but he endorsed the note and left it with them, saying that he required the money urgently during the night, and begged of them to oblige him by procuring the silver for him. Moodooosoodoon then took the note and as he was eating his victuals, he desired his mother to go out and bring the silver, and whilst she was going there she was arrested with the note in her hand by the Police authorities.

Ramchand Pyne was not put on his defence.

Ram Saha called five witnesses, and Moodooosoodoon and his mother five witnesses.

Poorloo, Ram Saha's witness, deposed.—That he is a confectioner, and knows Ram Saha: he was a servant of Baboo Obeychurn, employed in transcribing some papers for the baboo. Ram Saha and Moodooosoodoon were once standing together, and Moodooosoodoon put a green piece of paper into Ram Saha's hand; it was on the 25th of Sraobon (a date not yet arrived) about a month ago. What the nature of this paper was deponent cannot say for he did not examine it.

Gunga Deen, a prisoner in the jail, who was lately acquitted on a charge of felony, deposed, that one evening whilst deponent was in the jail, deponent went before the light and got some parched rice, he then overheard the prisoner Ram Saha say to the prisoner Moodooosoodoon, "why do you not acknowledge candidly that you gave me the note of 500 rupees, for which we are committed, and Moodoo replied, "Do not fear I will acknowledge it in Court, there is nothing to fear: the note was a genuine one and I got it honestly."

No other witnesses of Ram Saha answered to their subpoena.

A witness of Moodooosoodoon and his mother said, he knows Ram Saha and Moodooosoodoon. One day in the month of Assaur, Ram Saha called on Moodoo and requested him to go and get a note of 100 Rs. changed for him. The rest of this witness's depositions corresponds with the statement given by Moodooosoodoon and his mother regarding this transaction.

This closed the defence.

The Judge said, that as all that could possibly be proved from the evidence in this case against Ramchand Pyne is, that he had received a portion of the produce of the stolen property, but as there is no proof of any stolen property being found on them, he therefore may hereafter be tried on another charge; but certainly he could not be brought in guilty on the present charge, and thus is the reason the Judge did not put him on his defence. The female prisoner likewise stands in this predicament, with the single exception of a piece of paper of no value, and a key being found on her: this induced the Judge to make the distinction between her and Ramchand Pyne, and put her on her defence. With regard to Moodooosoodoon, he is in the same position as the female prisoner, no property being proved to have been in his possession unless the jury believes the unsupported recrimination of the principal prisoner; and unless the jury believed the suspicious evidence of Guzadeen, he cannot be found guilty of the present charge, though they may be indicted on another charge of sharing in the profits of stolen property knowing it to be stolen. Ram Saha is the only person against whom there is any direct evidence of any

stolen property being found on him, and even in his case there is no direct evidence that the house was burglariously entered in the night; for although there is a probability that the house was so entered and robbed, yet as the robbery was not discovered till late in the morning, it is not impossible that the robbery might have been committed in the day time; and even if the jury found him guilty of this crime, it would be in itself a very high felony, though he hopes not so very heinous a crime as that with which the first count of the indictment charges him. One more favorable circumstance is, that there is no proof to show Ram Saha or Moodosoodoon might not have received this note of 500 Sa. Rs. from some other person; and Ram Saha not refusing to endorse the note is another favorable construction for him, as it showed that he did not seek to conceal his having changed this note. And there is still another favorable circumstance in his favor, that if the other prisoner were not concerned in the theft, what inducement could Ram Saha have to give her a share of the plunder, and his having so openly gone to get the note changed and his going voluntarily at once and surrendering himself to the police, might make the jury perhaps imagine that he might have received the note as he described, from another person, to have it changed, without any knowledge of its being stolen property on his part. There was another suspicious circumstance against the female prisoner, that is if it were proved by the evidence of the peon, who Mr. Meenie, the constable, deposed had informed him that the old woman was endeavouring to shun and escape them, and attempting to throw a note of a hundred rupees into a well. A key or a small brass cup are not articles in themselves of that intrinsic value to lead to the supposition, that the three last prisoners could not honestly come by them, unless the circumstance of the letters found in their house to the address of the prosecutor may make them imagine that these 2 articles are part of the property stolen from the prosecutor's house; otherwise the articles are common enough in the bazar. But a note of 100 Rs., perhaps, it may be inferred that persons in the circumstances of the 3 last prisoners could not honestly become possessed of. Whatever may be their verdict, the Judge in conclusion said that they could only find the 1st prisoner guilty, if they convicted any of them, and him only on the second count of the evidence before them, viz., of stealing in a dwelling house property above the value of Sa. Rs. 50. After this the Judge left the case in the hands of the Jury.

The Jury retired, and after half an hour, gave a verdict of not guilty against all the 4 prisoners.

The Judge said that he entirely concurred with the finding of the Jury, for they could not come to any other decision on the present indictment; but he remarked to the prisoners, that their conduct, as proved in the evidence in this case, was not totally free from all suspicion and he advised them to be more cautious and circumspect in their conduct, otherwise they may not escape so easily a second time.

August 4, 1837.

Gopal, cooper, who was found guilty of stealing some coals from the godown of Mr. W. Turner, was sentenced to the House of Correction for one year.

Respecting James Bernado, who pleaded guilty on the 2d instant, of stealing two bags of silver from the ship *Sir Edward Ryan*, on the 12th instant, valued at nearly 2,000 rupees, the property of a Persian merchant, the judge said that if the indictment against this prisoner had been framed for the greater offence to which he has

pleaded guilty, and if the judge chose to pass the heaviest sentence the law admitted of in his country, he would have been transported for life; but still the theft was great and on mature consideration he could not pass a lighter sentence than of 2 years' imprisonment in the House of Correction with hard labor.

Burao, who was found guilty on the 2d count of his indictment for stealing several articles of jewellery from the person of Gopee Raur, the judge, after commenting on the enormity of the offence he had committed said, he regretted to say that he could not inflict a lesser sentence than of 14 years' transportation to the S. E. Coast of Martaban.

The grand jury this day, after a long consultation of the whole of yesterday, ignored the bill against Abassee Khaunam for the murder of Raheemuu, her slave girl. — *Hurkaru*, August 8.

AUGUST 4, 1837.

(Before Sir B. Malkin, Knt.)

Hurrischunder and Shewhurn were tried for having cut with a knife the throat of a female named Radha Bebee on the 9th February 1837, thereby causing her death and then plundering her property from her house at Churuckdangah in the city of Calcutta.

The prisoners pleaded not guilty.

Ram Kuniah Doss deposed, — that he and his brother Kistoochunder Doss are the joint proprietors of a house in Churuckdangah; it was occupied by a female named Radha Munnee Dosses in the month of January last. Deponent always heard her called Radha Munnee and never Radha only. She hired the house of this deponent on the 20th day of Pous last. She had lived in that house formerly. Previous to this last occupation of it by her the house was rented by one Sumbboo Baboo who lived in it with her for 3½ months. The former compact to rent the house was contracted on the 21st of Bhadoo last. On the first occasion Sumbboo gave the agreement for the hire of the house, on the latter occasion Radha Munnee hired it in her own name. During the last occupation of it by Radha Munnee this deponent kept a cow in the house, and a servant of his tended it.

Halee Ram deposed, that he is the servant of the last deponent. His master has a house in Churuckdangah which was occupied in Pous last by a female named Bebee Radha Munnee. His master kept a cow there during the occupation, and deponent used to go and tend it by his master's orders. Radha Munnee is dead. Deponent heard of her demise the day succeeding the night in which it had occurred. Deponent went early to give the cow her food, and called out at the door to the doorkeeper to open the door, and one of the deceased's servants, when they heard his voice, opened the door, and the two prisoners who were likewise the servants of the deceased, were there sleeping at the time. The deponent conjectures as the deceased had only 3 servants, viz. the one who opened the door, and these 2 prisoners, that the 2 sleeping were the 2 prisoners at the bar; but he cannot say to a certainty, because they were sleeping with their faces covered, and the deponent did not uncover their faces. In what capacity the 2 prisoners were employed, deponent cannot tell: all that he knows is that they lived in the deceased's house and were in her service. Hurrischunder was generally seen to enter the deceased's house before mid-day. Deponent only went to the house in the day time to feed the cow. Deponent never slept there. Deponent on that day after feeding the cow returned home as usual. Deponent did not see any other persons in the house except the person who

opened the door and the 2 men who were sleeping at that time. It was on that very day deponent heard of the death of Bebee Radha Munnee.

Zuhoroddeen, Naib of the Churuckdangah thana, deposed, that deponent knows the house of Kam Kunial Doss and his brother at Churuckdangah; it was occupied in the month of Magh last by a female named Radha Bebee. She has died since that period. Deponent was first informed of her demise by the prisoner Hurrishunder. On Thursday the 20th of the month of Magh last, Hurrishunder came to the Churuckdangah thana at about the hour of 2 o'clock p. m. with some provisions in his hands, and said to this deponent that he used to take his meals at the house of Radha Bebee; but that he had discontinued doing so on the day previous. He added, that he had gone on that day to see her as usual, and when he had arrived at her house, although he demanded entrance, nobody came to the door to open it, and the door was locked on the outside, which was a suspicious circumstance; he therefore requested deponent to go with to her house and open it. Deponent asked Hurrishunder how many persons lived in the house; he replied 4, besides Radha Bebee. Deponent then desired him to go back to the house and demand entrance, and if nobody answered to the call, then to call the neighbours; and as he lived in the house, if he suspected any harm, to call the neighbours and open the door in their presence. After this advice had been given to Hurrishunder, he went away, and shortly afterwards he came half running and much agitated to the thana and said, that when he had arrived a second time at the house he had found the door open and on going in he found the house empty, and in the room where Radha Bebee usually slept he had discovered her body lying on the bed bathed in blood with the throat cut. When deponent heard this information, he hastily accompanied Hurrishunder to the house of the deceased, and on entering and searching it he discovered her lifeless corpse lying on the bed. On a further search deponent discovered a sheathed sword and a blunt scythe in another room; but there were no marks of blood on either of them. Deponent subsequently went back to the house and took the sword and scythe and gave them to the thanada, who delivered them to Mr. J. J. McCann at the Police office.

Hurrishunder said, that his suspicion had been excited, because when he came to the door he perceived it was locked with a padlock on the outside, a very unusual circumstance, therefore he went to the thana and gave the alarm. The body was subsequently examined by Dr. Bain. Deponent did not see the prisoner Hurrishunder when he returned the first time from the thana to the house. He found him there afterwards.

Sheerout Ollah, peon of the Churuckdangah thana, deposed, that he knew the house in which Radha Bebee lived at Churuckdangah. Deponent recollects having heard of her death. The night previous to the day on which he heard of her deceased, deponent passed before her door four times as usual on his rounds. Deponent called on four occasions to the durwan, who replied on the two first occasions; but on the third, although repeatedly called he obtained no reply. On the fourth occasion the durwan replied as usual. There are an inner and an outer compound to the house, and the house is in the inner compound; therefore, even if there had been any singing in the house deponent could not have heard it on account of the distance. The next day at about the hour of seven o'clock in the morning, as deponent passed by the house in his way to the thana, he perceived a durwan putting a padlock on the gate and Sheochurn standing behind him. Deponent had no conversation with either of them at that time. Deponent knows the prisoner Hurrishunder, he used to pass through the lane where Radha Bebee lived; but he never saw either him or any

Mogul go into that house. Whilst the deceased occupied that house, deponent once saw her walking on the terrace of her house as he was passing through the lane. Deponent heard from the naib of the thana that her name was Radha Bebee. Deponent saw her corpse at about two o'clock, p. m. on Thursday the 28th March last. From the appearance of the corpse, the deceased must have met her death the night previous.

Re-examined by the Surg. When deponent perceived the two men locking the gate at seven o'clock, on the morning of the day, on which deponent heard of Radha Bebee's demise, deponent asked them why they were locking the door on the outside, and they replied that Radha Bebee had gone out to a Baboo's house and they intended, after they had locked up the door, to go to her. The man who was locking up the gate had a black blanket with something hid under his arm.

R. H. Bain, Police Surgeon, deposed. He saw at Churuckdangah, on the 10th February last, the corpse of a female who he heard was named Radha Bebee. Deponent saw a very extensive wound measuring 8 inches in length in the neck, which had discovered the wind-pipe and the gullet and the other arteries. There was a considerable quantity of coagulated blood by the body. There were the marks of a bloody hand on the deceased's thighs, and the fingers of the deceased were stained with blood. Deponent assigns her death to these wounds, as they were of a nature calculated to cause death instantaneously.

Gulam Hossain, says he is a driver of a hired Pal-keegurree, and the stand of his vehicle is at Ghurran-hutta near Churuckdangah. Deponent recognizes both the prisoners at the bar. Deponent recollects the prisoners hiring the carriage: it was hired by the prisoner Hurrishunder. The deponent saw the two prisoners get into the vehicle, and after he got upon the box to drive two more mounted, but deponent did not see them. When deponent came from his house to the stand he found them there. The deponent did not see any thing in their possession, and they hired the vehicle at about eight o'clock, A. M. Deponent was examined regarding the affair at the Police office; and it occurred about a month or a month and half before this examination. Deponent does not recollect whether they hired the vehicle on the festival of the Bussunth Puhcamee. The prisoners alighted on the public road or Balliaghata. Deponent has pointed out the place where they alighted to the police authorities.

Soopul Sing deposed.—Is a door keeper to Mea Ger-gah Hossain, and was in his employ 6 months previously. His master resides at Putthurgutta, in the city of Calcutta. Deponent knows the prisoner Shewburn, and remembers that he came one evening at 6 o'clock p. m., and woke deponent, and after sitting with him on a churpoy and smoking a chillum with him, he requested permission to sleep there that night. Deponent observed a black blanket under his arm, and 8 or 10 gold choories or female native armlets in the blanket. When deponent saw this he asked him from whence he had obtained them, and he replied that Sumboo Baboo had made him a present of them. He slept there that night, and next morning he went away early at gunfire. Sumboo Baboo is the son of Madub Baboo, in whose service Shewburn was at the time. Shewburn had come down as a servant with Sumboo Baboo from Chuprah; but whether he was employed in the service of the female Sumboo Baboo had brought down with him from Chuprah or in the Baboo's personal service, deponent did not know. Shewburn never was advised by this deponent. In the course of conversation the prisoner said, Sumboo Baboo had directed him to quit

Calcutta, in company with some men who were returning to Chuprah.

Ramdeen, Jemader of the Police Town Guard, deposed, that he had orders from the police to arrest Shewhurn. Deponent went across the river to Sulkea, and proceeded towards Chuprah. After deponent had made seven stages, deponent arrested Shewhurn, at the village of Chutteeah near Hazariebag. The prisoner was sitting at the time on the banks of a stream after drinking water. Deponent finding his countenance to correspond with the description furnished to this deponent at the time he proceeded on the search for the prisoner, deponent asked him what his name was, and he replied Shewhurn. Deponent then arrested him and searched his person, and found on him one blanket and in it a bag, in which were ten gold female bangles and 22 rupees. Deponent then took him in custody to the village thana, and had him there searched, when 60 rupees more were discovered in his possession. Deponent wrapped the property up in the blanket, and sealed it with a piece of wax of a seal, and brought the prisoner and the articles found on him, to the Police Office at Calcutta, and delivered him and the articles over to Mr. McCan, the Deputy Superintendent of Police. On the night on which the prisoner was arrested, deponent took his departure with an intention to return to Calcutta at 12 o'clock, and deponent, on the road, asked the prisoner from whence he got these articles, and the prisoner replied, that Hurrishchunder Mitter gave them to him. On another occasion on being asked what direction the other two persons who had absconded with him had taken, he replied they had proceeded towards Sylhet. Beyond this he communicated nothing, adding that he would speak fuller before the magistrates at the Police Office. Deponent never, when he arrested the prisoner, said to him that Sumboo Baboo had desired the prisoner not to mention his name; in fact the prisoner had never spoken to Sumboo Baboo on the subject.

Mr. J. J. McCan produced the 10 choories and the 89 rs. in Court and deposed that he received them, sealed, from the last witness at the police office; they were opened by the Grand Jury, he further produced the sword which was found in the deceased's house.

Rajhchunder Bonerjea deposed.—He earns his livelihood. He was lately employed as a gomasta in the Opium Department at Chuprah. Sumboochunder Bonerjea was the Shristadar there. Deponent left Chuprah last Assauree with Sumboo, and arrived here in Mrahoun. A female of the name of Radha Beebee, came down with us; prior to this, she was for three years under the deponent's protection. She came down as the mistress of Sumboo Baboo. Deponent knew her ornaments, she had a variety of ornaments. Deponent does not know whether Sumboo Baboo gave her any ornaments. Deponent had some made up for her. She had some old golden ornaments melted down in Calcutta, and new bangles made in Calcutta by a goldsmith named Soorooop. If deponent were to see them he could recognize them. Looks at the choorees Mr. McCan had produced, and says these resemble those which she had made for her in Calcutta. The deceased's property and valuables were chiefly in jewels; she had not much ready money by her. Sumboo is a kinsman of the deponent.

Soorooop, silver and gold Smith, deposed.—That he made for the last deponent 10 gold choorees from the melting of some old ornaments. Looks at the choorees produced in the Court, and says that they resemble those he had made. Deponent cannot positively say whether these are them; if these were not bent as they are, deponent could better recognize them. Those the deponent made weighed 12 rs. 2 annas and 6 pie. Those in

the Court were weighed by a police jemader; deponent has not brought his weights with him into Court.

Ram Pertab Sing deposed, he knows Rajah Chunder Bonerjea. Deponent was for 3 years in his service. Radha Beebee was for some time under Rajchunder Bonerjea's protection. Sumboo Chunder was likewise at Chuprah. Rajchunder and Sumboo Baboo and Radha Beebee, come down together to Calcutta. She lived here in a house at Churuckdangah; deponent was her durwan for 3 months. Rajchunder Baboo used to visit her, and Sumboo Baboo occasionally. After two months, deponent quitted his house, and after ten days deponent came for some business to Sumboo Baboo, who offered to give him shortly an employment in his native country. After this conversation, deponent went and got his wages from his former employer, and went and lived in the house of Radha Beebee at Churuckdanga. She had three other persons viz. the two prisoners who used to sing and play before her on musical instruments, and a durwan named Keeneah Roy, all living in the house. They slept there at night. Deponent on his 2d sojourn at the deceased's house, remained there 28 days from the 14th Pous last. On the 10th of Maugh, on a Sunday, Hurrishchunder Mitter took 8 rs from the deceased and gave to this deponent, and discharged him and desired him to seek other quarters. Deponent saw Hurrishchunder only once at Chuprah when deponent quitted the deceased's house the second time. The deceased and the two prisoners, and the Rajpoot durwan, Banniah Raj, remained in the house. Deponent had seen choorees like those produced in Court 5 on each of the deceased hands, deponent cannot say if these are them. Those on the deceased's hands were made by Soorooop, goldsmith, by the order of Rajchunder Baboo. The deceased, besides her jewels and furniture, was not a married woman. Shewhurn came to Calcutta with Obeychurn Baboo from Chuprah, together with Sumboo Baboo and others; but subsequently quitted his service on account of indisposition.

Rajchunder Bonerjea, recalled.—Deponent had seen Hurrishchunder Mitter at Chuprah, and had likewise seen him occasionally at Radha Beebee's house in Calcutta; but deponent cannot say whether he lived there or not. Deponent cannot say what was his profession in Calcutta, or how he obtained his livelihood here.

D. McFarlan Chief Magistrate, deposed.—That he took the examination of the prisoner Shewhurn. Deponent cannot say without looking at the papers whether the examinations were more than one; but on looking over the examinations says, that they were taken three times. Deponent warned the prisoner not to say any thing that may criminate him and explained the depositions to him; and Mr. Grant likewise explained them to him. The man was perfectly sober and sensible at the time he made these statements, and no threats nor inducements were held out to him to make the statement he did at each time. Looks at these examinations and says they are the same. Mr. Grant confirmed this statement of Mr. McFarlan.

Shewhurn's examination read, 28th July, 1837.—This prisoner was apprehended by Ram Deen at Akwalla Gully. 10 gold choorees which were found on him, were given to him by Hurrishchunder, the servant of Sumboo Baboo, the son of Madab Baboo. They were the ornaments of Radha Beebee, the deceased. The rupees were given to this prisoner by Sumboo Baboo. Radha Beebee was one night singing and drinking in Company with Hurrishchunder, and a Mogul merchant and Sumboo were applauding and joining in the chorus. They during that night cut her throat. What induced

them to commit this rash act this prisoner cannot conjecture. When it was late in the night, this prisoner retired to sleep. The Baboo and the Mogul went out early in the morning. When the prisoner awoke next morning, Hurrischunder said to him, that Rhada Beebe had cut her own throat: the other servants doubted this statement. When Hurrischunder went out the other servants of Rhada Beebe consulted, and gave intimation to Holem Roy, the servant of the landlord. When Hurrischunder returned in company with the Mogul Merchant, this prisoner informed him that he had informed the landlord's servant of the murder. On hearing this the Mogul abused them for what they had done, and questioned them why they had acted so very foolishly; for he would have cut the corpse of the deceased into pieces, and put her into a box and cast the box into the river. Afterwards Hurrischunder took this prisoner in a kirachy to Sumboo Baboo's house, where Hurrischunder gave him the 10 choories and Sumboo Baboo the 82 rupees, and told him to go to his house for three months, and live on the products of these rupees and the ornaments. After this the prisoner went to Sheo Sing, the servant of Gorgeb. Beramohun and Dhumereah got the same propositions from Sumboo Baboo. Gour Mohun is Sumboo Baboo's brother-in-law. On the day this prisoner got the rupees from Sumboo Baboo, he came in a buggy with a boy and he spoke to Gour Baboo's sister who took charge of this prisoner. Dhumereah was Rhada's durwan and Bugamohun was her servant. Hurrischunder also kept Rhada Beebe's keys, and after her death he took possession of her property. Rhada Beebe lived in Hullahporah, in Churuckdangah, near the opium godown. The man in whose palkeegaree Hurrischunder took this prisoner and the other servants to Gour Baboo's house at Entally, was named Golan Hossain. Rhada Beebe was a married woman; she had lent Sumboo Baboo 5,000 rupees in Calcutta, and held his acceptance of 10,000 rupees. When she came down to Calcutta she brought her property with her. She wanted the money she had lent to Sumboo Baboo from him, and wished to return to her native country. Sumboo Baboo wished to dissuade her from doing so. This prisoner cannot say whether the 82 rupees Sumboo Baboo gave him were his money, or the plunder of Rhada Beebe's property, nor can deponent say what could have induced them to murder her. Prisoner was asleep when the Mogul and Sumboo Baboo returned home, and when the murder was committed. Hurrischunder, when he took the prisoner and the other servants of Rhada Beebe to Gour Baboo's house, took three knives with him. Deponent on the night which he spent at Sheo Sing's house, consulted him about this affair. He advised him to fly from Calcutta to his native country, and he was proceeding there when he was arrested and brought back. He is innocent of this murder.

Koongh Napit and Juggernath Roy, door-keepers of Gour Mohon Baboo, deposed.—That in the months of Maugh, during the Sursuttee Poojah, Gour baboo had for one month gone to his talook, and there was no female left in Gour Baboo's house. Deponents never saw either of the two prisoners come to Gour Baboo's house in Maugh last; if any body had come they would have seen him.

Sumboo Chunder Baboo, deposed, that Rhada Beebe came down from Chuprah with him in Shrabon last. She was under his protection for two months, and resided in Churuckdangah. After he discharged her from her service, he made her a present of 100 rupees. During the time the deceased was in this deponent's possession he paid her servants; after he discharged her he never visited her nor knew any thing about her private affairs. He has heard of her being murdered in her

house at Churuckdangah. The sword this deponent had seen in the deceased's house; it belonged to her: it is usual for up-country women to keep at least one weapon in their house. Deponent knows the prisoners; he has seen Hurrischunder at Rhada Beebe's house, but in what capacity deponent cannot say. Shewhurn was a servant of Baboo Obeychurn, and came down with him from Chuprah. Deponent never owed Rhada Beebe any money, and had never borrowed any from her: in fact deponent did not know whether she had any to lend. Hurrischunder and Sumboo never came to this deponent's house the day after the murder; nor did this deponent give him any money, and neither he nor his brother-in-law, Gour Baboo, ever made either Shewhurn or Hurrischunder swear by touching their feet, that they would be secret and faithful and depart without any communication on this subject as speedily as possible to their native country. Deponent never had any cause of quarrel or ill-will towards either the deceased or any of the two prisoners.

This closed the case for the prosecution.

The prisoner Shewhurn, made a defence similar to his statement, wishing to throw the blame on Sumboo Baboo and Hurrischunder, who he said had, whilst next morning washing the knife, communicated the intelligence of the commission of this murder to him and that a Puthan proposed to cut up the corpse and burn it either with salt or else put it in a box and throw it into the river; and then take all the servants to the Baboo's house who would reward them all if they kept the matter secret and went out of the way; but if they went about talking of this affair they would be brought to trouble. After this they were taken to the Baboo where Shewhurn received 82 rs. and ten choories and was sworn to secrecy and to leave Calcutta speedily. They were kept there in the day and desired in the night to leave Calcutta. From the Baboo's house the deponent went and passed the night with Soopul Sing, and by his advice quitted Calcutta and was proceeding to Chuprah when he was arrested and brought back to Calcutta in custody.

Hurrischunder, in his defence, said, he left the charge Shewhurn, brought against him, to the jury to appreciate: he has certificates of his services as a writer by him. The murdered woman was a beggarly woman till she was taken under the protection of Rajchunder. In conclusion he said, he had witnesses to show that he was at the house of Beejee Bhyee on the night of the murder and not in Rhada Beebe's house.

The prisoner Shewhurn called 3 witness whose evidence elicited nothing in his favor.

The second prisoner called witnesses to prove an *alibi*. The first witness merely said that the prisoner Hurrischunder was at his house during the month of Maugh and occasionally slept there. He further said that Beejee Bai had deposed at the police office, and in the presence of the Churuckdangah thanader, that he had slept the night of the murder at her house. He had failed to subpoena her because she was indisposed. The Judge said this second hand evidence of the thanader cannot be taken, and asked the prisoner why he did not subpoena Beejee Bye.

This closed the defence.

The Judge here summed up and stated, that with the exception of the statement of Shewhurn, the other prisoner which cannot be received, there perhaps never was a case sent up to a Jury of this kind with less evidence. In fact, the Judge added, that but for some circumstances which transpired in the case he would not have put him on his defence. (Here the Judge detailed the evidence of the hired coachman and the Naib thanader,

regarding him in this transaction, and commented on it.) With regard to the prisoner Shewhurn, independent of the statement given by him, it is one of very great suspicion. It is proved that he was an inmate of the house during the night of the murder. It is proved that he was seen with a person who gave a false account of the deceased being out, when she was actually lying murdered in the house; and knowing of this fact, not denying this false statement, and although the blanket was first seen in possession of the man locking up the door, yet subsequently the property of the deceased was seen in his possession by Soobul Sing on the same evening; and he was subsequently arrested with them in his possession at a village 7 days' journey from Calcutta, whither he had, by his own statement fled shortly after the murder. Yet all this evidence is but circumstantial, and by his own statement, he is merely guilty of having participated in the plunder of the deceased's property, and to have concealed the murder after it had been committed and come to his knowledge; and if this statement is to be believed, he cannot be guilty by it of the indictment for which he is tried. He does not even appear to have been a passive aider or abettor in it by his statement. Here the Judge read this prisoner's confessions and the evidence in the case regarding him, and after commenting on it, left the case to the discretion of the Jury.

The Jury, after a short retirement of about a quarter of an hour, returned and gave in their verdict of Not Guilty respecting both the prisoners.

After this verdict had been given, the Judge said that the prisoner Murri-chunder may be released, but the prisoner Shewhurn must be detained in custody, until it can be ascertained whether there could be an indictment framed against him for the crime of which he undoubtedly is guilty, of having the deceased's property by him.

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August 8, 1837.

The case of the Mogul Lady Abbassée Khanum, will come on for trial this-morning at 11 o'clock.

The Jury in the case of Shewhurn for Larceny, have been locked up since 1 p. m. A difference of opinion exists between them, 10 for "guilty" and 2 for not "guilty." Both parties, the "yes" and the "nos," are, it appears, determined to "die at their posts." Long fasting will decide the strength of their resolutions, and their stomachs.—*Hurkaru*, August 9.

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August 5, 1837.

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Before Sir B. Malkin, Knight.

Gopaul Sing was tried for stealing on the 21st of February last, from the house of Gopaul Missur. Prisoner pleaded "Not Guilty."

The Judge remarked to the Jury, that this prisoner had already been convicted of a burglary, and the same evidence will be sufficient to convict him in this case. He had already been sentenced to 14 years' transportation to the S. E. Coast of Martaban in that case.

The Jury without retiring, found the prisoner guilty.

After this verdict was recorded, the prisoner was remanded.

Gopee was indicted for stealing a promissory note of 50 Rs., the property of midshipman James Rennie, I. N., from Mr. J. Spence's Hotel, on the 12th day of June last.

Mr. Leith conducted the prisoner's case.

James Rennie, the prosecutor, deposed. He is a midshipman in the Indian Navy. Deponent received his pay in June last, from a sircar named Issurchunder Dutt, at Spence's Hotel, Hasting's Place. The money paid to this deponent included the pay of the crew of the *Hatgrass*, in addition to the prosecutor's salary. The money was mostly in Bank of Bengal notes. Deponent gave his pay to his brother, John Rennie, who is an Assistant in the office of Messrs. Lyall, Matheson and Co., to take care of it for him. Deponent's brother put the notes in his writing desk at Spence's Hotel, where he resides, in deponent's presence. Deponent took no memorandum of these notes; but Issurchunder, the sircar who paid them to him, kept a memorandum of all of them. Deponent believes he has that memorandum by him; still, deponent did not count the notes when he confided them into his brother's care. When the sircar brought deponent these notes he only took the amount of his salary and returned the others to Issurchunder. Deponent believes the amount of the notes to have been about 300 rs. Deponent is the Commander of the Pilot vessel *Huttrass*.

The evidence not being satisfactory, the Jury, without retiring, found the prisoner not guilty. The Prisoner wanted to go home immediately, but the Judge refused the application, and told him that he did not think he would have to remain much longer in custody.

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Before Sir B. Malkin, Knt.

Chaund-Chunoo and Kader, boatmen, were tried for an assault committed by them on the 26th of July last, on the person of a female named Muloottee, and for stealing from her person 38 rupees the property of a person named Sheke Shaili Khooshee.

The prisoner pleaded not guilty.

Shaili Khooshee, deposed, that he lives in the village of Pachla, in the zillah of Hoogly. Deponent got into a ferry boat at the village of Sanerah, and the boat was put too at Kidderpore, and deponent and others landed to smoke; and three boatmen, who perceived that this deponent was a Mussulman, whilst the rowers of the boat in which he had come to Kidderpore were Hindoos, invited this deponent to come into their boat and smoke a chillum. Deponent and Muloottee accepted of their invitation, and went on board their boat. Whilst smoking in their boat, the prisoner asked this deponent what was his destination. Deponent replied that he wished to go to the Chandney Choke or Nilmony Holdar's lane. When they heard this they proffered to take him to Chandpal ghaut, where he wished to be landed; and whilst proceeding to the Chandpal ghaut, deponent said that he was hungry, and added, that he had some fish by him, and expressed a wish to purchase some rice and offered the boatmen some pice to get some; but they declined taking the money, and said that they would purchase the rice and when deponent would pay them their hire for taking deponent to Chandpal ghaut, he could pay them the price of the rice at that time. When deponent went in the prisoners' boat, he had 30 rupees in his possession and Muloottee had 8 rupees by her. Deponent towards the evening wished to take a nap, and gave the 30 rupees which he had tied in a cloth to Muloottee, to take care of it for him, and then retired to sleep, and Muloottee shortly afterwards also retired to rest, and desired the boatmen to wake them when they arrived at Chandpal ghaut. There were 3 boatmen in the boat besides this deponent and Muloottee: Kadeer was the boatman and the other two rowers. Deponent's sight is dim with age, therefore he could not recognize the three men again. Deponent woke at midnight and asked Kadeer to fill a chillum, who

replied there was no fire in the boat. Deponent then said get it from one of the adjoining boats. Kadeer replied there were no boats near them. This alarmed this deponent, who remarked, there used to be always many boats at Chandpal ghaut, how came it that there are none there; and deponent got up alarmed and asked Mulootee to see where the boat was. Mulootee got up and looked, and said that they were in a marshy place, overgrown with high grass, reeds and flags. Deponent then asked the boatmen where they were, and they said that they were at Seebpore, and added that the tide had ebbed whilst they were asleep, and the boat had stranded there. Deponent then remarked, how could they account for bringing the boat safe to Seebpore, which was beyond Chandpal ghaut, and not to that ghaut. They then asked this deponent in whose power they were. Deponent and the woman then replied in fear, in their power. The men then demanded of them how many rupees they had. Deponent asked them why they enquired; and they then took up this deponent in their hands and made a faint as if they were going to throw him into the river, and thus they frightened him, and he said that Mulootee had 30 rupees of his and 8 rupees of her own in her possession. This deponent then desired Mulootee to call a Police search boat; and she replied, that if there were any boats of that description in view, they would not have come to this distress. The men then tied this deponent in the boat and gagged Mulootee and took her on the shore, and threatened to cut her throat, unless she gave up the money to them. Deponent remarked from the boat how could she tell them where the money was whilst gagged. They then searched Mulootee's person, and took the 38 rupees from her. After this, deponent asked them when they would land him and Mulootee; they said next morning. Deponent then said, that if they would take him to Chandpal ghaut, he would give them a present, for he felt hungry. After this the tide flowed and the boat floated. Whilst the boat was floating, deponent was afraid to speak, but beckoned Mulootee to remain in the boat, and he would under pretence of getting a bazar, get 4 or 5 police peons and arrest these depredators. This he made her understand by signs. And this witness repeated these signs so very ludicrously in the Court, that it set the whole Court a laughing, in which the judge himself joined. The deponent then added, these prisoners were cunning enough not to land him at the Chandpal ghaut, but did so at another ghaut a little higher up. Deponent then landed and enquired of the passers in the street, where the thana was. This was before sun rise. They did not reply to this query; but they pointed to a gentleman on horse back and said, "there is the judge going, go and state to him what you have to say." Deponent then went and made his complaint to this gentleman, who sent him to the thana from whence he procured some chokeydars, and went to the place where he had left the boat. When deponent came there, he found Mulootee sitting on the ground with a bundle by her, and the boat gone. Deponent on enquiry learnt, that during his absence the boatmen had thrown the bundle on shore, landed Mulootee and pushed off with the boat. One of the men were arrested 12 days ago, at 12 o'clock. Mulootee pointed him out; and his apprehension led to the arrest of the others also.

Mulootee deposed, in addition to the statement given by the first witness, that she was awake when it became dark. When lights were lit, deponent asked how long it would take the boat to reach Chandpal Ghaut. They replied that the boat had passed Chandpal Ghaut, which they could not make, because of contrary wind and ebb-tide. Deponent then saw a ghaut, and asked the men what ghaut that was; and they replied Jackson's ghaut. Deponent then requested them to land

her there. They said that it would not be advisable to comply with her request; for if they were to land them, there in the night, the Police people would take them up and confine them. After this deponent fell asleep. This deponent then, after describing the assault and robbery in the same terms as the first deponent, said, that after the boat had put to at Baboo's ghaut the day after the robbery, and whilst the old man was gone to the bazar, one of the prisoners threw her bundle on shore, and the other two took her by the arm and shoved her out of the boat,—they then shoved off their boat. Deponent then went to the Chandpal ghaut, and the thanadar put deponent into a boat and pursued the boat of the prisoners. Deponent failed to capture them then. Deponent was not present when the prisoners were arrested; but she saw them in custody at the thana. Deponent could not say whether the jungle in which she was assaulted and robbed during the night, was a part of the main shore, or whether it was an island. When the day began to dawn, the deponent could perceive that the boat was above the Fort, and nearly abreast of Chandpal ghaut, which was to the eastward of their boat.

E. Preston, Attorney at Law, deposed, that he is the proprietor of a *chur* in the middle of the river, nearly opposite the Fort; it has reeds and flags growing on it. The *chur* is a complete island. The flags nearly cover the whole island. A small portion of these flags is below Tolly's Nullah, and in the jurisdiction of Zillah 24-Pergunnahs; but the greater part of it is within the jurisdiction of Calcutta.

Shamoo, Naib of Chandpal ghaut thana, deposed, that he arrested Chaund and Chunoo in two different boats below Garden Reach, on the river. Chunoo dived into the river to escape the arrest, but failed in his attempt. Deponent pursued them in a hired boat, which had one steersman and two rowers. Deponent took two police peons from the thana, and one from the river police boat with him in the pursuit. In Chaund's boat there were two sircars. Chunoo was rowing his boat by himself, and the boat had its sails spread going downwards. Chaund, when he was arrested, said the boat was not his, but belonged to the two sircars in it. Chaund and Chunoo were arrested 10 days ago.

Saud deposed. He is a farmer and a boatman occasionally. Deponent was present when Chunoo and Chaund were arrested by the last witness. Deponent knew the prisoners previous to their arrest. Deponent had seen them 12 days ago at about the hour of 2 o'clock, p. m. at Kidderpore ghaut, when they came to deponent to borrow his cooking pot to cook their victuals. Deponent saw on that occasion these two persons (here this deponent pointed to Khoossee and Mulootee) in the prisoner's boat. After the prisoners had eaten their meals, they left the Kidderpore ghaut at 4 p. m. with Khoossee and Mulootee in their boat.

Ramdeen, Thanadar of Chandpal ghaut thana, deposed, that Mulootee came to the Chandpal ghaut thana 10 days ago, and complained that she and another man had been robbed by three men in their boat, during the past night. After this, the deponent said, that his naib had captured 10 days ago, Chaund and Chunoo; and that he himself the next day captured Kader in the village of Kobul, at about 12 o'clock. He had concealed himself in the reeds and bushes, and deponent saw him and took him into custody.

This ended the case for the prosecution.

The prisoners set forth an obviously fabricated defence, stating that, as they had offered the old man and Mulootee a free passage in their boat to Baboo's ghaut, from Kidderpore Ghaut, they being too poor to pay any hire to them, they had previously told

August 7, 1837.

Before Sir B. Malkin, Knight.

them that they would not leave Kidderpore till the evening, and they accordingly did leave Kidderpore in the evening; but owing to the wind and tide being against them, they could not proceed, and were afraid to get entangled amongst the shipping in the night; therefore had the boat put too at Baloo ghaut, and told their passengers that they could not go any further that night, and that they had better proceed on shore, and leave their boat; but they replied, that they were strangers in Calcutta, and requested leave to stay that night in the boat. The prisoners permitted them next morning, at the dawning of the day, to land at Baboo's ghaut. They then called five witnesses to prove, that on the night this robbery is stated to have occurred, their boat was put to for the night at Baboo's ghaut, and those whose boats were there close to theirs, did not hear of any persons crying or complaining in or near their boat that night.

One of this witnesses proved, that their boat put too one night, 10 or 12 days ago, at Baboo's Ghaut, but by the evening they moved off towards the Fort 30 or 40 cubits. Witness retired to sleep in the evening. Early next morning deponent saw the boat sailing up the stream nearly opposite the Fort. Where their boat had remained during the night, deponent could not say. The other four gave much the same evidence with slight variations and discrepancies.

This closed the defence.

The Judge then charged the Jury detailing the particulars of the evidence taken in this case, and leaving them to determine, if they believed the prisoners committed this crime, whether the charge where it is stated to have been committed, was within the jurisdiction of Calcutta, or of zillah twenty-four Pargannahs. After thus summing up, the Judge left the case in the hands of the jury.

The jury, without retiring, found the three prisoners guilty.

The prisoners were then reminded and their sentence deferred till Monday next.

August 9, 1837.

Before Sir B. Malkin, Knt.

IN ABASSEE KHANUM'S CASE.

An affidavit was made by Agah Kurbullee Mahomed and other individuals, the purport of which was, that it is customary with Mahomedans of respectability that grown up females are not to be seen by any person except their husbands and near relatives, and if they are publicly seen by any another person, or if they are ever exposed to the public gaze, they are then considered to be disgraced, and their relatives and friends will not receive them into their houses or associate with them. Therefore, if the prisoner in this case, Abassee Khanum, be brought before the public gaze on her trial, and if she be acquitted, her friends, relatives and husband will, in consequence of her public exposure, be debarred from receiving her back after her release from the Court into their houses, or from associating with her.

List of the challenges by the prisoner Abassee Khanum's counsel.

W. H. Renton,
P. H. Reed,
J. Monteith,
A. Nunn,

W. Eastman,
E. H. Salter,
G. Cook.

[Hark. Aug. 10.

Mondosondun Bomerjea was tried for larceny committed on Company's paper to the value of 2,500 rupees the property of Parbutty Chuud Mokerjea, and others, on the 5th June 1837.

Prisoner pleaded not guilty.

Gooroopersad Bose, deposed, that he was a sircar in the service of Parbutty churn Mokerjea, who died in the month of June 1834. Deceased left a widow and 2 grandsons his son's children. Deponent was employed in collecting monies due to the deceased. The names of the grand children were Kailaschunder and Hurroochunder. The deceased on the day of his demise left his house at 10 o'clock a.m. with a Government paper, which deponent saw in his possession. It was for 2,500 Sa. rupees of the 5 per cent loan. The deceased took it with him as he intended to get the interest of it paid to him. The deceased brought that paper from the house of Khistee Dhur. Deponent saw the paper and made an entry of it: it was No. 2475, deponent did not write the entry of the No. The paper was a renewed note. The original note was in the names of the deceased and Isserchunder Mokerjea. Cross-examined. Deponent was at the time in the deceased's service. The renewed note was in the name of the deceased. Deponent before the renewal of the paper, occasionally brought the interest of that paper. The deceased on his way back to his house was attacked with a sudden indisposition, and died at Churackdangah. The renewed note corresponded with the old paper, in number and amount. Deponent does not recollect the date of the renewal. When the deceased died, many persons gathered round him: one of these, Tarachund, is dead; another, Ramdhun, who was a tenant of the deceased, was likewise present. The deceased had fallen into a fit from a pain in his chest and was dead when deponent went to where he was. The deceased was taken from Churackdanga thana, the place where he died, and was burnt without being brought home. Deponent was not present at the time, and he does not know whether any of the neighbour's who gathered round the deceased are in Court or not, but Ramdhon is. After the loss of the note deponent had it advertised, and 2 years afterwards it was taken to the Treasury to have the interest on it paid. There it was stopped and sent to the Police, and a notice of its being found was forwarded to this deponent, who went there on receipt of this information and saw the lost note in Mr. Robinson's possession. Narrain Persad Doss had taken the note for presentation to the Treasury when it was stopped. When the relatives of the deceased took off his clothes, they could not find this note, and had it advertised. Deponent was not present at the time, and except from the accounts of those who were present, deponent cannot say whether the note was lost at the thana, or at the ghat where deceased was burnt. Interest is not invariably paid on the notes on the day on which they are presented; they are generally kept at the Treasury on the day on which they are presented for payment, and the interest is paid the next day. Deponent never knew an instance deviating from this rule. Deponent saw the interest of six months brought by Tarachand. Tarachand died in August last. He was alive and in Calcutta when the enquiry was instituted at the Police Office; but he was not examined there. Deponent gave a notice of the loss of the note at the Treasury, and has the bill of the Treasury for the expences incurred on that account by him. The note was renewed the day previously.

Some other depositions were taken of witnesses in this case, in which several discrepancies occurred.

The judge then recapitulated the evidence briefly, pointing out the discrepancies in them; and added there was no direct proof of when the note had been stolen, and although some of the numbers corresponded, yet others on the note differed, from what had been sworn to. This created a doubt as to the identity of this note being the note stolen from the person of the deceased, Parbutty-churn, either before his death or after it, and whether this prisoner came into the possession of it with a guilty knowledge of its being stolen property, or whether he had freely purchased it in the regular course, as he stated.

The jury after a short absence returned a verdict of not guilty.

Ramsoonder Day was tried for perjury, committed in the police office, on the 21st June, 1837, before D. McFarlan, Esq., Chief Magistrate of the Police Office, in order to prove a larceny against one Dupeynarain Sain.

The prisoner pleaded not guilty.

The prisoner's deposition at the police office, which was the basis of this charge, was read. It stated, that the prisoner was a sircar in the employ of Baboo Radamohun Doss, who resides at Simlah, and the prisoner resided near his house. Rada Mohun Doss was a money lender, and through the agency of the prisoner used to lend money on mortgages of landed property, jewellery, &c. That on the 12th May last, deponent had 200 rupees and 5 pice entrusted to him, by Radamohun Doss for similar purposes. Deponent, on the evening of that day, counted out these 200 rupees 5 pice, and put them into a box under his bed, in the presence of Dupeynarain, Collypersad Doss and Bulloy Doss, and about midnight he went to sleep: when he woke again the next morning at about sunrise, he missed the box and Dupeynarain, likewise; he therefore suspected that Dupeynarain had absconded with it during the night, and on enquiry he learnt, that Dupeynarain had fled to his native village of Ontalah in Zilla Hooghly. He therefore requested a purwanna from the police magistrate, to have him arrested and brought down to Calcutta, to answer his charge. This statement was denied by Radamohun Kissen, Collypersad Doss and Bolye Doss, to be correct, for he was never entrusted with the money, nor did they reside with him, nor was Dupeynarain ever in Calcutta before.

R. Hubberly, deposed, that he is a clerk in the police office, attached to the department of D. McFarlan, Esq., the Chief Magistrate. Deponent recollects a deposition being given by the prisoner in June last, before the chief magistrate, complaining against a person named Luckynath Sain. The complainant in that case, dressed as a sircar, and called himself Ramsoonder Doss. Deponent interpreted and explained to him his deposition, which he understood and signed Ramsoonder Day, sircar: and on being questioned, he said, that Ramsoonder sircar, and Ramsoonder have the same meaning. Deponent added, that the deposition now produced in Court, is the deposition he has alluded to in his evidence before this Court. The evidence was then read again before the jury.

The prisoner in his defence, denied that he ever went to the police office and instituted a suit against the prosecutor in the case. He declined questioning any of the witnesses of the prosecution, and alleged as his reason for this conduct, that he was not the person alluded to in this case. He denied all knowledge of that case, and of the prisoner, and declined saying any thing further in his defence, and called no witnesses.

This closed the case for the defence.

The Judge briefly summed up the case, detailed the particulars of the evidence, and commented on it expounding the law applicable to the case.

The Jury without retiring, returned a verdict of guilty. After this verdict had been recorded, *Warris Coalie*, *Attaram*, *Goorbuz Sing*, *Ram Saha Sing*, *Luckymony Rar*, *Soonder*, *Ramdhan Pyne*, *Goopee* and *Gyasoollee*, prisoners, against whom verdicts of not guilty had been pronounced, and whose bills were thrown out by the Grand Jury, on the charges preferred against them, were brought up and discharged.

August 8, 1837.

Shewhurn was charged with having stolen 10 gold choorees, the property of Radha Beebee, on the 8th of February 1837.

Prisoner pleaded not guilty.

After the evidence taken in this case had closed, the Judge briefly summed up the case, detailed the evidence, and commented on it, and particularised the nature of the indictment and then left the case in the hands of the jurymen.

The Jury after a retirement of from one o'clock P. M. to 5 o'clock P. M., returned and said, that in consequence of two of the Jurymen, Mr. W. Anderson and Rauchunder Paul being of an opinion in contradiction to that of the other ten Jurymen, and believing the prisoner not to be guilty, on the grounds that they think the two principal witnesses for the prosecution, Ramdeen Sing, the Police jemadar, and another, had perjured themselves, they therefore could not come to any conclusion.

The Judge said, he could give them no other advice than that they must form their verdict from the impression on their minds in the evidence of to-day, and dismiss all that they might have heard of the case on the former occasion and out of Court: he could not take a divided verdict, and, therefore, they must give an unanimous verdict of either guilty or not guilty.

The Jurymen consulted a little, and then retired again, and in so doing they said, that as each party were firm in their opinion, they could not come to any decision. When our reporter left the Court, the Jury had given no verdict in this case.

The three boatmen were brought up to-day. They were convicted of having assaulted and taken from the person of Mulootee, the sum of Co.'s rupees 38, the property of a person named Shake Gyasooddy. The prisoners after being informed of the enormity of their offence, and that there were no mitigating circumstances in favor of any of them, were under all the circumstances of the case, sentenced to 14 years' transportation to the S. E. Coast of Martaban.

Ramsoonder Day, who was yesterday found guilty of perjury in swearing at the Police office a false charge of theft against a person named Dubeynarin, an inhabitant of Hooghly, and which charge was investigated and found to be false before Mr. D. MacFarlane, the Chief Magistrate, was likewise brought up to day, and sentenced to 12 months' confinement in the house of correction, with hard labour.

August 9, 1837.

The Jury after being locked up all night, at half-past 10 o'clock to day gave a verdict in the case of King v. Showhurn, for larceny, of having stolen property in his possession, knowing it to be stolen, and recommended him to be tried for that offence. The Judge said, that as the Grand Jury had been discharged, the prisoner could not be tried in this term; all that he could do was to remand the prisoner to jail and send him before the Magistrates; if they think fit they can indict him for that offence; but if the Jury were of that opinion, they must find him not guilty on the present indictment. However that rested with them; all that he could do was to receive an unqualified and unanimous verdict of either guilty or not guilty.

The Jury after a short consultation returned a verdict of not guilty at half-past eleven o'clock.

Abassee Khanum was tried on the charge of murder on the verdict of the Coroner's Inquest, held on the 12th, 13th, 14th, and 17th day of July 1837, in having caused the death of one of her slave girls, named Ruheemun, between the 30th day of June and the 3d of July 1837, by having beaten her with a pestle on her hands, on her back with a cane, and other maltreatment, from the effects of which the said Ruheemun died on the 12th day of July 1837, — lays after the injury she had received from the prisoner's hands.

Counsel for the prisoner, Messrs. Pearson and C. R. Prinsep.

Attorney for the prisoner C. G. Strettell.

The prisoner was brought into Court ensconced in a sedan chair, and was not ordered out of it.

Belaul deposed. That he was a short time ago in the service of Mirza Mendey, who has a wife named Abassee Khanum. She was the person respecting whom this deponent was examined at the Coroner's Inquest. Deponent saw her to-day in a room in the Court house seated in a chair. Her son Mirza Kassim was there at the time, and an old woman named Khoran came there to see her. After deponent saw her he came out. She was seated in a common chair. Witness was remanded.

Mirza Kassim deposed. Deponent was present in the room when the last witness saw the prisoner in the Court House seated in a chair: Belaul and Khanumjee both saw her there in this deponent's presence. Abassee Khanum is now in a sedan chair in the Court room. She was in the Grand Jury Hall towards the east.

J. J. McCan, deposed. That a sedan chair was brought into Court said to contain the prisoner in this case in it. Deponent has never seen the prisoner therefore he cannot state on his own knowledge whether the prisoner was in that chair or not.

The interpreter of the Court asked the prisoner's husband in what language she conversed, and he replied in Hindoostanee. After this the charge was read and explained to her, she sitting all the time concealed inside the sedan chair. The person inside the chair replied to the name and pleaded not guilty to the charge.

Belaul, recalled, deposed. That he is a slave boy of Mirza Mendey, the husband of the prisoner, who resides in Amrahtollah lane, opposite the Greek Church, in

the city of Calcutta; the prisoner Abassee Khanum is his wife. Deponent served in the Mirza's house, was in attendance on the prisoner. There were 2 female servants likewise employed in the female apartments to attend the children of the prisoner, and one cook woman and a waiting maid; and three slave boys, named Mahomed, Syed and Umbur, and Ruheemun, the deceased slave girl, were all the servants in the household of Mirza Mendey, who had access to the female apartments. Ruheemun was 11 years of age at the time of her death; she was 2 years old when the Mirza purchased her. She was employed in cleaning basins and in attending generally on Abassee Khanum. Deponent does not recollect the date of her death. Previous to her demise Ruheemun was dispatched by the prisoner to the house of a woman named Khanumjee, who resides at Colingah in Calcutta. Khanumjee was formerly in Abassee Khanum's service, but in consequence of the demise of one of her relatives, she quitted the prisoner's service. Ruheemun was sent in a hired palankeen escorted by Syed and one of the female attendants, and Syed received 5 Rs. with instructions to desire Khanumjee to administer medicines to Ruheemun who was sick. After this the deceased was taken to Khanumjee's, where she remained 4 days. Deponent did not hear any other instructions given at the time of her being taken to Khanumjee's besides what deponent has already stated in Court. Deponent voluntarily accompanied the deceased to Khanumjee's house at Colingah, and saw her arrive there. She was ill at the time when she was taken there. There was a preparation made for the Mirza to drink, composed of vinegar, sugar, &c. and deceased had stolen and drunk it. She was for this theft beaten on her hands, and her shoulder, and fell sick in consequence of the severity of that beating, and was taken to Khanumjee's to be cured. At the time the deceased was taken from the prisoner's house to Khanumjee's, there were wounds on her hands, one on her head, and one on her shoulder. The hands had been beaten with a pestle, and the wrists were swollen. The wound on the head was hid in consequence of the hair on the deceased's head. Deponent could distinctly perceive the wound on the shoulder was a slight wound. The drink above alluded to, called *sheekeenjabeen*, had been prepared for the Mirza to drink. Abassee Khanum, in consequence of the Mirza being engaged in writing late at night, said to this deponent, that the Mirza would not be able to drink it that night and she put it in a bottle and desired deponent to put it by softly in the room. Deponent did so, and early next morning, when he went to the children's room, he perceived the deceased drinking it, and scolded her, and desired her to go to the cook room and mind her business. After this the Mirza got up, washed his hands and face, and went out, and the prisoner got up went to the cook room, and then to attend an indispensable call. On her return from thence, whilst this deponent was taking away the cup out of which Ruheemun had drank the *sheekeenjabeen* and washing out the slops on the place, Ghoorun asked him what there was wet on the spot that he was washing. Deponent replied Ruheemun had drank the *sheekeenjabeen* and spilt a portion of it, and that he was wiping off the stains. Ghoorun on hearing this, called out to the prisoner, and informed her of the slave girl's having stolen and drank the *sheekeenjabeen*. When Abassee Khanum heard this, she asked the deponent what he had in the cup; he replied it was the cup in which the deceased had poured out the *sheekeenjabeen* and drank it. After Abassee heard this, she called the deceased and asked why she drank this *sheekeenjabeen*. She replied that she had felt qualmish and to alleviate the sensation she had drank the *sheekeenjabeen*. Abassee Khanum then asked Ruheemun, why she did not ask her for it, and why she drank it by stealth. Ruheemun replied, that if she had asked for it Abassee Khanum would not have given it to her; and Abassee Khanum replied when did the deceased ever ask her for any thing

that she required and it had been refused to her? Ruheemun replied, that she did not consider all this at that time, and the pain deprived her of all this thought; that she had committed a fault and begged to be forgiven. After this Abassee Khanum gave Ruheemun a kick on the naval, and she fell flat with her back on the ground. Deponent cannot say whether it was in attempting to avoid the kick that Ruheemun fell, or whether from the severity of the kick. After this Abassee Khanum called for a cane to beat her with, but no body brought her one. A pestle was lying close by at that time, and Abassee Khanum took it up and punched the back of Ruheemun's hands twice with the end of this pestle, scolding her at the time and reprimanding her for not having previously asked her for the *shekeen-jubeen* and for stealing it.

The prisoner here, through her counsel, moved the court, that as she was seven months advanced in pregnancy and was suffering from the heat, that she be permitted to be carried out of the court in charge of a constable. This request was granted to her.

Belal's deposition continued.—The pestle was a brass pestle weighing about 2½ seers: deponent cannot describe the size of this pestle. The prisoner desired Ruheemun to put her hands on the floor of the room, and when she had done so, Abassee Khanum struck her hands with the thin end of the pestle. Deponent cannot say with what strength she had struck the deceased's hands. The two nurses, the one the waiting maid, and a female named Ghoorun, who resides at Chinsurah, but occasionally comes to the Mirzi's house, were in the room when the prisoner struck the deceased. Nothing further connected with this case occurred that day, to his deponent's knowledge. Ruheemun was not sent out of the house till four days after this transaction. Deponent does not know who attended during the washing of Abassee Khanum's face that day. The next day when Ruheemun was sweeping the house, she complained of a pain in her hands. Nothing worthy of notice happened between Abassee Khanum and the deceased on that day likewise. On the third day Ruheemun did neither sweep the house nor do any other work. When Abassee Khanum heard of this, she scolded her and said to her what, for a slight beating in her hands is she shamming that she can not work. Abassee Khanum then beat her with a cane, and forced her to sweep the house, and she then, holding the broom with both her hands, swept the house with difficulty. Abassee Khanum on that occasion struck the deceased a blow on the shoulder with the back of a chopper used in mincing meat; the blow was not aimed with great force but it drew blood. The beatings were in proportion to the strength of a woman; the strokes of the cane, were given on the head. When Abassee Khanum struck the deceased with the back of the chopper she taxed her with shamming and declining to work. On that day the deceased was incessantly restless, and lying down complained of fever. On the fourth day the deceased was desired by Abassee Khanum to bring the basin and ewer, with water to wash. The deceased attempted to lift them up, but being unable she intimated as much to her mistress, and offered to carry a smaller basin and ewer. She took these two vessels in two trips to her mistress; after this she took the tooth powder. When she attempted to lift up the ewer of water to pour on the prisoner's hands, she could not do it. Abassee Khanum when she saw this, gave deceased a kick and she fell backwards on the floor. The deceased got up again, and attempted to lift up the ewer once more but could not do it, and Abassee Khanum then struck her with a cane on the head. After this the deceased with difficulty took the neck of the ewer on one arm, and held the handle with the other, and poured some water on Abassee Khanum's hands, but not being able to hold it long, she put

it down and failed to lift it up again. Abassee Khanum then took up a peice of wood about one cubit in length, which the children had brought to play with, and struck the deceased on the crown of the head. The stick was round, and about the thickness of a ruler. Nothing further worthy of notice occurred between the prisoner and the deceased on that day. The peice of wood was on a platform in the room, where the prisoner was at the time. Deponent did not see the deceased on the evening of that day. Deponent did not see the prisoner strike the deceased after the last beating. Deponent cannot say now many days after this the deceased remained in the house, but altogether she remained four days after the first beating. The day after the first beating Abassee Khanum ordered one of the female servants to apply some turnerick and chunam pounded and mixed in water to the deceased's arms. This is a common practice in such cases amongst the natives of this country. The blisters in the arms operated on the night of the day on which this application was made, and the swelling was abated. Deponent saw one application of this preparation put on the sores. When the deceased was taken to Khanumjee's, there was an application of some leaves and simples applied on the head of the deceased, and the hands had stains of turnerick on them. Deponent had been examined twice before the Coroner. Deponent's statements there were in substance what he has stated here. There were sores on the deceased. Deponent first perceived the sores on the back of the deceased's hands, on the morning after the day on which the summons was served. Deponent does not recollect that he had stated in his second examination before the Coroner, that he did not see the sores till three days after the 3d beating. The day after the first beating this deponent saw the female servant preparing the chunam, and when he went there in the evening, he saw this servant apply them on the deceased's hand. When the prisoner beat the deceased with the cane and the ruler, there were sores visible on the hands of the deceased. Deponent's statement before the Coroner was the same as what he has stated here. Deponent cannot answer for what has been written in English, because he cannot read nor write. When the deceased did her duty well, Abassee Khanum was kind to her; but when she neglected her duty, her treatment was otherwise. When the prisoner became sensible that the deceased was really ill, and not counterfeiting, she applied medicines to her, and eventually sent her to Khanumjee's, with 5 rupees to have her cured. The deceased remained 4 days at Khanumjee's. Deponent was not sent to bring the deceased from Khanumjee's house. Syed and Ghoorun, dye, were sent for that purpose, but deponent went there of his own accord. Ghoorun, dye, remained in the streets, and Syed took a palankeen to Khanumjee's house to bring the deceased. Deponent had arrived at Khanumjee's previously. After Syed had brought the palkee, he covered the palkee with a clothing, and put the deceased in it, and they were carrying her away. Syed at first desired the bearers to take the palkee to the prisoner's house; but Ghoorun, dye, said not to do so, but to take the palkee to some ghaut near the river, and that she would take the deceased in a boat to her house at Chinsurah, and endeavour to cure her. When the palkee had arrived opposite the office of the Superintendent of the Police office, deponent having previously ascertained from the crowd which he saw assembled there that that was the office of the Superintendent, desired the palkee to stop, and a gentleman having learned the particulars of the case from the deponent, ordered a peon to take the palkee to the police office, who took the palkee to the Police office before Mr. McCan, the deputy Superintendent, who sent deceased to the Native Hospital. The magistrate took the deceased's deposition at the Hospital. Deponent did not remain at the hospital with the deceased. She was taken to the Hospital at about midday. Deponent did not accompany

the palkee to the native Hospital; he went in the evening with Mr. McCan, and subsequently when the magistrate went to take her deposition, he accompanied him. Deponent cannot say how long the deceased survived at the native Hospital, it may be one day or more. Saw the corpse of the deceased at the native Hospital, and he was present when Dr. Bain examined the corpse. When the deceased first came to the prisoner's residence she had the boss. Medicines were given to her after her arrival at the Mirza's house, and she was cured of that complaint, after which she generally enjoyed good health.

Cross-examined by Mr. Pearson.—Deponent has been stunted for 3 years of his necessities, such as shoes and clothes, by the prisoner's orders. She has a dislike to him, and therefore it cannot be expected that he can have any great affection for her. Deponent never said that he would be glad to see her hanged; what benefit would that be to this deponent? He certainly would not like to return to her house; but he has no absolute dislike to her. Whoever loves deponent deponent loves them, but those who do not like deponent he does not like them. He was always obedient in doing his duty whilst in the Mirza's house. For three years deponent was well treated by his mistress; it was after this period he was ill-treated. When deponent is well treated he is willing to do any thing in his power to oblige those who so treat him. Deponent went to give information against his mistress in this case, in the hopes that the exposure may be the means of giving publicity to this conduct of hers, and altering her conduct to her domestics. Deponent did not make the complaint at the police. The deceased had in his master's house herself asked him, whether he could take her out of this place and get her redress: this was when she was lying in the room where the water is kept. Deponent was then passing by her with some bread for his master. Deponent did not give intimation of this affair on the occasion when the deceased was first taken to Khanumjee's house because it had escaped his recollection and because the palkee had gone a few yards ahead, deponent afterwards over took the palkee. The Mirza's house is some distance from Khanumjee's house. Deponent and the servants who accompanied the palkee, returned by another road from that by which they went. Deponent was afraid to give information of this transaction to the police office, on the day the deceased was taken to Khanumjee's; but on the day in which she taken from Khanumjee's, in order to be carried to Chinsurah, deponent had overcome his fear. Deponent did not know at the time that he took the deceased to the police office, that she would die; had she been dead at the time he would have been afraid to take her there. Deponent does not understand maps and plans of houses. It was in a long room in which the Mohorum festival is celebrated, that the deceased was beaten by Abassee Khanum. Deponent attended both his master and his mistress. Deponent made his master's bed, and attended him at meals. For these last three years he had done no business for his mistress, that is the reason why she stunted him. Deponent did not intrude himself in the way to see what his mistress was doing, but in passing and repassing the apartments in prosecution of his duty, he saw as well as others what transpired under his observation, and stooped like others to see the transaction. Deponent did mention the fact of his being ordered to take the korabah of *sheekengabeen* before the Coroner. Deponent after being warned by Mr. Pearson, said that he is a stranger in this country and he is not very proficient in Hindoostanee, and does not know English, and he cannot be answerable for what they have written in English. He stated this before Mr. Volontzky, the Coroners interpreter. He merely answered the questions that were put to him, he was not bound to say any thing beyond that: if he is asked questions here which were not put to him on any other occasion, he must give answers which he did not then. Deponent did not know why

these counsellors, should brow beat and puzzle him with their questions as he is not the prosecutor in this case, but a disinterested person, merely a witness. Deponent is aware that if he gives one statement of a transaction in one place and another statement of the same transaction in other place, he is not to be believed. Deponent never deposed before the Coroner that he had given the information to his mistress that the deceased had stolen the *sheekengabeen*. Syed was likewise present when his mistress beat the deceased. Deponent did say that he was prevented and Syed allowed to go into the female apartments. Syed was forbidden by his master at the Mohorum from going into the female apartments on account of some misconduct; but he was subsequently permitted to go there again after his master's family resided at Meer Ahmud's garden. Syed is even younger than this deponent, but he is not an eunuch like this deponent. The day that the deceased was first beaten, deponent saw the deceased take the ewer and the basin for his mistress to wash, but he did not stay to see her wash. Deponent did not state before the Coroner, that the deceased could not hold the basin and ewer on the very day she was beaten, and that her mistress kicked her on that day. Deponent's statement regarding the pestle is the same as before, viz., that she was not struck on the fingers but on the hands; but the blows were not struck with such force as to break the bones. The deceased was of short stature for her age. Deponent cannot say how high prisoner lifted up her leg when she kicked, nor does deponent know whether she was then far advanced in pregnancy. The women wear their clothes hanging loose over their bodies therefore deponent could not say whether she was pregnant or not. Deponent never before heard of it. How high a pregnant woman can kick deponent cannot say. When Abassee Khanum beat with the pestle the hands of the deceased, she was sitting on a stool in the room: that is not the room in which she generally resides, but she sits there occasionally. No male persons are allowed to go to the upper rooms, except during the Mohorum holidays. Deponent cannot say who brought the mortar and pestle and the chopper into that room. The cook-room is in the upper story. The spices and meats are cut up in deponent's mistress's presence and then his mistress gives directions respecting what dishes are to be made out of them. The practice is so very common that deponent cannot particularise any particular day on which this was done. The deceased was dispatched at 10 or 11 o'clock, A. M. on the 4th day after the first beating. Deponent cannot recollect verbatim all that he deposed at the Coroner's Court. The statement before the Coroner, is the most correct, for the matter was then quite fresh in his memory; the minute details he might not recollect now. Deponent cannot say whether the turmeric was applied once or twice, and deponent might have said that he did not see sores on the hands till the third day after the turmeric was first applied to them; if he has said otherwise in this Court, then the latter statement must be incorrect. Although deponent might have forgotten the minuter particulars of these occurrences, yet he has not forgotten the main facts connected with his transaction. The domestics when they worked well, got a belly full of doll and rice—"you may call that good if you like," (addressing Mr. Pearson,) but when they neglected their duty, they were starved in their food and were not very well treated. Deponent never knew the deceased to ask for any thing, so he cannot say whether she was ever refused or not. Mirza Mendey had a female slave named Khoosh Kuddum, and he gave her her freedom to enable her to go and get married. When this Khoosh Kuddum was brought to Mirza Mendey's house, deponent was at Lucknow. Deponent deposed before the Coroner that the deceased was subject to the boss; and she had the fever and ague, after she was cured of the boss. Meer Syed Abdool Summud cured the disease of the boss. She

was sent there daily accompanied by two servants till she was cured. Deponent had stated before the Coroner that the blows with the pestle were not very violent, but slight, inasmuch so that his mistress believed the deceased was shamming, when she complained of pain in them.

Re-examined by the Judge.—If any variations have occurred in his depositions before the Coroner and here, the statement before the Coroner must be correct; as that was immediately after the transaction, therefore if he has stated before the Coroner that the sores on the hands were not visible till three days after the first application, that statement must be the most correct of the two.

Khanumjee, deposed.—That she was formerly in Abassee Khanum's service; she left the situation after 11 years' service in consequence of the loss of her grand daughter. Deponent saw Abassee to day in the Court House, at the same time that Belaul and Rossim were there. She is in Court now and was brought in a sedan chair to-day into the Court house. Abassee Khanum had a slave girl called Ruheemun, who was brought on a Sunday, at 4 o'clock, P. M., in a palkee to this deponent's house at Cotingah to be cured. Belaul and Syed accompanied the palkee. Deponent had left Abassee Khanum's service one month previous to this. Ruheemun had been five years with Abassee Khanum, previous to her death. When she first came to Abassee Khanum's house she had the boss, and she was never thoroughly cured of this complaint. She was attacked with it at intervals of 3 or 4 months up to the period of her death, and it was accompanied by a fever and ague. When Ruheemun was brought to the deponent's house to be cured, deponent was indisposed. Deponent received no money with her, she only received verbal instructions to procure a physician for her. The deceased when brought to this deponent's house, had sores on her hands one on her shoulder, and a sore on the back of her head. There were no sores on the crown of her head. Besides this, she had marks of a beating with a rattan on her back. She had a fever and purging on her at that time. The purging was very violent and frequent. Deponent gave her no medicines, but when the deceased complained of a pain in her arms deponent rubbed the marks with some spirits of turpentine, and she put some burnt gunny dipped in lampblack over the sores. Deponent put no turpentine oil on the sores. Deponent's sight is dim and the deceased was generally in a dark room. Deponent did not minutely examine her body to see if there were any other sores besides those she had described. The deceased had marks on her wrists as if they had been tied with a cord. When deponent passed her hands over the deceased's body, she saw no other sores than the three she has already mentioned: the sores on the hands covered the whole of the back of her hands. These sores were all running sores with the exception of the sore on the shoulder. The deceased was taken away from deponent's house on the night of the third day, during which period deponent rubbed the turpentine oil once and the lampblack composition twice. No doctor examined deceased at the deponent's house, and nothing besides what this deponent had stated was ever applied to the deceased's sores. These applications were not ordered by any physicians. Belaul and Syed took Ruheemun away from the deponent house; deponent subsequently saw the corpse. No doctor examined it in deponent's presence. Deponent has been examined once before the police magistrates and twice before the Coroner in this matter. The rope marks at the wrists appeared to be healing when deceased was brought to deponent's house. Deponent does not recollect whether she did mention the sores on

the wrists at the police and before the Coroner. Afterwards says she is positive that she had stated this circumstance before them, and then again says she is not certain on this point.

Cross examined by Mr. C. R. Prinsep.—Deponent was eleven years in the prisoner's service and saw the deceased in the prisoner's house. The deceased was treated by Abassee Khanum just as well as her own children. She always had the same food and clothes as were given to the Mirza's own children. Belaul was present when this Ruheemun was brought into the Mirza's family. Belaul had a great dislike to the deceased, and was always complaining against her on every trifling occasions, to her mistress. The deceased was formerly taken daily for a month to Abdool Sum, und's, a native doctor, but she was never left there for any days. Deponent occasionally attended the deceased at Abassee Khanum's house. The deceased used to eat meat and greasy and parched food against the doctor's advice, and therefore relapsed. Belaul used to beat the deceased for dirtying the house when she was attacked with the dysentery. Abassee Khanum is and has been a very kind and gentle tempered mistress to all her servants. Belaul being a eunuch attended both on her master and mistress.

Anwerun, deposed.—That she is employed as an attendant on Mirza Mendy's children. The Mirza has three sons and two daughters. Deponent is employed to attend the youngest son. There is another nurse besides this deponent in the family similarly employed. Deponent recollects Ruheemun, the slave girl. About one month after this deponent had entered the prisoner's service, this girl was sent to Khanumjee's to get medicines administered to her because she had a fever. The sores were common itch sores. How these sores originated, deponent does not know,—she does know. Belaul had tied up the deceased's wrist with a rope and this caused the itch-sores. He did it because she had drank some sherbet; he likewise beat her and suspended her from the ground. Deponent told Belaul to desist from beating her and examined her hand after Belaul had left of beating her. In consequence of this tying up of the wrists, the back of the deceased's hands were swollen 3 inches, and this very likely caused a looseness of the bowels. Deponent and others therefore applied some turmeric and chunam to these sores, and sent her to Khanumjee's to be cured. Deponent was not present when Belaul's evidence was taken before the Coroner, but she had subsequently heard the purport of it. Deponent was examined on this subject before Mr. Robison, the Magistrate, and before the Coroner; but whether Belaul was examined first or this deponent, on these occasions, deponent does not recollect. Deponent had made this statement of Belaul's suspending and beating the deceased before the Magistrate and at the Coroner's, and she persisted in this, even after the Judge had warned her to be cautious in her evidence, for he had her depositions given on those occasions, before him. Deponent admitted that those depositions were explained and read to her before she signed them.

C. K. Robison, deposed, that he is a Magistrate of the Police Office, and he took the examination of this witness himself. The examination is in his hand writing and is a true statement of what she then stated.

Cross-examined by Mr. Pearson.—This paper is an examination. The person who gave it was not sworn. This deponent was not under any charge; she was examined because deponent had some suspicions against her. Deponent, as a Magistrate, is empowered to examine any witness against whom deponent has any suspicion; but not idle-suspicion. She was not warned as to what she said, because she was not charged. **F**

a question whether this woman was imprisoned, deponent replied legally not; she was kept 2 or 3 days in custody, because she could not give bail. Syed and Khanumjee were both similarly called to give bail. Deponent stated, that being the servants of the prisoner, he suspected them, because after this witness was ordered to find bail, deponent heard that many of the domestics of the Mirza's household had fled. Deponent is a lawyer; he has his diploma as such. Deponent makes a distinction between a person being in custody and being imprisoned, because until there is a writ of commitment made, no person can be said to be imprisoned. Deponent cannot swear whether he took down every word; but he certainly did every thing stated by her that bore on the case. This woman never made any mention of any circumstances about Belaul's tying the deceased's hands at any time, and suspending and beating her. Deponent is not aware that the witnesses remained, because he ordered some of them to give bail.

The Judge here ordered her examination to be read.

Mr. Pearson objected on the ground, that a deposition being a statement given on oath by a witness, if his evidence afterwards varies, it may tend to throw discredit on his testimony; but an examination not being taken on an oath, and it being given by a person who is then charged with an offence, and in a perturbed state of mind, he submitted that it could not be read in a Court of Justice to throw discredit on that person's future evidence. He asked the Judge whether a counsel conducting the prosecution could have or would have had these evidence read.

The Judge replied that he had taken a note of Mr Pearson's objection; but he wished to read the paper to the woman through Mr. Smith, rather with an intention of refreshing her memory in order that the Jury may get a clear statement of facts from her; for her present evidence varies from the statement she gave before Mr. Robison. As a counsel for the prosecution, perhaps he should not have called this witness, whose evidence certainly has had a tendency to throw discredit on the evidence of the chief witness of the prosecution, Belaul.

Mr. Smith, the Interpreter of this Court, then read this examination to the woman, and her deposition continued.

Ameerun's deposition continued.—Deponent did state to the Magistrate and the Coroner, that Belaul had tied the deceased's wrists, suspended her and beat her. Deponent does not recollect when she was taken to the Police Office. She was detained there 8 or 9 days. During that interval, deponent had no communications with Abassee Khanum. Deponent was taken to the Coroner's 2 or 3 days after she was taken to the Police office. She there stated to Mr. Greenlaw, that Belaul had tied the deceased's wrists and suspended and beat her. Her mistress always treated Ruheemun very kindly; but Belaul used to maltreat her occasionally. Her mistress is very kind to all her household.

His Lordship said, that as she is a witness for the prosecution, if the prisoner's counsel wished to have her examination at the Police read, he may; it shows that this deponent did not make the statement in her evidence there.

Mr. Pearson said, it merely shows that it is not in the paper. He likewise asked whether there is any such name as Khaillie, as stated by Mr. Robison in his deposition to-day. Mr. Smith, the Interpreter, replied, Khaillie means a nursery maid.

Syed deposed, that he is a slave of Mirza Mendey. He has been interdicted the female apartments of his master's house for these 3 months. Deponent recollects a

slave girl named Ruheemun. Deponent had not access to the female apartments of his master's household about the time he took deceased to Khanumjee's to be cured. Ruheemun was there 4 days. Deponent likewise brought her back. Deponent received orders from Belaul and a nurse to take the girl to Khanumjee's. Deponent was in the habit of accompanying his mistress's palkee whenever she went out, and deponent did not know who was in the palkee, till he had taken it to Khanumjee's. Belaul and the same nurse gave deponent orders to bring Ruheemun back. When deponent took Ruheemun to Khanumjee's, he received no directions as to what he was to say to Khanumjee, nor received any money to give her. Whilst deponent was bringing Ruheemun back to his master's house, he had some occasion to go ahead, and told them to bring the palkee to his master's house. He then went home and afterwards heard that the palkee had been taken by Belaul to the Police office.

Cross-examined by Mr. Pearson.—Deposed, that Abassee Khanum, was a very kind and gentle mistress to all her servants, particularly to the deceased girl; but that Belaul was always in bad terms with her, and ill-treated her; besides, that Ruheemun had the boss when she was brought to deponent's master's house, and was never thoroughly cured of it.

Gopaul, bearer, deposed, that he is a ticca bearer. Has seen Khanumjee before. The last witness came to this deponent's stand and hired his palkee for a female. Deponent then went apart, whilst the person for whom the palkee was hired, was brought out from Khanumjee's house and put into the palkee. Deponent was desired by Khanumjee and Syed to take the palkee to Mirza Mendey's house at Amratollah gully. When deponent arrived at Khanumjee's house, he saw Belaul there. When the palkee arrived in Mission Rice, opposite the office of the Superintendent of the Pole is Office, then Belaul asked of the passers by wherow the residence of the Superintendent of the police. Hearing this, Syed and the female attendant of the palkee ran away. Belaul took the palkee then to the office of the Superintendent of the Police, opened the door and showed him a sick girl. Capt. Birch, then sent a peon with the palkee, and ordered him to take the palkee to the Police office. There Mr. J. J. McCann saw the sick girl, and sent a peon with the palkee, and desired deponent to take the palkee and the sick person to the Native Hospital. Deponent then took the palkee to the hospital, left the sick person there, and came back to Mr. McCann, who paid him his hire.

Cross-examined by Mr. Prinsep.—When Belaul desired the deponent to take the palkee to the Police office, Syed and the female attendant ran away. Deponent cannot conjecture the reason which induced them to do so.

In this stage of the proceedings, Mr. C. F. Leal, the interpreter to Mr. C. K. Robison, the magistrate, who was sent for by the Judge, came into court and was examined. He deposed that he had explained the examination of Ameerun taken in this case before the magistrate. She understood it, and that this examination was read; and she stated, that Ruheemun was sent eight days previous to the date of this deposition to Khanumjee's, to be cured of a dysentery. There is another woman named Khaillie in the Mirza's house.

Mr. J. J. McMann, re-called by Mr. Prinsep, deposed, that he had met the Mirza the day after this sick girl was brought to the Police, at the Police Office. Deponent had gone to the Mirza's house with a warrant to arrest Abassee Khanum; but he did not find the Mirza at home. Deponent then came back to the Police Office, where he met the Mirza, who took this deponent to his house and delivered his wife up on the Police warrant.

Bunnon, deposed, that she knows Khanumjee, and lived in her house about two months ago. Deponent added, that she did not tell a lie. Deponent one day saw a sick girl brought to Khanumjee's house, by Belaul and Syed. Deponent did not know the sick girl, but she knew Belaul and Syed; that was the first time she had ever seen them at Khanumjee's house. Deponent was a slave girl in that house for two years; but it is 3 years since she has been emancipated.

R. H. Bain, deposed, that he is the Police Surgeon. Deponent examined the dead body of a girl named Ruheemun, on the 12th July, 1837. The body was pointed out to this deponent by Gopal bearer. The body was emaciated and had many sloughing ulcers on the head, body and extremities. Three ulcers were on the hand, two on the left fore arm, one on the left arm; the backs of both the hands were completely bare of all integuments; there was another ulcer on the left leg, one on the right hip, one on the shoulder. Deponent does not recollect which shoulder. There was a perfect tumor on the forehead; there were numbers of blue marks on the back and the arms. These were all the external injuries deponent observed on the body. The ulcers were sloughing ulcers of an irregular form, but rather circular. Of the three ulcers on the head, one was on the top of the head, one on the back and one on the left side. The one on the back of the head, was about an inch and half or an inch and three-quarters in circumference; the other two were smaller. The ulcer on the hip was about two inches in circumference; the one on the left was about the size of a six-pence. These were the most serious injuries on the surface of the corpse. The wound on the shoulder was a small one; the sloughing had ceased. Deponent opened the body. Deponent found all the organs healthy but pale and ensanguined. Deponent examined the spleen and conceived it to be perfectly healthy: there were no symptoms of its ever having been indurated. The spleen was then firm and not in a congested state. Deponent did not find any symptoms of its ever having been injured; the puffy tumor was then dark; the brain was healthy and ensanguined. Deponent conjectures the cause of the death of the deceased from the strength of the sloughing ulcers on the body. Deponent supposed that the ulcers on the hands were the principal cause of the death of the girl. The tumor no doubt had its effect on the general constitution of the deceased, as well as the other ulcers on the body. These ulcers and tumors would produce a considerable irritation and fever in the patient. None of the bones of the hands were broken. Sloughing ulcers similar to those he saw on the deceased, may arise from bruise or burning, or irritation; they could scarcely be caused by any moderate casual bruising of the hands. They are not likely to arise spontaneously without any external injury. These ulcers might have existed from five to seven days previous to the demise of the deceased. Deponent has heard the evidence of the boy Belaul. Bearing in mind the account, that deponent has given of the blows stated to have been given by Abasse Khanum without any violent force on the deceased, deponent does not think such blows could have caused such ulcers; there must have been some very unusual degree of severe irritation used to have caused those ulcers. Deponent did not, besides these sores and tumors thus noticed, observe any peculiar inherent disease on the child. The sores were of a nature in which, had skillful medical treatment been used from the commencement, they might have been cured. Any irritating application might have caused these sloughing sores. If turpentine oil had been rubbed or applied warm on the sores, it might irritate the

If the like were applied unslaked with the turmeric, it would irritate these sores; but otherwise it would depend on the quantity. Deponent did not observe, that any thing of an irritating nature had been applied to them. Deponent did not see any

thing which he could conjecture to have caused this irritation.

Cross-examined by Mr. Pearson.—If the deceased was not of a sickly constitution, and properly treated from the first, she might have recovered. If on broken surface chunam had been applied, it might have caused the ulcers on the deceased. Deponent believes the spleen to be a desperate disease of itself; it may be a symptom of a debilitated constitution. Deponent did not separate the spleen from the body. Deponent understands that Mr. O'Brien, assistant at the Native Hospital, did. Mr. O'Brien is not allowed to open bodies, but he is not prevented from seeing them when opened. Deponent had opened many bodies at the General Hospital, where he was an apothecary for a long time. If a severe blow had been struck on the head, it might, instead of a pale, ensanguined appearance after death, have caused a derangement of the brains; but not invariable. It is very difficult to draw the line between the spleen, being a specific disease, or a sign of a completely broken up constitution.

P. O'Brien deposed, that the deceased, Ruheemun, was, on the 11th July, brought to the Hospital; she had a tumor on the forehead, an ulcer on the back of the head, one on the left shoulder, one on the left elbow, two on the back of each hand, one on the right hip, one on the left, three a little below the knee. The right hip and the left arm appeared to be bruised, and the integument in the tumor on the forehead appeared to be black and blue. There were besides these some slight bruises on the back; the ulcers were sloughing, but that on the back of the head had suppurated. No other ulcers were formed subsequent to the deceased's admittance into the Hospital. Deponent saw no ulcers on the crown of the head: he only saw one ulcer on the head. The deceased seemed to have had an enlarged spleen whilst living. She was brought to the hospital on the 11th, and died on the 12th of July. When brought to the hospital the wounds were not dressed, but the body smelt of turpentine. Deponent cannot say whether the turpentine had been applied to the wounds or the body in general. Deponent could not say how these ulcers had arisen, but considered that they had arisen from contusion; the ulcer on the back of the hands had been suppurating. There appeared to be no injury done to the integuments but about the slough. In the other wounds the slough had suppurated; therefore deponent could not judge what had caused them. Deponent supposed that the death was caused by the sloughing of these ulcers jointly. The wounds on the hands were most extensive. Deponent was not present when Dr. Bain examined the body; but deponent examined the body afterwards for the purpose of examining the spleen, which deponent found to be indurated and enlarged to double its natural size. It was taken out in deponent's presence by one of the apprentices at the hospital. Deponent examined it after it was taken out and cut it to ascertain its induration. There was no adhesion beyond its natural attachment. The spleen can be better judged by being separated from the body. Deponent saw nothing further, except that some intestinal worms had crept out of the body and were on the bed; but they could not have contributed to the deceased's death. Deponent conceived the sloughing was caused by the disease of the skin; it would not have taken place in an healthy subject. The disease of the spleen predisposes to that sloughing.

Cross-examined.—Deponent has for these last 3½ years, in which he has been attached to the Native Hospital, had great experience of native diseases.

Dr. Raleigh, deposed.—Deponent is a Surgeon in the Company's Service, and is 1st Assistant Surgeon in the General Hospital. Deponent is acquainted with the

disease called the enlargement of the spleen, it is particularly common in Bengal, and is generally the result of repeated attacks of fever. From the accounts deponent has heard of the deceased's health, she might have been predisposed to it; but it is generally caused by fever and looseness of the bowels. In this state of the body on the slightest embrocation of the skin or abrasion of it, if the slightest friction of any irritating substance be applied to it, it will cause ulcers, tumors and gangrenes. Such abrasure, must in general occur by blistering or by any external injury. In a subject of the description now mentioned, an injury of the nature described by Belaul would produce these ulcers, but they certainly would not in an ordinary healthy subject. In such a subject, blows of the nature described would probably produce corresponding sores of the nature described to-day in evidence on such a subject. In the state this girl is said to have been in, even the scratch of a pin might produce these ulcers.

Dr. Martin, Superintendent of the Native Hospital, deposed, that he has held this situation for these 7 years and has been in the habit of seeing daily native cases. Deponent saw the deceased when she was in a dying state. The spleen is a disease that comes daily under deponent's knowledge; it is almost universally the result of the fevers of Bengal. When they are in this state, the lightest cutting with a knife, a blister or even leech-bite, may lead to sloughing ulcers, gangrenes and mortifications; whereas in a healthy state of body, these injuries would be perfectly harmless. Any application whatever, whether chemical or mechanical, may in such a state of body cause these ulcers. Slight blows, if they embrocate the skin, might, but it is not probably that this would, if the skin was not embrocated; but if hot applications of chunani or turpentine be applied, deponent would conceive that application more to be the cause of these ulcers than a slight beating on the hands.

This closed the case for the prosecution.

The prisoner declined addressing the Judge in her defence, and left the case entirely into the hands of her legal advisers, who called one witness.

Hudgee Abdool Sumud, deposed.—He is a native doctor and knew the deceased girl, Ruheemun. He first saw her about 10 months ago. Mirza Ahmedally, the father-in-law of Mirza Ahmed, brought her to deponent's house; and she was accompanied by a slave and a bearer. Deponent has seen that slave boy in this court; the slave boy's name is Belaul. Belaul knew that deponent was a doctor. Deponent administered medicines 7 days to her, and she was indisposed with a fever and boss. The medicines were given in Belaul's presence, and the medicines were eaten by the patient in deponent's house. The deceased partially recovered. About 3 months after this cure, when deponent went to see Mirza Ahmedally, he informed this deponent that the deceased's fever had returned, and deponent then examined her and saw her so very ill with the spleen and fever, that he declined to administer to her, because she was in the second stage of the disease. Deponent has medicines to cure the disease in the first stage; in the second stage they are in that state that deponent may be able in some instance, after a tedious and protracted attendance, to cure the invalid; but when the patient has reached the third stage, deponent gives them up. The deceased was brought by Belaul on the first occasion.

This closed the case for the defence.

The Judge addressed the Jury, saying, that this case is unusual, because of the prisoner, from the religious habits of her caste and country, is precluded from

appearing publicly in Court; but by the Charter a privilege is given to waive this, and allowing these prejudices as long as they do not militate against the course of justice. The prisoner is tried for murder in the Coroner's Jury; but as the Grand Jury has thrown out that bill, if this jury thinks the same they can find a verdict for the minor offence, or if they consider prisoner guilty of the higher offence, they can convict her on this indictment. If they doubted the evidence of the principal evidence for the prosecution, viz. Belaul, on whose evidence alone the charge hangs, then they can acquit the prisoner altogether. The Judge then said, that an attempt had been made to impeach Belaul's evidence. He then stated that the evidence of Ameerun and Khanunjee, who state that Belaul tied the wrists of the deceased and suspended her and beat her, although not a contradiction to Belaul's evidence, because he was not questioned on this point, yet his suppressing it would materially shake his evidence. However, there is against Ameerun's evidence, her stating that she did state this circumstance of Belaul suspending and beating the deceased, when she had not actually stated it to Mr. Robison, for it is not likely that Mr. Robison would have omitted so very material a circumstance if she had stated it. But another thing again, he stated, that the prisoner did not urge to the statement, is that between the period when this witness Ameerun was examined at the Police, and her deposition at the Coroner's Inquest, where she first made this statement, it can be supposed that she had either forgotten it at the Police, being then in a perturbed state of mind from being in custody, or had remembered when less agitated at the Coroner's Court, or else that she had instantaneously trumped up the tale to free her mistress, throw discredit on Belaul's evidence, and gain favor with her employer. The Judge then stated, that it has even by the evidence of Belaul, been shown, that the prisoner was generally a very kind mistress, and it has been shown that Belaul was certainly not very favorably disposed towards the prisoner, from her stinting his necessities as admitted by him, although there is nothing shown that Belaul was actuated by either malice or hatred, to give the information he did in this case at the Police office. Further an attempt is made to shew that Belaul was in ill terms with this deceased and had maltreated her, but certainly the facts of this case have not proved this clearly. Another circumstance is, there is no proof even in the evidence of Belaul, that the prisoner was ever actuated by any other motive beyond a desire to punish the girl for theft and general misconduct, and her applying medicines and sending her to be cured, shows, that she never intended her death. Again, if the jury are even of an opinion, that the prisoner inflicted these wounds, even then, if the Jury believe the evidence of Mr. O'Brien, that the deceased was subject to the disease of the spleen, although this has been directly contradicted by Dr. Bam, the Police Surgeon, and supported by the native doctor, examined in this case. If Mr. O'Brien is to be believed, then it further appears by the evidence of Drs. Raleigh and Martin, that such a state as the deceased is described to be in when she received this injury, was conducive to increase the ulcers from the slightest abrasion. The Judge remarked that in such cases where a person has a disease, and another inflicts an injury on him which although it would not cause death in a more ordinary healthy person, may aggravate the disease of this person and hasten death, it is manslaughter. In the same way if a person receives from the hands of another any hurt which although not of a nature in itself considerable, nevertheless by ill treatment may end in gangrene and ulcers and cause death; this the law also holds to be manslaughter; for although the gangrene and not the hurt caused the death of the deceased, yet the hurt was the cause of the gangrene which caused the death. Here the Judge said it

is evident that in the present case turpentine oil, chunam and turmeric, some of these being ingredients of a strongly irritative quality, were applied in this case. He then said, in conclusion, that the law holds that any person who under any circumstances inflicts any injury on a body, unless upon very strong provocation and at the impulse of the moment, and this injury causes death, that person is liable to the full consequence of their act, is liable to be punished for murder; but in all cases it is incumbent on the Jury to find out the motives which could urge a person to this act. He then remarked that it is not likely that persons of the habits and capacities of the prisoner in this case, could have been aware of the consequences likely to result from such slight bruises on the body of the person in that sickly state of health in which the deceased is described to be; nor is it likely that the beating was very severe; for it has been proved that the deceased's hands were put on the floor and beaten with an instrument, which, had the blows been violent, would undoubtedly have broken all the bones in the hands of a child of the age of the deceased. There is no doubt that the blows were given more as a chastisement to the deceased, for the theft, than from a malicious motive, and that the deceased, even after this correction, although not efficiently, could still do her household business on that day and the following day, and under this case arises the question, whether the prisoner for all external appearance did suppose the deceased to be shamming to avoid work, or whether she really maliciously carried on an evil disposition towards the child and caused her death, and in which case the verdict must be of murder and which can only be returned on the conviction in the minds of Jury that the death of the deceased was caused by the injury from the severity of the punishment maliciously exercised, and which in its nature was itself sufficient to cause death in any ordinary subject. But if the Jury believe, that the chastisement was merely sustained however injudiciously, she is guilty of manslaughter only; but if they doubted the evidence of Beaulat altogether, then they cannot but acquit the prisoner.

The Jury, after a short deliberation, without retiring from their seats, returned a verdict of not guilty.

The prisoner was then tried on the charge of manslaughter on the bill found by the Grand Jury, who ignored the bill for murder. The prisoner pleaded not guilty on this charge. The Judge said to the Jury, that as the evidence which was given in the former trial was the evidence which would be taken on this trial likewise, it would be unnecessary to put the witnesses again into the box and examine them again, as he had no doubt that the substance of those depositions, were fresh in their memory: he therefore left the case with the evidence which had been taken and the charge which he had made in the former trial to the consideration of the Jury; he certainly did not think it necessary to go over the same evidence again unless the Jury required it.

The Jury were satisfied with the evidence taken and instantly returned a verdict of not guilty.

The prisoner was then released, and the Court broke up at half past 9 o'clock p. m.

Previous to the examination of Dr. Bain, the Judge offered the Jury their choice to postpone the case for the next day. This he said was time for them, if they felt disposed to defer the rest of the trial for the ensuing day, to do so before they had perhaps by tomorrow either forgotten—what they had heard, or very slightly likewise added, that if the Jury thought that for about three hours more they would not be so exhausted as to be prevented thereby from paying the due attention required from them to the Judge's address and calmly deliberate on it, he would then advise

them to prefer proceeding with the case; but if they thought the exhaustion would be too great, then he would advise them to prefer a postponement: the Jury were about to prefer a postponement under the following idea, that they would be allowed to go to their houses at night and come again the next morning at 11 o'clock a. m. to the Court; but when they understood that they would be detained in Court during the adjournment, they preferred going on with the case. This was at 7 o'clock p. m.; the whole of the proceedings did not end till about half past 9 o'clock, and it was about a quarter to 10 o'clock before the Judges and the other persons in the Court had all retired. The Court was crowded to excess during the whole trial, more particularly so towards the close of it.

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AUGUST. 10, 1837.

Owing to the indisposition of Ibrahim, who was committed by the Coroner verdict on an indictment for murder, his case has been postponed, and that of Bruce and Shand v. T. Ferguson, comes on to-morrow, (to-day) at 11 o'clock, A. M.

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We were informed yesterday, that the Advocate-General had been directed by Government to apply to the Court to summon a Grand Jury, to enquire into the capture of Pirates brought here in the *Hulk* on a representation made by Captain Stanley of that vessel, that he is under orders for England and cannot wait until the next sessions!—*Hurkaru Aug. 11.*

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AUGUST 11, 1837.

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Rex on the Prosecution of Bruce, Shand and Cragg, v. Thomas Ferguson.

Mr. Grant opened the indictment.

Mr. Clark opened the case for the prosecution, and began by observing, that if the case had been tried in London it would have been tried before a special jury; but here, although the case was a case between merchants, yet such was the opinion both of the prosecutors and the defendant, that no application for a special jury had been made; this was in his opinion a high but a proper compliment to the jury empannelled. The learned counsel here, after indulging in some sensible comments upon the propriety of there being laws to restrain the licence of the press, and citing a passage from an address of Lord Brougham, when at the bar, to a London jury in corroboration of these views, then stated that the jury he addressed were the interpreters of this doctrine in the present instance, and if they thought the case before them presented an infringement of the doctrine laid down, they should give their verdict accordingly. The learned counsel then enlarged on the importance of which it was to all men, and in no small degree to commercial men, to preserve intact and to enjoy to its fullest extent all the advantages arising from a good reputation, and the good opinion of his fellow men; one foul act, one error, might, however, destroy a reputation; and after a few more remarks the learned counsel cited a passage from Mr. Starkie's book to this effect. A part of the defence will rest on the mode of remedy which we have resorted to. It will be said we ought to have resorted to an action, and so have given the defendant an opportunity of justifying; that the greater the truth the greater the libel, observations of Charles Fox, in a celebrated cause, were here read by the learned counsel on this proposition; the learned counsel then stated, that from the nature of the attacks made by the defendant, which were of a general nature, it was impossible that they should be justified; they went to the whole actions

of life, and a man who could indulge in such observations, was a public pest, and deserved no consideration. But he would rather have the opinion of twelve fellow citizens on a matter of character, than any tribunal in the world; such a tribunal he could not have had for his clients, if he had brought a civil action. The inconvenience and expense arising out of the civil action, was illustrated by the learned counsel, in the instance of *Bryce against the Hurkaru newspaper*, where the defendant justified. The plaintiff finally recovered 800 rupees damages, but he could not get his costs, and although successful the plaintiff had to pay 6000 rupees for his triumph. The learned counsel then stated, that the firm of Bruce, Shand and Co. was known to the jury; Mr. Fergusson, is also known to you; with what disputes may have taken place between them, we have nothing to do; you have to consider the libellous matter contained in the three letters set out in the indictment. The prosecutors have only had recourse to this remedy after the annoyance became almost daily, and when it came to a question, whether or not Mr. Fergusson should be permitted to libel them with impunity. The learned counsel then read the following letters:

LETTER No. 1.

28th January 1837.

SIRS,—I consider the whole bearing of your conduct on the subject of our recent correspondence, to be perfectly in keeping with the flagitiousness of that, which I had previously in other respects experienced at your hands. The time, however, I trust, is not far distant, when the policy of your treatment of me will be put to a test, that will separate truth from falsehood, honor from infamy, and faith from perfidy. In the interim you will clearly understand that I shall hold you responsible for whatever sum I may be endangered by the non-employment of the *Heroine*, and further that I reject (and view with the sovereign contempt which the insolence of the proposal merits) the measures, which in the plenitude of self-sufficiency you have had the audacity to suggest as a substitute for these.

Mr. Hurry was the medium of communicating from you, and upon which my treaty with Rustomjee was based and influenced.

I am, Sirs, yours, &c. &c.

Messrs. Bruce, Shand and Co. THOMAS FERGUSSON.

LETTER No. 2.

30th January, 1837

SIRS,—The contempt and scorn which your last communication of Saturday excited, took such an ascendancy over my indignation as to restrain the expression of my disgust at the temerity with which you continue to commit yourselves to assumptions, which you well know to be wholly fallacious and destitute of all foundation; and as I conceive that the tissue of falsehood with which almost every syllable of the letter, which you have addressed to your agents, on the subject of the *Heroine's* insurance, places your assertions beyond the pale of all rational, or argumentative discussion, I do not now take up my pen either to complain of, or refute them, but merely to tell you, that whilst the shallow stratagem you have thus resorted to, affords ample illustration of your aptitude for the practice of any contrivance however untenable, and fraudulent that might aid you in eluding a responsibility to which you stand both legally and morally bound, the artifice in question betrays on your part, such a want of capacity, and such gross ignorance of the rules of business, as any school boy would be ashamed of!

In conclusion, I have merely to reiterate my resolution to hold you accountable for the demurrage of the *Heroine*, a penalty which, with reference to the employment now available to me, will be found of no inconsiderable import, on whomsoever it may fall.

I am, Sir, yours, &c. &c.,

Messrs. Bruce, Shand and Co. THOMAS FERGUSSON.

The learned Counsel then commented on the very general nature of the libels in these two letters. They might have related to any of the jury as to Bruce, Shand and Co. He then read the 3rd letter of the 20th March.

LETTER No. 3.

Calcutta, 20th March, 1837.

Sir,—I was not at home on Saturday evening when your communication of that day was delivered, or it should have been contemptuously returned to you by the bearer of it; and I only refrain from the adoption of such a course now, in the view of hereafter exhibiting the measures of falsehood which characterize the precious contrivance, and of adding it, to the other records in my possession of your baseness and folly.

I may as well, however, intimate, that I should consider it nothing short of yielding to a species of contamination, which out of respect for myself I am bound to resist, were I in future, to permit myself to be open to the reception of any further direct communications from so polluted a source; and I must therefore desire, that you will never again presume to take the liberty of addressing me on any subject whatever, except through the medium of a third party, because from the experience which I have had of your treacherous disposition, I naturally view with distrust, suspicion, and horror, everything that emanates from parties, whom I know to be so familiar with the practice of acts, that the less vile would shrink from the perpetration of, and who are at this moment recklessly luxuriating in the temporary possession of property, of which I have been cheated and defrauded by the most surreptitious artifices.

It will be my province, however, to use the exuberant means yet so happily in my power, to bring you to your proper bearings; and depend upon it there shall be no relaxation of my energies, on that behalf, until we are not partially, but wholly, and substantially redressed, and you are consigned to the degradation, which sooner or later overtakes such hypocrisy and imposition as I have to complain of at your hands.

I am, Sirs, yours, &c. &c.

Messrs. Bruce, Shand and Co. THOMAS FERGUSSON.

Mr. Clark then observed, that he need not make one single comment on these letters; but he merely drew attention to the general nature of the charges, the almost unmeaning abuse lavished on the prosecutors. The learned counsel then indulged in some ironical observations, in which the words *filling-gate* and *ducking stool* occurred, and with some forcible general observations concluded his able address.

William Gallagher was then called, who proved the partnership of Bruce, Shand and Co. in March. Knows by sight the defendant; he is a ship owner, but is not aware if he trades. He has had several ships, he has got two now; the *Heroine* is one of them. Knows Rustomjee Cowasjee, he is a merchant. In February and March the *Heroine* was here. The letter of 28th of January is the whole of it in Fergusson's hand writing, also the signature; the letter of the 30th is also his writing and signature, (the Counsel for the defendant refused to produce the letter of the 18th March.) A letter was written by Bruce and Co. to defendant on the 18th March. I sent it myself. I have a peon book, this

it. (Here the defendant's Counsel handed over the letter of the 18th March and the account appended to it.) I saw the letters of the 23rd and 30th January in the Counting House of Bruce and Shand. I must have seen them about 10 days after the receipt.

Cross-examined by the Advocate-General.—Mr. Cragg shewed me the letters. Mr. Fergusson has been a great constituent of Bruce and Shand: he was the owner of a great many ships. Can't say if the house had mortgages on these ships. Mr. Shand went to England in 1835, and returned in 1836; the partnership was altered in August 1836. I never had any communication with Shand and Fergusson, and was not sufficiently near to hear what took place at a meeting between Bruce, Shand, Cragg, and Fergusson. The *Robarts, David Clark, Nacario, Argyle*, and another ship were sold to liquidate Mr. Fergusson's balance to the house. The ships were large ships, of 5 or 600 tons. Mr. Shand is in Glasgow: he went before this bill for injuring his character was preferred: he went in January. I was before the Grand Jury, it was in March last. I do not know of any bargain that was made about the *Heroine*. I enclosed the account (shewn him) by my own good will. It was with the assent of Mr. Cragg I proposed it. He said "yes." This was an account about the *Robarts* received from London. At that time the *Robarts* had been sold on account of Bruce, Shand and Co. There was going on at that time an arbitration between Fergusson, and Bruce and Shand. The arbitration was terminated on the 18th of March, when the letter was written. I now know, that the claim on the *Robarts*, was before the arbitrators. I know that Mr. Fergusson was very angry at the claim contained in the letter of the 18th. I would have sent the letter without the authority of Cragg. I know that the subject of the account, and demand made by the letter of the 18th, was before the arbitrator. I now know that the claim was ordered to be paid by Bruce and Shand, by the arbitrator. The proceeds of the sale of the *Robarts* carried to the credit of Fergusson was near upon a lakh of rupees, it was not more than a lakh.

Re-examined by Mr. Grant. I do not know if the award was published at the time, I sent the letter on the 18th of March.

Mr. Grant, is an assistant to Mr. Fergusson: he was residing in Calcutta in March. He has been a considerable time with Mr. Fergusson and knows his handwriting, (letter of the 30th March shewn him). The signature is in the hand writing of Fergusson, (letter of the 28th January shewn witness.)

Mr. Clark asked witness if he had ever seen the letter before.

The *Advocate-General* objected to the question, they were bound to prove the libel as laid in the indictment verbatim, and this was not the proper mode of doing it. The Judge took a note of the objection, but allowed the question. The witness then stated that he supposed he had seen the letter before, but not read it, as the direction was in witness's hand writing. Does not remember receiving directions from Mr. Fergusson to the best of his belief, the letter was put on my desk sealed with a direction from Mr. Fergusson to forward. I can't recollect what was done with the letter, at this distance of time. I think Mr. Fergusson took it up after I addressed it. Mr. Fergusson has a letter book. I believe it is in Court. I know of no copy being made of it. Can't say if more than one letter was on that day written to Bruce and Shand. I have no recollection of what has been done with this letter (of the 28th February). Letter of the 30th March, shewn witness. That is also, writing and signature, in the hand of Mr. Fergusson. I have seen it before. I can't say how I came to see it, but I suppose

Mr. Fergusson shewed it me. I see an alteration in my hand writing, and that makes me think I saw it.

Mr. Clark told him to point it out.

The *Advocate-General*. I caution you, you are not bound to answer it, you will criminate yourself.

Witness declined to answer the question. Witness cannot say on what day he saw the letter. I don't know what became of the letter after I saw it. I believe the address is in the hand writing of a native scribe; he was in the service of Mr. Fergusson on the 30th of January. I don't know if any copy was made of the letter. (Letter of 30th March shewn witness). The signature is Mr. Fergusson's. I don't recollect Mr. Fergusson's saying any thing to me about this letter: I would not swear that any exact copy of this letter was ever made. I have seen the letter before, at Mr. Fergusson's office. I really can't say if when I saw it the signature of Fergusson was to it, or whether the signature of Mr. Fergusson was put to it the last time after I saw it. The body of the letter is not in Mr. Fergusson's hand writing, nor the direction, only the signature is his.

The *Advocate-General* admitted notice, but refused to produce Mr. Fergusson's books. Refused also to produce the draft of the letter of 30th March.

Witness. I really cannot say if I ever saw the draft of the letter of the 30th March. I some times write from dictation, and some times copy his letters. He certainly never saw any draft of that letter. I can't recollect if the letter was written from dictation.

Cross-examined by Mr. Leith.—I am intimately acquainted with the matters in dispute between Fergusson, and Bruce and Shand. The agreement to refer to arbitration was in writing and I believe the arbitrator sat. I know there was an award. Mr. Fergusson has been a large ship owner, and has had large dealings connected with this sort of property with Messrs. Bruce and Shand. Mr. Fergusson has been subject to great embarrassments lately.

Mr. Leith, by whom were they produced?

Mr. Clark objects, (question not put). Never heard from Mr. Shand what the discussions between Shand and Fergusson were about. Saw Mr. Cragg 2 or 3 times, with regard to the policy of insurance to be effected on the *Heroine*. (Here Mr. Clarke objected).

The *Advocate-General* submitted, that Mr. Leith might put the question relating to the disputes between Fergusson and Bruce and Shand, because it was of consequence to shew that the alleged libels were written on matters connected with the interest, of the party writing them, and not mere general abuse, and submitted that he was entitled to go as near the truth of the libel as possible, without proving it absolutely. Cites 1st Starkies Law of libel, 322; the case referred to by Starkies is the 1st Campbell MacDowal v., —also Starkies' Law of libel, page 315.

Mr. Clark—The whole of these cases now cited, are civil actions, and do not apply. Lord Leicester v. Walter cited by Mr. Pearson was merely a case as to mitigation of damages.

Mr. Justice Malkin. Well, I shall also here pass sentence.

Mr. Clark. Not before the jury have returned their verdict. He then continued his argument, in support of his objection, and contended that it might be matter of mitigation of punishment, and that was the time to bring these circumstances forward; this is not matter for the jury, it forms no part of the issue they are to try

Mr. Justice Malkin.—Mr. Advocate General, it rather seems to me I ought not to receive this evidence. I will take a note of your objection.

Mr. Leith resumed his examination, the object of which was to show, that in consequence of the letters of Mr. Fergusson (the libels) relief was obtained, and that goes to shew that there was no malice.

Mr. Advocate-General, to an objection of Mr. Clark at this stage, observed, that suppose the letter of Fergusson to Bruce, Shand and Co. was shewn to his clerk, Mr. Grant, with a view to correction, and that the object of the letter was to obtain relief or redress from Bruce, Shand and Co., then such shewing could not be taken as a publication of a libel to injure the character of the prosecutors, and positively negatived all malice, one of the principal ingredients of the offence charged. The questions were taken a note of by the Judge and Mr. Clark having objected, this line of examination was held by the Judge irregular and abandoned by Mr. Leith.

Witness then stated. We frequently made erasures in letters of Mr. Fergusson on matters of business, without reading them. He does not think the letter of the 30th March was given to him to read, but for the purpose of making a very trifling alteration, after which Mr. Fergusson took it from him. He would not swear that he read it.

Re-examined by Mr. Clark.—I don't think I read the letter. The letter with the erasure was directed by the native.

Mr. Soppings, examined by Mr. Grant.—Knows Mr. Fergusson. (Letter of the 28th January shewn him, also the letter of the 30th, also that of March 30th). To the best of my belief I never saw those letters before except when on the Grand Jury. Mr. Fergusson shewed me a letter of a very violent nature, written to Bruce, Shand and Co., something of the nature and bearing of those now shewn me. After I was on the Grand Jury I talked to Mr. Fergusson on the subject of the letters—I had seen on the Grand Jury. Mr. Fergusson I think shewed me a letter on note paper before I was on the Grand Jury.

Cross-examined by the Advocate-General.—Mr. Fergusson told me that he thought he had been very ill used by Bruce and Shand. Mr. Shand never told me that Bruce and Cragg had behaved ill to Fergusson. Really I can't speak as to the particulars of their conduct towards him, but I know there were disputes.

William Cobb Hurry, examined by Mr. Clark.—Knows the defendant and the prosecutors. (Is shewn the three letters, the alleged libel.) I have seen some of them before, but I can't be certain which. (Shewn E. The signature is Mr. Fergusson's.) I am not certain that I ever saw E. I saw one letter in Bruce and Shand's office, but never saw it on any other occasion. I have had some conversation with defendant, about one of the three letters. Mr. Cragg requested me to see the defendant on the subject, and requested him to withdraw it. It was shewn to me at the time the request was made. I told that to Mr. Fergusson, but he refused to withdraw it. It must have been before March that I saw Mr. Fergusson on the subject of the letter, but I am not certain if the arbitration was closed at that time or not.

Cross-examined by Mr. Pearson. Has a general knowledge of the transactions between Bruce, Shand and Mr. Fergusson.

Mr. Pearson.—Ah! well, I am not at liberty to ask you what you think of them (a laugh).

Mr. Clark. I wish you were.

The Advocate-General.—Why did you stop us then when we were about it?

Mr. Clark.—That is my case, upon the letters being read.

Mr. Justice Malkin.—Well, it seems to me there is no evidence of publication.

Mr. Advocate-General, then submitted there was no evidence to go to the jury, no evidence of publication. I admit that if the indictment was drawn that the letters were written with a view to provoke a breach of the peace, then the sending the letters to the party himself would be a publication.

Mr. Justice Malkin. I am rather disposed, Mr. Advocate, to call on Mr. Clark to shew that there is any evidence of publication.

Mr. Clark then addressed the Court on this point.

Mr. Justice Malkin, before he heard Mr. Clarke at any length, observed that upon consideration, he thought there was evidence of publication to Bruce, Shand and Co., but not to Mr. Grant, defendant's clerk, or to the native who wrote the address to the letter, but that the case, would, if it went to the Jury, of course, go there with the learned Judge's opinion on the point of law.

Mr. Advocate-General.—The publication to Bruce and Shand is no publication at all, as the indictment is now drawn. Throughout the whole of the indictment the injury is alleged to the firm, and an injury to their general reputation.

Mr. Justice Malkin.—It is of no consequence, Mr. Advocate, whether the indictment charge a general injury to the firm, or to them individually, because the publication to *themselves* could never injure their character.

Mr. Clark, then contended, that there was evidence of publication, and that Mr. Fergusson had caused a libel to be written down, and had then affixed his signature to it, and that is a publication to Mr. Grant. Now in one of the letters, the body is written by Grant, and signed by Fergusson. I admit that he cannot say whether he wrote it from dictation, or from a copy given him. If a man dictate a letter to his servant and sign it, that is a libel. The learned counsel contended at some length on these and other grounds, that there was a proof of publication, and cited several cases. Production of a libel and proof that it is in the hand writing of defendant, is strong presumption of a publication by him, was the amount of one case cited. The learned counsel cited a variety of other cases to shew that in the present case, sufficient proof of publication had been adduced. If a man writes a libel for his own amusement without intending to publish, and it accidentally get abroad, he must take the consequences.

Mr. Advocate-General.—That has never been law, except in Algernon Sydney's case.

Mr. Clark continued.—A libel may be published either by speaking or singing, &c.

On *Mr. Advocate-General* rising, Mr. Justice Malkin observed, that upon the first six counts, there is no evidence of publication; but on the last six counts, there may be evidence of intention to injure the characters of the prosecutors (as we understood the learned judge,) and that there is no evidence of publication upon those *debars* inference to be derived from the fact of the sending the letters to their destination and that upon such counts of the indictment as may be sustained, the only question is whether the jury are satisfied that those

letters were sent with a view, as charged in the indictment, to injure the general characters of the prosecutors.

The Advocate-General then commenced his address to the jury. After asking them if they wanted to hear, and receiving the consent of silence from the jury, the learned Counsel stated he should not follow Mr. Clarke, through his dissertation on constitutional law, and the liberty of the press. He understood better what his friend was at, when he anticipated the objection to the form in which the proceedings had been brought. Mr. Clarke talked of the expence, and the difficulty of proving a justification, and that that was a reason for not bringing an action, but for prosecuting an indictment. Now what have the length of the proceedings and the expences of a justification to do with the prosecutors in this case. The injury and expence and inconvenience is *ours*; we should have all the expence, and inconvenience, and not Messrs Bruce and Shand, and I only wish they had brought an action: we would have put upon a record a justification and we would have proved it. Then again the expence is another excuse urged by my friend for the form of the present proceedings: their character and fame is dear to them, but they will not run the risk like Doctor Bryce, of triumphing at an expence of 6,000 rupees. I mean nothing of the character of the prosecutors, but it is quite clear they don't think it worth 6,000 rupees. A pretty character must it be truly. It was also stated by my friend that he should shut out no evidence. What is his conduct when we came to examine into the circumstances and transactions between the parties? why he objects. We wanted to go into a justification of these letters as far as it is by law permitted us; but no, the prosecutors will not permit it, they instruct their counsel to object, the proceedings will not bear disclosing. But when was it that the unfortunate may not complain? Here is the defendant who has been a proprietor of many ships; he had received injury at the hands of Bruce and Co., he wrote letters, and has obtained redress.

Mr. Clark.—No, that was one of the questions to Mr. Seppings objected to: if it had been put, I should certainly have called witnesses to contradict such evidence.

The Advocate-General—Then why did my friend preclude himself by his own act from calling witnesses who could speak well of his clients. The learned counsel then came to the letter of the 18th March sent by the prosecutors to defendant, enclosing the account about the *Robarts*, containing a demand upon Ferguson which was fraudulent, because Cragg, by whose sanction it was sent, knew very well that this very claim was before the arbitrator, and yet Mr. Cragg, on the very day the award was signed, made the very demand which was already before the arbitrator; and can you, gentlemen, be astonished that after this Mr. Ferguson writes such letters as those complained of? I say, therefore, these are not libels; these are letters written under circumstances of provocation, that will never be held by any man to be libels. I repeat had they brought an action I would on the very cross examination of the witnesses produced, have justified the whole of the letters, and if they had dared to bring an action, no jury under the circumstance would have given them six-pence of damages. I say, therefore, these letters are justifiable and are not libels. Why, the subject of the demand of the 18th made by Bruce, Shand and Co. on Ferguson was ordered to be paid by the arbitrator to Ferguson himself! was not this demand a fraud? The learned counsel then went on to the subject of publication, and confessed he could not understand how upon an indictment for injuries on an individual or individuals in the public view, the sending a letter to the individuals themselves can be called a publication likely to injure their character with the public. Why, they might have kept the letters as secret

as the grave—no one but themselves need have known any thing of the matter. I don't mean to say that an indictment for sending a letter tending to provoke a breach of the peace, might not have been sustained; but that is not the course they have adopted. The learned counsel continued at some length upon this point of publication. I think I have said enough, that there is no intention to injure the prosecutors, for if the fact itself of the sending the letters to the parties themselves, could not injure them, you are too sagacious not to see that as the overtact does not and cannot wash away an injury, it is difficult to conceive that that intention in which the act itself originated was injurious.

Mr. Justice Malkin, addressed the Jury on the point of publication. The learned Judge, as we understood him, stated there was evidence on some of the counts (we did not catch which) of a publication of the letters to the parties themselves; but it was for the Jury to say whether this publication to themselves was indicative of an intention to injure the general character of the prosecutors. There is no evidence of publication upon the other counts, although the attempt was made on the part of the prosecution to prove an absolute publication to other parties than the prosecutors of the contents of the letters. In point of law there is no proof of this sort of publication.

The Jury then retired taking with them the indictment, Verdict.—We find the defendant guilty of writing and publishing the letter of the 30th January and 20th March, and not of the 18th January. On the publication to the clerks, verdict given of guilty on the 7th, 8th, 11th and 12th counts.

Mr. Justice Malkin—I will not pass sentence now, but allow the defendant to be at large on his own recognizances, merely until the first day of next term.—*Hurkaru, August 12.*

August 12, 1837.

Clermont versus Goodshall and O'Brien.

This case for assault and false imprisonment, which was slightly adverted to in yesterday's paper, had been called on the day before; upon which Mr. Leith, the Counsel for the Prosecutors, Mr. J. R. Clermont, of the Calcutta High School, and his brothers, applied to the Court for leave that the parties might "speak together," i. e. that the Prosecutors might not proceed with the Prosecution, owing to the Defendants—two of the Police Officers, named Goodshall and O'Brien—having reconciled themselves to the Prosecutors. The Judge thought it, at first, unusual to grant the application; but Mr. Leith added, that in this case the Defendants had acted as agents and servants of a person in authority, and under such circumstances he, the Counsel, entreated the matter might be permitted to be hushed up. The application was then granted. It is said by the Prosecutors themselves, that they have thus dropt the affair from a generous feeling towards the Defendants, who have families, and that two letters (which the Prosecutors are willing to publish if necessary) have been addressed to them—one by the Defendants themselves, expressive of deep regret at their past, and a promise of circumspection in their future conduct—another by Mr. McCann, their superior Officer, through whom they in like manner express their compunction, and make a promise to pay all the costs which the Prosecutors may have been put to in getting up this prosecution.—*Calcutta Courier, August 12,*

August 10, 1837.

Before Sir B. Malkin, Knt.

J. L. Miller, was tried for a forgery; but the evidence of Mr. J. Bell, of the custom house, in which he stated the manner in which the bills were passed and paid, not having, in the Judge's opinion, established the crime laid to the prisoner's charge, the Judge stopped the proceedings and directed a verdict of acquittal, and the verdict of not guilty was given accordingly. This prisoner was then tried on the charge of fraud, in cheating P. Russell of a sum of money, by passing on him certain papers falsely stated to be orders for his pay as a custom house officer, and said to bear the signature of J. Bell, Esq., of the custom house, which was not the case.

Prisoner pleaded not guilty.

P. Russell, deposed.—That he is a hotel keeper and knows the prisoner. On the 19th of last month prisoner became a lodger of the prosecutor's. On that day the prisoner borrowed at different times from the prosecutor 115 rupees on some bills, for which he said he had to receive money within 2 days; besides this the prisoner brought some furniture and a buggy into the prosecutor's house, but the 115 rupees were lent on the guarantee of the bills. The prosecutor looks at the bills and identifies them. Prisoner said nothing regarding the signature. At 8 o'clock on the morning of the 23d, prosecutors received a note from the prisoner, stating, that if he did not call on him at 11 o'clock, to go to the custom house and present the bills and that they would be paid. Prosecutor went to the custom house at half past 10 o'clock, but he did not see prisoner. On his return, prosecutor met the prisoner who accompanied the prosecutor to the custom house, and there he desired prosecutor to wait whilst he went and spoke to Mr. Bell. He, after a short conversation with Mr. Bell, came back and said that Mr. Bell had desired him to call at half past 4 o'clock. The prisoner came to the prosecutor's and expressed willingness to accompany him again to the custom house. When they arrived near the Police office, the prisoner proposed to the prosecutor to go to a liquor shop and drink. The prosecutor declined the offer, and the prisoner then desired him to go on a head and he would follow: the prisoner then left the prosecutor and absconded. Prosecutor did not see him again till he saw him in custody at the Police office.

J. Bell deposed.—That he is Superintendent of the preventive service and passes the bills of that department. The bills in question were presented to him for payment by the prosecutor about the hour of 2 or 3 o'clock p. m. on the 22d July; he was accompanied by a black servant. Deponent knows the prisoner; he holds no employ in the custom house. Nothing regarding these bills ever passed between this deponent and the prisoner, who was only employed for one day at the custom house, and had no claims for money on the custom house. The name J. Bell in these bills is not the signature of this deponent, nor is the name W. Counsell the signature of Mr. W. Counsell, of the Custom House. Prisoner was strongly recommended to deponent by the Governor of Serampore. Prisoner is a Danish subject. Deponent believes the endorsements in these bills to be the prisoner's signature, but the body of the writing appears to be that of another person.

Deponent said that he was intoxicated when he committed the act; he had no witnesses.

The Judge briefly charged the jury, stating it was difficult to suppose that a man could be drunk while obtaining money systematically, nor is drunkenness any excuse for crime. He, after this, commented on the

indictment, and the evidence given in the case and the bearing of the law on them, and left the case in the hands of the Jury.

The Jury, after a retirement of about one hour, returned a verdict of not guilty, on the ground that though they were satisfied that the money if paid, was paid on a false document; but as they did not think the evidence of the money being actually paid to the prisoner satisfactory, they returned a verdict of not guilty.

The Judge, after remarking to the prisoner that the transaction, putting the best construction he could on it, was one of extreme roguery, told him that he was discharged; but that he had better take care how he appeared before the bench in that box again, for he might not get off another time so easily. The prisoner bowed and left the Court.

Isserchunder Doss and Moodoosoodun Gangoly, were tried for a burglary, in entering the house of Moheschunder Dutt, on the 2nd day of August, 1837, and stealing therefrom several articles of value.

The prisoner pleaded not guilty.

Moheschunder Dutt deposed, that he is a money changer and lives at Hautkhola: on the 20th Shrabun, deponent's house was entered at night and robbed. Deponent on that date retired at midnight to sleep and got up after sunrise and found the cords with which his doors were fastened, cut and the doors removed, and on examining his trunks, he found them broken and empty; a hole had likewise been cut in the floor of his house. Here deponent enumerates the articles stolen. The next day prosecutor got intelligence from Isser that the thieves were apprehended at the thana. Part of his goods was brought to him, to his house, by the naib of Komartolla thana.

Nazeer Mahomed deposed, that he is a peon of Komartolly thana. Deponent knows the prosecutor in this case. Deponent in his rounds near the prosecutor's house, saw 3 men pass by, and one of them had a bundle projecting from under his arms: it was then about $\frac{1}{2}$ past 4 o'clock a. m. Deponent challenged them, but they returned no reply, and began to run. Deponent pursued and they ran into Soobah Bazar lane. Deponent left the rest and pursued the man who had the bundle under his arm, and captured him near Sham Bazar thana, strand. The man struggled, and deponent cried out "thief, thief" and Jomal, peon of Sham Bazar, came to deponent's assistance and took the man into custody, and the prisoner dropped the bundle when he was arrested. Deponent then took the bundle and the prisoner to the thana, from thence they were taken to the Tultola thana, and thence to the Police office. Moodoosoodun Gangoly was the person whom deponent captured with the clothes, and Koomulchowkeedar seized and captured Isserchunder Doss. Shortly after the capture of the 2nd prisoner the prosecutor came to the thana.

Jamal, peon, in his deposition, corroborated the evidence of the last witness. Another witness was examined in corroboration of the evidence.

Nasser Mahomed Loushy Pauree, naib thanadar of Hautkhola thana, deposed, that he took the prisoner and the goods from Komartolly thana and brought them to the prosecutor's house, who claimed the goods and became prosecutor; from thence he took the prisoner and the goods to the thana.

Ameer, peon of Hautkhola thana, corroborated the evidence of the last witness.

Komal, poen, proved that he captured Isserchunder Doss because he ran away when challenged. Deponent had at the time he was challenged, 2 bell metal glasses and a kerchief which he dropped in the chase. Deponent picked them up and immediately continued the pursuit. Deponent never lost sight of him till he captured him and made him over to Nazeer Mahomed, the poen, and delivered the glasses and kerchiefs to the thanadar of Hauthkhol.

Khyroo, naib of Sham Bazar, corroborated the testimony of the last witness, and so did Jeetun, naib of Kmartolee thana.

Kurrembux, thanadar of Hauthkhol, deposed, that he went to the house of the prosecutor and received a bundle of clothes and 2 prisoners there from Loochy Pauree, the naib of his thana, and from Komul poen 2 bell metal glasses and one kerchief. Deponent took them to the Police office, when they were consigned to custody, and they have ever since remained in his possession. Deponent examined the prosecutor's premises, and found a broken box near them, and a hole in the floor of his house, and the ropes of his door cut. Deponent produced the goods stolen, and the prosecutor recognized them to be his property.

This closed the case for the prosecution.

The prisoner Moodosoodun said, that he knew nothing of this theft. He had come to the *Shrad* of Roopal Mullick, in the night, he slept at Gangoly's house: deponent early next morning woke Gangoly and said that he was going to Barrackpoor, when he was pointed out by Issur Doss as the person who had stolen some clothes which prisoner then observed lying by him, and the poen took deponent to custody. Issur Doss was a neighbour of his and lived a disorderly life: prisoner had counselled him against it, and had him discarded from the village, therefore Issur swore to be revenged, and has therefore trumped up this charge against him. He called witnesses to prove an alibi.

Issur Doss said, that on the morning in which this theft was stated to be committed, he saw 2 persons carrying bundles under their arms under suspicious circumstances: prisoner remarked this to the poen, who arrested them, and he shortly after came to this prisoner's house and said to him the thanadar wanted him. When prisoner went to the thana, the thanadar taxed him with this robbery, and arrested him. He called witnesses to prove that he was taken from his house and arrested.

Gunga Roy, said, that the 2nd prisoner slept on a Wednesday night at deponent's house, and he was arrested on the Thursday morning; but report stated that he had slept there Thursday night and was arrested on the Friday morning. It was a week since this occurred.

Another Brahmin deposed to the same effect as the last witness; but he was incorrect in this evidence, in stating that Wednesday was the 1st of August. He added that he is a good Brahmin; he has read no books of his religion but a little English and Bengally. It is meritorious by his religion to save a man from harm even at the expence of a false oath; but deponent having read English knows better. Two other witnesses were called. The first prisoner, witness Sreenauth Rar, knew nothing. Kistomony, said that the 1st prisoner past the last Wednesday night at her house and left it early in the morning of last Thursday, when Nazeer Mahomed came and called him away from the road and took him to the thana and arrested him at midday. Fukeerchund, another witness, was called, but could prove nothing. Nazeer Mahomed recalled, said that he never saw Kistomony, we saw her this day in Court: neither Sudder

Addee nor Jeybun, the poen, nor the Naib of the Kmartoly division knew her, although she said she resided in the division of that thana.

This closed the case for the defence.

The Judge briefly charged the jury, detailing the evidence in the case and commenting on it, and then left the case to their decision.

The Jury without retiring found the prisoners guilty of burglary.

The prisoners were consequently, sentenced to 7 years' transportation to the S. E. Coast of Martaban.

AUGUST 12, 1837.

Before Sir B. Malkin, Kt.

L. F. Bourkey, brought an action for an assault against *J. A. Guest, J. W. Peterson, B. Fure, F. H. Peterson* and *J. J. Munsaw*.

Counsels for the prosecution, Messrs. *L. Clarke* and *J. Cochrane*. *Counsels for the defence*.—Messrs. *C. R. Prinsep* and *J. F. Leith*. Defendants pleaded not guilty.

On the names of the Jurymen being called, the Counsel for the defence challenged *E. Johnston* and *J. Monteith*. The Counsel for the prosecution objected to these challenges, stating, that the defendants had not the right to challenge without assigning the cause for their challenge, and that the cause must likewise be tried, and proved before the objection can be taken as valid.

The Judge coincided with the Counsel for the prosecution regarding the objection stated by the prosecutor's Counsel to these challenges.

Mr. Prinsep for the defence, said, that *John Monteith* was a personal friend of the prosecutor, and wished to question him on that point; but the Counsel for the prosecution, said that the method adopted by the defendant's Counsel was irregular, and *Mr. Monteith* was not bound to answer the questions put to him.

At this stage of the proceedings, the challenges were withdrawn.

Mr. Cochrane.—The prosecutor states, that the defendants on the 19th April, 1837, with whips and sticks, assaulted the deponent.

Mr. Clark, said to the jury, that they have heard the nature of the offence, which they are to try: he then stated the relationship of these defendants and their employment. *Guest* sent for *Bourkey* from England, and paid his passage, and on *Bourkey's* arrival an agreement was entered into, that *Bourkey* was to be admitted 1/4 share partner in *Guest's* business on the commencement of 1837: Afterwards a verbal agreement was made, that *Bourkey* was to be admitted in November 1836; but they quarrelled in October 1836. *Bourkey* quitted *Guest*, and set up in business for himself, and *Guest* subsequently offered for 70,000 or 80,000 rupees, to sell his business to *Bourkey*; failing in this he quarrelled and swore the peace against him, and then in April 1837 *Guest* went to *Bourkey's* house and called on him to fight. *Bourkey*, thinking the April sun might make *Guest* warmer than he was, and make him crusty, said coolly, *Joe*, go home, and *Joe* was disappointed that *Bourkey* did not come out, for he intended to give him a warm reception in a warm day. After this *Peterson* and *Furie* called on *Bourkey*, and sent up to him to say that they wanted to see him. When he came down,

Peterson demanded satisfaction, and Bourkey, not thinking himself bound to give satisfaction to a person in his own house, refused it to them. Peterson struck him, Furie held him, and all the others, being 7 in the gang, two of whom have not been arrested, rushed in, and commenced a violent assault on Bourkey. Bourkey thinking, that although he was bound not to assault Guest, yet he was not prevented from resisting their assaulting him, and he no sooner did so, than this band of 7 vallicent heroes ran away from one man. In conclusion, Mr. Clarke said, that he could prove that Guest said, that he would not mind paying 2,000 or 3,000 rupees, to be able to give a beating to Bourkey, so as to lay him up for 2 or 3 months, and could prove that whips were purchased purposely for this assault, which was a planned and deliberate one.

D. McFarlan, proved the reconnoissance in which he had bound the prosecutor to keep the peace towards J. A. Guest, for one year, and gave B. Furie and J. Peterson, very good characters, as far as they officially come under his observation.

L. F. Bourkey, the prosecutor, deposed, that he resides in Cossittollah, and carries on the business of a tailor. J. W. Peterson and F. H. Peterson are Guest's brothers-in-law, Mr. Munaw is a writer of Guest's, and B. Furie is a Police assistant. Guest sent for a person from England who refused to come, and then the person who was empowered to send out a person, engaged Bourkey for Guest, provided that Bourkey did not like this country he was at liberty to return to England. On Bourkey's arrival in Calcutta, deponent gave him a written agreement: deponent was by this agreement to go to Meerut and replace Gilbert, the partner at Meerut as a 1/4 share partner. Mr. Bourkey objected. Guest then offered to take him as a partner into the Meerut business, when the business should amount to 4,000 rupees per month. Deponent objected and Bourkey left him. Deponent then proved the agreement he had entered into with Guest on his arrival in Calcutta. After deponent left Guest and set up for himself, Kemp, an attorney of the Supreme Court, wrote some letters enclosing some propositions for Bourkey to purchase Guest's business for 70,000 rupees. Here the letters were put in and proved. Subsequently Bourkey employed Mr. Collier in this business. On the 19th of April, about 1 o'clock, Guest went to Bourkey's shop with a whip in his hands and called out to deponent, "come out you coward and I will thrash you." Deponent said, "go home, Joe, from this hot sun," and Guest went home. After this John Peterson and B. Furie called at the deponent's shop and sent for him, and asked for an explanation. Deponent said, "if you will ask it in a proper manner I will give it." J. Peterson then, with a whip which he held in his hands, struck deponent on the head, and deponent retaliated. B. Furie then seized deponent's hands and then F. Peterson, Munaw and Guest rushed in and Guest said, hold the rascal till I can get at him. They then commenced a general assault on this deponent. Deponent then got free from them and got a stick from his shop and came out to the assailants, and when they saw this stick they ran away, and Guest in his hurry left his hat behind. After this deponent went to the Police, taking Mr. Frederick, who he met in the way, with him. On the road, deponent saw Guest and his gang, and Guest called out to this deponent and threatened him with a whip. When deponent saw this, he showed them the stick which he held in his hand, and Mr. Frederick went and spoke to Guest and his party and they desisted from all hostile demonstrations; and deponent continued his route to the Police Office and lodged his complaint before Mr. McFarlan.

Cross-examined.—Deponent was born in London, but reared in Dublin. If a person born in England is an Irishman, deponent is not otherwise. Deponent was to

receive 100 rupees a month from Guest up to a certain period, and his board and lodgings were to be found him. Deponent was always well treated till October 1836 by Guest, and he voluntarily raised deponent's salary to 150 rupees per month. Deponent, when he arrived in the river, had a higher offer from another house. Deponent was voluntarily received as an inmate of Guest's house, and he always behaved well in both his professional and private connection with Guest. Mrs. Guest behaved faithfully and friendly to deponent. Deponent was near a meat safe and Mrs. Guest was near deponent. Guest came in and said that deponent wished to kiss Mrs. Guest, and wanted to stab Mrs. Guest with a knife, and desired deponent to leave his house. Deponent desired Guest not to injure his wife, and said when he was cool he would give him any explanation he required. Deponent never offered to kiss Mrs. Guest, and he never begged Mrs. Guest's pardon, and he had never acknowledged doing this to Mr. Kemp. Guest said, that if deponent would marry Miss Peterson, Guest would forget all and still take him as a partner in his business. Deponent said to Mr. Kemp, that Guest had charged him with attempting to kiss his wife. When Guest made this proposal about Miss Peterson, deponent said, that if Guest would let him have his way he would in 4 or 5 days see Miss Peterson and propose to her; but Guest wished him to see Miss Peterson and propose immediately. If Guest had let matters alone, he might have got married to her by this time; but Guest spoiled it all. Miss Peterson never refused deponent, and he thinks that she would not refuse him now. Deponent had some intention of marrying Miss Peterson, but he was refused by Miss Peterson's family. After the quarrel of 10th October, 1836, Guest provided deponent with other lodgings till this affair was hushed up. If deponent promised now to marry Miss Peterson, Guest would receive him back again. The reason why Guest swore the peace against this deponent is this. After deponent set up for himself he sent for some clothes which belonged to another person who was going to sea. Deponent sent his bearer to Guest for these clothes, and Guest beat his bearer, and deponent went to Guest's shop to ask for these clothes, and also to know why he beat his bearer. Guest abused him and ran with a sword at him. Deponent put aside the sword and went out of the shop and said, "Guest, you are only making a fool of yourself." Guest, thinking Bourkey might swear the peace against him, went out to the police and got the start of him, and swore the peace against deponent. The jury can best say whether they are to believe him or not. Deponent is a man not given to drink; he is as sober a man as any in Court—as sober as Mr. Prinsep. Mr. Prinsep said, that he did not wish for his character from deponent, and deponent replied he did not wish for his either, from Mr. Prinsep. Deponent never went to Guest's shop while drunk, and offer to apologize to Mrs. Guest. Mr. Lawrie wished deponent to apologize to Mrs. Guest, but as he had never offended her he declined to do so. He was once met by Mr. Collier, a little elated; some of his friends had put a trick on him, and had given him in some brandy, gin instead of water. Mrs. Guest, deponent understands, has gone to Germany. Deponent, owing to sickness, was here accommodated with a chair. Deponent did meet Mr. Passas at a party, and he might have mentioned Mrs. Guest's name. Deponent believes it was before Mrs. Guest's departure. Deponent never said anything disrespectful of Mrs. Guest. Deponent never before Mr. Passas boasted of any correspondence with Mrs. Guest. Deponent first said that he had never had any correspondence with Mrs. Guest after his departure from Guest's house; afterwards he said he never had any correspondence with Mrs. Guest after her departure for Europe. Deponent had addressed letters to Miss Peterson, without the knowledge of either Guest or the Petersons; he did not care a fig for their knowledge. So long as Miss Peterson wrote to him he sent

her replies. Deponent cannot answer every questions four times. Deponent did not apologize to Peterson, nor would to any person in a threatening attitude. Neither Peterson nor Mr. Prinsep is able, singly, to beat deponent. Furie interfered to prevent deponent from defending himself from Peterson. Furie said before the Chief magistrate, that he went to see Peterson spit in deponent's face and prevent deponent from defending himself. Deponent believed that he would grapple the throat of any person who would assault deponent. Deponent complained against the conduct of seven persons assaulting one person, and so deponent believes Mr. Prinsep would do, if he were assaulted by seven persons.

Mr. Prinsep wished to examine this deponent on his religious belief as to a God and a future state.

Mr. Clark objected to these questions being put to the deponent. He said that if the counsel for the defence believed the prosecutor was an atheist, they ought to have objected to the deponent's evidence before he was sworn; they had no right to examine him on that point now. It was a matter of interest, he might make objection, but not on a matter of belief.

The Judge said, that a counsel may make objections at any period of the proceedings that he thought fit.

Deponent here offered to reply to any questions Mr. Prinsep might think proper to put to him respecting his faith; and a few questions were put and answered.

Guest never offered 10,000 rupees to the deponent if he would go to England; if he had done so, deponent would have very willingly accepted the amount. Guest wished to take this deponent in, by sending him an agreement which Mr. Collier declared not to be worth a cowrie. Deponent here taxed the counsel for the prosecution with endeavouring to exhaust his breath by questioning him so long, as deponent has just recovered from a complaint in his chest. Deponent's counsel scorned the imputation, and after asking him if Furie and he were ever on bad terms before, and getting an acknowledgement that they were not, he said to deponent that as he was sick he may go; adding, that he had exhausted himself by giving long, explanatory answers, where short denials were only required. Deponent said, that he admitted that he was desired by Mr. Kemp, neither to send messages nor to appear personally at Guest's, and he would not have done so, if Guest had given up the clothes of the man going to sea, which were in his house. He believes that Mr. Kemp, who had undertaken to bring about a reconciliation, unnecessarily kept the parties aloof.

J. B. Harman, deposed, that he is a partner in the firm of Watson and Co. and proved that he sent six whips on inspection for sale to Guest.

Cross-examined by Mr. Leith.—Deponent has good whips for sale. [Here Mr. Clark remarked to Mr. Leith, "you had better try them." He replied "ye," and that Guest has a horse; the whips were horse-whips.] Deponent has dealt with Guest, but never saw him on horse-back.

Bhoolanath, deposed, that one day J. Peterson and B. Furie went to the shop of Bourkey, his master, and sent word to see him. When Bourkey came down, Peterson and he conversed, and J. Peterson struck Bourkey, and B. Furie held Bourkey's hands, and Guest, F. Peterson and Munsaw, who has but one eye, and two other individuals, rushed into the house and commenced a simultaneous attack on deponent's master. Deponent when he saw this, became alarmed and ran away. Deponent identifies all the defendants but F. Peterson,

Cross-examined by Mr. Prinsep.—Deponent does not carry letters for Bourkey; he has a writer, and three peons are employed to take the letters. Deponent did not see Bourkey strike Peterson. Deponent saw Furie

hold Peterson. Deponent only saw the blows his master received and not those which he gave.

Choitun Doss deposed.—Deponent was in April prosecutor's sirdar bearer. Deponent was washing his plates after his meals, and saw Guest, Peterson, Furie, Munsaw, and others enter Bourkey's shop. Four of these persons had whips in their hands, and they began to beat Bourkey with the whips. Deponent then identified Guest, J. Peterson, Furie and Munsaw. After Guest had left the shop, he shook his whip at Bourkey and threatened to beat him again.

J. A. Augier deposed, that his house is opposite Bourkey's shop. On the 19th April, 1837, Guest came to deponent's shop at half past 2 o'clock p. m., and said that he had some thing to say to Bourkey. Shortly after this Munsaw came and spoke to Guest, and Guest rushed into Bourkey's shop. Deponent cannot say whether Munsaw went into the shop or not. Deponent did not spy to see what was going on. When deponent went near Bourkey's shop door, he saw Furie in the shop, and the two Petersons rushed out of Weston's Lane, and into Bourkey's shop. Deponent then heard the noise of whips being exercised, and saw all these defendants come out, and Guest shook his whip at Bourkey and then went away. Here deponent identified the defendants in the Court.

After this the recognizance of the prosecutor to keep the peace for one year towards Guest, the agreement sworn to by Bourkey, and the letter which he had sworn to have received from Mr. Kemp, were put in and read.

This closed the case for the prosecution.

Mr. Prinsep.—There is no class of crime which varies more in its nature, than that of an assault: it varies from a violent and brutal assault to holding one's fist to a person's face. The present case is, that L. F. Bourkey has had a horse whipping, and it is for you to judge whether he has brought it upon himself, and whether he has or has not deserved it. When he said that Bourkey was an Irishman, a country famed for courage,—and Bourkey of course, he supposed, was not an exception to the general rule, for he, it seems, drove away a whole hut with a tailor's yard; and he must have some very strong grounds for not resorting to the usual mode his countrymen resort to, but another mode which, although it is a perfect, just and legal mode, is not very often resorted to by his countrymen. Defendant's counsel added that Guest brought Bourkey from London to Calcutta, but it was he (the counsel) that took him back to Dublin, and proved his Irish blood and Irish noodle. Here the counsel detailed the evidence of the kind manner in which Bourkey was received by Guest, and the return made by him for such treatment in his conduct to Mrs. Guest. He next wished to shew that Bourkey, when he was brought out from England, was in embarrassed circumstances, and that he never seriously intended to marry Miss Peterson, and remarked, that Bourkey had sworn that Guest had hurried him in the business, and this had prevented and broken off the marriage. Marriages are not so hurried in this country, that Guest would not allow him even 5 days to settle his business. In fact Bourkey's conduct had driven Mrs. Guest from her husband and house to another country. Can the jury believe Bourkey, who has positively sworn that he never corresponded with Mrs. Guest after he left Guest's house, and has again contradicted this statement? Can they believe him that he could be bound over to the peace towards Guest, who himself assaulted him? This is the first time he has ever heard of a person being bound to keep the peace because the person who swears it against him, had nearly run him through with a sword. Here the counsel quoted Romeo and Juliet, the passage where it is said that it is dangerous for persons to walk the

streets, for there was then blood spilt. But here, added he, there has been no blood spilt; a good horse whipping given to Bourkey, when he with his fresh and vigorous Irish strength grappled with J. Peterson (who together with Furie are proved by Mr. McFarlan to be the two quietest persons in Calcutta), who went to ask satisfaction for his conduct towards his relatives. He is refused, and Peterson, in the heat of passion, gave him a slight blow on the head; and what did Furie do? he only attempted to keep off a breach of the peace by holding Bourkey who had nearly throttled J. W. Peterson, and then the others came and rescued him. Bourkey is even contradicted by his own bearer, who said that all the four persons were in the shop when Bourkey came down and not that only two of them were there when Bourkey came down and that the others came afterwards, as Bourkey has sworn: he left Bourkey to take his choice between him and his bearer. If Bourkey wished to clear up his misunderstanding with his employer, by whom he was well treated up to that period, he might have said to Guest, "there is some misunderstanding; give me your hand, Guest, and I will within one month give you a proof positive that all is right; for I intend to propose and marry your sister-in-law within one month." But, no; Bourkey's Irish blood thought that he could carry it all in five days. He then said, that Bourkey is a person who he (the Counsel) did not believe to keep the very best company or to be so very sober as he has stated himself to be. He did not visit very respectable places, Vandenburg lane, for instance, and that not in the best company. He had further affronted Mrs. Guest by having falsely boasted of having had correspondence with her after he had left Guest's house; and as to his boast of being accepted by Miss Peterson, how could the jury believe it when it is natural to suppose that his very conduct to Mrs. Guest, the sister of Miss Peterson, would have in itself been enough for any female, and almost certainly relatives, to reject his address at once with indignation. He concluded by remarking, that even if the Jury found the parties guilty of an assault, the ungrateful and prevaricating conduct of the prosecutor, would greatly palliate their offence.

A. D. Kemp, deposed, that he is the attorney of the defendants on this occasion, and he has heard Bourkey's evidence in this case. He had a conversation with Bourkey regarding his quarrel with Guest, and said to him that by his foolishly so doing he had ruined his prospects in life. Bourkey then admitted, that he had kissed Mrs. Guest, and said, he did it as he intended shortly to marry her sister. He regretted and offered to apologize for it; but defendant said it was then too late.

Cross-examined by the Jury.—Query.—Did Guest still wish to employ him? Deponent.—No, he wished in disgust to throw up his business, sell his shop and quit the country; and this is the amicable adjustment he alluded to in his letters to Bourkey.

Cross-examined by Mr. Clark.—Deponent was informed by his client, Guest, to inform Bourkey not to come to his house, nor send messages to him; and Bourkey said, on this deponent speaking to him on the subject, that he had kissed Mrs. Guest, and then deponent did not immediately but shortly after tell Guest of this confession. Defendant was not the first to inform Guest of Bourkey's having kissed Mrs. Guest, this he knew himself. Query by Mr. Clark.—Guest would have amicably settled this dispute about the kiss, if Bourkey would have given 70,000 or 80,000 rupees for the concern, and this would have raised his heart which had been depressed by his kiss? Deponent.—80,000 rupees would raise any man's heart. Deponent advised Bourkey to get another attorney; for by acting for both parties, he had found the dilemma attorneys are brought

into by acting for both parties. There were many papers of various kinds drawn up at deponent's office in the day: he drew the articles of agreement for Guest and Bourkey, and some discrepancies might have crept into them. Mr. Clark remarked, that he believed there were; but no body cares if there were.

J. Passos, deposed, that he is a clerk to Guest. He knows Bourkey and he met him in Vandenburg's lane. He has heard Bourkey's evidence in Court this day. He has heard Bourkey's denial of the charge of his correspondence with Mrs. Guest in Court to-day; but the charge is true. On being asked, deponent said, that this acknowledgement by Bourkey of his having corresponded with Mrs. Guest up to that time, was about one month after Bourkey had left Guest's house. Mr. Monteith and others were then in the ball room when Bourkey said this to deponent; afterwards deponent added that Bourkey took deponent aside into a garden, directed all other persons to go away, and then confidently communicated this information to deponent, knowing deponent to be then in Guest's service. Deponent cannot say when Mrs. Guest went to Europe; but this communication was made before she went to Europe. The instance mentioned, was the only time Bourkey ever communicated a secret to this deponent, and he did it voluntarily and unasked for.

This closed the case for the defence.

Mr. Clark addressed the Jury and said, that Mr. Prinsep had asked them whether they believed Bourkey; he asked them now whether they believed this deponent: who, though he cannot say the date on which his Master's wife left this country, can say the particulars of a conversation so far back?—and whether they can believe that Bourkey could come up to a low menial and take him on from a ball room to a garden, and voluntarily make a confession to him. Prosecutor had given his Counsel particular instructions to keep Mrs. Guest's name out of the case; but he it said to Guest's shame, that he was the first person to bring her name forward with a slur on it in this case. Can the jury believe the witness when he speaks thus? and if they cannot, can they suppose that his simplicity could make out this story, or whether it is more probable that his Master has scorned him?—and if they came to the latter conclusion, how can they believe the rest of the defence? A slur had been unwarrantably thrown on the prosecutor's character, with the exception, as he has admitted, that he was once tipsy by having a very common trick played on him, that of mixing gin with the brandy. If Bourkey was a drunken, debauched character, and he had entered Guest's shop drunk, why was not evidence offered on that subject? He then said, what are the jury to say to a person who permits a man to kiss his wife, then offers to give him his sister with 10,000 rupees in marriage, and then offers to put up with every thing, and settle amicably, if Bourkey will give him 80,000 rupees and buy his business, and enable him to retire. And where has the offended dignity of the husband evaporated? Why, instead of seeking an apology he endeavours to soothe Bourkey's irritable feelings and coax him out of 80,000 rupees. If the letters were sent by Bourkey to Mrs. Guest after he left Guest's house, where are these letters? If they are with Guest, why are they not produced in Court? If they are in Mrs. Guest's possession and she has withheld them, then it shows that if she was not guilty in body she was guilty in mind. Again, if it be said, that there is no imputation cast by the husband on the wife; why, there is no evidence to show she ever complained or resented this kiss. Not content with this, the name of another lady is brought forward; and Guest, after having detected Bourkey in the attempt, by his own shewing, to seduce his wife, gives him a better opportunity to effect this, by wishing to hurry on this very seducer to

marry the sister of his wife, and offers him 10,000 rupees if he will do it within five days. Here he concluded by saying, that he believed the defence to be a made up story, totally false and infamous; and reflections had been cast by it on the characters of two ladies, by the very persons whose duty it was to protect and defend them from such imputations. With regard to Mr. Prinsep's saying how far Bourkey's conduct provoked the horsewhipping, he remarked that nothing can justify a man taking the law into his own hands. As for Mr. Kemp's deposition, all that he can say about it is, that it is in direct contradiction of his own declaration, let him make the best he can of this declaration. He likewise remarked on the cruelty of endeavouring to blast a man's prospects in life, by endeavouring to injure him by throwing out imputations against him that he is an atheist and a drunkard, and not offering any evidence to support these allegations.

The Judge said, that the case had already occupied a great deal of their time, and the principal point is whether they can see any ground to discredit the account given by Bourkey of this assault. He has candidly admitted that as J. W. Peterson assaulting him he returned the blow in the first instance, till he was held by Furie. There are many imputations thrown out by Mr. Clark against Guest's and Mrs. Guest's character. By the showing of defendants in this case, it is not for me to say, how far Mr. Clarke is correct in so doing; but it does appear that there was some domestic quarrel which caused this breach of the peace. Notwithstanding the impeachment attempted to be thrown on Bourkey's statement, it does appear that there was a letter which provoked this breach of the peace. If the jury did not believe Bourkey, then they must find a verdict of an acquittal for the defendants; but if they believed his evidence, there can be no doubt that they must return a verdict of guilty against J. W. Peterson, who first struck the blow. Then it will be for the Jury to consider whether Furie's and the other defendants' (with the exception of Munsaw's) interference was called for, for there is no direct proof of Munsaw's interference. Nor is there any direct proof of J. W. Peterson being struck by Bourkey; but Guest's rushing into the house, shaking his whip, challenging Bourkey; they cannot, if they return a verdict of guilty, totally exclude him from being an assaulting party. If Bourkey had been the first aggressor, and Guest had gone to rescue his brother-in-law, it might amount to a justification; but in the present evidence they cannot but convict him also. Then they are to consider whether Furie laid hands to assault Bourkey, merely to save Peterson from the retaliation of Bourkey for the assault made on him. The Judge then concluded by observing, that nothing could justify an assault, be the provocation what it might be, as no person had a right to take the law into their hands. After this he left the case with the Jury.

The jury, after a retirement of above a quarter of an hour, returned a verdict of guilty against J. A. Guest, J. W. Peterson, B. Furie F. H. Peterson; but recommended Furie to mercy. T. J. Munsaw was pronounced not guilty. After this verdict was recorded, the prosecutor's counsel said, that the prosecutor had himself said that he did not blame B. Furie, and if he could get him out of the scrape he would.

The Judge said, that although there is no doubt that there was a very great provocation for it, and the assault itself was not of a very violent nature, yet nothing could justify the assault of 7 persons on one individual. Under all the circumstances of the case, he sentenced J. A. Guest and J. W. Peterson as principals, to pay a fine of 200 rupees, each; F. Peterson to pay a fine of 100 rupees; and B. Furie taking the recommendation of the Jury and the declaration of the prosecutor himself in his

favor into consideration, to a fine of 50 rupees; and that they be imprisoned till these fines be paid.

MOTIONS IN TRAVERSE CASES.

In the case of a conspiracy against Janooke Doss and others, the defendant Janooke Doss appears to-day in Court to take his trial. On the rehearing of the case, the names of the prosecutors were called, but no body answered, nor did the witnesses appear in Court to give their evidence. The Counsel for the defence then moved the Court, that a verdict of not guilty be recorded and the defendant released from his recognizances. The Judge on this recommended the Jury to pronounce a verdict of acquittal, which they did. The case was then struck off from the traverse board, and the defendant released from his recognizances.

In the case for Perjury against Bykauntoo Doss, the Counsel for the prosecutor stated to the Court, that the prosecutor who was the chief and only witness was in Court, ready to prosecute on his recognizances; but that it legally required more evidence than the single testimony of the prosecutor himself to convict any person of the crime of perjury, therefore the case could not be tried. The Judge coincided in opinion with the Counsel and directed the Jury to return a verdict of not guilty. After this verdict was recorded, this case was likewise struck off from the traverse board and the defendant released from his recognizances.

In the case of a forcible entry and an assault, a motion was made by the prosecutor's Counsel, that the prosecutor, who was the principal evidence, had been attacked by a severe fever the day after the notice of the surrender, and the intention of the defendant's to take their trial during this Session, had been served by the defendant's attorney to the prosecutor's attorney. He offered to put in three affidavits, one of the prosecutor, one of the medical attendant of the prosecutor, and the last of the prosecutor's attorney, that the prosecutor was unable from indisposition to attend the Court, and requested the Judge to let the case stand over for trial during the next term. The Judge replied that provided the defendants would consent, he had no objections otherwise he could not compel them to either go to jail or have their recognizances extended for nearly 3 months more, which they must do if the case was postponed till the next Sessions. The Counsel for the defence replied, that he was willing to let the case stand over till the next Sessions and the recognizances be extended to that period, provided the prosecutor would pay the defendant's costs for the expenses they have incurred in bringing on this suit for trial during this Session, and this they were both legally and conscientiously bound to do. The prosecutor's Counsel consented to the arrangement, and the case was postponed to the next Sessions.

In conclusion the Judge told the Jury that he could not finally discharge them to-day, because there was yet another important case to be tried during this Session; but when the trial would come on, depended on circumstances that he could not foretell; but he advised some of them to be in Court on Monday next when he might be able to speak more deliberately on this subject to them.

The Court was then adjourned till 1 o'clock p. m. on Monday next (to-day).—*Hurkaru, August 14.*

AUGUST 14, 1837.

One of these proceedings which are of rare occurrence in this country, took place to-day in the Grand Jury

room, namely a jury impaneled under a commission of Lunacy. The Commissioners were Mr. Theodore Dickens and Mr. Morris Fitzgerald Saules, and the following jury were sworn.

• **GEORGE JOHN SIDDONS, Esq., Foreman.**

Charles Dearie, Esq.	W. C. Hurry, Esq.
Baboo Aushootas Day.	Prosonacoomar Tagore.
J. W. Grant, Esq.	J. Fergusson, Esq.
R. Walker, Esq.	A. Gilmore, Esq.
S. R. Crawford, Esq.	W. Storm, Esq.
L. De Souza, Esq.	W. Prinsep, Esq.

Mr. Clark stated the case to the inquest.

This Commission had been sued out by his client, Mr. John Wallis Alexander, as Assignee, of the estate of the Seins, who had been large shroffs in the Burra Bazar. One of the members of the family, had become insane, about three years and a half ago, whose lunacy was brought on, it was supposed, by his losses in trade, and the premature death of his wife and only child. For the first two years the unhappy man had been so violent, that considerable restraint was necessary; but during the last eighteen months he was tranquil, yet he would not reply to any question, nor speak; he was unconscious of cleanliness and merely took his food when given to him. The family having become insolvent, the Assignee experienced difficulties in winding up the affairs, as Ramnarain was incapable of executing the necessary instruments. A Committee must therefore be appointed to do it for him, but this could not be done by the Court, until a jury had pronounced him insane. There were seven points on which the jury ought to return their verdict. Whether Ramnarain was a lunatic, whether he had lucid intervals, whether he was capable of managing his property, for how long he had been a lunatic, how he became insane, what real estate he was entitled to when he became insane, and whether he had alienated any of it since his insanity. Mr. Clarke said, that as the Assignee was satisfied on the question of property it in fact being joint, he should offer no evidence on the last two points.

Nubbokissore Sein, a cousin, Debnarain Sein, a brother, of the lunatic, Muddenmohun Sill a gomastash in the family, and Dr. Egerton were then called and examined.

Mr. Clark was proceeding to call other members of the family, when the Foreman, Mr. Siddons, intimated, that the jury were satisfied and the following verdict was returned. The jury find that Ramnarain Sein is a lunatic, and has no lucid intervals, that he is incapable of managing his affairs, and that he has been a lunatic for three years and a half, having become so through the visitation of God. The finding was then engrossed in duplicate, on parchment and paper, indented, signed and sealed by the two Commissioners, the Foreman and the twelve jurymen. The inquest was then dissolved, the proceeding having occupied about an hour and a half.—*Hurkara, August 15,*

ADMIRALTY COURT SESSIONS.

Before Sir B. Malkin, Knight.

NAMES OF THE SPECIAL GRAND JURYMEN.

Foreman—G. Vint, Esq.

W. Limond, Esq.,	F. Hampton, Esq.,
A. Wilson, Esq.,	H. M. Low, Esq.,

D. Hare, Esq.,	J. Beecher, Esq.,
P. H. Gardiner, Esq.,	J. Strainsforth, Esq.,
J. C. Erskine, Esq.,	R. Campbell, Esq.,
M. S. Owen Esq.,	W. Bracken Esq.,
D. McDonald, Esq.,	D. B. Syers, Esq.,
R. Piesgrave, Esq.,	Baboo Ram Hurry Dut,
H. T. Palmer, Esq.,	Baboo Doorgachurn Pal,
J. W. H. Campbell, Esq.,	Baboo Ramcomul Sen,

The Judge said to the grand jurymen, that he believed it would hardly be necessary to explain to them, the cause of their being called on a special jury, after the grand jury which had been summoned for this session had been discharged, for he believed it was generally well known to all of them, that the settlements on the Malay Coast did not receive a power to try Admiralty cases till the last Session of Parliament, and that Act had not yet arrived in India. This case could not be postponed, because the principal witnesses in it, who are in H. M. employ, are ordered to Europe by his Majesty; and therefore if, the case was put off till the arrival of the act, the evidence of these witnesses would be lost. If would, had the act reached the Coast settlements, or if the witnesses could have been detained, perhaps have been better to have had the case tried at that settlement, in which the crime was committed; but in this case, if the case was postponed the object of justice would be defeated. In this case his lordship said, he had but few remarks to make, because the depositions taken before the magistrates had in a great measure removed these difficulties. Perhaps the habits of the people who are to be tried, are better known in the Coast settlements, than here, still even his lordship believed, that their habits were perhaps sufficiently known here to some of the jurymen, to enable them to give the due and necessary consideration to the bill which will be brought before them, and to come to a finding of it, either for or against the prisoners. If they required any information from him on any subject, he would be most happy to give it to them as far as it was in his power to do so. The case, his lordship remarked, was not in itself a very intricate one, being one of those piratical cases which are very common, his lordship believed, on the Malay Coast. With these observations his lordship left the case in the hands of the jurymen.

After this the jurymen retired and the Lord Bishop of Cochin was sworn in to act as interpreter to them.

This jury was composed of only 21 jurymen and not 23,—the usual number required to form a grand jury,—in consequence of many of those who were summoned not having answered to their names. The Judge disapproved of the inattention of the jurymen, and said, he was sorry to observe, that if the jurymen did not attend to their summonses he must enforce the fine against them.—*Hurkara, August 24.*

• SUPREME COURT ADMIRALTY SESSIONS.—AUG. 24, 1837.

Before Sir B. Malkin, Knt.

Gunan, Layhee, Soobhoo, Saloo and Teebee, 5 Malays, the first of whom was of gigantic stature, were tried for having committed piracy on the high seas, within the jurisdiction of the Admiralty Court of Calcutta, by having, on the 14th of April 1837, off the Island of Tinghee, lying between Singapore and Anam, robbed and plundered a Cochin Chinese bark, the property of a person named Than, and killed 2 of the crew.

The prisoners pleaded not guilty.

J. Pearson, Esq., Advocate General, J. Cochrane, Esq., standing Counsel, and T. B. Swinhoe Esq., Company's Solicitor, conducted the case for the prosecution.

Mr. John Gray was sworn, as interpreter of the Malay language to the Court, and the prisoners in this case, they having declined to have another person sworn specially for them though offered the choice by the Court.

The Bishop of Cochinchina was, after much reluctance, sworn to interpret from that language to the Court. He declined at first on the plea that he had already been sworn as interpreter in this case yesterday, and he did not see the necessity of re-swearing him on the very occasion, to-day.

The Advocate-General, in opening the case for the prosecution, informed the Petit Jurymen, that they had already heard the indictment read to them, so there was no necessity for him to recapitulate the charges on which they are to try the 5 prisoners at the bar. Nor would he detain them long, suffice it to say, that the crime of Piracy with which these prisoners stand charged, is very common on the Malay Coast, from which these prisoners are brought here to be tried. The outlines of the case are simply these. Certain merchants of Cochinchina having a desire to establish a trade with the port of Singapore in the month of March last, loaded a boat belonging to a countryman of theirs with rice, silk, cinnamon and salt, and set sail for the Port of Singapore. On the 19th day after their departure, whilst they were lying becalmed at sea, near the island of Tinghee, near the Malay Coast, 7 piratical praws rushed on their vessel on the morning of the 14th April last. They attacked the trading vessel instantaneously, and killed two and wounded one of the crew. The crew of the trader finding the pirates too powerful for them to resist, surrendered, and whilst the pirates were the next day removing the cargo from their prize to their own prahu, the *Diana*, steamer hove in sight. Seeing her the pirates left their prize, boats and cargo, and fled into the jungles for seclusion; but their captives being thus unexpectedly relieved from captivity if not death, hoisted a piece of white cloth as a signal of distress to the steamer, and made towards it. By this vessel, the surviving crew were taken to Singapore, from whence one of them named John Nam, afterwards returned on board the Cruiser *Wolf* to the island of Tinghee, and came upon these freebooters by surprise. 14 of them were captured by the Steamer's crew, and on being brought to Singapore, where the other portion of the crew of the Cochinchinese bark was, they were identified by them, and the Police authorities at Singapore considered it advisable to commit 11 of them to take their trial at the Admiralty Sessions at Calcutta and shipped them on board the *Wolf* for that purpose. Six of these men have subsequently escaped by jumping into the sea; but the remaining 5 are the prisoners at the bar. The rest of the case, the Advocate said to the Jury, the witnesses would state to them, and though they are not all the witnesses he would have called if he conducted the case at Singapore, yet he hoped that they would suffice to meet the ends of justice.

John Nam deposed, that he is a native of Anam (i. e. Cochinchina) and professed the religion of the God of Nature, (i. e. a Roman Catholic.) Deponent recollects that he on the 20th day of the 2nd moon of the present Cochinchinese year, having, together with eight of his countrymen, hired a vessel from a person named Than, and having loaded it with 300 peculs of rice, 158 rupees' worth of salt, and 100 lbs. of cinnamon, they quitted their country on a trading voyage to Singapore. Nothing remarkable occurred during the first 18 days after they had embarked on this enterprise; but on the morning of the 19th day, whilst their vessel was lying becalmed off the Malay coasts, seven Malay praws, each manned by nine or ten men armed with muskets and spears, came suddenly upon them from the main land and attacked their boats. After they had killed two of

their crew and wounded the third, the others finding resistance to be futile, surrendered to these pirates, who immediately seized their vessel and took it to the island from whence they had come. This island is one day's sail from the island near which they were attacked. They there stripped the crew, and began to tranship the cargo from the trader to their own prahus, four of which sailed away with a part of the plunder, and the other three remained to guard their prize, the remaining cargo and prisoners. Whilst the pirates were transferring the cargo of the Cochinchinese boat—which they had lightened, and dragged up on the sands—to their own boats, an English steamer was perceived to be in sight bearing up towards them. When these Malays saw her, they left boats, prisoners, cargo and all, after throwing a portion of the salt and cinnamon into the sea, and fled into the jungles on the island to hide themselves. The Cochinchinese, when they perceived the steamer, hoisted a piece of white cloth as a signal of distress, and manned one of the Malay praws with two men and pulled towards the steamer; which, when it perceived their signal, likewise lowered a boat for them. Deponent cannot say whether the men of the Steamer's boat first went on shore, or whether the crew of the Cochinchinese boat was taken on board of her; but they eventually assisted the Cochinchinese in hauling their boats from the beach into the water, and they sent a party to search for the pirates on the island, but they failed to discover any of them at that time. The Cochinchinese trader was not armed. Afterwards they went with the steamer to Singapore. Deponent subsequently embarked from that port on board the Cruiser *Wolf*, commanded by Captain Stanley, and went in search of these pirates. They then came to an island the name of which this deponent has since ascertained to be Pooloo Tingee, where two Malay men came down to meet them on their landing, bearing white flags tied to the poles which they held in their hands. None of the prisoners at the bar are either of those men. He then pointed out by signs to the Chief Officer of the *Wolf*, fourteen Malays whom he recognized to have been amongst the pirates who had attacked and plundered his vessel. The five prisoners at the bar were amongst those fourteen men. They were taken into custody by the chief mate and his party, and brought on board the Cruiser to Singapore, where the remaining five men of the Cochinchinese vessel recognised them. There were only five left out of the nine men which composed the crew of the trading vessel, because the four prahus which carried away a part of their cargo likewise took two of their comrades into captivity. At first all the prisoners were confined at Singapore jail, but subsequently eighteen of them were shipped on board the Cruiser for Calcutta. Of these six men have escaped and five are now at the bar of this Court for trial. Deponent never entertained any doubt of the identity of these men at the Singapore Police Office. Deponent said that eight men had assisted *vi et armis* in the attack made on the trader, and killed two men and wounded another. Shingee, the man blind of one eye, had a musket in his hand which he fired at the trader's crew, and so did Shuboo. These two were amongst the men who were most active participants in the attack on the deponent's vessel; the other three men were present at the time the vessel was plundered, and assisted in stripping the crew and transhipping the goods into their prahu. Deponent had not a competent interpreter at Singapore, and as he was not so minutely questioned on these points there, he only mentioned the active partakers in the attack on the merchant man. At the Police Office at Calcutta, he mentioned all the prisoners as being present at the seizure of the vessel. The vessel belonged to a Cochinchinese physician named Than, from whom the deponent and his comrades had hired it for the voyage. All the crew were shareholders in the freight, from the value of 200 rs. to 300 rs. each share. The vessel had an upper deck of bamboo, with

platforms to lift up or let fall and cover the whole length of the vessel: it was about 90 cubits in length, and the deck was divided below into 3 partitions. The Malay prahus were about 30 feet in length each and were each moved by 9 or 10 men. They had a large wooden barricade about 4 or 5 feet high on the prahus with bamboo facings about 2 inches thick fixed to them. The clothes were (pointing to some produced in the Court) partly deponent's and partly belonging to the 2 men who were killed in the attack. The saw, and other sundry articles, belonged to the ship's stores. They were all found in the possession of these pirates when they were captured by the cruiser's crew. The man who stripped deponent and likewise the man on whose back these clothes were found, have escaped. The Cochin Chinese bark was of the burthen of 20 shares, of 40 peculs each—each pecul contains 133 lbs. The trader carried sails and was rowed likewise. The denomination of these kind of trading vessels in the deponent's country is jeebows. There was no specific name attached to the vessel itself. There was no war, at the time the Malays attacked deponent's vessel, between the Malays and Cochin Chinese. Deponent believed his nation was at peace with all other nations. The attack was completely unprovoked. Deponent did not see any cannon on any of the Malay prahus; they attacked with muskets and spears. The names of the men killed by the Pirates were Tynn and Shaun; the names of those taken into captivity were Hoohsom. Two others, named Sahoun and Heen, have remained at Singapore, and the deponent Gohee and Toonghoo are herein Court as witnesses in this case. Deponent had never been on either of the islands before, viz. the one where the pirates took the vessel or the one where they were captured by the crew of the *Wolf*. He cannot say whether they are islands or part of the continent, and does not know their names.

Tahoe and Toonghoo, 2 other Cochin-Chinese, who were part of the crew of the seized trader, deposed to the same purport as this witness, with slight discrepancies. Tahoe, said, for example, that 3 of the pirate boats had one mounted cannon each, and that the calibre of each cannon was of the thickness of deponent's thigh; whereas the first witness said there were no cannons, and that these cannon were fired twice; but as to the musketry, he could not say how often that was discharged; and Toonghoo said that he was wounded under the elbow by a ball fired from a musket by Suhjee, and he fell senseless into the boat therefore he could not recognize any of the free booters. He showed the scar of the wound to the jurymen and said it was healed by medical attendance at Singapore, and that the name of the island to which the pirates took them was Mahrtin. Neither of these deponents accompanied the first witness in the search after the pirates nor went on board of the cruiser for that purpose. They said that Subhoo had struck them on the head with a club, after their capture. They said such portion of the goods as the pirates could not take away with them, they threw into the sea. Their distance of one land from another was described by them by saying that they were 12 hours sail from the main land and each other.

As these 2 witnesses were not Christians but idolators, they were examined on their solemn assaviration, by lifting up their hands on their heads and calling God to witness, that they spoke the truth, and to punish them if they would speak falsely. This mode of oath the Cochin Chinese Bishop declared, to be the most binding on their conscience, and this is the oath he originally has administered to them whenever he had occasion to examine them on any very material point.

During the examination of the witness Tahoe, Mr. Seret, the interpreter of the French language to the Supreme Court, interpreted some of the replies so

very inaccurately, that Mr. Pearson objected to take them as correct translations of the replies furnished by the witnesses to the Court, and appealed to Mr. T. Dickens, who coincided with Mr. Pearson as to their incorrectness. Mr. Dickens then translated the remaining portion of the replies, as given by the Bishop in French, to the Court into English, and after Tahoe's examination was concluded, he was sworn as to the correctness of his own translations, and also sworn in interpreter in this case in lieu of Mr. Seret.

Mr. John Gray, was likewise more than once reprimanded by the judge for confining all his communications between the Court and the prisoners, to only the prisoner Gunnan; but he replied that all the other prisoners had entrusted their defence to the discretion of that prisoner, and had made him their speaker to the Court at this trial.

Lieut. J. A. McDonald, deposed, that he is the chief officer of His Majesty's Cruiser *Wolf*, commanded by Capt. Stanley. He on the 14th of April last, accompanied the witness John Nam to the island of Tinghee. It is a barren and jungle island, about 60 miles from Singapore, to the eastward at the mouth of the China seas, and a noted rendezvous for the Malay pirates: there is a high mountain in the midst of it. When he landed there two men came with white flags stuck to the top of their poles, to meet them at their landing in token of peace. None of the prisoners at the bar were either of the 2 men. When he visited the islands there were many Malays on it with their families; they were living in huts covered with mats. John Nam pointed out to deponent 14 men out of 17 suspected persons on that island, and deponent arrested them. Eight of these men were recognised by John Nam directly he saw them, as being amongst the pirates who had plundered his boat, and the 5 prisoners were amongst those 8 men. Deponent arrested the 14 men indicated, and took them into custody. The islanders made no resistance to their capture, because he had 30 armed men in the boat with him, and there were many more in the cruiser ready to lend them any assistance which they might have required. There were plenty coconut and betelnut trees on the island. When they visited the island, the fruits were green on the trees and there was a great deal of jungle on it. Three old men staid on the island and said they would come with their families and reside at Singapore; but they have not done so as yet. After the prisoners had been taken to Singapore and examined, 11 of them were shipped on board the *Wolf* to be brought to Calcutta to be tried for piracy. They all jumped over board with irons on their feet. Six of them escaped, but five were recaptured and are the prisoners at the bar. The Malay boats, when he visited the island, were drawn up on shore in a dismantled state. None but the piratical boats have the barricades on them. No other portion of the property except that produced in Court was ever found after the plunder of the vessels. The Malay pirates, deponent believes, attack the Chinese and the other coasting vessels; but they do not readily attack European ships because they are generally well armed and prepared to resist them.

J. Hawer, master at arms, on board the Cruiser *Wolf*, confirmed this deponent's evidence, with this exception, that Laylee, the one eyed prisoner at the bar, was one of the men who came to meet the crew of the *Wolf* when they landed at the Island of Tinghee, with the white flags stuck to the poles in their hands.

This closed the case for the prosecution.

The prisoners, who had minutely cross-examined all the witnesses, said in their defence, that they were fishermen and traders; they had visited the Isle of Tinghee when the *Wolf* arrived there, with an intention to collect for sale, shells and rattans which grew there. They

were not pirates and knew nothing of the crime laid to their charge. They had no witnesses to call.

This closed their defence.

The learned Judge, in summoning up the case, said, that the prisoners are charged with the crime of piracy on the high seas within the jurisdiction of this Court; that the vessel was plundered by pirates and two of her crew murdered, there is not the slightest doubt; the only point for the witnesses, the Jurymen's consideration was, whether this act was committed within the jurisdiction of this Court, and whether, with all the discrepancies on the part of respecting the prisoners having been recognised by the crew of the plundered vessel, the Jurymen are satisfied, that the prisoners were partakers in that cruel attack. If they are doubtful on that point, they will give the prisoners the benefit of that doubt; but if they are satisfied that they were aiders and abettors in this act of piracy, then it would be their duty to find the prisoner guilty of the crime laid to their charge; for although the name of the vessel is not ascertained and described in the indictment, yet the name of her proprietors and the owners of the cargo and its value and nature, has been ascertained and correctly mentioned in it. He then minutely recapitulated the evidence in the case, learnedly commenting on it, and left the case with these brief remarks to the discretion of the Jurymen.

The Jury retired for about one hour and returned a verdict of guilty on the 1st Count against the prisoner's Sudgee and Subhoo and acquitted the other three prisoners.

After this verdict had been recorded, the learned Judge thus addressed the two prisoners Sudgee and Subhoo: that they had, after a minute and careful examination of their case, been found guilty on the clearest evidence of the heinous crime of piracy and murder. With regard to the other three prisoners, although there was no doubt on the Judge's mind as to their having likewise been implicated in piratical practices, yet the evidence against them was not so very clear. He had mentioned the circumstance to the Jury and they had merely given these prisoners the benefit of those doubts; but as for these two, they were actually engaged in this piratical attack: and as this crime is on the increase and getting seriously alarming to the merchants trading in those parts, it is the duty of this Court to protect them from these spoliations and to make severe examples of those convicted of these heinous crimes, in order to warn others who are engaged in like depredations and thus to check the malpractices. The Judge then sentenced these two prisoners to be taken to either Singapore or some part near it, and there to be hanged by the neck till they are dead.

August 25, 1837.

Before Sir B. Malkin, Knt.

The African, Ibrahim, alias Ismail, was found guilty of the murder of an African female, named Nurgiz, and sentenced to be executed on Monday next, the 28th instant. The particulars of the case we will publish in our paper of next Monday.

PRESENTMENT OF THE GRAND JURY.

Fort William in Bengal.

At the third Sessions of Oyer and Terminer of our Sovereign Lord the King, holden at Calcutta in and for the said city of Calcutta, for the year of our Lord one thousand eight hundred and thirty seven, before Sir Edward Ryan, Knight, Chief Justice, and his companions Justices of our said Lord the King, assigned to hear and

determine divers felonies, trespasses and misdemeanors, George Vint, the foreman, and the other jurors of our Lord the King, do on their own view present, that the inhabitants in general of the said city of Calcutta; are much inconvenienced and the poor thereof are greatly aggrieved and distressed from the scarcity and want of an uniform and extensive circulation of copper coinage, and that frequent breaches of the peace have occurred in consequence thereof, and that the old sicca pice or copper coinage ought to be altogether withdrawn from circulation, and that a very large quantity of the new Company's pice or copper coinage, ought to be issued and put in circulation.

The foreman and jurors aforesaid do further present, that the native inhabitants of Calcutta are, during the hot season, much distressed from want of a proper supply of water for domestic purposes, and for the extinction of fires, and that there ought to be at least six new tanks of water dug on the Calcutta side of the Circular road, and the aqueduct from the engine at the Chandpaul Ghaut, ought to be carried to each of the said proposed tanks and also to the several public tanks now being on the line of road from Saumbazar to Park street, in order that the said several tanks may be supplied with water from the river and that the engine during the rains when it is unemployed, ought to be used in filling the said several tanks. In witness whereof the said foreman on behalf of himself and the other jurors aforesaid hath hereunto set and subscribed his hand, this Twenty-fifth day of August in the year of Christ one thousand eight hundred and thirty seven.

THE JUDGE'S REPLY TO THE GRAND JURY'S PRESENTMENT.

This day, the presiding Judge, Sir Benjamin Malkin, Knt., returned the Court's reply to the gentlemen of the Grand Jury, regarding the presentment they had made to the Judges of the Court, on the subject of the grievances felt by the community of this city, particularly the poorer classes, from the deficiency of the copper currency, and the scarcity of good tanks for the supply of water to the inhabitants of the town. The Judge stated, that these were grievous evils he did not entertain the slightest doubt, and that they called for redress; but, nevertheless, he cannot but be aware, that these were points which this Court was not competent in its judicial authority to interfere in, and had no control in these matters, especially less so in its Admiralty jurisdiction, in which capacity alone this Court had issued the present summonses in their names in this instance. He would, however, after taking the opinion of the other Judges of the Court, submit their presentment to the Supreme Government, which alone was the proper authority empowered to afford redress to these kind of grievances, and he had not the slightest doubt, that if a proper memorial was respectfully submitted to the Supreme Government by the community of this city and its neighbourhood, setting forth the distress they experienced by the deficiency of the necessary requisites they felt and complained off, the Government, he felt fully convinced, would afford them every redress they could require.—*Ilurkaru, August 26.*

August 25, 1837.

Before Sir B. Malkin, Knt.

Seedee Ibrahim, was tried on the Coroner's indictment, for having, on the 24th of July 1837, at Mulingah, in the town of Calcutta, murdered one Seedee Nobin and Mussamut Nurgiz, by having stabbed them with a knife, from the effects of which wounds they died, the next day, in the Police Hospital.

The prisoner said, that his name was Ismael and not Ibrahim. The Judge then had the name changed in the indictment to Ismael.

The prisoner pleaded not guilty.

Chootoo Khan, deposed, that he is a coachman and resides at Soorty Bagan. A female named Nurgiz rented a house of this deponent facing the street: she has been dead upwards of one month. She had been deponent's tenant for five months. At the period when she hired the house she came unaccompanied by any person. After she had resided there about 2 months, the prisoner came and resided with her. The house consisted of 5 rooms, and Nurgiz and the prisoner lived as man and wife in one of them—the prisoner was her paramour. Deponent was obliged to be often absent from his house to attend to his duties, therefore he cannot say whether they lived on amicable terms or otherwise. The prisoner and the deceased were both Africans. Another African came to their house on a Monday, the 24 July last, at the hour of 3 o'clock p.m. The deponent was then at home, and Nurgiz called this deponent and said to him, in the presence of the prisoner and the other African, that she was going out with them and desired deponent to take charge of her furniture during her absence. Deponent replied very well, lock your doors, and you will not find any thing missing when you return. After this deponent went to his hut to fetch his clothes, and the prisoner and the other African began to quarrel. They spoke in a foreign dialect, and deponent conjectured that they were quarrelling, because they spoke in an irritated manner, and were shoving and struggling with each other. Neither of them had any instruments in their hands at that time. The female was sitting before them and speaking to them in their dialect, but she did not interfere in their quarrel. When deponent returned with his clothes, he observed a knife in the hands of the prisoner, and the other African who is dead, covering his belly with his hands, ran into the streets and fell. The deceased was bleeding profusely from the belly, and the prisoner's hands were likewise smeared with blood. The female at that instant ran out from her room into the deponent's hut for shelter; she was then unhurt, and the prisoner with the knife followed her. When deponent saw this he became alarmed for the consequences; he ran after them, and saw the woman standing behind the door of the room and heard her screaming. The prisoner had hold of her by the throat and was stabbing her with the knife which he held in his hands; she with her hands was endeavouring to ward off the blows. Deponent then called out and alarmed the neighbours, and Ameer, khansama, came to her assistance. They then jointly went to endeavour to wrest the knife from the prisoner and secure him, but when the prisoner saw them approach he lifted up the knife and threatened to stab them. They became alarmed, and whilst Ameer, khansama, remained to watch the prisoner he went and gave intimation to the Police authorities. On his return from the thana, deponent saw the other African lying where he had fallen, the female lying under a platform in his room, and the prisoner lying wounded in the belly on the bed in Nurgiz's hut. Deponent did not see the wound on the prisoner inflicted. The Police authorities removed them all three to the Police Hospital, the woman on a carpet. There was only one knife seen by the prisoner which was subsequently found by Boodoo, naib of the thana, and taken by him to the Police Office. The wounded man died on that very day and the woman the next day. Their corpses were thrown away on Wednesday the 26th July. Deponent saw no weapon in the hands of any of these persons except the prisoner at the bar on that day.

Ameer, khansama, deposed, that he is a near neighbour of the last deponent and is acquainted with him intimately. On Monday, the 24th July, deponent at the hour of

3 o'clock p.m., in consequence of hearing Chootoo Khan cry out that an African was murdering a tenant of his in his house, went there and saw the prisoner stabbing Nurgiz with a knife; the female was sitting down by the door of Chootoo Khan's hut and warding off with her hands the blows which the prisoner, who was stooping over her and had hold of her by the clothes on her neck, was inflicting at random on her body. Deponent wanted Chootoo Khan to attempt to wrench the knife from prisoner and secure him to prevent his doing further mischief, and accordingly went towards him for that purpose; but when the prisoner perceived them approach him he lifted up the knife and threatened to stab them with it if they interfered. They then became alarmed, and after a consultation, Chootoo Khan went to the thana to give the alarm, and deponent went to his hut to get a stick to protect himself; but not finding one he desired his son to search for one and bring it to him at Chootoo Khan's house, and he returned to Chootoo Khan's house. Whilst he was entering Chootoo Khan's hut, he saw the prisoner come out of it: he then became alarmed, and secreted himself, and from his secret place he heard the prisoner mutter some words in a foreign dialect, and then he saw him stab himself with a knife in the belly and then enter Nurgiz's hut and lean in a reclining posture on the bed. Shortly after this the Police authorities came with Chootoo Khan, and took all the wounded persons to the Police Hospital, and the knife to the Police Office.

Boodoo, naib of the Putwuldangah thana, deposed, that on Monday the 24th July, a lad came to the thana and gave him notice that a murder had been committed at the house of Chootoo Khan at Coolootoolah: he then took a peon with him and then he arrived at the door of the Police Hospital and there saw an African lying insensible, wounded in the belly, with his entrails protruding. The Police Hospital is a short distance from Chootoo Khan's house. On further intimation, deponent went to Chootoo Khan's hut and there he saw Nurgiz, an African woman, lying wounded under the platform in the room and her entrails protruding. He questioned her, and she replied that Siddee Ibrahim had wounded her. Deponent then went into Nurgiz's room to seize the prisoner, and saw him reclining wounded on the bed. Deponent asked him how the parties were wounded; and prisoner replied that Siddee Nobin had wounded him and he in retaliation had wounded Siddee Nobin and Nurgiz. He then remained silent and pretended to fall asleep. They were all removed to the Police Hospital, where the medical attendants dressed their wounds. The deponent produces a knife and says that he found it in Nurgiz's hut near the place where the prisoner was lying, and that it was covered with blood. There were two wounds on the prisoner, one in the belly and the other in the left hand.

Ameer, khansama, recalled. The prisoner inflicted two wounds, on himself, the first on the belly: when deponent saw this he became so agitated with fright that he cannot say where the other wound was inflicted. He did not see the prisoner's entrails protrude, nor was there any blood on the prisoner's arm at the time he wounded himself.

Hydar Ally deposed, that on the 24th of July last, he was the thanadar of Coolootoolah division. He on that day, in consequence of an alarm of a murder being brought to the thana, went to Chootoo Khan's house and saw Nurgiz lying, wounded in the belly, in Chootoo Khan's hut, and the prisoner wounded in Nurgiz's room. The prisoner on being questioned said, that he had wounded Nurgiz. Deponent did not then hold out any inducement to him to prevail on him to make this confession. He merely said that she was his mistress and misconducted herself, he therefore had wounded her; as for Siddee Nobin, he had wounded him first, and he merely retaliated on him. The prisoner did not make any further communication to deponent.

Shake Booboo, recollected the wound in the prisoner's arm. It was a long but slight wound apparently recently inflicted and a very superficial one. Deponent, however, did not take very particular notice of it.

R. H. Bain, Police Surgeon, deposed, that he examined the bodies of *Siddee Nobin* and *Mussamut Nurgiz* at the Police Hospital. The prisoner was likewise at that Hospital at that time, and had 2 wounds on the abdomen. Deponent attended him and saw no other wounds on his body. When deponent first saw the woman, the wounds she had, had all previously been dressed by Professor Goodeve. There were several wounds on the body; one on the abdomen, measuring $3\frac{1}{2}$ inches, one on the shoulder penetrating to the bone, one on the left hand and one on the little finger of that hand, one on the left side, one on the right thigh, three on the right elbow, one on the right hip and 3 above the hip. She died the next day in consequence of these wounds; but she was sensible up to the period of her demise. On examining the corpse, deponent saw 2 wounds in the smaller intestines and a considerable quantity of coagulated blood in the cavity of the abdomen. They corresponded with the wounds on the abdomen and were the cause of her death. An instrument like the knife produced in this Court to-day might inflict such wounds. Deponent is not aware whether the effects of these wounds were in their nature such as to have made her sensible of her danger previous to her decease. Deponent did not intimate to her that her life was in danger. Deponent had no conversation with the prisoner on this subject.

P. O. Hanlon, Police magistrate, deposed, that he went to the Police Hospital to take the dying depositions of *Nurgiz*. Deponent does not recollect the date but the 24th of July 1827, the date on the written deposition, corresponds with the day on which they were taken. The prisoner, deponent then understood, was in a dangerous condition and appeared to be insensible; at any rate she appeared not to be aware of deponent having addressed her at the time. Previous to taking the depositions of *Nurgiz*, deponent, through his interpreter, *Mr. Naemy*, intimated to her that her life was despaired of, and her dissolution was approaching. The deposition taking (some in hand from the Judge) were the depositions; he wrote them as *Mr. Naemy* interpreted *Nurgiz's* words to him, and they are correct and bear *Naemy's* signature.

J. P. Naemy deposed, that he is interpreter to *Mr. O'Hanlon*. He interpreted to him the depositions of *Nurgiz* at the Police Hospital on the 24th July 1827, verbatim as the female gave it to him in reply to the questions put to her by *Mr. O'Hanlon* through him. Those produced in Court were them. The woman acknowledge that she was aware that her dissolution was approaching, but was sensible and understood the queries put to her.

The deposition of *Nurgiz* being read, she said that she was the concubine of *Ismael*; he left her about 3 months ago without any support. She then became *Siddee Nobin's* mistress. *Ismael* returned to her house this day and he quarrelled with *Siddee Nobin* whom he saw there with her, and stabbed *Siddee Nobin* in the belly. She on seeing this fled to *Choetoo Khan's* house; he followed her there and stabbed her likewise, and then he stabbed himself.

This closed the prosecution.

The prisoner in his defence said, that he left Calcutta on a voyage to Madras and Bombay, leaving *Nurgiz*, his mistress, in Calcutta. *Siddee Nobin* during his absence came to her and said to her that the prisoner was an old,

good-for-nothing fellow, and induced her to go and live with him. When the prisoner returned from his voyage and heard this, he went and said to her, "very well, please yourself, there are plenty of women to be had in town". After this *Siddee Nobin* went and brought some grog and after they had drunk it they went away. Deponent went to his shop, and on his return, prisoner observed that *Nurgiz* had cooked nothing. He took out some biscuits and began to eat them, and was grumbling, when one of the neighbours came and advised him to go away from that place for the devil was at work there. Shortly after this *Nobin* came in and began to quarrel with the prisoner and took up a knife which was lying there on the shelf, and had been used to dress vegetables, and struck him with it. The prisoner retailed; and whilst they were struggling on the ground, the prisoner below and *Siddee Nobin* above and prisoner was using the knife in self-defence, *Nurgiz* came and interfered, and she must then have received the wounds which caused her death. After this the prisoner became insensible from the effects of his wound, and knows nothing of what transpired till he found himself in the Police Hospital. Prisoner called no witnesses.

The Judge, in addressing the Jury, said, that the prisoner was only tried for the murder of the woman; and if they were to believe the evidence, which he saw no reason to doubt, it is clear that she came by her death from the injury she received from the prisoner's hands. That the crime which caused the death of *Siddee Nobin* is legally manslaughter is very probable, from this evidence, for it is apparent that there was a quarrel between the prisoner and him before any blows were struck, so there must have been a considerable irritation at the time before any actual personal violence was offered by any person. With regard to the woman, although there was a great irritation and injury to have roused the prisoner's feelings by having deserted him and taken to the other man, although it was very great, yet it was not sufficient by law to reduce the crime of her death from murder to manslaughter: the only circumstance which could reduce the crime of her death to manslaughter, would be if they believed that *Siddee Nobin* had in the first instance given provocation to the prisoner, and had irritated his feelings, and that she had been a party concerned in having assisted *Siddee Nobin* in assaulting or irritating the prisoner's feelings: of this there is nothing shown either in the evidence nor in the prisoner's defence and if the jury do not think that the female was actually aiding and assisting *Siddee Nobin* in provoking the prisoner and assaulting him, then their verdict, he was sorry to say, must be that of guilty of murder against the prisoner, for no provocation given by the deceased *Siddee Nobin* to the prisoner, could warrant him in causing the death of the female *Nurgiz*. With these observations he left the case in the hands of the Jury.

The Jury, after a short retirement, found the prisoner guilty of murder.

After this verdict had been recorded the Judge, in sentencing the prisoner told him, that he had been, on the clearest evidence, found guilty of the crime of murder, under very savage and ferocious circumstances; crimes of this kind cannot be expiated but by the death of the criminal. The Judge then sentenced the prisoner to be hanged on Monday the 28th instant.

After this the Judge, on behalf of the Court, thanked the Petty Jurymen for the very arduous duties they had performed during this Session.—*Hurkaru*, August 28.

MADRAS SUPREME COURT.

J. P. Cropley vrs. R. W. Urquhart and J. Funderlinden.

Counsel for plaintiff..... Mr. Advocate General.

Attorney..... Mr. Branson.

Counsel for defendants..... Mr. Minchin.

Attorney..... Mr. Wilkins.

The Advocate General opened the case for the prosecution. He said it was an action for libel brought by Mr. Cropley against defendants, and his friend had the merry part of the case. The defendants published a most unprovoked and malicious libel against plaintiff, who instead of seeking redress by other means comes to the court for justice, and the libel consisted in an article put forth by the defendants charging the plaintiff, with an act which might have subjected him to very serious consequences. The act itself was never perpetrated by the plaintiff, and it was for the fabricated statement that the plaintiff has brought the defendants before the court. The learned counsel said that the article appeared in the *Madras Circular and General Chronicle*, dated 12th June, of which the defendants are the printer and publisher respectively, and as such the parties responsible for the publication. The learned counsel then read the paragraph containing the alleged libel, commenting as he went along, on the particular passages in it. The following is a copy of the libel complained of—

"An accident occurred in town on Friday last, which is likely to become a serious affair, the particulars which have reached us are as follow, and we give them as we have heard.

"Mr. Cropley, for something which was not done quite to his satisfaction, grew vexed at his servant, and in the provocation of the moment, which, perhaps, was excited by the intemperate language of the individual, severely upbraided him and wound up the performance with either kicks, or blows, one of which hit the man at a very unlucky moment, and carried him rolling down the staircase with a velocity which his bodily exertion could not come. The fall we understand, has fractured his skull, and the rolling over the stair-case, which followed immediately after, served in no small degree to increase the injury done to his head. The individual was taken up in a very exhausted state; he was speechless, and his head bled; medical aid was immediately sent for, and the individual was soon after removed to the general hospital, where he continues. Of his recovery very faint hopes are entertained."

The learned counsel stated that it was not pretended that this was a case for heavy damages. The action was not brought for that purpose, but the learned counsel believed that it was a fit case to visit defendants with punishment before an established tribunal. The libel, as their lordships would see, was calculated to do the plaintiff injury, and he did not think there existed any human being that could endure with common patience, to see his character held up in that manner. Common decency and justice required that the party should have ascertained the truth before publication, which he might easily have done. The learned counsel followed this up with a comment on the indifferent manner in which the defendants treated the matter when they were called upon to contradict the statement. He then read Mr. Branson's letter to the defendant Urquhart, which is as follows :—

To Mr. URQUHART, Proprietor of the *Circular*.

Sir,—I am instructed by J. P. Cropley, Esquire, to apprise you, that he considers the article in your paper of this morning, in which his name is mentioned, a scandalous and infamous libel, and that I have his most positive instructions to commence proceedings against you in the Supreme Court, if you do not forthwith issue an extra, or memorandum, to be circulated to your subscribers this day, stating, as the fact is, that the statements contained in such article are wholly and utterly false, and

expressive of your regret that the same should have appeared in your paper.

Yours obediently,

J. W. BRANSON, Attorney at law.

Madras, 12th June, 1837.

Here, said he, the plaintiff requested the defendants to issue an extra, and leaving aside the particular terms used by the attorney in his letter, it was a very reasonable request, but with this request the defendants did not think fit to comply. The defendants ridiculed the idea of issuing a circular, but he believed that the plaintiff had right to call upon the party to make such apology as he pleased. The letter from defendants in reply regarding the circular was then read :—

To. J. W. BRANSON, Esq., Attorney at Law.

Sir,—In reply to your letter just received, I beg to inform you, that I much regret that the misstatement you refer to should have appeared in this day's *Circular*, as, however, it was not a statement maliciously put forth by the editor, it is believed that sufficient grounds do not exist for commencing proceedings in the Supreme Court, but the editor will correct the mistake in the next *Circular*, which it is hoped may prove satisfactory to your client.

I am, Sir, your obedient Servant,

(Signed) R. W. URQUHART.

Madras, 12th June 1837.

To this letter the plaintiff's attorney replied, repeating that if the circular called for did not issue on that day no subsequent apology would be accepted. The learned counsel said that even to this request the defendants turned a deaf ear, but in their Wednesday's issue they corrected the misstatement. The paragraph which contained the explanation was then read and the observation made in it, that "that the practice of issuing an extra was quite unprecedented," was commented upon by him, remarking that he did not understand whether it was meant to say that the practice of making apology was unprecedented. To him it appeared that every thing that contempt and malice can do was done by the party in publishing the second paper, and he hoped their lordships would consider the circumstances which he had represented in passing judgment upon the case.

Mr. Norton then proceeded to put in evidence, the letters and documents on which he founded his case, and on Mr. Cator commencing to read the two first papers, which were stated to be copies of declarations made by defendants respectively before Mr. Elliott, the magistrate, Mr. Minchin objected that copies could not be read until it was shown that the originals could not be produced. Mr. Norton then read the act of the Supreme Government and contended that copies of these declarations were allowed to be read in evidence as proving the person who was the printer and publisher, as well as the owner of the press.

Mr. Minchin then stated that he objected under this act to the admissibility of either the one copy, or the other; he contended that under the section, the copy of the declaration to be made by the printer and publisher might be read when authenticated in the mode there pointed out. The originals were to be kept one in the office of the magistrate before whom it had been taken, and the other in the Supreme Court or other King's Court, and that the copy to be read in evidence was to be authenticated by the officer with whom the original was deposited and by the seal of the court. Mr. Minchin contended the office of the magistrate was not a court, nor possessed a seal to its court. That this clause in the act could only be complied with by producing a copy under the seal of the Supreme Court, where the original was deposited.

The objection as to the production of the copy of the declaration alleged to have been made by the owner of the press was still stronger. The 8th section did not

authorize the making a copy of this declaration to be evidence at all, consequently the rule of law on this point was not allowed by the act, and the original ought to have been produced. The mode in which the act declared the copy of the declaration of the printer and publisher should be receivable in evidence, completely refuted the possibility of making a copy of the declaration as to the ownership of the press admissible.

Mr. Norton urged that the officer in charge of an office of the originals was clearly authorized to authenticate, and that the seal of that officer, was the seal of the court. That there was a court of commissioners, a police court, &c. and seal of the magistrate was the seal of the court and receivable as such. He also contended that the admission of this being a true-copy, under the order made by the judge, prevented the necessity of doing more than reading the admission. Mr. Norton admitted that undoubtedly the act did not determine anything as to the admissibility of the copy of the declaration of the owner of the press, and that unless the copy was admissible under the admissions of the defendants it was not under the Act.

The court then determined without calling on Mr. Minchin, that the copy of the declaration made by the owner of the press was not admissible in evidence, as the Act did not authorize the reception of the copy but left it, as it was, according to the rules of evidence, that a copy was not admissible as secondary evidence till it was shown that the original could not be produced.

With respect to the copy of the declaration of the printer and publisher, they thought it would be better to receive it in the first instance, leaving, however, liberty for the defendants to set aside the evidence and enter a non-suit, should the court be of opinion this instrument was not properly authenticated.

The copy was then read, and Mr. Norton proposed to read the copy of a letter sent by Mr. Branson, the attorney to defendant Urquhart, a copy of which had been admitted under the Judges' order, to be a true copy.

Mr. Minchin then objected, that this copy of a letter stated to be in defendant's possession, could not be read as secondary evidence, until the plaintiff had shewn a notice to produce the original. It was impossible to contend that under the judges' order framed according to the new rules in England, that secondary evidence could in all cases be admissible;—these rules were intended to facilitate the proof of deeds and instruments, and not to alter the law.

Sir Edward Gambier.—Have you not under this Rule admitted that the copy is true copy of the instrument of which it is alleged to be a copy? Is not that sufficient; And is it not also a notice to you that the copy will be read in evidence, if the original is not produced?

Mr. Minchin.—With all deference I would contend, that the court has no power to alter the law of evidence. It is the established law of the land, and cannot be set aside by judges who are only expositors of the law. The law that requires the best evidence to be produced, is one of such vital importance to the administration of justice, that I am satisfied it will never be broken through, or set aside by this court. In the present instance the very wording of the order shows the impossibility that such could be the intention of the judges in England, or of the court here introducing this rule. For there is this rule that these documents are admitted to be correct, saving all just exceptions to their admissibility in evidence. Mr. Minchin then argued that under this clause, he had a right reserved to him of objecting to the admissibility of every thing that was not strictly evidence, and that as no notice to produce the original had been served, nor the production of the original been required, secondary evidence could not be admitted.

Mr. Norton contended, that the admission that this was a true copy, did away altogether with the necessity of any other proof; that in all cases even of reason or felony, and forgery, the admissions of the parties did

away the necessity of other proof. How was this admitted to be a true copy, why then was the original to be produced? Of what use would these admissions be, if the parties were to prove every thing as if these admissions had never been made. We might as well give a witness a notice to produce his chin from his neckcloth to enable us to hear him speak.

Sir Robert Mamm, Chief Justice.—This rule was never intended to alter the law of evidence and allow secondary evidence to be produced on all occasions. The clause, saving all just exceptions to the admissibility of the different document, shews that such a construction could never be put on these admissions. They were only intended to facilitate the proof of these instruments, and to save expense to the parties. How then can you give secondary evidence of a letter, without shewing some excuse for not producing the original. Here you have shewn none whatever; you have not given any notice to produce it, nor taken any step to bring it before the court. I am of opinion that secondary evidence as to the letter is not admissible.

Sir Edward Gambier.—I at first thought that these admissions did away with the necessity of producing the instrument itself and made the copy evidence.—I am now satisfied that such cannot be the construction that can be put on these admissions—the clause saving all just exceptions, takes away any such meaning. I agree with the chief justice that a copy of the letter cannot be admitted.

Mr. Norton then put in the letter of Mr. Urquhart to Mr. Branson, dated 12th June 1837, and the *Circulator* paper of the 12th June against both defendants, and the *Circulator* paper of the 14th as against the defendant Fanderlinde only, which were read, and the case for the plaintiff was then closed.

We are enabled to give but a very imperfect statement of what fell from Mr. Minchin, who said that he appeared for the defendants Urquhart and Fanderlinde who had pleaded separately, the one being an infant by his guardian, and the other by his attorney, and he proposed, owing to the objections which he had raised in a preceding state, to separate the defence of the two. He submitted with respect to the evidence produced regarding Mr. Urquhart, that there was none on which the court acting as a jury could find a verdict. He contended that the letter produced purporting to be in reply to a reference made by the plaintiff's attorney to Mr. Urquhart was no admission of the fact that he was the proprietor, or publisher of the paper. Here the learned counsel read the letter to the court, and laid great stress upon the words "it is believed that sufficient grounds do not exist for commencing proceedings in the Supreme Court," and "which (referring to the explanation) is hoped may prove satisfactory to your client."—He urged that if Mr. Urquhart had been the proprietor, or editor, he would have said "I believe sufficient grounds do not exist for commencing proceedings in the Supreme Court and I hope the explanation may prove satisfactory to your client,"—as these are not the words used in the letter, it appeared to the learned counsel that Mr. U. was expressing in it the opinion of some other party. He put it to their lordships to say whether it was not possible for the agent, the clerks, friends, or other parties connected with the press to have written the letter which Mr. Urquhart is represented to have addressed to the plaintiff's attorney—and added, suppose the letter which the court had before them, was, as he had a right to consider it to be in the absence of all proof to the contrary, written by the clerk, or agent, or some one connected with the press, at the instance of the editor, expressive of his regret, could the court upon no better evidence than the supposition that the writer of such letter must necessarily be the editor himself punish him, in the room of the real offender. He added further, that on such a

letter alone, he felt satisfied that no jury could come to the conclusion that there was evidence on which they could say that the defendant Urquhart was proved to be the owner of the press, and he would put it to the court to say whether when there were so many other media of proof by which the fact could have been established, none of which had been produced on this occasion, they could find that Urquhart was the owner and proprietor of the press from whence the alleged libel issued.

The learned counsel then proceeded to the defence against Fanderlinden. He referred to the *Circulator* of the 12th June which contained the alleged libel, and proceeded to read the article. He drew the attention of their lordships to the words *an accident* occurred, and we give the particulars as we have heard, and contended that although upon the slightest grounds, in the case of a publication of a libel the law would infer malice, there was nothing in the intention the defendants had in putting the article forward, which at all participated of malice in the ordinary acceptance of the term. The statement was not submitted as a fact ascertained by the editor, it was merely given as it reached him; but what is Mr. Cropley's conduct? No sooner had he read the paragraph than, he, says he, "I have caught my opponent the editor of the *Circulator*, the successful rival of my *Courier*, the man who has interfered with the circulation of my paper. I will punish him. Away he runs to Mr. Branson to take his advice. Mr. Branson no less eager than Mr. Cropley to bring the action, immediately thunders off the letter to Mr. Urquhart the first defendant. The learned counsel then read to the court the letter from Mr. Cropley's attorney. "I am instructed," says he, "by James Pembroke Cropley, Esquire, to acquaint you that he considers the paragraph which appeared in your paper of this morning, in which his name is used, a most scandalous and infamous libel," and "I have," says he, "his most positive instructions to proceed against you in the Supreme Court, if you do not issue a circular or memorandum to your subscribers this day, stating, as the fact is, that the statements contained in such article are wholly and utterly false"—To this letter, which the learned counsel said was received about 12 or 1 o'clock, the defendants replied, promising to correct the mistake in the next issue, viz. Wednesday's paper. This reply was then read by the advocate. There, he observed, is an expression of regret that the mistake should have found its way into the *Circulator*. There it is promised that the statement will be corrected in the next number. To any gentleman this explanation would have appeared satisfactory, but it did not prove so to James Pembroke Cropley, Esquire. Throughout the proceedings the addition of an Esquire, is assumed by Mr. Cropley, and it would have been as well if, with the title of a gentleman, he had acted up to the character he had assumed, for he would then have accepted the noble, the manly, and ample explanation that was offered? But nothing short of the extra would please James Pembroke Cropley, Esquire. This reminded him, the learned advocate said, of a noble admiral who, when it was observed to him that his name had not been mentioned in the account of a particular action in the manner it deserved, said to his friends, "Never mind, I will have a Gazette to myself," so says James Pembroke Cropley, Esquire. He would have the extra, the whole extra, and nothing but the extra. As the court well know extras are issued when overland despatches arrive from England, or on the receipt of important intelligence in which the public are deeply interested; and in the opinion of Mr. Cropley at least, he thought that an extra respecting himself must prove of equal importance to the subscribers of the *Circular*. "I will have a separate extra," says he, "containing my name in full and headed the vindication of the character of James Pembroke Cropley, Esquire, from mis-statements contained in the *Circulator* of the 12th June," and this shall

be sent this evening to the subscribers of the *Circulator*. After some other appropriate observations on the absurdity of the demand, and the consequence assumed by the said James Pembroke Cropley, Esquire, in the present proceeding, which produced no little laughter in all in court, the learned counsel said that the second letter from Mr. Cropley's attorney was received at so very late an hour that it was not possible, even if there had been any disposition on the part of the defendants, to have issued the extra required. This letter stated in positive terms that if the extra did not issue on the same day, his client would accept no subsequent apology. What was the conduct of the defendants on the receipt of this letter, although they were informed that no apology would be received—although threatened with immediate legal proceedings, the editors, as honorable men, published the article contradicting their former statement and expressive of their regret that it should have appeared in the *Circulator*. Immediately following this article was one to which he would particularly draw their lordships' attention, as shewing clearly the defendants were actuated by a desire to deceive the public by every means in their power, and reprinted from the *Courier* (Mr. Cropley's paper) the particulars of the accident as they really occurred and as stated by Mr. Cropley himself in his own paper.

Here the learned counsel submitted to the court that as no actual damage had been inflicted, as no allegation even that any actual damage had been sustained was stated in the plaint, the question for the court to say, if they considered they could give any damages at all, would be whether Mr. Cropley had been injured by the refusal to publish this extra, and whether the delay till the next issue of the paper could in any manner have occasioned any injury to Mr. Cropley? He called on the court to consider whether, if every mis-statement made in a newspaper, written as they were *currante calamo*, was visited by an action and damages were to be given thereon, whether the court would not be deluged with actions for libel. The *Conservative* against the *Spectator*, the *Spectator* versus the *Conservative*, the *Courier* versus the *Circulator*, and the *Circulator* versus the *Courier* on alleged libels, the mis-statements of which had been immediately corrected.

Sir Robert Comyn, in giving judgment, said that he considered the paragraph a false, unfounded and malicious libel against the plaintiff. It was a charge that might have subjected him to a charge of manslaughter. It was a grave and scandalous charge without any offer to explain it except by the next paper. It is in India that this ought particularly to have been refuted, as the tappel goes every day; the press should not run so quick. He was very far from being opposed to the press, and very uninclined to place any restraint upon it; but at the same time he considered that private character should be held sacred. He saw nothing in what the defendants did which might be considered in mitigation of the offence; on the contrary it seemed to him that it was not enough to say after the publication of a malicious libel that the defendants had no malicious motives; such a doctrine should not be supported, and he had no hesitation in saying that both the printer and publisher were liable. It must be considered that the letter produced in court fixed Urquhart. That letter shewed he had such an influence upon the Editor as fully established him to have been interested in it. He was, therefore, of opinion that both parties were affected by the publication of the paragraph. Verdict against both defendants—damages 300 rupees, with costs.

Sir Edward Gambell concurred with the Chief Justice. —*Circulator*, July 31.

CEYLON SUPREME COURT.

The proceedings in the Supreme Court and the District Court of Colombo, No. 1, South, which we publish in another part of our paper, will, we have no doubt, be read with much interest by a large proportion of the public Ceylon, not only as containing the final decision of the Supreme Court upon the long mooted question of the power of that Court to issue Mandates in the nature of Writs of Mandamus, but also as declaring the legality of Instructions issued by the Government to the local Courts of Law for their guidance in the enforcement of the provisions of the small-pox Regulation.

With the view of placing the subject as distinctly as possible before our readers, it will be found that we have prefixed to the Judicial Proceedings copies of the correspondence between the Government and Mr. Blair, and have inserted the notes which we have obtained of the opinions delivered by the learned Judges, immediately before the Order made in Court on each day respectively. The Order made by the District Court on the 14th June is sufficiently explanatory of the manner in which this case was originally brought forward; and the appeal against that Order having been thrown out by the Supreme Court as irregular on the 21st June, the King's Advocate, we understand, on that day applied for a Rule to shew cause why the District Judge should not be compelled by Mandate to receive the Bond, and it was believed that such a Rule was granted. On the meeting of the Court on the 24th, however, it appeared that some mistake had been made in the Registry, and it was not until that day that the Rule was issued, to which a return was made by Mr. Blair on the 26th. On the 26th, the Supreme Court issued a Mandate, calling upon him to shew cause why he should not obey the Instructions of the Governor, and it was in the course of the discussion upon the Return to that Mandate, that the legality of the Instructions was decisively declared on the 28th, the Mandate not having been made peremptory solely on a technical objection taken by the Judges themselves, not raised by Mr. Blair, that the obligation to take the Bond was not sufficiently explicitly laid down.

It is not our intention to offer any remarks on the question respecting the issue of Mandates in the nature of Writs of Mandamus. That has been settled by the highest legal authority in the Colony, and no good can result from prolonging the discussion. We shall therefore address ourselves solely to the second and in our opinion far more important point, as involving the interests of the whole population of the Colony, determined in these proceedings namely, the legality of the Government Instructions.

The objections taken to them by Mr. Blair, as repugnant to the very letter as well as spirit of the Charter, have been conclusively and clearly over-ruled by Mr. Justice Jeremie, and it has been declared that the Government has full power to make such instructions as it may think fit, provided they are within the scope of the Regulation itself, that is to say if the system so introduced be only auxiliary. We trust that the Government will not shrink from the responsibility thus thrown upon it under the existing law, and that that law may not be repealed unless from the most evident necessity. We have long held it to be utterly impracticable to enact any Ordinance applicable to all parts of the Island, which could at the same time be satisfactory to the feelings or prejudices of the public here, and afford due protection from the disease. Both these objects we consider to be attainable under the present law, if the Government proceed on a steady and uniform system, issuing such instructions from time to time as on mature consideration may appear best suited to the existing state of affairs in the Districts to which they may intend their instructions to apply; and if no attempts are made to

mislead the public, and prevent them from properly appreciating the motives and acts of the Government.

As a case in point, we can assert without fear of contradiction, that the very Instructions which formed the subject of these proceedings, were looked upon when issued as boon granted by the Government to the people, and we have never understood that any inconvenience has resulted from them in practice; and yet those very Instructions, if made general, would in the present circumstances of the Colony, amount in many places to an entire suspension of the law, and would remove all check to the unlimited spread of the disease; while as applicable to Colombo, they do no more than afford the Public that protection from abuse, which they have a right to look for at the hands of the Government. As the law now stands, every modification which the changes in the state of the Colony admit of, is looked upon as a boon, while the judgment of the Supreme Court, putting out of sight the force of public opinion, affords ample security against the abuse of its present power by the Government, by restricting it to the issue of instructions within the scope of the Regulation itself. While on the other hand, any new and general enactment, admitting of no variation, would always, from the light in which the people of Ceylon have been accustomed to look upon all restrictive regulations for their protection from disease, be considered arbitrary and oppressive, however liberal and lenient it might in reality be. The attention of the Government has, we believe, been for some time given to the state of the Medical Establishment, and it is obvious that any considerable increase in the number of the Officers of that department, would admit of the operation of the Regulation being subjected to restrictions, in many parts of the Island, which are at present in the highest degree inexpedient.

In conclusion, we have only to call attention to the correspondence which has passed between the Government and Mr. Blair, since the final decision of the Supreme Court; and to express our regret at having been unable to obtain notes of the remarks which fell from Mr. Justice Stoddart in the course of the proceedings. It is evident, however, from the Orders made by the Court, that his opinion must have been in the main in accordance with that of Mr. Jeremie—we allude particularly to the Mandamus question—all the Judges having been unanimous on the last day.—*Ceylon Chronicle*, July 10.

LAW INTELLIGENCE.

Colombo, 20th May, 1837.

SIR,—I am directed to transmit for your guidance, a copy of the Instructions which have been from time to time transmitted to the District Judge of Colombo, No. 1, North, relative to cases of smallpox.

I have, &c.

P. ANSTRUTHER, Colonial Secretary.
The District Judge of Colombo, No. 1, South.

Colonial Secretary's Office, Colombo, 14th March, 1837.

SIR,—I have laid before the Right Hon'ble the Governor your letter of the 13th Instant, and in conveying to you His Excellency's directions on the same, I am instructed in the first instance to refer you to the enclosed Copy of instructions, which have this day been forwarded to the Superintendent General of Vaccination. You will perceive from the 2d Clause of those instructions that in all cases occurring within the Gravets of Colombo, you will be furnished with the Certificate of the visiting Medical officer, which Certificate will be produced to you by the person present at the examination of the patient, who will thus become a witness to the

identity of the party to be removed. And it is the Governor's desire that no Warrant shall in future be issued for the removal of any infected person within the Gravets of Colombo, unless you are duly furnished with a Certificate in the manner above explained.

From facts which have been brought to the Governor's notice, he has formed the opinion that the public is not sufficiently protected by the system of placing infected persons in Quarantine as at present conducted, and while he is anxious to continue this indulgence where circumstances will admit of it, he desires, if possible, to secure a greater degree of protection, and it is with this view that the 4th and 5th Clauses of the Instructions to the Superintendent General of Vaccination and the notice therein referred to have been drawn up. You will perceive that the notice gives full warning of the necessity for an immediate application on the part of the party wishing to avail himself of the indulgence, and I am therefore to state that if no such application be made at the time of the production of the Medical Certificate, the Governor is not prepared to sanction any delay in the issue of a Warrant for removal, which delay may subject the public to the danger of infection, and the consequent spread of the disease,—if however a party should apply at a proper time, but should request to be allowed a moderate time to enable him to make arrangements for giving the Bond, you are at liberty to postpone granting the Warrant for 12 hours; but in all such cases and also when the Bond shall have been finally entered into, you will not fail to give due notice to the Superintendent of Police.

I am also to state that if the Medical Certificate shall in any case declare internal separation to be practicable, although from the position of house the external watching may be impracticable, His Excellency desires that a party may be allowed to enter into the Bond; but in cases where both may be impracticable, Quarantine is necessarily inadmissible on the ground of Police safety.

A form of the Bond to be taken in such cases is annexed for your guidance.

You will continue to act upon these Instructions until further orders.

I have, &c.

P. E. WODEHOUSE, Assistant.

The District Judge of Colombo, No. 1 North.

Colonial Secretary's Office, Colombo, 14th March 1837.

1st. The Superintendent of Police will receive instructions to place at the disposal of the Superintendent General of Vaccination, such a number of trustworthy and intelligent Peons as that officer may require to enable him to comply with the following directions.

2d. The Medical officer appointed to inspect and report upon a reported case of Small-pox occurring within the Gravets of Colombo, will proceed to the spot accompanied by a Peon, and having examined the patient will furnish the Peon with a Medical Certificate of the Form annexed, which Certificate the Peon will produce with as little delay as possible to the public officer to whom he may be directed to apply for a Warrant in order that the Patient may be removed to the Hospital or placed in effectual Quarantine with the least possible delay.

3d. Such Medical officer will without loss of time inform the Superintendent of Police of the cases in which such Certificates have been so furnished by him, stating if Quarantine be or be not impracticable.

4th. Parties applying for patients to be placed in Quarantine, will be required to give Bond to the amount of £15 for due observance of the same according to the form prescribed.

5th. In order to enable parties to avail themselves of this privilege, the visiting Medical officer, if he should consider effectual Quarantine to be practicable, with reference to the situation and construction of the premises, will in the presence of the Peon, furnish the householders or principal person resident in the house with a notice in the form B annexed.

By His Excellency's Command,
P. E. WODEHOUSE Assistant.

A

I do hereby certify, that I have just examined residing at and find that he, (or she) is affected with Small-pox, and I hereby further certify that in my opinion internal separation (or is not) practicable in the house of the said and that external watching of the house of this said is (or is not) practicable.

You are hereby informed that notice will be given to the that residing in the house is infected with Small-pox and the said will be removed to the hospital unless application be made to the said that he (or she) may remain in Quarantine, Bond being given for the due observance thereof.

BOND.

Know all men by these presents, that I of am held firmly bound to our Sovereign Lord the King, his heirs and successors, in the penal sum of £15 to be made and levied of my goods and chattels to the use of our said Lord the King, if, I the said shall fail in performing the Conditions hereunder written.

Whereas is seized with Small-pox in the house situated at and has been allowed to remain in Quarantine in the said house, upon agreement that a Board giving notice thereof shall be fixed in front of the said premises, the above Bond being given for the due observance and performance of the said Quarantine as stated in the Condition undermentioned.

Now the Condition of the above obligation is such that if the said Quarantine shall be duly and faithfully observed and performed, that is to say, if the said patient nor any other person or persons excepting Medical Attendants upon the Patient, shall quit or pass from the said house and premises, and if also no furniture, clothes or other articles be removed from the said house, unless by and under the express authority of the Superintendent of Police, Constable or Police Vidahn during such time as the Superintendent of Vaccination shall require the said Quarantine to be performed.—Then the above written obligation shall be void and of none effect or else shall remain in full force and virtue.

District Court of Colombo No. 1, South, May
23rd, 1837

No. 230.

SIR,—I have the honor to acknowledge the receipt of your letter of the 20th instant, received yesterday, in which you state that you have been "directed to transmit for any guidance a Copy of the instructions which have from time to time been transmitted to the District Judge of Colombo, No. 1, North, relative to cases of Small-pox."

I should consider myself wanting in the respect which I owe to Government, were I to conceal from it the expression of my opinion, that I would compromise the Right and Power of the District Court were I as the Judge of it, to recognize the legality of these instructions.

Should a case occur in which this Court is called upon to administer the Law under instructions from Government, I shall record the grounds of my opinion, and the sense of the Supreme Court may be taken upon the matter should the Government think fit so to do by Appeal.

I have the honor to be, Sir, your most obedt servt.

D. A. BLAIR, D. J.

To the Hon'ble the Colonial Secretary.

District Court of Colombo No. 1, South,

Wednesday, 14th June 1837.

Present—D. A. Blair, Esq., Judge; Don Jons F. Dias Modlar, Permanent Assessor; Mr. Jan Lourensz, and Mr. F. T. De Silva sworn Assessors.

On the Application of Don Vicentie under Government Instructions of 14th March 1837,

Don Vicentie, father of Don Nicolas, of No. 8, Silver-smith Street, now affected with Small-pox, appears in Court and moves that he may be allowed to enter into Bond for the due observance of Quarantine of his son conformably to the Instructions of the Right Hon'ble the Governor, of date 14th March 1837, the visiting Medical officer having reported that internal separation, and external watching are both practicable with reference to the house in which the said Patient his son is resident, as appears by the Certificate of the said Medical Officer, which he produces in Court together with notice prescribed by the Instructions aforesaid.

In disposing of this Application the Court has the satisfaction of knowing that a reference to the District Court to be allowed to enter into Bond is wholly unnecessary, and therefore that no real or irremediable injury can be done by the Court's refusal to act upon the Government Instructions. No previous Application has been made in this case by the Superintendent of Police or any one else, for a Warrant to remove the son of the Applicant, nor does there appear any intention to do so, under the circumstances of the case, viz. that the house of the Patient admits of being placed under Quarantine and that the Applicant is ready to give Bond that the Quarantine shall be duly and faithfully observed. These are the conditions upon which the Government, acting as the guardian of the public safety, says that it will waive its right of enforcing a removal to the Hospital. The Applicant being willing and ready to comply with these conditions the authority of this Court is in no way requisite to the act being perfected. The placing of the house under Quarantine, is entirely within the power of Government having the consent of the party concerned. The Bond may be executed any where, and surely with as much propriety at the office of the Superintendent of Police as in a crowded Court of Justice. Nor can this Court conceive a single reason why it should be called upon to become a party to such extra-judicial Bonds. On the contrary, where the validity of a Bond may admit of question if put in suit, it appears peculiarly desirable that the Court, before which the question may be tried, should have nothing whatever to do with the execution of it.—That the validity of these Quarantine Bonds may well be doubted must be admitted from the notoriety of the fact that the party who is taken bound to see the Quarantine faithfully observed is not left to the choice of the employment of his own means, in as much as the Government, in whose favor the Bond is conceived, takes upon itself the fulfilment of the obligation by intrusting the Quarantine to its own officers.

Had an Application been previously made in this case for the removal of the Patient and that Application been granted, it may be said that another and a milder course might be construed into acting in opposition to the Court's Decision and into a contempt of its Process. But the remedy in such case is obvious. A motion to have the

Warrant recalled, proceeding from the party at whose instance it was issued, would be the regular and competent mode of procedure and would be granted as a matter of course.

It appears, therefore, that the Application to the District Court is altogether unnecessary in as much as the Court's intervention is in no way requisite for effecting the proposed object as between the Government and the Applicant.

But the question remains, is this Court bound to entertain this Application under the Instructions of Government? If these Instructions are Law to this Court they are, it is to be presumed, Law to the Supreme Court in reviewing any Decision of this Court in its Appellate Jurisdiction, for both Courts are bound to administer the same Law—the Law of the Colony. Now the Supreme Court is to recognize Instructions of which it has no Judicial knowledge is more than this Court can say. But it is enough and indeed only proper for this Court to pronounce upon the Law in so far as regards its own Jurisdiction.

This Court does not hesitate to say that it would be compromising its right and its authority were it to recognize as Law Instructions issuing from the Executive Government. That the Regulation No. 2 of 1820 did empower the Government to issue Instructions, to the then existing local Judicature touching its provisions true. But that was an enactment of the then Governor in Council applicable to times which are gone by. One great object of the Charter of 1833 was to put an end to the control which the Executive Government under the habit of exercising over the local Judicature. We find this very clearly set forth in the learned Law Commissioners Report which forms the basis of the Charter. It is there stated that "The Relation thus subsisting between the local Judges and the Executive Government is incompatible with a proper degree of Judicial independence," and the Commissioner proceeds to observe, that in the plan which he had the honor to recommend ALL interference with or control over the local Judges in the exercise of their Judicial functions is transferred to the Supreme Court in its Appellate Jurisdiction. Whatever therefore may have been the state of the Law under the old system of Judicature, it is conceived to be clear beyond doubt, that all right of control on the part of the Executive Government over Courts of Justice is at an end. The Instructions alluded to are consequently in the opinion of this Court inconsistent with the Charter, and so much of the Regulation No. 2 of 1820 as reserves to the Executive Government the power to issue such Instructions, must be held to be rescinded and annulled by the 5th Clause of the Charter, which revolves all Laws and Customs repugnant to it. If the Small Pox Regulation of 1820 is to be taken coupled with such Instructions as Government may think fit to issue,—if these Instructions are to form part and parcel of the Law itself, then this Court can come to no other conclusion than that the entire Regulation is extinct and gone.

This Court is free to confess that the Instructions hitherto issued to it for its guidance are conveyed if not in a very respectful at least in a perfectly inoffensive tone. But this Court cannot shut its eyes to the Instructions of a very different description issued to the District Judge of the adjoining Court, under date 8th April 1837, Instructions which it is painful and fearful to read—and with such a warning before it, it well behoves this Court to take care not voluntarily and by its own act to surrender its Powers and its independence into the hands of the Executive Government.

The opinion which this Court has now expressed, has not been rashly or inconsiderately formed. If erroneous it will be corrected by higher Judicial Authority than its own.

The Judgment of the Court is that the Application be refused first as unnecessary, and secondly as grounded

upon Instructions which this Court does not recognize as existing Law.

The Applicant intimates his desire to Appeal against the Decision of the Court.

It is ordered that the case be forwarded in Appeal to the Hon'ble the Supreme Court.

D. A. BLAIR, D. J.

Supreme Court, Saturday, 24th of June, 1837.

In the matter of the application of Don Vincentie under the Government Small Pox instructions of the 14th March 1837.

The application of Don Vincentie for leave to enter Bond for the due observance of Quarantine of his son Don Nicholas, conformably to the Instructions of the Right Hon'ble the Governor, of date 14th March 1837.

On motion of the King's Advocate for a mandate in the nature of a Mandamus to D. A. Blair, Esquire, the District Judge, requiring him to allow the said deponent to enter into a Bond as prayed for, the said motion being grounded on an affidavit from the said Don Vincentie setting forth the refusal of the said District Judge to issue such warrant in terms as follows:—

"Don Vincentie, residing at No. 8, Silversmith Street, maketh oath and saith, that on the 12th instant the Medical Sub-Assistant, Mr. John Loftus, came to his house to examine a son of the Deponent named Don Nicholas who was there sick. That Mr. Loftus certified that the said Don Nicholas was affected with Small Pox and then gave to the Deponent the annexed notice marked A.

"That on the 14th instant he, the deponent, did accordingly apply to David Anderson Blair, Esq., the District Judge of the District Court No. 1, South, to allow this Deponent to enter into the Bond described in the said notice conformably to the Right Hon'ble the Governor's instructions of the 14th March 1837, and that the said District Judge refused such application as appears in the Proceedings hereunto annexed marked B."

Sworn before me the 21st day of June 1837, at chambers.

(Signed) W. Rouon, Chief Justice.

Signed in Singalese Characters, Explained by me.

(Signed) D. A. De Alwis, Int. Sup. Court.

A Rule has been granted requiring said D. A. Blair, Esq., District Judge, as aforesaid, to shew cause why such Mandate should not issue, and the said Rule is rendered returnable on Monday next.

In the District Court of Colombo N. 1, South, 26th June 1837.

In the matter of application of Don Vincentie under the Government Small-Pox Instructions of the 14th March 1837.

Appellant.

In making a return to the Rule issued on the motion of the King's Advocate, for a Mandate in the nature of a Mandamus, the District Judge respectfully submits to the consideration of the Supreme Court as follows.

That by the Law of England a writ of Mandamus has for its object to supply the defect of a legal remedy and therefore is only issued out of the Court of King's Bench in the absence or want of a specific legal remedy. That the like holds by the Law of Holland which considers a Mandate Penal as "odious and hateful and contrary to the Disposition of the written Law," and therefore an extraordinary remedy of Justice, which does not take place where there is an ordinary remedy by Law open.

That waiving all discussion as to the extent of the power of the Supreme Court to issue Mandates in the nature of Writs of Mandamus, it is submitted that such Writ ought not to be granted in the present Case, in as much as the applicant has a specific legal remedy by Appeal.

That the alleged right claimed by the applicant arises out of the Regulation No. 2 of 1820. That the determination of all questions arising out of the said Regulation, and the exercise of all the Powers committed by it, belong to the Jurisdiction of the District Courts constituted by the Charter of 18th February 1833, and to no other authority whatsoever. That further the Ordinance No. 6 of 1833 expressly declares that all powers and authorities by Law conferred on the several Courts then about to be abolished or on the Judges thereof, "shall and may be exercised by the District Courts about to be established." That in point of Law, therefore, the Matter of right claimed by the Applicant is cognizable by the District Court. That in point of fact the application was made purposely and expressly to the District Court as appears from the Proceedings annexed to the affidavit on which the Rule is grounded marked B, as well as from the Affidavit of the District Judge hereunto annexed. That the alleged right so claimed being therefore a matter of which the District Court may take Cognizance by way of Original Jurisdiction, and the District Court having in fact taken cognizance thereof and pronounced its decision there in Appeal is the specific legal remedy against any wrong done by the District Court.

That it is the clear and manifest intention of the Charter that the legal remedy by Appeal should be of the most comprehensive kind, so as to include every alleged denial of a legal right by any District Court, and to exclude none. That this object is effectually attained by the provisions of the 31st clause which extends the remedy of Appeal to every matter or thing of which a District Court may take cognizance. That the said Clause has hitherto been interpreted by the Supreme Court in a large and comprehensive sense without distinction as to whether there may have been one or more parties before the District Court, and acted upon accordingly. That in particular the Judgments of the Supreme Court on the 7th September 1836, in the matter of the application of V. W. Vanderstraeten, and on the 20th February last, in the case of Wakwellegammegey Nona Baba, afford precedents of the competency as well as efficacy of Appeal against the decision of a District Court on the application of a single individual claiming a supposed right, and alleging a denial of Justice.

It is therefore submitted, that in as much as there is a specific legal remedy by Appeal in the present case, there is no defect of Justice, and that on this ground a Mandate in the nature of a Writ of Mandamus ought not to issue.

The District Judge has confined the matter of this return to the single point whether a Mandate in the nature of a Writ of Mandamus is the proper course of proceeding, there being nothing, it is conceived, in this Rule requiring him to shew cause why he should not, as District Judge, comply with the application as set forth in the Affidavit on which the Rule is grounded.

D. A. BLAIR, District Judge.

David Anderson Blair, District Judge of the District Court of Colombo No. 1, South, maketh Affidavit and saith that on the 14th instant Thomas Oswin, Esquire, Superintendent of Police, appeared as such before the District Court of Colombo No. 1, South, and applied to the said Court on behalf of Don Vincentie, that the said Don Vincentie should be allowed to grant Bond for the

quarantine of his son in terms of the Government Instructions at the 14th March 1837; that the said Superintendent of Police upon being asked whether he made this Application to the District Judge personally or to the District Court, distinctly and unequivocally stated that he made his application to the Court,—and that should the Court, as it had done in two former instances, refuse to comply with his application it was his intention to Appeal. That it appearing doubtful whether the said Superintendent of Police could under the said Government Instructions properly make the application in his own name, he the said Superintendent of Police, asked the Court to entertain the application in the name of the said Don Vincentie who was then in attendance. That the said Don Vincentie thereupon made his application to the District Court to be allowed to enter into Bond, which application was entertained and decided by the said Court in the manner set forth in the Proceedings marked B, annexed to the Affidavit of the said Don Vincentie.

D. A. BLAIR, District Judge.

Sworn to before me, the 26th day of June, 1837

At Chambers.

WILLIAM ROUGH, Chief Justice.

JUNE 26, 1837.

THE HON'BLE THE CHIEF JUSTICE.

I had indulged a strong hope, that in respect of acts required to be performed by District Judges under Regulation. No. 2 of 1820, all discussion had ceased, and that Government and District Judges alike, under the pressure of severe circumstances from without, had met each other cordially, the former, waiving the exercise of any alleged harsh prerogative it might stand on through its possession of ruling authority—the latter not too deeply giving way to conscientious scruples.

This, however, has not been the case, and although in the present instance no immediate injury can arise from delay in pronouncing on opinion upon the subject-matter, yet as a difference of judgment in respect of what may be termed strict right prevails, the Supreme Court is called on to interpret and decide the question.

It is an honour due to the Supreme Court, but it is at the same time one which, as Chief Justice of the Court, I would gladly have had disposed of in another way, as to the particular instance before us. The known disinclination avowed by me in any manner to trench upon the independency, as imagined, of our District Courts established under the Charter, I could not hide if I would, nor have I any desire so to do. It is with extreme unwillingness therefore that I address myself to the determination which has now become unavoidable.

Placed though we are in a Colony, and consequently a territory dependent on, and subordinate to a distant Mother-country, yet the maxim applied by a great deceased Statesman and philosopher politician to Governments of an higher and wider order than our own in Ceylon, is not untrue, neither is it wanting in due proportion of its weight here—"Whatever is Supreme in a state ought to have as much as possible," says this sagacious writer, "its judicial authority so constituted as not only not to depend upon it, but in some sort to balance it. It ought to give a security to its justice against its power, and ought to make its Judicature, as it were, some-thing insic to the State."

Had an arrangement, according to the mediocrity of the authority for the remedy, has been designed, and in a great measure, it is, by the plan of the Charter under which we might be considered administration of Justice and the Law Decision and the Supreme Court and the District Courts remedy in su-

of the Island, the Supreme Court exercising an Appellate Jurisdiction over all District Courts. But there has prevailed an opinion, embraced by very many of our best-instructed District Judges (and far more uniformly than is generally conceived) that the Supreme Court reaches District Courts only by means of Appeal, and that further, it reaches not the persons of District Judges, as individual heads of their Courts. Holding this opinion of their own inviolability in reference to the Supreme Court, it cannot much be wondered at that they deem themselves completely free from the interposition of the Executive, save in the two great points of as Judges, their creation and their suspension and removal.

That they should pride themselves as British subjects in being British Judges, is to their praise and credit; and undoubtedly it is our duty as British Judges to cherish in them that same spirit of independency and manly uprightness which we feel ourselves. It may not then be inexpedient in elucidation of this matter, to consider how this declared opinion of theirs may have had birth.

The late Supreme Court was doubtless, according to the notion and feeling, prevailing at the time of its formation, amongst English statesmen and Lawyers, intended as a sort of balance to the Executive. Far, however, in point of fact, from its being so thought, it soon by the Executive here itself was holden to be an excrescence and an encumbrance. Trial by Jury itself extended among the natives, was reputed to be an idle speculation—a fantastic innovation. I have had occasion before to observe that this adverse jealousy of the Supreme Court, cherished by and indulged in, on the part of the former Government, produced necessarily its effect upon the Courts and Magistracy of the Island. They too from time arrayed themselves in opposition to the powers of the Supreme Court—and any act of jurisdiction exercised by it under the 83d Clause of its Charter, and as far at least as sentiment went, condemned. The Regulations of Government (the Executive and the enacting Legislator being one and the same) mainly indeed were addressed to Provincial Judges, Government Agents, Sitting Magistrates, and Justices of the Peace. They scarcely were designed to operate upon the Supreme Court, nor did it often happen that they met the ear of the Supreme Court. All idea, therefore, of the Supreme Court being Supreme, in anything but name, was not only not encouraged, but it became in the eyes of Government a sort of Lese-Majeste against itself, to consider it as Supreme.

But with regard to the High Court of Appeal. It was a Court distinct from the Supreme Court having its own officer, its own Seal, its own Appellate Authority—but in no manner framed in support of the dignity of the Supreme Court, except that the Judges (then two) of the Supreme Court, had seats on its Bench.

This then produced no effect on the minds of the Provincial and other Magisterial Courts of Island favourable to the authority of the Supreme Court, but rather the contrary. The limitation of the Right of Appeal from the Provincial Courts in regard to the sum, the value of the litigated matter together with the institution of Minor Courts of Appeal in respect of yet smaller subjects of Appeal from the Sitting Magistrates' Court—these suits in Appeal all verging towards, and all being connected with the Government,—there arose a disposition almost implacable towards the Supreme Court. The popular practice and usage became a narrowing and shutting-out, as far as it could be accomplished, of the action of the Supreme Court.

Upon the establishment of the new Charter of 1833, most of the Judicial Magistracies of the Island sincerely, I believe, rejoiced in their emancipation from the control, judicially, of the Executive; the burthen of which they had, I imagine, felt to be frequently inconvenient

and severe. But converted into District Courts, with the sole exclusive original jurisdiction, it has not been unnatural for them to suppose that they owed only a restricted obedience to the Supreme Court; since to a Supreme Court before they had been encouraged in refusing all obedience whatsoever, which possibly they could withhold.

From their vicinity to the Court-house in which we sit, it has so happened that the District Judges of Colombo have at various times and at intervals, been called upon personally to answer enquiries, rather, as I am inclined to believe, put to them accidentally, and as questions arising in the course of a matter in Appeal,—than as intended to exercise over them an austere and precise jurisdiction. Some reluctance has occasionally been exhibited in opposition to this practice of supervision exercised by the Supreme Court. It certainly, however, always appeared to me, and I have so expressed myself, that such a supervision so exercised was designed and intended by the Charter.

But at length the crisis arrived which we have now reached, and which may be considered as being the cause of our present discussion. A severe malady broke out, to prevent the spread of which Government found itself compelled to resort to a Regulation (somewhat irregularly passed) No 2 of 1820 I say, somewhat irregularly passed, because the necessity of so strong an enactment might better have been shewn by an Act of State—a proclamation, forcible but limited in duration. I have no reason to believe that the present Government has not acted upon this Regulation with perfect good faith—and with a desire to render its operation as little oppressive as possible. On the other hand, I cannot but equally declare my conviction that the District Judges, in reference to this Regulation, have endeavoured to do their duty with scrupulous conscientiousness. More especially should it be recollected, that the gentleman, whose conduct is now the subject-matter of our present Rule, to shew cause, threw himself, for the sake of a just determination of what he was to do, into contact with contagion, to which he became personally a victim.

It has been my own opinion that the Act required to be performed by the District Judge, namely, that of granting a Warrant authorizing a removal, was a magisterial act, partaking of a judicial nature. That, as a District Judge, therefore, he was justified in making such order as he was called upon to do, in conjunction with his Court—he deeming the subject-matter to be of importance sufficient to make it advisable that he should so act with his Court. He had a choice—and this is the difference now agitated (if it may be called) before us in the Supreme Court.

It did appear to me, that the order of the District Court, instead of being withdrawn or dismissed, might have been decided upon in Appeal: nor can I entertain a doubt but that such decision would have been instantly attended with submission. Under the exciting circumstances, however, of which he could not but be cognizant, the learned Judge, before whom the point was brought, convinced that the Supreme Court, as must be admitted, had the power of issuing a Mandamus to District Courts, at once resorted to the exercise of that part of our original jurisdiction.

The rest is known—This Court has since decided that an Order of the District Court cannot be heard against on Appeal. Such decision having been given, the present Rule for a Mandamus must be made absolute; for, if there is no remedy to be had in Appeal, Mandamus is that which alone remains.—It must issue.

The Senior Puisne Justice, Mr. Jeremie.—The simple question before this Court, is whether the remedy shall be by Appeal or by Mandate?

And this brings on another; would the remedy by Appeal answer the purpose designed?

I hold that it would not.—The grounds of this opinion are so fully on record, that it is needless to repeat them, I shall only add, that the question, in other words, may be stated thus: is a Magistrate when called upon personally to perform a public duty, which he has declined to fulfil, to be previously heard or to be condemned unheard?

Take the present case, on an Appeal, the Judge is not before the Court, the complainant may enter in the fullest manner upon every topic connected with the point at issue—the Judge cannot reply to him, yet should he be adjudged contrary to his opinion to take this bond, take it he must, under the same penalty of an attachment.

But by means of a rule to shew cause and then by the alternative Mandate, he has a double opportunity of defending the course he has pursued; he may also argue a the bar, personally or by counsel, question the authority of the Court or the Government, or the existence of any law entailing this duty upon him.

This is the only difference between the two remedies. The one is complete, consonant to every rule of law, reason and practice. The other is incomplete, and involves in my view a glaring injustice.

But it is grating to the feelings to receive an order, and the Chief Justice has entered on a very interesting statement of the causes, whence this soreness originates. In so doing, he has rendered these gentlemen and the Court itself an important service,—he has explained what had hitherto appeared inexplicable.

It was in the highest degree singular, that a proceeding adopted towards the most eminent English authorities, the Judge of Arches, the Court of Admiralty, Bishops, Visitors of the Universities, Justices of the Peace salaried and unsalaried throughout England, should prove so repugnant to the local Magistracy of Colombo.

But it seems, they were formerly under the sole control of Government, the late Supreme Court was deemed an excrescence, and they heartily "rejoiced" at being relieved from executive superintendence. But assuredly the District Judges who felt so happy at being relieved from Government control, must have seen that being neither at the head of Judicial Hierarchy nor of the Government, they must continue responsible somewhere; it was too much to expect that in their official proceedings, they were to be at once rendered independent of all local authorities.

When directly and exclusive responsible to the executive, a mere letter could fetter their discretion, they are now ruled by law not by expediency—a vital change—a change at which a "British Judge" might properly "rejoice," but yet a change which has its limits, and within these limits, it is the duty of the principal local expounders of the law to restrict them. For their duty, as required by law, they still must perform as well as any other public functionary.

As to Mr. Blair's personal willingness or reluctance to be guided by the opinion of this Court, if expressed in a shape more consistent with his views of regularity, it might perhaps be very plausibly maintained on the face of these proceedings, that in this instance, at least, though I doubt not a perfectly conscientious officers, he was not included to prove so very submissive, as is supposed. But this is foreign to me. The Court was not,

I conceive, constituted for the purpose of tendering advice, or committing irregularity to suit the inclinations or preconceived notions of any living being. Where two remedies equally regular and applicably concur, I shall be at all times happy to select the milder. But where, as in this case, there is but one, that one I have already felt bound to adopt, and that, on the fullest deliberation, I am of opinion to adopt again.

Monday, the 26th day of June, 1837.

On the application of Don Vicentie under the Government Small-pox instructions of the 14th March 1837.

Vrs.

David Anderson Blair, Esquire, District Judge of Colombo No. 1 South.

(Continued from the 24th Instant.)

The return made by the District Judge of Colombo, No. 1 South, to the Rule issued on the 21st instant, is read and the same having been considered,

On the motion of the King's Advocate, It is ordered that the said Rule be made absolute, and that a Mandate in the nature of a Writ of Mandamus do issue to the said David Anderson Blair, District Judge, as aforesaid, commanding him, as required by the instructions of the Right Hon'ble the Governor of the 14th March last, to take the Bond of the said Don Vicentie in conformity with the application made to him on the 14th instant, or that he do shew cause to the contrary by Wednesday next.

And it is further ordered, that this Mandate be served by the Fiscal of Colombo.

In the Supreme Court of the Island of Ceylon.

William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King Defender of the Faith,

On the application of Don Vicentie under the Government Small-pox instructions of the 14th March 1837.— Vs. David Anderson Blair, Esq., District Judge of Colombo, No. 1, South.

To the said David Anderson Blair, Esq., District Judge of Colombo, No. 1, South.

We command you that you do as required by the instructions of the Right Hon'ble the Governor, bearing date the fourteenth March last, forthwith accept the bond of Don Vicentie, whose son, Don Nicholas, is affected with Small-pox, in conformity with the application made to you on the fourteenth instant, by the said Don Vicentie, or that you show sufficient cause to the contrary by Wednesday next.

This Mandate is to be served by the Fiscal of Colombo.

Witness the Hon'ble William Roush, Serjeant at law, Chief Justice at Colombo, the twenty-sixth day of June, in the year of our Lord One thousand eight hundred and thirty-seven and of our reign the seventh.

V. W. VANDERSTRAATEN, Registrar.

I do here by Certify, that a Copy of this Mandate has been duly served on the withinnamed David Anderson Blair, Esq., District Judge of Colombo, No. 1.

E. S. WARING, Fiscal.

Colombo, 27th June, 1837.

In the District Court of Colombo No. 1, South, - 28th June 1837.

The Supreme Court having on the 26th Instant, issued a Mandate addressed to the District Judge of Colombo, No. 1 South, Commanding him that he do as required by the instructions of the Right Hon'ble the Governor, bearing date the 14th March last, forthwith accept the Bond of Don Vicentie, whose son, Don Nicholas is affected with Small-pox, in conformity with the application made to him on the 14th instant by the said Don Vicentie, or that he do show sufficient cause to the contrary, the said District Judge respectfully submits for the consideration of the Supreme Court as follows.

That in showing cause against complying with the said Instructions of the Right Honorable the Governor, the District Judge, with due deference to the Supreme Court, presumes that the matter is still an open question. That the District Judge is led to this conclusion by the letters of the Registrar of the Supreme Court, under date the 18th and 19th April last, addressed to the District Judge of the District Court of Colombo, No. 1, North, in reply to a reference made by him upon this point to the Honorable the Judges of the Supreme Court. That the Instructions of the Right Honorable the Governor were issued to the District Judge of the District Court of Colombo, No. 1, South, on the 20th May following. That conformably to the directions contained in the letters abovementioned the District Judge did then consider himself at liberty to exercise his own discretion on the subject. That the District Judge conscientiously believing that he could not as District Judge recognize the authority of instructions from the Executive Government touching any act of the District Court, unless so directed by a decision of the Supreme Court, did convey his opinion to that effect to Government, as will more fully appear from a letter addressed to the Colonial Secretary under date 23rd May last, copy* of which is hereunto annexed.

That holding the question still to be open, the District Judge respectfully suggests, that supposing without admitting, the Regulation No 2 of 1820 as being contrary to the common Law of England as well as of Holland, to have received His Majesty's confirmation as a permanent enactment, so much of the said Regulation as reserves to the Executive Government the power to issue Instructions to the Courts of Justice, or to the Judges thereof, is rescinded and annulled by His Majesty's Charter of the 18th February 1833, which vests in the Supreme Court the sole control over the proceedings of such courts or of a Judge thereof, and revokes all laws and customs repugnant thereto.

That supposing the power to issue such instructions still to exist in the Executive Government, such instructions relate solely to causing the removal by Warrant or not of any person affected with Small Pox, but said Regulation does not empower the executive Government to substitute or impose as an Act of Court and course of procedure, other than the warrant directed by the said regulation,

The District Judge suggests the above as sufficient cause against an alternative Mandate being made peremptory, and prays that the reasons set forth in the decision of the District Court, made in the matter on the 14th instant being, the proceedings marked B. annexed to the Affidavit of the applicant Don Vicentie, may be taken into consideration by the Supreme Court in deciding upon the sufficiency of his return.

D. A. BLAIR, D. J.

Supreme Court, Wednesday, the 28th day of June 1837.
The Senior Puisne Justice—MR. JEREMIE.

The question of an appeal having been disposed of at the last sitting, three new points have been suggested to-day.

Is the Small-pox Ordinance to be considered as law?
Has the Governor a right to issue any instruction under it, to District Judges?

Are the present instructions legal, under that Regulation?

1.—The sole local Legislature in 1829 was the Governor in Council. Now what could be a more fitting matter for the consideration of any Legislature than the measures to be taken to ward off a public calamity. What was a Legislature principally constituted for but to watch over the public safety, or what could be of more paramount importance to that safety than to protect the state from the consequences of any scourge—inundations—contagiations, disease or crime?

But these measures are contrary to the common law, so is every statute, it must be a modification of some pre-existing law, and if there is no pre-existing regulation on the subject, of the common law, this Ordinance therefore was not more contrary to that law than any other enactment framed to meet an emergency, to obviate an impending evil. It was no doubt formerly understood, that the Governor should out of his sole authority inactivate extensively on the laws of the colony he administered; but this involved him in a responsibility towards the Government at home which would judge of the particular act by its necessity, his right as towards the colony was never disputed, and his instructions must have been restricted indeed, if they prevented his taking all necessary measures, however stringent, to stay a public pestilence whether plague or Small-pox. As to the severity, therefore, of this regulation if it be really severe, it is enough that the proper authority deemed it necessary, and to that authority, the Legislature alone, should application be made, by those who conceive it might be beneficially modified. And, as to any peculiarity in the laws of Holland in this respect, these laws were only remarkable for the republican sternness with which they enforced the rule, that all private interests must succumb to the public good. It was may rely on Professor Christain, the very killing of a stork was a capital offence from these animals being useful in destroying certain noxious insects, that undermined their dams.

2.—On the second point—the duties of a magistrate were defined by law—and the orders or instructions of an executive Government were certainly not law. This general principle could not be questioned; but in the present case it did not apply, for when a power such as this has been expressly delegated by the Legislature to any public authority, then whilst the public authority empowered keeps within the scope of its directions all acts, instructions or regulations proceeding from it are the acts of the Legislature as completely as if they were embodied in the original law. In England this occurs repeatedly; at every Session of Parliament regulations of detail in matters of trade and finance, are referred to a Privy Council or to the Treasury or Board of Customs, the Cholera Act has been properly quoted by the King's Advocate. There is another very familiar instance. The Articles of War, are law throughout the King's dominions, yet they are framed and promulgated by the Crown alone, and still are they law; but not by virtue of the King's authority—They are law, under the 4th Section of the Mutiny Act, which prescribes that judicial cognizance shall be taken of the Articles of war, "in all Courts whatever." Again with regard to prisons, certain Justices of the Peace are authorised by the Legislature to frame regulations for their management—I trust, ere long, to see something of the kind here, and could it

then be doubted that this Court as well as the Court of King's Bench, now would be bound to take judicial cognizance of such regulations?—Certainly not, yet, country Magistrates cannot assuredly bind the Superior Courts of law. But the legislature can and has done so, in delegating this authority to them.—As to the Charter, it is a law of procedure though a highly important one, and has no reference to the subject.—The local legislature may tomorrow delegate its authority in the manner above mentioned, notwithstanding the Charter, and so it could yesterday.

3.—The third question is, whether the specific instructions now before the Court are within the scope of the powers, confided to the Executive Government by the Regulation.

The Regulation commands the issue of a warrant of removal in every case of Small-pox—"subject to instructions" from the Government—the obvious purpose of this Reservation is therefore to mitigate the severity of the law, and any instructions having that direct and immediate tendency are evidently within its province.

These prescribe the milder measure of a quarantine in the sick person's domicile, when practicable,—most clearly a mitigation; and as to the duties of detail assigned the Magistrate, are they inconsistent with the ordinary duties of Magistrates? I conceive they are not—he was bound to issue a warrant, he now takes a recognizance—he was bound to commit, he holds to bail—I therefore consider these Instructions as completely law, as if they were embodied in the Small-pox Regulation itself.

But on looking them over carefully, it does not appear to the Court that the duty of taking these recognizances, is assigned with sufficient distinctness to the Magistrate; it is indeed said that the applicant shall enter into a "bond," but that he may do before two witnesses. There are no words of command requiring the Magistrate to take this bond; none, it is judicial cognizance, and where the penalties of a refusal are so severe, for the punishment is by fine and imprisonment, the directions to the Magistrate should not be open to a second construction. A peremptory mandate cannot, therefore, issue, until the instructions are amended; but this may be done tomorrow, and in the meantime, the concurrent opinion of the Court, will probably supersede the necessity of a farther application to it.—Should it happen otherwise, its course will be clear; and I doubt not it will act with equal unanimity, vigor and promptitude.

The Chief Justice closed the proceedings by a few remarks.

The Mandamus was now to be deemed inoperative upon purely technical grounds; but he was not sorry, that it could be so got rid of. He had thought, that this question might be disposed of in Appeal: the prevailing opinion during three years of the existence of the Charter had been to that effect,—that all mistakes of District Judges were removable by appeal. When it was expressed, that the Regulation of No. 2, 1820, was passed against the Common Law both of England and Holland, the meaning of the observation was this, that the maxim *Cuique, suum. Domus, est, per-fugium*, was alike established in the system of the Laws of both countries. He had enquired into the history of this Regulation and he found that it created amongst the Burgher inhabitants great alarm. It must be admitted that to Legislate generally for indifferent cases is a matter of extreme complexity; this Regulation seems to have been announced rather in terror than otherwise; for the exercise of it lay dormant for two years or more, after its enactment. Mr. Barnett,

a Magistrate, is said first to have had recourse to it: neither has it been much stood upon since.—But the local Government, in its ordinary course of business, seems to have promulgated this as a mere every-day measure.—He, the Chief Justice, has had much experience in Dutch Administration of Law elsewhere, and he cannot but think that the instrumentality of an higher rule should have been exercised in this matter. It is an error to suppose that the Government of the States-General was not a Government of Law—it was a Government of severe, but strictly followed, Law. Now on an emergency of this kind, the Dutch Government would have had recourse to an act of State, an Order Politique (Proclamation) stating the necessity of what else would be a violation of fundamental Law—and the effect of this proclamation would probably have been limited in duration, but renewable; for such proclamation the Governor would have been responsible to the Sovereignty. A learned Burgher might therefore, as a District Judge, knowing in what manner this regulation had passed, and believing it to come before him for consideration, easily have been led to declare it, in the particular instance, extinct and of none effect under clause 56 of the Charter of 1833, but he would also have known that, a proclamation might legally be resorted to immediately, ordering what this regulation enacts, and vindicating its act by the necessity of the case.

Leges quascunque, non sola voluntate sua fecisse Cynites, said solus jussisse.

Politicarum causarum et decretorum politicorum a causis forensibus judiciumque decretis, distinctio—the former, Courts of justice could not meddle with.

Pestle de Republika Batava; Commentaru—

The Supreme Court, however, has decided that this matter must be disposed of by Mandamus and cannot be by appeal.—The Regulation is an existing un repealed Regulation, and the Mandamus falls to the ground simply on a technical ground, as stated.

Colonial Secretary's Office.

Colombo, 28th June 1837.

SIR,—With reference to the instructions conveyed to you with my letter of the 20th May last, I am directed to signify to you the Governor's command that in all cases where parties are permitted by those instructions to enter into a Bond for the due observance of Quarantine, you do cause the same to be entered into before you, according to the form transmitted to you, and you will consider the instructions above alluded to, to be in all respects imperative upon you.

I have, &c.

P. ANSTRUTHER, C. S.

The District Judge of Colombo, No. 1. South.

District Court of Colombo No. 1. South,
30th June 1837.

No. 245.

SIR—I have honor to acknowledge the receipt of your letter of the 28th instant, conveying to me the Right Honorable the Governor's command on the subject of the Instructions issued to me as District Judge and transmitted with your letter of the 20th ultimo.

In reply I have only to assure His Excellency, that the same rigid sense of duty which compelled me in the first instance to refuse recognizing the authority of these instructions, firmly believing them to be contrary to Law and incompatible with my Independence as a District Judge, will, now that they have been pronounced by a decision of the Supreme Court to be Law, equally influence me in giving them their full effect; and I beg to add, that in so far as I am personally concerned such would have been the result even had the last imperative communication been omitted.

I have the honor to be, Sir,

D. A. BLAIR, D. S.

The Hon'ble the Colonial Secretary.

[Ceylon Chronicle, July 10.

INSOLVENT COURT.

August 19, 1837.

In the matter W. F. Clarke and others.

Mr. Justice Nalkin.—The general questions of law involved in the decision of this case have been recently so fully considered in the similar application made with respect to the estate of Messrs. Cullen and Brown, that I need not again discuss them; indeed they were hardly made a matter of controversy at the bar in this case, and I do not feel under any necessity of at all adding to or qualifying the opinion I then expressed. The principles however now have to be applied to a case arising under rather different circumstances, and involving, as it appears to me, questions of more difficulty than most of those which existed in the former case. The result, however, will in my judgment be the same, that the claims made ought to be admitted; and in explaining my reasons for coming to that conclusion, it will be most convenient that I should shortly state the facts as I understand them out of which the claims arise.

At the end of April, in the year 1837, Mr. David Clarke, then the senior member of the long established house of Fergusson and Co., retired from the partnership; he was himself in England at the time, and the different arrangements proposed appear in the first instance

to have emanated from the partners here and to have been assented to by him, with some modifications to which I shall presently advert, when he received intimation of them. At that time there were standing in the books of the house sums to the credit of the different partners to the amount of 12,85,103 rupees of which the large portion of 8,31,636, was to the credit of Mr. David Clarke, the retiring partner. A valuation was afterwards made of the accounts of the house, by which it appeared that in the opinion of the continuing partners, there was a deficiency at the time of rupees 6,63,512,—that that was the excess of the whole claim upon the firm over the estimated value of the whole accounts. I shall presently show that they probably estimated the real deficiency a larger amount; an amount not precisely defined or probably even in their own minds completely ascertained, but considerably exceeding this numerical statement of deficiency. This could not make the house in the estimation of the partners an insolvent house; for the sums to the credit of the individual partners amounted to very nearly 13 lakhs, and all these claims were subordinate to the creditors of the house. There was enough in opinion of the partners, to pay all the creditors and leave something for the partners of the house who had any claims against it; but certainly not enough to allow Mr. David Clarke to retire with eight lakhs and upwards, if

the sum which he was to claim from the house was to depend on a real account of the value of his interest in

If this were the premises on which the present claim were to be determined, the utmost that his assignees could obtain by the present motion would be a reference to see to what extent, if at all, his claims could be supported. And on such a reference it would be necessary to enquire, what were the opinions of the partners as to the condition of the firm, and how far fairly or fraudulently entertained, and what was at the time, on an estimate really correct, the balance between its liabilities and resources.

But this is not the real question in the case, for there was a regular deed of dissolution, and certain contracts and engagements entered into between Mr. David Clarke and the continuing partners. The whole question therefore turns on the provisions of that deed and those engagements; what these amounted to; how far they can be upheld in law; and as it does so, it is rather singular that the provisions of the deed itself have not been at all adverted to, in the argument on either side. They consist, however, of a complete dissolution of partnership, a complete transfer of Mr. David Clarke's interest in the partnership effects to the continuing partners, a complete release by them to David Clarke for all partnership responsibilities, and a complete acknowledgment, agreement, and covenant that the balance due to David Clarke was a just claim against the house and should be paid as such by the continuing partners. On the face of the deed, therefore, the transaction was buying out of the retiring partner by the continuing partners, the price paid being the taking upon themselves the whole liability for the sum standing to the credit of David Clarke in the books of the firm, a sum, as I have already observed, larger than any thing which would be due to him, even in their own estimation as his mere proportion of actual partnership property. It is, however, questionable whether this was exactly the real state of the transaction. A valuation was made, not of all the debts due to the house, nor even of all those considered as in some degree doubtful, but of all those on which any claim to have actual allowance made was considered to exist. But this apparently was not for the purpose of ascertaining the real and exact value of David Clarke's interest, to see what property he might take out of the firm, but rather to see what was the state of the firm, and how much therefore the continuing partners could afford to allow him to remove from its funds. As between himself and the firm he had a right to the whole balance standing to his credit; but he could not be allowed to remove it, or to hold that claim and to be relieved from the liabilities of a partner if the risk or responsibility of the others thereby became excessive. They do not appear to have felt it conclusively so, for they executed the deed of dissolution in which they treated him as entitled to the whole amount, but they seem to have felt it unreasonable that he should receive the whole for a sum of two lakhs was deducted in account. This was done with David Clarke's concurrence and with an expression of his opinion that a larger deduction might reasonably have been made; but it appears to have been done on the proposition of the continuing partners, though that proposition is not in evidence, except in as much as David Clarke's letter of 3rd Oct. 1828, refers to it and adopts it. There might perhaps under these circumstances be some doubt, notwithstanding the stipulations of the deed, whether the 2,31,636 was at any time to be considered as David Clarke's property, and the subsequent remission of two lakhs as his gratuitous act; or whether the 2,31,636 was to be treated as all he was ever really entitled by their bargain to receive. But that he was at all events entitled to this extent, and that upon the deduction of the 2 lakhs from his account, the remaining balance became the debt due to him, by the contract, an agreement of

all the parties, there can be no doubt. It is on the footing of that balance that the present claim is made; and it must therefore be supported on the principle formerly discussed, unless there be something to impeach the good faith of that transaction.

That it was a transaction purporting of good faith as between the partners themselves, it seems impossible to doubt. Mr. David Clarke's chief anxiety seems to have been that he should not be allowed to receive more than he fairly ought. The valuations which are of less importance in the case than if made for the purpose of really assessing Mr. David Clarke's interest, but still very material evidence are made entirely by the continuing partners. Their inclinations might make their valuations sanguine, but their interest was to estimate the allowances as high as possible, for on them rested their claim to make any deduction from the sum due by the firm to David Clarke. This evidence of good faith does not follow necessarily in all cases when the valuation is made by continuing partners, for instance in 1832 the continuing partners thought it necessary to allow a certain sum to be paid to Mr. Smith's estate, not because they thought he had any real claim in the partnership property, but partly out of consideration for his long services and principally because the firm could not afford to let it be known that their senior partner had died worth nothing. But generally speaking, the allowances claimed by the remaining partners against an outgoing partner will be claimed to their full extent, and I see nothing in the circumstances of the case to make one doubt that they did actually claim against Mr. Clarke all that they felt themselves entitled to demand. They seem, indeed, to have been aware that the condition of the firm was still in some respects estimated too favorably, but this, which would be of great importance if the object had been to ascertain the exact value of David Clarke's interest, is of little or none where the question was, what they would afford to let him take out? It would form one of the elements of their calculation that there was an undefined risk of this kind cast upon them, but it furnished no reason for supposing that they did not think it fairly worth their while to purchase David Clarke's interest at the price they gave for it. This risk being included, the question being merely as to the good faith of the transaction, it is unnecessary in this as in the former cases to enquire into the reasonableness, if we are satisfied of the honesty of those valuations and estimates.

But, however fair these arrangements might be when considered merely as between the parties to part them, the most material and the most difficult question remains how far they were, even in the opinion of the parties, fair towards the creditors,—how far Mr. David Clarke or the remaining partners of the house could have felt that he was entitled as against the creditors, to withdraw or establish a separate and individual claim for so large a sum as that allowed to him, even if the amount of allowances made on the valuation of 1827 was considered to be the true estimate? According to the best opinion they could form, there was then a deficiency of 6,63,612; the sums to the credit of the different parties were only 13,85,103, and the real assets of the house, therefore, was, after satisfying all creditors, not partners only, the difference between these sums or 6,31,491. Mr. David Clarke took out 6,31,636, after the deduction of the two lakhs was made, and left the house therefore even on this shewing not absolutely able to meet its engagements. I have already said, however, that the real deficiency was probably estimated at a larger amount. Mr. Fergusson's evidence is that the statement of 1827, does not pretend to be a complete estimation of what would be the probable loss on each account, but only of the proper allowances: "It was not a statement of our creditors but merely an adjustment between ourselves; the allowances could not

in any case be more but would in many cases be less than the estimated amount of loss. In most houses the incoming partners gave a bonus, in ours we did not, but this difference stood in lieu of it." In other words, the continuing partners in consideration of the retirement of an outgoing partner and their own increased interest in the business, took upon themselves a certain portion of risk and probable loss, besides those ascertained risks or losses which were made the subjects of estimate and allowances. In estimating, therefore, the actual or ever supposed solvency of the house in 1827, some conditions must be made to the deficiency above the numerical amount of the allowances in the figured statement. A similar conclusion may be deducted in a different manner. The year ending in April 1828, was, or was at least considered to be, a year of prosperity to the house. At the close of it a valuation was made, not for any purpose of assessment between outgoing and incoming partners, but merely to determine the best mode of conducting the business of the house and the amount of dividend that might properly be made among the partners. These dividends were not removed from the liabilities of the house, and there was therefore no reason, except the natural inclination to look at the favorable side of all matters of interest, to declare a dividend unreasonably large; nor was there any adverse or conflicting interests nor any distinction between retiring and continuing partners, to make it proper or reasonable to omit any risks. In their estimation every allowance that ought to be made was made to the benefit or disadvantage of all the partners; and as they were interested to know the truth, it would be their object to make all reasonable deductions and accordingly we have the opinion, of one of the partners, that the estimate then made, though perhaps still somewhat too favorable and sanguine, was more rigidly and correctly made than any of the proceeding. According to that estimate the deficiency was reduced to 401 rupees, 6,63,211 less than in the estimation of the former year, while the sums standing to the credit of the several partners amounted to 1,130,380 being therefore a sum of 11,299,79 fairly belonging to the partners after satisfying all the creditors 5,08,488 more than in the preceding year. In the same document 7,45,389 is said to have been the balance of profit over loss in the preceding year, a sum exceeding either the diminution of the total deficiency or the increase of the available assets of the partners. The difference may be attributed in part perhaps to the acknowledged inclination on the former valuation not at once to bring every thing down to its real value, and partly to the cause stated by Mr. Ferguson that the bonus to the retiring partners was given in the manner of making them allowances. But the real amount of deficiency would at all events have to be corrected and the correction would be by increasing it. It would seem, therefore, to follow conclusively, that the house was not solvent in the opinion of the partners while Mr. Clarke remained in it, and taking with him the large amount he became entitled to, even after the deduction of the 2 lacs. That there would be a deficiency would also I think necessarily be within Mr. D. Clarke's knowledge, nor would he, as it seems from his letter of 6th November 1828, have been unwilling to make some further contribution to meet it. To this extent, therefore, I must treat him as cognizant of the insolvency of the firm, and as coming within the scope of the observations I made in the case of claims on the estate of Messrs. Cullen and Brown, to which I refer rather than to any higher authority, because, as there may be some apparent inconsistency between these observations and the view I entertain of the present case, it is to them that I must advert in explaining it. I then stated that it appeared from the case "Ex parte Peake," that the mere fact of the insolvency of copartnership at the time of the deficiency of copartnership at the time of the dissolution, does not invalidate the claims of the retiring partners arising out of that dissolution, if it were made fairly between the partners themselves: and that cases

may exist, for the dissolution between Peake and ——— was treated as such a case, where the knowledge of the partners that the firm was insolvent would not prevent the dissolution from being a bona fide transaction. It follows that the whole question turns on the existence or non-existence of actual fraud: that there can be no fraud in law, arising out of the situation of the parties of which they were or ought to have been cognizant, but that there must have been fraud in fact. It is perfectly consistent with these views to say, as I should undoubtedly be disposed to say myself, as I understand other Judges to have said here on similar occasions, that in the conduct of a business of the extent and nature of that under question, it would be hardly possible to conceive a case in which a partner entering with the knowledge or rather in the belief that his firm was insolvent, and drawing out a considerable sum of money from, or establishing a personal claim against such insolvent firm, ought not to be considered as attempting fraudulently to withdraw himself from his responsibilities, and to obtain a payment or credit to which he is not entitled. But the decision of *Ex parte Peake* established this, that is only as evidence of actual fraud, that even knowledge of the insolvency is material, and that the mere fact of insolvency itself is of no importance whatever except as evidence from which that knowledge may be inferred, for the purpose of using it as evidence and as evidence only of the fraudulent design. In other words, however foolish or sanguine the views of the partners may have been, if they were sincere, the arrangements founded on them will be binding.

I proceed to state my reason for thinking this. There is no reason to suspect Mr. David Clarke's retirement to have been a hurried retirement for the sake of getting out of a business which he knew to have become unprofitable or hazardous. On the contrary, he retired after 22 years' partnership, when he was himself in London, and ignorant of the exact state of the firm; and he seems to have been rather surprised that the accounts proved no better than they did. He does not seem to have entertained any notion, that the creditors of the partnership would be finally endangered: his only apprehension appears to have been that if the remaining partners desired to withdraw too much, they would hardly be able to get away from the concern, "because they would not leave the young ones easy," and he expressly states, even while expressing his general dissatisfaction, that "with caution and a moderate way of going on there ought to be a sufficient compensation also, but when that time will come it is difficult to say." I quote these expressions from the letter of 3d October 1828. Its general scope appears to be that the continuing partners would have long to labour for large acquisition, but that with prudence might be attained; an expectation inconsistent with any notion of the permanent insolvency of the house, for if this continued, the remaining partners could have nothing. I see no reason for distrusting the sincerity of those expectations, either on his part or on that of the remaining partners. The transactions of the very next year, on a valuation considered to be more strictly made, and likely to be so as it was made for a different purpose, left the house, in the estimation of the partners, with a large surplus over the debt due, with the exception of the private accounts of the partners themselves, and with only the deficiency of 401 rupees, when those accounts were included. The whole deficiency of the year 1827, on the estimate as I have estimated it, was small in proportion to the extent of the concern: the mere profits of commission on which there was no risk, would, I believe, have extinguished it in a year. Looking to these circumstances, and in some degree also to the opinion expressed by witnesses connected with the firm, but principally to the circumstances themselves, I cannot say that this was such a business as

sanguine and speculative men, with the views they then entertained of its condition, might not fairly be willing to continue on the terms they gave for it: nor such a business as Mr. D. Clark, with the same knowledge, might not retire from on those terms, without feeling that he was escaping liabilities by which he was bound to abide. I need hardly say that the mere fact of a party retiring after a long service from business, and contemplating retirement at no very remote period, as the great object of desire for the remaining partners as well as himself, is in India no evidence of distrust of the concern. No Englishman considers himself, or his countrymen, as more than temporary sojourners here, and no man wishes to leave his property involved in all the risk and liabilities of a business, when he has himself permanently quitted the same. On the whole view of these matters, after the result it is difficult to suppose the arrangements in question soundly or wisely made; but I feel it impossible to believe them made otherwise than fairly, and the adjudication is that the claim arising out of them must be allowed.—*Englishman*, August 21.

ALLIPORE COURT.

ALLIPORE, WEDNESDAY, 26TH JULY, 1837.

Before R. H. Snell, Esq., Joint Magistrate.

ALLEGED FALSE IMPRISONMENT AND EXTORTION OF MONEY.

This case had been pending for some time and came on this day, and was finally disposed of. Rajnarian Doss, of Mullingha, Calcutta, charged Mr. George David Brown, of North Entally, with having falsely imprisoned him on the night of 7th July, instant, and with having tried to extort a sum of money from him under the following circumstances.

That Mr. James Broders on an occasion called on the plaintiff, and informed him that he, Broders, had some years ago deposited a gold watch and a chain with the plaintiff's father Chundernarian Doss, deceased, for a balance of account amounting to rupees 31, 14 annas, and that he, Broders, was then prepared to release it. The plaintiff denied all knowledge of the watch and appendages. That on the 7th instant, Broders again called on the plaintiff and said to him that as he knew nothing of the watch, he, the plaintiff, should accompany Broders to the house of the defendant, and there inform the defendant of his, the plaintiff's, ignorance of the transaction. That on the evening of the 7th instant, the plaintiff accompanied Broders to the defendant's house, and when there the defendant asked "where is my father's watch?" The plaintiff, as before, denied all knowledge of it. The defendant then said that he was determined to have the watch, or that the defendant would imprison the plaintiff until he would pay a thousand rupees. Another gentleman then present at the defendant's house said, "no, give 600 rupees for the watch." The plaintiff made no reply, and having discovered the defendant's motive, wrote a letter to one Joyanarian Doss, an uncle of the plaintiff, informing him of the plaintiff's situation. That Joyanarian came after an hour or so. The defendant on seeing Joyanarian threatened to beat him, but ultimately put him out of the house, and kept the plaintiff prisoner for the whole of that night in a palkee. On the following morning the defendant extorted a letter from plaintiff to Mr. Broders. About 7 that morning Joyanarian, accompanied by a burkundauz of the name of Ulfoo, came to the defendant's house, and from outside of the gate demanded admission, which was denied by the defendant. The burkundauz then sent notice to the thana and Baneemadub jemadar, came and on demanding plaintiff's release, defendant said, that he was about

to send the plaintiff to Allipore. The jemadar replied, that if the defendant would deliver the plaintiff to him, the jemadar would forward the plaintiff to Allipore. Defendant refused to comply unless the jemadar granted a receipt for the plaintiff, which the jemadar readily did, and released the plaintiff, between 10 and 11 of the 8th inst. Plaintiff had no witnesses to prove the imprisonment in the palkee, but had three cartmen present to prove the imprisonment at the house of the defendant. That plaintiff is by profession a pedlar to Mr. Henry Martindell.

Mr. Dias, on behalf of the defendant, objected to Joyanarian's deposition being read, as he had purposely absented himself from the trial. Mr. Brown then made the following defence. That one James Broders was nominated guardian by Mr. Brown's father, who entrusted him with a large sum of money and other movable property for the use of Brown and his sister, both then infants. That Broders had made away with all money belonging to the infants, leaving them destitute. That after Brown arrived at full age, one day, in conversation with Broders, he was informed of the gold watch, chain and appendages as being in mortgage with the plaintiff's father for a sum of thirty-one rupees fourteen annas. That Brown agreed to pay the amount of the mortgage and demanded the release of the watch by Broders. That on another occasion Broders informed Brown that Chundernarian Doss, the mortgagee, had died, but that his son Rajnarian stated that the watch was either lost or mislaid, but that Rajnarian was willing to make Brown a fair consideration for a watch, and if Brown had no objection he, Broders, would bring Rajnarian to Brown's house to effect the above arrangement. Brown agreed, and on the evening of the 7th instant, both Broders and Rajnarian called at Brown's house. On Brown's asking Rajnarian what arrangement he proposed making, Rajnarian said he was poor and could not give more than two hundred rupees for the watch, &c. Broders had previously informed Brown that the watch was well worth from six to eight hundred rupees. Brown therefore declined Rajnarian's offer and after a great deal of conversation Rajnarian agreed to give six hundred rupees for the watch, &c., and was so pleased at having closed the bargain at that price, that he immediately asked for paper, saying that he, Rajnarian, would send to his uncle Joyanarian to bring the money and to witness the above final arrangement. That Rajnarian accordingly wrote the letter and delivered it to Broders, who accompanied by Mr. Marley took it to Joyanarian, who after receiving it desired the gentlemen to wait a few minutes and that he would procure the cash and accompany them to Brown's house, which he did. On

meeting Rajnarain, Joynarain asked if he, Rajnarain, was in earnest about the six hundred rupees. Rajnarain replied in the affirmative, and Joynarain then said he would return home and bring the money in half an hour and desired Rajnarain not to quit the house till he returned with the money. Joynarain did not make his appearance all that night and not until 10 A. M., of the following morning, when Brown was surprised at seeing him accompanied by the Jemadar demanding to release of Joynarain. This request surprised Brown, and on discovering the deceit attempted by Rajnarain, he refused to deliver Joynarain up unless the jemadar would receive him in custody. On the jemadar's consenting to this arrangement Rajnarain was delivered over. Brown denied the false imprisonment and extortion in toto and urged that Rajnarain had come to his house of his own accord and had continued there of his own free will and pleasure expecting his uncle's return, and that there was nothing to prevent his leaving if he chose to do so.

The following witnesses were then called by Rajnarain.

Sookoor, garewan, deposed.—That about twelve days ago, as he was passing North Entally in his cart, Baneemadub, jemadar, stopped him and did the same to Koochil and Deenoo garwans and told them to witness his, the jemadar's, proceedings at the defendant's gate. The jemadar called out "Rajnarain Doss are you here?" and a voice from within replied "yes". That Joynarain then said, Rajnarain "come away" and Rajnarain replied I cannot, "they will not let me out." Saw Rajnarain in the verandah of the defendant's house. Saw Rajnarain brought out by the jemadar from the defendant's house. The jemadar informed witness that he had given a receipt for Rajnarain's release. Rajnarain was not tied, nor did he complain of bad treatment. Rajnarain was standing in the verandah of defendant's house. The outer gate of defendant's house was shut, Rajnarain said nothing to witness.

Cross examined by Mr. Dias.

Witness was only standing outside of the gate, and observed the gate was shut, but did not try if the gate was shut or open. The gate was about four or five cubits in height.

Koochil, garewan, deposed, to all that Sookoor had said, but that he saw the plaintiff in the hall of the defendant's house and on being cross examined by Mr. Dias he acknowledged that he did not try if the gate was shut or open and that its height was from three to four cubits. Deenoo, garewan, did the same. Mr. Dias then called the following witnesses.

John Marley deposed.—That on Friday, the 7th day of July, one James Broders, accompanied by one Rajnarain Doss, came to the house of the defendant between 6 and 7 P. M. of that day. Rajnarain, the defendant and Broders, had some conversation regarding a gold watch and appendages, and deponent heard Rajnarain offer the defendant the sum of 200 rupees as a consideration for the watch, but which the defendant refused to accept. The parties above named then had a conversation for some time, after which deponent heard Rajnarain say to the defendant that he would give the defendant the sum of 600 rupees for the watch immediately, on the defendant's agreeing to the terms, deponent was desired by Rajnarain to take charge of a letter which Rajnarain of his own free will and accord wrote in the presence of deponent, desiring deponent to take it to Rajnarain's uncle's house where deponent receive the sum above mentioned. Deponent not being the house of Rajnarain, took Broders to have

his house pointed out to him, the deponent, and on arriving at the house Broders called a servant, and on the inmates of the house being duly informed that the deponent was waiting, one Joynarain Doss, representing himself as the uncle of Rajnarain, came out of the house to the deponent and took the letter, who on reading it desired deponent to wait, and that he would procure the money and accompany deponent and Broders to the defendant's house. After a few minutes Joynarain, accompanied the deponent and Broders to the defendant's house, on arriving where, Joynarain asked Rajnarain "if he really wanted the money," and on Rajnarain replying in the affirmative, Joynarain desired Rajnarain to wait at defendant's house until he returned with the money. Joynarain never came back, and Rajnarain remained at Brown's house of his own free will and consent expecting his uncle, and was not a prisoner, nor was he subjected to either abuse, maltreatment, or any description of violence.

Cross examined by Mr. Dias.

The paper produced is not the one written by Rajnarain to his uncle: that was old, dirty China paper, and the ink was of a darker colour. The gate of Brown's house is about seven feet high, and the road is lower by 14 inches than the compound of Brown's premises.

James Broders deposed.—That he was appointed. Guardian by the father of Mr. George David Brown, defendant in this case. Deponent being after some years in great distress was obliged to mortgage a watch, chain and key, all respectively constructed of gold, belonging to the defendant's father, to one Chundernarain Doss, deceased, and that on the defendant calling on the deponent for the watch and appendages deponent called upon Rajnarain Doss, the son and heir of the deceased Chundernarain Doss, and was by Rajnarain informed that the watch and appendages were mislaid and that Rajnarain was willing to make good the value of the watch, &c. if the defendant would agree to moderate terms and requested deponent to take him Rajnarain to the defendant's house. Deponent communicated this to be defendant, and on Friday the 7th instant, Rajnarain of his own free will and accord accompanied deponent to the defendant's house where, after much conversation, Rajnarain ultimately agreed to allow the defendant the sum of six hundred rupees for the watch, &c., the defendant making good the value of the original mortgage.

The witness then fully corroborated the defence and the examination of the preceding witness, and on cross examination by Mr. Dias, also denied the letter produced to be the one originally written by Rajnarain, and stated that the gate was of too great a height to admit of persons from the road seeing into Mr. Brown's house.

Mr. Dias closed the defence and submitted that Rajnarain had not a case until Joynarain had agreed with Baneemadub, jemadar, between whom three common garewans were procured to substantiate a serious charge against his client. That the fact as proved in evidence was sufficient to convince the magistrate of the character of the charge; besides which the garewans all deposed to having seen Rajnarain, one in the verandah, and the other in the hall, which was impossible after what fortunately came out on their cross-examination as to the height of the gate, and as to neither of the garewans having tried to open the gate, which made it a question whether the gate was shut at all. Both Messrs. Marley and Broders had fully substantiated the defence and Mr. Dias did not see how such a charge could be entertained.

The magistrate, after summing up the whole of the evidence, dismissed the case.

SUDDER DEWANNY ADAWLUT.

JULY 1, 1837.

Before D. C. Smith, Esq., Judge.

BHOOWAN SING, APPELLANT.

In this case the petitioner petitioned that his being dissatisfied with the order passed in his case by the Judge of Zilla Behar of the 3rd October 1836, did on the 23rd day of December appear before the additional Principal Sudder Aumeen of the Zilla, and sign a Mooktarnama in his presence in the Court, and attached the official copy of the Zilla Judge's order of the 3rd of October 1836, and despatched them both by dawk on that very day to a mooktar of the Sudder Dewanny Adawlut, in whose name the mooktarnama was signed by him, with a letter of instructions how to act for him in this case, and produced the dawk receipt, dated the 23rd December 1836, in corroboration of his statement. And Moonshy Mohomed Ullee, a vakel of the Sudder Dewanny Adawlut, in confirmation of this petitioner's statement, deposed this day in the Sudder Court, that Baingah Sing, on receipt of the mooktarnama and the other papers despatched by this petitioner by dawk to his address, negotiated with this deponent with an intention to engage his services as the vakel of Bhogwan Sing in this case; but before this negotiation could be completed, Baingah Sing was sentenced to be confined in the Zilla jail of Alipoor by R. H. Rattray, Esq., one of the Judges of the Sudder Dewanny and Nizamut Adawlut, for a contempt of Court. Baingah Sing, after his release from the jail, wished to renew the negotiation with this deponent; but as he contemplated preferring a complaint to the Governor-General in Council against Mr. Rattray, for false imprisonment, this deponent declined transacting any business with him, and this is the reason why this matter was delayed.

The presiding Judge remarked, that reckoning the period allowed to appellants to file their appeal from the decision of the Minor Courts, viz. 3 months, from the 12th day September 1836, the date of the 1st order of the Zilla Judge on this petitioner's cases to the 23rd December 1836, it would appear that this petitioner had exceeded the period by 12 days; but the Court felt disposed to calculate this period from the 3rd day of October 1836, the date of the final order of the Zilla Court, and by that reckoning the petitioner's appeal on the 23rd of December would be 10 days within the prescribed time and admissible by the Court, and it was admitted.

In this petition of appeal, this petitioner stated, that a person named Furhad Ally complained against another person named Bubur or Bubur Allee for 1506 rupees; and having obtained his decree seized Bubur Allee's share, viz. $\frac{1}{2}$ of the village of Daudpour in the pergunnah of Ghoo-Zilla Behar, in conformity to this decree, and had a precept dispatched from the Judges Court to the Zilla Collectorate to sell the seized lands in satisfaction of this decree. In obedience to the order, the land was put up for sale, and this petitioner purchased it for 575 rupees, and paid the purchase money in to the Collector's office. Subsequently Furhad Ullee petitioned the Zillah Judge, stating, that those lands had been sold for much less than their value, and prayed the Court to order the Collector to cancel the sale, and resell them for not less than 1,500 rupees, the amount of his decree; and offered to purchase them himself for that sum, in satisfaction of his decree if no person bid higher for them. The Zilla Judge on this petition issued a precept to the Collector on the 12th September 1837, to resell the lands but not to dispose of them under 1,500 rupees. Against this order this

petitioner filed a petition at the Zilla Judge's Court, praying that as he had bona fide purchased these lands and paid their purchase money into the Collectorate, that this order of the 12th Sept. 1836 be recalled, and the sale be confirmed. This petition was rejected by the Zillah Judge on the 3d October 1836, who confirmed his order of the 12th September 1836, and the lands were subsequently put up for sale and brought in by Furhad Allee for 1,500 rupees in satisfaction of his decree. Dissatisfied with this proceeding of the Zilla Judge, this petitioner filed the present appeal.

This day this petition was heard before Mr. D. C. Smith, one of the Judges of the Sudder, who opined that the order of the Judge was inconsistent and could not be maintained, because the lands had been sold by an order from the principal Sudder Aumeen's Court and not the Judge's Court; and if they were sold for under value, Furhad Allee ought to have petitioned that functionary and not the Zilla Judge to cancel the sale and have the property put up again for sale. Beside this, the Sudder Judge remarked, that, many petitions for a resale had been complied with by the Zilla Judge, and the resale on those petitions had been on an appeal to the Sudder Court cancelled, and the former sale confirmed. For if this Court were to sanction the resale of landed property on every plea of its having been sold for a sum considerably below its value, there would be no end to these resales. If Furhad Ullee could purchase the land for the full amount of his decree on the 2nd sale of it, what was there to prevent his so doing when the land was put up for sale in the first instance.

The Judge, under all the circumstances of this case, issued an order that the 2nd sale of these lands, in conformity to the order of the Judge of Zilla Behar of the 12th Sept. 1836, being uncalled for in the opinion of this court, it cannot be maintained, and therefore it ordered it to be cancelled, and the primary sale of those lands in which this petitioner was the purchaser be confirmed; and this petitioner be put in possession of those lands and the 575 rs. the purchase money, be made over by the collector to the principal Sudder, in part payment of the decree of Furhad Allee against Bubur Allee, and Furhad Allee refund all the rents he may have received for these lands on this second sale to this petitioner. It was then ordered that a precept with a copy of this order be dispatched with all convenient haste to the Judge of Zilla Behar, to put this order into execution.

In the Sudder Dewanny Adawlut, a petition was filed by a person named Bykunth Nath. The petition stated, that he had a case in the Moonshiff's Court of Zillah 24-Pergunnahs, for the possession of some lands assessed at about 200 rupees the annual jumma. This case was decided against him by the Moonshiff, whilst he was sick, and the time allowed him by the Government regulations to file a petition of appeal from this decision had expired before he had recovered from his indisposition. After his recovery, he filed his petition of appeal in the Judge's Court of Zillah 24-Pergunnahs, and stated in it the cause of the delay which had prevented his filing this petition of appeal earlier. The Zillah Judge, before whom this petition was heard, overruled the petitioner's plea of indisposition, abided by the Government regulations, and rejected the petition of appeal. This had necessitated the petitioner, although it was provided by the regulations, that all appeals from the Moonshiff's Court were to be finally decided by the Zillah Judge, to

appeal under special circumstances to the award of the Sudder Dewanny Adawlut against this order of the Zillah Judge. The Sudder Court took up this petition on the 1st of July 1837, and decided, that although the Government regulations had provided, that all appeal from the decision of an inferior Court must be filed in the superior Court within a limited period, yet it did not bar any special grounds, which might explain any unavoidable circumstances that had occurred, and has

caused the delay in the presentation of the petition from being hard and investigated. In the present case, the petitioner had shown sufficient reasons for the delay that had unavoidably occurred in his case, and therefore, there were sufficient grounds for the admission of his appeal. The Sudder Court therefore directed, that this petitioner's appeal be admitted by the Zillah Court, and his case investigated by it.—*Hurk. Aug. 16.*

SUDDER BOARD OF REVENUE.

JULY 14 1837.

INTERPRETATION OF THE NOTE TO CIRCULAR NO. 36.

No 60.

To the Commissioner of Revenue for the division of—

Sir,—References having been made to the Board regarding the proper interpretation of the marginal note to their circular No. 36 of the 30th May last, I am directed to explain that the advertisements required by section V. regulation VII of 1830 to be published at the cutcherries of the judge and collector of the district, must be so published 30 full days prior to the sale taking place, exclusive of the day of receipt and the day of sale; but that if the notice (or advertisements, which will be a copy of the other advertisements) prescribed by clause second, section VII., regulation XI. of 1822 be promulgated in the Mofussil twenty days prior to the sale, the sale, as far as the advertisements are concerned, will be legal.

I have the honor to be.

Sir, your most obedient servant,

(Signed) C. E. TREVELLAN, Additional Secretary.

Miscellaneous Department, Sudder
Board of Revenue, Fort William, July 13, 1837.

RULES FOR THE SETTLEMENT OF RESUMED RENT FREE TENURES.

To the Commissioner of Revenue for the Division of—

Sir,—I am directed to transmit a copy of rules which have been approved by the Supreme Government, and the Government of Bengal for the settlement of resumed rent-free tenures.

2d. It is intended that these rules shall be embodied in a law now under preparation; but meanwhile, the proceedings of the officers conducting or revising the settlements of resumed lakhiraj lands, must be regulated by their tenor; although, till the rules have become law, a brief report of the circumstances of each case, shewing that it comes within the scope of the indulgent intentions of government towards deceased lakhirajdars of old tenures, must be submitted with the settlement papers for confirmation, in compliance with the requirement of section V. regulation XIII. of 1824.

3d. You are requested to issue the necessary instructions to your subordinates, for which purpose a number of extra copies of this letter and the accompanying rules are sent herewith.

I have the honor to be, Sir, your most obedt. servt.,
(Signed) E. C. TREVELLAN,

Additional Secretary.

Miscellaneous Department, Sudder
Board of Revenue, Fort William,
14th July 1837.

BADSHAHEE TENURES.

RULE 1.—When a Badshahee tenure shall be declared liable to assessment, if the original grantee and his successors or representative shall have continued in the uninterrupted possession and management of tenure for a period of sixty years, or if they shall have continued for a period of sixty years, in the uninterrupted receipt of a specific portion of the produce of the lands included in the tenure, under the denomination of rent paid to them by a party occupying, and managing the tenure as their agent or farmer, and not having a proprietary right in the lands, it shall be incumbent on the officer empowered to investigate the lakhiraj title in such tenures to report the circumstances of the case as required by section V. regulation XIII. of 1825, in order that the settlement of the tenure may be authorized to be made with the lakhirajdar, at a jumma assessed on the actual rent produced of the lands, under the general rules contained in regulation VIII. of 1793, VII. of 1822, IX. of 1833, and of 1825, and IX. the tenure when so settled shall be held to be hereditary and transferable, and the party claiming the proprietary right or milkenet in the lands, shall not disturb the possession of the lakhirajdar or his heirs, or representatives, and any suit preferred by such party in a court of judicature shall, as provided for by section II. of the aforesaid regulation, be dismissed with costs.

RULE 2.—If the proprietor or malik of the lands included in a resumed tenure, shall have continued in the possession and management of the lands, after the creation of the tenure, paying the government share of their produce to lakhirajdar, the settlement shall be made with such a proprietor or malik* under the general rules contained in the regulations above mentioned, and it shall be lawful for the Governor of the presidency to grant the lakhirajdar, if in destitute circumstances, such pension for life as may be deemed proper.

RULE 3, CLAUSE 1.—When the settlement of a resumed tenure shall be made with the lakhirajdar under rules, if the proprietor or malik* of the lands included in the tenure, shall have received malikannah in money, kind, or land during the existence of the lakhiraj tenure, he shall continue to receive the same or an equivalent.

CLAUSE 2d.—If the party claiming the proprietary right or milkenet in the lands of the resumed tenure, shall not be in the receipt of malikannah at the time of the resumption of the tenure, he shall, nevertheless, be considered entitled to malikannah, provided he shall prove to the satisfaction of the revenue authorities that he has been in the receipt of it within the twelve years* antecedent to the resumption, or that he has within that period, preferred a claim to it before a competent tribunal, and that such claim is well founded.

RULE 4.—The nature and amount of the malikannah* allowed under the preceding rule shall be recorded in

* See note at the end of the rules.

the settlement proceedings, and if the malikanah be enjoyed in the shape of a specific portion of land, the limits of such portion shall be defined with proper marks, and described in the map accompanying the proceedings of settlement.

RULE 5.—Malikanah allowed under rule 3, if receivable in money, shall be added to the jumma payable to government by the lakhirajdar, when the settlement of the lands on which it is chargeable may be concluded, (due allowance having been made for the same in the terms of settlement with that party,) and shall be paid to the malik entitled to it by the collector.

RULE 6.—If the party claiming the proprietary right shall be allowed malikanah under rule 3, he shall be entitled to a money compensation for loss of settlement, in addition to the annual malikanah allowance awarded to him, which compensation shall be calculated at ten years' purchase on the difference between his malikanah allowance, and the zemindaree profits (malikanah inclusive,) which he would have received annually, had the settlement been made with him, the said zemindaree profits being assumed at 20 per cent. on the gross jumma-bundee or rental of the lands.*

RULE 7.—No claim to malikanah or to compensation for loss of settlement, shall be entertained, which shall not be preferred to the revenue authorities previous to the sanction by government of settlement with the lakhirajdar, nor shall any claim not so preferred in the first instance be cognizable in the course of justices.

RULE 8.—If a lakhirajdar entitled to settlement under rule 1, refuse to engage on terms approved by the Sudhler Board of Revenue, the settlement for his tenure shall be made with the proprietor or malik of the lands included in the tenure, if there be one, under the general regulations, and the recusant lakhirajdar shall not be entitled to any allowance of malikanah.

RULE 9.—If the title deeds on which a lakhirajdar claims to hold his lands free of assessment, shall have been declared by a final judgment of a competent court to have been forged or fraudulently altered, no length of possession either in the occupant or his ancestors shall be held by the revenue authorities to entitle him to a settlement for the lands; but the settlement shall be made with the proprietor or malik of the lands if there be one under the regulations. But this rule shall not preclude the government in its executive capacity, from admitting the disinterested lakhirajdar to settlement, if with reference to length of possession or other circumstances, it should be deemed right so to admit him. Nor shall it endamage the claim of any party who may hold a tenure by right of purchase, and who shall prove to the satisfaction of the revenue authorities that the purchase was made by him in good faith, and in the belief that the title deeds previously forged or fraudulently altered, were good and valid documents.

HOOKAMEE TENURES.

i. e. tenures under grants and other hadshukhs.

RULE 1.—Clause 1st. When a hookamee tenure shall be declared liable to assessment, if the original grantee, and his successors, or representatives, shall have continued in the uninterrupted possession and management of the tenure for a period of sixty years, or if they shall have continued for that period in the uninterrupted receipt of a portion of the produce of the lands included in the tenure under the denomination of rent paid to them by a party occupying and managing the tenure as their agent or farmer, and not having a proprietary right in the lands, it shall be incumbent on the officer empowered to investigate the lakhiraj title in such tenures, to report the circumstances of the case as required by section V. regulation XIII. 1825, in order that the settlement may be authorized to be made with the lakhirajdar, and the

tenure when so settled shall be held to be hereditary and transferable, and the party claiming the proprietary right or milkenet in the lands shall not disturb possession of the lakhirajdar, or his heirs, or representatives and any suit preferred by such party in a court of justice shall, as provided for by section II. of the aforesaid regulation, be dismissed with costs.

Clause 2d. If the original grantee, and his successors or representatives shall not have been in the possession and management of the tenure under the resumed grant for so long a period as sixty years, but shall have obtained possession of it previous to the 1st of December 1790, the settlement shall be made with the lakhirajdar in the manner provided for in the foregoing clause, but any dispute regarding the proprietary right or milkenet in the lands between the grantee and grantor, or other party or their respective heirs, or successors, is to be considered as a matter of a private nature to be determined by the civil courts, and the lakhirajdar shall continue in possession until deposed by a decree of a competent court of justice.

RULE 2.—The jumma or revenue to be paid by a lakhirajdar admitted to settlement for his resumed tenure is to be adjusted according to the following rules.

If the grant of the tenure shall have been made previous to the Bengal year 1178, or the Fussily or Willaity year 1179, according as the tenure may be situated in Bengal, Behar or Orissa (excepting Cuttack and its dependencies) the revenue or jumma to be paid by the lakhirajdar to the government shall be equal to one-half of the rent produced of the tenure. If any part of the tenure shall be uncultivated, the lakhirajdar is to be required to bring that part into cultivation, and to pay such progressive increase to be regulated with a reference to the reduced rate of the assessment on the cultivated part, as the Sudhler Board of Revenue with the sanction of the government may deem reasonable.

If the grant of the tenure shall have been subsequent to the Bengal year 1178 or the Fussily or Willaity year 1179, according as the tenure may be situated in Bengal, Behar, or Orissa (excepting Cuttack and its dependencies) the revenue or jumma to be paid by the lakhirajdar to the government shall be assessed under the general regulation on the whole of the actual rent produce of the tenure.

RULE 3.—If the proprietor or malik of the lands included in a resumed tenure shall have continued in the possession and management of the lands* after the creation of the tenure, paying the government share of their produce to the lakhirajdar, the settlement shall be made with such proprietor under the general regulation, and it shall be lawful for the governor of the presidency to grant to the lakhirajdar, if in destitute circumstances, such provision for life as may be deemed proper.

RULE 4.—Clause 1st.—When the settlement of lands included in a resumed grant shall be made with the lakhirajdar, if the proprietor or malik of the lands shall have received malikanah in money, kind or land, during the existence of the lakhiraj tenure, he shall continue to receive the same or an equivalent.

Clause 2d.—If the party claiming the proprietary right or milkenet on the lands of the resumed tenure shall not be in the receipt of malikanah at the time of the resumption, he shall nevertheless be considered entitled to malikanah, provided that he shall prove to the satisfaction of the revenue authorities that he has been in the receipt of such an allowance within the twelve years antecedent to the resumption of the tenure, or that he has within that period preferred a claim thereto before a competent tribunal, and that such claim is well founded.

* See note at the end of the rules.

RULE 6.—The nature and amount of malikanah allowed under the preceding rule, shall be recorded in the settlement proceedings, and if the malikanah is enjoyed in the shape of a specific portion of land, the limits of such portion shall be defined with proper land marks and described in the map accompanying the proceedings of settlement.

RULE 6.—The malikanah allowed under rule 4, if receivable in money, shall be added to the jumma payable to government by the lakhirajdar with whom the settlement of the lands, on which it is chargeable, may be made (due allowance having been made for the same in the terms of settlement in all cases where the assessment has been fixed upon the whole rent produce,) and shall be paid to the party entitled to it by the collector.

RULE 7.—If the party claiming the proprietary right in the lands shall be allowed malikanah under rule 4, he shall be entitled in all cases where the settlement has been made with the lakhirajdar under clause I, rule I, to a money compensation for loss of settlement in addition to the annual malikanah allowance awarded to him, which compensation shall be calculated at ten years' purchase on the difference between his malikanah allowance and the zamindaree profits (malikanah inclusive) which he would have received annually, had the settlement been made with him, the said zamindaree profits being assumed at 20 per cent, on the gross jumma bundle.

RULE 8.—No claim to malikanah or to compensation for loss of settlement shall be entertained which shall not be preferred in the first instance to the revenue authorities previous to the sanction by government of settlement with the lakhirajdar, nor shall any claim not so preferred be cognizable in the courts of justice.

RULE 9.—If a lakhirajdar entitled to settlement under rules not being malik of the lands included in his tenure, refuse to engage on terms approved by the Sudder Board of Revenue, the settlement shall be made with a proprietor or malik, if there be one, and the recuuant lakhirajdar shall not be entitled to any allowance of malikanah.

RULE 10.—If the title deeds on which a lakhirajdar claims to hold his lands free of assessment, shall have been declared by a final judgment of a competent court to have been forged or fraudulently altered, no length of possession, either in the occupant or his ancestors shall be held by the revenue authorities to entitle him to a settlement for the lands, but the settlement shall be made with the proprietor or malik of the lands under the general regulation.—But this rule shall not preclude the government in its executive capacity from admitting the dispossessed lakhirajdar to settlement if with reference to length of possession, or other circumstances, it should be deemed right to admit him. Nor shall it endamage the claim of any party who may hold a tenure by right of purchase, and who shall prove to the satisfaction of revenue authorities, that the purchase was made by him in good faith, and in the belief that the title deeds previously forged or fraudulently altered were good and valid documents.

The revenue officers employed to give effect to the foregoing rules should be informed that the management of a rent free tenures by the mocuddum or head ryot of the villages in which the tenure is situated, and the receipt from the lakhirajdar by such mocuddum of an allowance in land money or kind for his services, are not evidence of his (the mocuddum's) proprietary right in the lands, and that a claim for malikanah and compensation for loss of settlement of a resumed tenure of which the lakhirajdar and his ancestors have had possession or have enjoyed the rents for a period of sixty

years, cannot be considered an admissible claim, unless it be proved by satisfactory evidence that the party advancing such claim has actually received from the lakhirajdar an allowance in acknowledgement of his proprietary right up to the date of resumption, or that it comes within the scope of clause 2d of rule 3 relating to badshahee, or of clause 2d of rule 4 relating to booka-mee tenures.

Revenue Department, June 13, 1837.

(True copy.)

(Signed) ROSS D. MANGLAS,

Secretary to the Government of Bengal.

Sudder Board of Revenue, }
Fort William, July 14, 1837. }

(True copy.)

(Signed) C. E. TREVELYAN, Additional Secretary.

[*Englishman*, August 5.

CONSULTATION,—TUESDAY, 11TH JULY, 1837.

CIRCULARS.

No. 60. References having been made to the Board regarding the proper interpretation of the marginal note of circular No. 36, published in the *Huckaru* in May last, the Board have explained to the Revenue Commissioners that the advertisements required by Section V, Regulation VII. of 1830, to be published at the Cutcherries of the Judge and Collector of the District, must be so published 30 full days prior to the sale taking place, exclusive of the day of receipt and the day of sale; but that if the notice (or advertisement, which will be a copy of the advertisements) prescribed by Clause II. Section VII. Regulation XI. of 1822, be promulgated in the Mofussil 20 days prior to the sale, the sale as far as the advertisements are concerned, will be legal.

No. 61. As the Right Honorable the Governor of Bengal has called the attention of the Board to the needlessly harassing calls occasionally made by Collectors for Treasure escorts, especially at inclement seasons of the year, the Board have requested the Revenue Commissioners strongly to impress on the officers subordinate to them who are in charge of treasuries, the necessity of considerateness and caution in making requisitions for treasure escorts, and of refraining altogether, if possible, from such requisitions during the inclement season of the year.

BADSHAHEE TENURES.

No. 61. The Revenue Commissioners have been furnished with copies of rules approved by both the Supreme Government and the Government of Bengal, for the settlement of resumed rent free tenures. The Board state, that, it is intended, these rules shall be embodied in a law now under preparation; but, meanwhile, the proceedings of the officers conducting or revising the settlements of resumed Lakhiraj lands, must be regulated by their tenor, although, till the rules have become law, a brief report of the circumstances of such case, shewing that it comes within the scope of the indulgent intentions of Government towards dispossessed Lakhirajdars of old tenure, must be submitted with the settlement papers for confirmation, in compliance with the requirement of Section V. Regulation XIII of 1825. The Commissioners have also been directed to issue the necessary instructions to their subordinates.

By Rule I. When a Badshahee Tenure shall be declared liable to assessment, if the original grantee and his

*See note at the end of the rules.

† It may admit of a question whether this can be done without a legislative enactment.

successor or representatives shall have continued in the uninterrupted possession and management of the tenure for a period of sixty years, if they shall have continued for a period of sixty years, in the uninterrupted receipt a specific portion of the produce of the lands included in the tenure, under the denomination of rent paid to them by a party occupying and managing the Tenure as their agent or farmer and not having a proprietary right in the lands, it shall be incumbent on the officer empowered to investigate the Lakhiraj title in such tenure to report the circumstances of the case as required by Section V. Regulation XIII 1825, in order that the settlement of the Tenure may be authorized to be made with the Lakhirajdar, at a jumma assessed on the actual rent produced by the lands, under the general rules contained in Regulation VIII of 1793, VII of 1822, IX of 1825, and IX of 1833; and the Tenure when so settled shall be held to be hereditary and transferable, and the party claiming the proprietary right or milknet in the lands, shall not disturb the possession of the Lakhirajdar or his He is or representatives, and any suit preferred by such party in a Court of Judicature shall, as provided for by section II of the aforesaid Regulation, be dismissed with costs.

Rule II. states, that if the Proprietor or Malik of the lands included in a resumed tenure, shall have continued in the possession and management of the lands, after the creation of tenure, paying the government share of the produce to the Lakhirajdar, the settlement shall be made with such proprietor or malik * under the general rules contained in the Regulations abovementioned, and it shall be lawful for the governor of the presidency to grant to the Lakhirajdar, if in destitute circumstances, such pension for life as may be deemed proper.

By *Clause I, Rule III.*, when the settlement of a resumed tenure shall be made with the Lakhirajdar under Rule I, if the proprietor or malik * of the lands included in the tenure, shall have received malikanah in money, kind, or land, during the existence of the Lakhiraj tenure, he shall continue to receive the same or equivalent * and by *Clause II.* of the same rule; if the party claiming the proprietary right or milknet in the lands of the resumed tenure shall not be in the receipt of malikanah at the time of the resumption of the tenure, he shall nevertheless be entitled to malikanah provided he shall prove to the satisfaction of the revenue authorities, that he has been in the receipt of it within twelve years antecedent to the resumption, or that he has within that period, preferred a claim to it before a competent tribunal, and that such claim is well founded.

* See note under Rule II. Badshabee Tenures, and all passages marked thus, bears reference to the same note.—Reporter.

* The Revenue officers employed to give effect to the foregoing rules, should be informed that the management of a rent for tenure by the Mocuddum or head Ryah of the village in which the tenure is situated, and the receipt from the Lakhirajdar by such Mocuddum of an allowance in land, money or kind for his services are not evidence of his (the Mocuddum's) proprietary right in the lands, and that a claim for malikanah and compensation for loss of settlement of a resumed tenure of which the Lakhirajdar and his ancestors have had possession, or have enjoyed the rents for a period of sixty years, cannot be considered an admissible claim unless it be proved by satisfactory evidence, that the party advancing such claim has actually received from the Lakhirajdar an allowance in acknowledgment of his proprietary right up to the date of resumption, or that he comes within the scope of clause II of Rule VI. relating to Hookmee tenures.

Note by the reporter—The above note is in reference to all the passages marked thus.*

Rule IV. states, that the nature and amount of the malikanah allowed under the preceding rule, shall be recorded in the settlement proceedings and if the malikanah he enjoyed in the shape of a specific portion of the land, the limits of such portion shall be defined with proper land marks, and described in the map accompanying the proceedings of settlement.

By *Rule V.* the malikanah allowed under Rule III, if receivable in money, shall be added to the jumma payable to Government by the Lakhirajdar with whom the settlement of the lands on which it is chargeable may be concluded, (due allowance having been made for the same in the terms of settlement with that party) and shall be paid to the malik entitled to it by the collector.

Rule VI. states, that if the party claiming the proprietary right shall be allowed malikanah under Rule III, he shall be entitled to a money compensation for loss of settlement, in addition to the annual Malikanah allowance awarded to him, which compensation shall be calculated at ten years purchase on the difference between this Malikanah allowance, and the Zemindaree profits (Malikanah inclusive) which he would have received annually, had the settlements been made with him, the said Zemindaree profits being assumed at 20 per cent. on the gross jumma bundee or rental of the lands*.

By *Rule VII.* no claim to Malkianah or to compensation for loss of settlement, shall be entertained, which shall not be preferred to the Revenue Authorities previous to the sanction by Government of settlements with the Lakhirajdar, nor shall any claim not so preferred in the first instance be cognizable in the Courts of Justice.

Rule VIII. states, that if a Lakhirajdar entitled to settlement under Rule I. refuse to engage on terms approved by the Sudder Board of revenue, the settlement for his tenure shall be made with the proprietor or Malik of the lands included in the tenure if there be one, under the general Regulations, and the recusant Lakhirajdar shall not be entitled to any allowance of Malikanah.

By *Rule IX.* if the title deeds on which a Lakhirajdar claims to hold his lands free of assessment shall have been declared by a final judgment of a competent Court to have been forged or fraudulently altered, no length of possession either in the occupant or his ancestors shall be held by the Revenue Authorities to entitle him to a settlement for the lands; but the settlement shall be made with the proprietor or Malik of the lands if there be one, under the general Regulations. But this rule shall not preclude the Government in its executive capacity, from admitting the diseized Lakhirajdar to settlement, if with reference to length of possession or other circumstances it should be deemed right so to admit him. Nor shall it endamage the claim of any party who may hold a tenure by right of purchase, and who shall prove to the satisfaction of the Revenue Authorities that the purchase was made by him in good faith, had in the belief that the title deeds previously forged and fraudulently uttered, were good and valid documents.

HOOKMEE TENURES I. E. TENURES UNDER GRANTS OTHER THAN BADSHAHER.

Clause I. of Rule I.—of these tenures is a recapitulation of Rule I. of the Badshabee tenures.

Clause II.—States, that if the original grantee and his successors or representatives shall not have been in the management and possession of the tenure under the resumed grant for so long a period as sixty years; but

* See note under Rule II. Badshabee tenures, and all passages marked thus* bear reference to the same note.—Reporter.

shall have obtained possession of it previous to the 1st of December, 1790, the settlement shall be made with the Lakhirajdar in the manner provided for in the foregoing clause; but any dispute regarding the proprietary right or Milieknet in the lands between the grantee or grantor, or other party or their respective heirs, or successors, is to be considered as a matter of a private nature to be determined by the Civil Courts, and the Lakhirajdar shall continue in possession until dispossessed by a decree of a competent Court of Justice.

By Rule II. The jumma or revenue to be paid by a Lakhirajdar admitted to settlement for his resumed tenure is to be adjusted according to the following rules. That if the part of the tenure shall have been made previous to the Bengal year 1178, or the Fussily or Willaity year, 1179, according as the tenure may be situated in Bengal, Behar, or Orissa, (excepting Cuttack and its dependencies) the Revenue Jumma to be paid by the Lakhirajdar to the Government shall be equal to one half of the rent produce of the tenure. If any part of the tenure shall be uncultivated, the Lakhirajdar is to be required to bring that part into cultivation, and to pay such progressive increase to be regulated with a reference to the reduced rate of the assessment on the cultivated part as the Sudder Board of Revenue, with the sanction of the Government, may deem reasonable.

If the grant of tenure shall have been subsequent to the Bengal year 1178, or the Fussily or Willaity year 1179, according as the tenure may be situated in Bengal, Behar, or Orissa, excepting Cuttack and its dependencies) the Revenue or Jumma to be paid by the Lakhirajdar to the Government shall be assessed under the General Regulations on the whole of the actual rent produce of the tenure.

Rule III. states, that if the proprietor or malik of the lands included in a resumed tenure, shall have continued in the possession or management of the lands* after the creation of the tenure paying the Government share of their produce to the Lakhirajdar, the settlement shall be made with such proprietor under the General Regulations, and it shall be lawful for the Governor of the Presidency to grant to the Lakhirajdar, if in destitute circumstances, such provision for life as may be deemed proper.

Rule IV. clause I. states, that when the settlement of lands included in a resumed grant shall be made with the Lakhirajdar, if the proprietor or malik of the lands shall have received malikanah in money, kind, or land, during the existence of the Lakhiraj tenure, he shall continue to receive the same or an equivalent. And *clause II.* states, that if the party claiming the proprietary right, or miliknet in the lands of the resumed tenure, shall not be in the receipt of malikanah at the time of the Resumption, he shall nevertheless be considered entitled to malikanah, provided that he shall prove to the satisfaction of the Revenue authorities that he has been in the receipt of such an allowance within the twelve years antecedent to the resumption of the tenure, or that he has within that period preferred a claim thereto before a competent tribunal and that such claim is well founded.

Rule V. states, that the nature and amount of malikanah allowed under the preceding rule shall be recorded in the settlement proceedings, and if the malikanah is engaged in the shape of a specific portion of the land, the limits of such portion shall be defined with proper land marks and described in the map accompanying the proceedings of settlement.

Rule VI. states, that the malikanah allowed under Rule IV., if receivable in money, shall be added to the Jumma payable to Government by the Lakhirajdar with whom the settlement of the lands, on which it is chargeable, may be made (due allowance having been made for the same in the terms of settlement in all cases where the assessment has been fixed upon the whole rent produce (and shall be paid to the party entitled to it by the collector.

By Rule VII. if the party claiming the proprietary right in the lands shall be allowed malikanah under rule IV. shall be entitled in all cases when the settlement has been made with the Lakhirajdar under Clause I. Rule I. to a money compensation for a loss of settlement in addition to the annual malikanah allowance awarded to him, which compensation shall be calculated at ten years' purchase on the difference between his malikanah allowance and the zemindaree profits malikanah inclusive) which he would have received annually had the settlement been made with him the said zemindaree profits being assumed at 20 per cent. on the gross jumma bundee.

By Rule VIII., no claim to malikanah or to compensation for loss if settlement shall be entertained which shall not be preferred in the first instance to the Revenue Authorities previous to the sanction by Government of settlement with the Lakhirajdar, nor shall any claim not so preferred be cognizable in the Court of Justice.†

Rule IX states, that if a Lakhirajdar entitled to settlement under Rule I not being malik of the lands included in his tenure, refuse to engage terms approved by the Sudder Board of Revenue, the settlement shall be made with the proprietor or malik, if there be one, and the recusant Lakhirajdar shall not be entitled to any allowance of malikana.

Rule X. states, that if the title deeds on which Lakhirajdar claims to hold his lands free of assessment, shall have been declared by a final judgement of a competent Court to have been forged or fraudulently altered, no length of possession either on the occupant or his ancestors shall be held by the Revenue Authorities to entitle him to a settlement for the lands, but the settlement shall be made with the proprietor or malik of the lands under the general regulations. But this rule shall not preclude the Government in its executive capacity from admitting the disinterested Lakhirajdar to settlement, if with reference to length of possession, or other circumstances, it should be deemed right to admit him: nor shall it endanger the claim of any party who may hold a tenure by right of purchase, and who shall prove to the satisfaction of the Revenue Authorities, that the purchase was made by him in good faith, and in the belief that the title deeds previously forged or fraudulently altered, were good and valid documents.

No. 63.—Doubts having been entertained by the Board whether, since promulgation of Regulation VIII. 1831, suits of the description of those provided for in Section XX Regulation VII. of 1799 should be heard by the Collector or Judge; they submitted the subject for the opinion of the Sudder Dewanny Adawlut on the subject, and the reply of the Sudder, concurring in the construction put upon Regulation VIII. of 1834. —*Hurk. Aug. 10.*

* It may admit of a question whether this can be done without a legislative enactment.

* See note under Rule II. Badshabee tenures, and all passages marked thus* bears reference to the same note.—Reporter.

† It may admit of a question whether this can be done without a legislative enactment.

CONSULTATION, TUESDAY, 1st AUGUST, 1837.

EDUCATION OF PUBLIC WARDS.

No. 65. The Board on the 27th of June last, solicited the attention of the Right Hon'ble the Governor of Bengal to certain correspondence, that transpired in the years 1830 and 1831 on the education of the Wards of Government. The following is a summary of what passed on the occasion referred to.

On the 12th of August 1830, the Board was asked by Government its opinion on the practicability of having all the male wards educated at Calcutta. The Hindoos, it was stated, might be instructed at the Hindoo College, in the neighbourhood of which a boarding house might be established for them, and that the Mahomedans might be brought up at the Mahomedan College. "It may be admitted (*it was observed*) "that the necessity of imparting education to the children of the landholders is more urgent than that of communicating tuition to any other class. The zemindars residing in the interior are remarkable for their general want of instruction, for their ignorance, their prejudices and their resistance to to every thing like improvement; an education in Calcutta would, it is to be hoped, not only be the means of supplying them with useful knowledge, but would liberalize their feelings, enlarge their minds, and qualify them to become the instruments of much agricultural and social improvement."

A circular letter was accordingly addressed to the Commissioners, from whose answers it appeared, that public feeling was much too strongly opposed to the plan to admit of its being adopted. The reasons usually urged by the relatives of the wards against sending them to Calcutta were, the separation from their mothers, the distance and unhealthiness of Calcutta, the association with youths of low caste, and the infidel principles imbibed at the Hindoo College. Two of the Commissioners (Messrs. W. Money and Stockwell) also observed, that a Calcutta education would indispose the young landholders to a country life and increase the evil of absenteeism.

Upon this, the Board proposed, that means should be adopted to give proper education to the male wards without requiring them to be sent to Calcutta, either by the appointment of qualified private tutors, or by the establishment of seminaries at the head station of each district.

This course of proceeding met with the "entire approbation" of the Governor-General, who recommended to the Vice President in Council, that the Committee of Public Instruction should be consulted as to the best means of carrying it into effect, "should the funds (*it was added*) already at the disposal of Government be inefficient for the purpose. His Lordship begs to suggest, that the magnitude of the advantages which may be anticipated from the proposed scheme, for extending education, be set forth in a letter to the Honorable Court, and that they be solicited to afford it such further pecuniary encouragement as may be calculated to ensure its success." The Board was informed by the Secretary to the Vice President in Council, that the subject would be taken into further consideration in the General Department, but they have received no further communication regarding it.

The Board now desired Mr. Secretary Trevelyan to express their undiminished sense of the important benefits to be expected from the adoption of the above measures. The wards of Government, (says Mr. Trevelyan) are always numerous: they include in the course of a short series of years the representatives of a large proportion of the most wealthy and influential families

possessed of landed property in the presidency, and if a good education could be secured to them, their superiority to their fellows must in time become apparent, and the standard of mental cultivation be raised throughout this important class of the community. Judging also from the result of the same experiment in other countries, it is not too much to hope that the mental improvement thus extended, would lead in time to this powerful and opulent class actively assisting in the promotion of education among the rest of their countrymen. The present period appears to be particularly favorable for carrying the plan into execution. The Education Committee has actually established seminaries at most of the great towns in Bengal and Behar, at which the wards might be entered as pupils, and whenever this cannot be unobjectionably effected, their guardians might be requested to apply to be furnished from these seminaries with qualified tutors on moderate salaries.

The Board, therefore, propose, that the following rules be circulated for the guidance of the Commissioners and Collectors in the performance of this important part of their duties.

1st. That unless some sufficient reason be alleged against it, every ward must be sent to receive his education at some government seminary. He must reside under the care of his nearest relations, or of some other persons duly appointed, within a sufficient distance of the seminary to allow of his daily attendance, and it will be the duty of the principal or head master to send a half yearly report of his progress to the Collector.

2d. If any valid reason be offered against any wards attending a Government seminary, a qualified tutor must then be appointed, who will be nominated by the nearest relatives, and approved by the Collector, and any difference of opinion regarding the appointment of a tutor must be referred for the decision of the Commissioner and ultimately, if necessary, of the Sudder Board. The tutor must make half yearly reports of the progress of his pupil to the Collector, and at the close of each year the ward must be examined by the Collector.

3d. Every Collector will make a report at the close of each year to the Commissioner, for transmission to the Sudder Board, of the progress of the wards in his district in their studies.

4th. When the Commissioner, in the course of his annual circuit, arrives at the head station of a district, he shall cause all the wards in the district to be assembled at the station. He shall then enquire into their conduct, and examine them in their studies; and shall confer honorary rewards, consisting of Books and scientific instruments, on those who are distinguished for good moral conduct and proficiency in learning.

Mr. Trevelyan went on to say that the plan of educating the wards at the Government Seminaries, is for obvious reasons entitled to the preference, and as a continual intercourse is kept up between the zemindaries and the Provincial Capital, and the principal families have confidential agents always residing at the latter, it is hoped that no serious objections will be offered to the course proposed.* It has already in one instance been successfully carried into effect, as will be seen from the following extract from the reply of Mr. Stockwell, who was then Commissioner of Cuttack.

"There are two of the wards, (says Mr. Stockwell) of this Court at Midnapore, and two at Balasore, on a system resembling that proposed, although at a very long interval, circumstances connected with their families making a residence at their own mofussil homes improper, inasmuch as security of person as well as attention

* It is to be clearly understood, that complete liberty is to be allowed to the wards being brought to the presidency for the purpose of education if such a course be preferred.

to education were not available. Mr. Stockwell sanctioned arrangements which brought them to a Sudder station, under the immediate observation of the Collector and within reach of the best provincial instructors. Objections were started in three of the instances, the fourth being voluntary, but they were overcome; and on his last circuit, Mr. Stockwell had the happiness of seeing these boys well in health, proud to shew their progress in study, and contented with their situations. Mr. Stockwell had the still greater satisfaction of knowing, that they were much and kindly noticed by the Collectors, to whom they paid frequent visits, and from whom all their little wishes and requests received every attention.

With regard to the kind of education to be given, Mr. Trevelyan observed, that the first object is to teach the wards those branches of knowledge, which will instruct them in the independent management of their estates when they come to age. A familiar acquaintance with arithmetic, and a power of reading and writing the vernacular languages with facility are necessary for this purpose, and to this may be added, as far as opportunity offers, history, geography, and the elements of science, particularly of those parts of science which have a reference to agricultural improvement. The wishes of the nearest relations ought, of course, to be consulted in determining the kind of education to be given to each ward, and, except in those points which are absolutely necessary to qualify a zemindar to manage his estate properly, their views of what ought to be taught, should be allowed to prevail.

Mr. Trevelyan, in concluding, by desire of the Board, repeated their conviction, that it is not less a duty to cultivate the minds of the wards, and to imbue them with correct moral feelings than to take care of their estate. The former obligation is fully admitted in the Regulations,* but no plan has as yet been prescribed for its fulfilment, and the public wards have grown up as ignorant, and deprived as any other persons of the class to which they belong.

Mr. Secretary Mangles, on the 6th of July, under the direction of the Right Honorable the Governor of Bengal, informed the Board, that His Lordship approves and sanctions generally the plan proposed by the Board to ensure the better education of wards of Court.

Every endeavour (says Mr. Mangles), must be made to secure, if possible in each case, the willing acquiescence of the mother, or nearest relatives of the minor: and influence, not compulsion, should be the means used in all instances to induce such parties to allow the ward to enter as a pupil in the Government seminary. There are now, His Lordship believes, public seminaries at the several stations, Patna, Bhagulpoore, Moorshedabad, Bauleah, Dacca, Chittagong, Midnapore and Gowahatty, these with the addition of that of the Presidency, provide for all the Commissionerships, except Arracan, and Jurisdiction of the Governor General's Agents on the South West Frontier. But, (observed Mr. Mangles) it might be a hardship to require natives of Cuttack to come up to Midnapore, and the Committee of Public instruction may, perhaps, think it desirable, if the Board see cause to recommend it, to establish a school in the former Province.

Mr. Mangles concluded by stating, that the Governor will only add that a free option ought to be allowed or

* Section XXVII, regulation X of 1793, states that in cases of minority when the minor may be a male, the superintendence of his female relation is not to be allowed after the expiration of the 5th year, and on his attaining the age of tuition it must be the first case of the guardians to procure proper teachers to give him an education suitable to his situation in life.

the relatives or guardians of, wards to send them to any public seminary as well as to the Presidency* and point out that the 4th rule laid down by the Board should be more distinctly limited to cases in which permission has been given to the wards being educated at home. It was not of course, the Board's intention, that a boy should be summoned from the Provincial Capital to meet the Commissioner on his circuit.

The Board have accordingly, by their circular No. 65 furnished the Revenue Commissioners with a copy of the above correspondence, explaining as clearly as possible the intention and extent of the rules above given, with every regard to the limitations made by his lordship, and to the wishes of the nearest relatives of the minors, and the Commissioners have been desired to furnish reports after consultation with the officers subordinate with them, at what places they would recommend the immediate establishment of schools, and to what extent assistance may be expected from voluntary contributions or other local resources. And that no opportunity should be lost of explaining to the native gentry the highly useful views which dictate the orders now communicated, and that the Commissioners should report to the Board every instance of public spirited beneficence on their part in order that it may be reported to Government, or such other notice taken of it as the occasion may seem to require. The attention of the Commissioners has also been requested in connection with this subject to the Board's circular order dated 16th June, 1829, communicating the resolution of Government dated 30th May, 1829, in which rules are laid down for the grant of titles, or other honorary rewards to persons who so distinguished themselves.

Circular No. 64, informs the Revenue Commissioners that the Right Hon'ble the Governor of Bengal has been pleased to direct that the 58th rule of practice, empowering Local Commissioners to authorize disbursements ordered by a regular decree of a Court of Justice be extended to disbursements directed by decrees of the special Commissioners appointed under Regulation III. of 1828.

PRESIDENCY, TUESDAY, 1ST AUGUST, 1837.

Present James Pattle and Henry Walters, Esquires, Members, and C. E. Trevelyan, Esq., Additional Secretary.

The following cases were laid by the Secretary before the Board for discussion this-day,

By whom referred.	Subjects.
Government.....	Resumption operations.
Outrating Collector of Jessore 2, cases	Certain documents supposed to be forgeries, &c.
Commissioner of Bhagulpoore.....	Result of the enquiries into the amounts of a few of the Khas Mehals in Tirhoot.
Government.....	Sales for recovery of arrears of Revenue.
Commissioner of Jessore.....	Settlement of Mahal Ramna Bamna,
Special Deputy Collector of Jessore and Buckeigunge	Use of English and vernacular languages instead of Persian.
Commissioner of Cuttack.....	Increase of pay to Rai Anundchunder Mitter, Bahadoor, Deputy Collector of Midnapore.
Commissioner of Bauleah Wards,.....	Sale of Mehal Pookinya in Zillah Mymensing.

[Harkara, August 16.

* E. E. natives of Tipperah may prefer Dacca to Chittagong, and natives Tirhoot Patna to Bhagulpoore.

MISCELLANEOUS.

CALCUTTA.

THE PICE.—No change has occurred in the pice market during the month; the pice is still sold at fifty nine for the rupee, and the old copper at sixty-four. When are we to have this state of affairs ameliorated? The Government, apparently, are determined not to pay the least attention to the complaints of the poor. Those who are in authority do not feel the loss of five pice in each rupee and therefore cannot afford to sympathize with the poor. Fifty lakhs of new pice have been coined, and a prementment has been made by the grand jury to the Judges of the Supreme Court, representing the grievance the poor are subjected to in consequence of the scarcity of copper coin, and soliciting the Court's interference to ameliorate the state of affairs. What has become of the fifty lakhs of pice we do not know—certainly the lieges have not benefited by it, being sent into the market; and the presentment to the Court has not met with the success desiderated, being returned as informal. The natives have got up a song on the subject, which is extremely popular among them. The words of it we forget, but the chorus is,

Hi! Hi! Compānee bhaādūor, blīe,
Ungāze ka tunanān hoormut oorawē.
Duh! Duh! kēah aūfuth awē,
Punch pisā buttā rupyā kū tohyē.

Since the above was written, a notification has appeared in the *Exchange Gazette*, stating that the Government has established change shops where good pice are to be had. The public will be disappointed, however, if they resort to these shops for change, as they will only get eight annas of good pice and eight annas old copper.

SICKNESS IN ARRACAN.—Sad reports have been brought up by the *Pilot* dispatch vessel, from Arracan, respecting sickness and mortality prevailing there. The size of the little vessel prevented several sick officers from coming away; but three embarked, Major Grant, Major Dickenson and Assistant Surgeon Tweddell—the first continues in a most dangerous state of fever.

SHARKS.—Those individuals who have cause to go on the river or bathe in it, are hereby warned, that its waters are infested by numerous sharks. Four of these voracious animals, measuring upwards of five and a half feet in length have within the last month been captured in the channel between the Sumatra sand and the Seepore bank, and in the maw of one a human arm was found. The sable-fish fishers say, that there are more sharks in the river this season, than they ever remember to have seen in it, and that scarcely a day passes without their nets being rent by these ravenous monsters.

THE SURROUTTEE BRIDGE.—The bridge which was some years ago built over the river Surrouttee, in the Hooghly Zillah, at the expense of Baboo Prawnkissen Holdar, of Chinsurah, is in a ruinous state, being cracked in several places; so that it is not considered safe for boats to pass under it. It is therefore advisable, either to break it up, or repair it in an efficient manner, or in all likelihood it will give way before the end of the rains.

DR. O'SHAUGHNESSY.—Dr O'Shaughnessy has been appointed Officiating Secretary to the Medical Retiring Fund in the room of Dr. Pearson, who has resigned.

COMPANY'S APOTHECARY.—Dr. A. R. Jackson is appointed to officiate as Apothecary to the East India Company at Calcutta during the absence of Surgeon John Grant, now at the Cape, but who was provisionally named as the late Surgeon Muston's successor, when the latter officer superseded Dr. Grant.

MR. WILBERFORCE BIRD.—Mr. Wilberforce Bird, Provisional Member of the Supreme Council in India, has arrived at Madras on the *Hindustan* on his way to Calcutta.

IMPROVEMENT OF THE STRAND.—The chief magistrate and superintendent of police, it appears, have submitted

to Government a scheme for extending that part of the Strand Road which is situated to the northward of the Custom house, by embanking the space between the western margin of the present road and low water mark, which presents the usual features observable in all tide rivers, of a large expanse of shore composed of alluvial soil.

MEETING OF THE MILITARY ORPHAN MANAGEMENT.—The Military Orphan Management had a Special Meeting to-day at the Town Hall to consider the Madlock Rules, and the result was a Resolution to recommend a modification of them to the following extent:

Rule 1st. The Annual Meeting of Subscribers to take place on the last Wednesday in January.

Rule 3d. The Deputation Governor to be elected annually, as in the Madlock Rules, but the same individual to be capable of immediate re-election, except that no person is to fill that office for more than three years in succession.

Rule 4th. To be modified so as to remove the disqualification for immediate re-election of Managers going out by rotation.

Rule 6th. In case of a vacancy during the year, a Manager to be elected at a special meeting of Subscribers, (the Management not voting) to act until the Division which appointed the late Manager, shall have elected another.

SUICIDES.—A native Christian and a Hindu lad, have committed suicide during the month: the former in consequence of a quarrel with a female relation; and the latter for not having a dinner to his liking provided for him.

SHIPWRECKS.—The Bark *Andromeda*, which sailed from this port about fifteen days since for Mauritius, was totally lost on the 23d ultimo, upon the coast of Cuttack, and the Captain and three of the crew were drowned.

A large timber-laden ship, has been wrecked on Mascul Island. She was found by the authorities there, deserted and partly plundered by the natives. It is supposed that the crew and officers have been drowned in endeavouring to escape in the boats, as there is a high surf round the Island in bad weather. Hopes were entertained of getting the vessel off, as she was only very slightly injured, and most of the plundered cargo has been recovered.

BABOO NEILMONY HOLDAR.—Bahoo Neilmony Holdar, of Chinsurah, died at Raja Gopee Mohun Bhahadoor's ghaut at Comartuolee, on Monday afternoon last, at the age of about seventy. He was once one of the wealthiest natives at Chinsurah, but had been reduced in his circumstances for several years previous to his death.

THE RE-UNION.—The Re-union, on the evening of the 7th instant, was very ill attended, in consequence, it is supposed, of the state of the weather.

EXECUTION OF PEERBUX.—Peerbux alias Culloo, was executed on the morning of the 7th instant, at a quarter before six. The culprit was tried for the murder of Ojaghur, a Sheikh residing in Machooa Bazar.

MURDEROUS OUTRAGE.—Another fatal result, arising from toddy shop squabbling, took place at Mooushee Bazar in the 24-Pergunnahs, on Monday last. Some angry words having arisen between two Mussulmans in their cups, blows followed, and one of them was severely wounded with a knife. The sufferer was taken to the Chadney Hospital in a dangerous state, and in consequence the Chief Magistrate attended and took his deposition. The offender is in custody.

RIVER PIRATES.—A gang of about thirty river pirates, has been captured during the week and is now in custody.

J. A. BROOKES.—J. S. Brookes, who was wounded with a knife by Eliza Howe, on the night of the 26th ultimo, appeared before the Magistrate on the 14th instant, and

stated that he did not wish to prosecute Mrs. Howe. He begged that she might be discharged. The Magistrate accordingly promised to release her on her own recognizance, as she could not give any security. Brookes appeared to be suffering much from the effects of the wound which he apprehended would for life afflict him; he was, however, very anxious, all the time that Mrs. Howe was in custody, for her liberation, and said he had entirely forgiven her.

THE AUSTRALIAN COMPANY.—The Australian Company have announced that a ship will be despatched to that colony in January next, and that several cabins are already engaged. A fund, it appears, has also been established, for defraying the passage of invalids and other deserving individuals, who are themselves unable to pay for it. Contributions are invited to this fund, which we hope will become sufficient for the benevolent purpose of its establishment.

MARRIAGES EXTRAORDINARY.—On the 11th inst., the Deputy Superintendent of police, assumed clerical functions, and married three girls who were redeemed from slavery, to as many lovelorn swains.

THE SHOE QUESTION.—The shoe wearing objection, with respect to natives, says *Scott's Compendium*, has again been revived. Some magnet gave directions to the door keeper at the Town Hall, on the 10th instant, not to admit any native who wore shoes. When will these invidious distinctions cease, and our *qui hi bahauds* learn to concede to the natives their rights?

THE GOVERNOR-GENERAL'S TOUR.—It is said, that the Governor-General, accompanied by a portion of the Secretariat, will proceed on the tour of the upper provinces at the commencement of the ensuing cold season.

SHIP LAUNCH.—A large ship, of 760 tons, built by Mr. Ambrose for Messrs. D'Souza and Co. and named the *Donna Pascoa*, was launched on the 17th instant; but she stuck in the mud and on the ends of the ways, until Friday afternoon, when, with the assistance of Steam and a spring tide, she was floated off and now rides in safety.

THOMAS SWARIS.—This person, during the month, made a daring attack on an East India lady, robbed her of a gold chain, and, when brought to the police for his crime, endeavoured to ruin the reputation of the robbed, by stating, that he had had a criminal intercourse with her. The fellow has been let off by the magistrate, on paying only a fine of fifty rupees!

CHILDREN ATTACKED BY JACKALS.—During the month, two children have been attacked by jackalls in the suburbs of Calcutta; one of the unfortunate creatures was killed by these brutes, and the other narrowly escaped, having been snatched away from their jaws.

INDIGO PROSPECTS.—Very discouraging reports have been received during the month from the factories in Tirhoot and its neighbourhood. Not more than 14,000 maunds is expected to be the outturn of the season.

Very unfavourable reports have also come in from the factories in Jessore and the neighbouring indigo districts, complaining much of incessant rain and of a very poor produce from the plant. Similar accounts have been received from Tirhoot.

THE CROPS.—Favourable accounts have been received of the crops; but it is still expected that the outturn of the season, will be less than an average crop. Cuttack and Backergunge have been relieved in a great measure by the rains, and the crops in these places are getting on well.

CONTRAHAND OPIUM.—On the 16th instant, about fourteen maunds of opium were found in the house of a native of the upper provinces, named Probhoo Sing. It is stated that the drug was landed only the night before, from a boat just come down the river, and information of it was given to the police by one Seback, who observed it in transitu from the boat.

MR. MARTIN.—In consequence of certain reports which came to the knowledge of the Governor of Bengal, Mr J. R. Hutchinson, one of the Judges of the Sudder Dewany Adawlut, proceeded to Hooghly some short time

since for the purpose of enquiring into the conduct of the Judge of that Zillah. The report of Mr. Hutchinson has led to certain charges against the Zillah Judge being drawn up by the Sudder Dewanny, and the Government has appointed Mr. W. W. Bird to act as Special Commissioner under Regulation 17 of 1813 for the trial of the same. The Government is the prosecutor, and Mr. Bignell is to conduct the case on its behalf.

POLICE COMMISSION.—A Commission has been or shortly will be appointed for the purpose of reporting upon the present state of the Police in the lower provinces and of suggesting such improvements in the system as may seem expedient.

SIR CHARLES METCALFE.—It is said that Sir Charles Metcalfe will positively go home in January next.

A LEOPARD.—It appears that the animal which has been carrying off children in Shampookoor, is a leopard and not a jackall, as was reported and that the brute escaped from some showmen a short time since. It attacked a woman, during the week, and bit off her hand.

BONUS TO THE OPIUM SHIPPERS.—The question of the ten lakhs bonus to the opium shippers was settled in Council on the 23d instant, by adopting the plan proposed by the trade at the meeting of the 17th instant, without any modification, as it appeared to be approved by a great majority of the parties concerned. Shippers of opium to the Straits prior to the 1st of May, are, therefore, excluded, while all other shippers, whether to the Straits or to China, share equally.

THE BHOOTAN MISSION.—The last *Gazette* announces the appointment of Captain Pemberton to proceed on a Mission to Bootan and eventually to Thibet, and of Dr. Griffith to proceed in Medical charge of the Mission. This embassy will be one of much literary and scientific as well as political interest. Bhootan is almost a *terra incognita*: it has not been visited by a British functionary since the Mission of Mr. Turner, of the Bengal Civil Service, who was sent to the Deb and Dhurma Rajas by Warren Hastings. From the enterprising character of the two gentlemen employed, much may be expected. Both have acquired a reputation in Assam; Dr. Griffith very recently, by his journey from Assam to Ava, during the late disturbances in Ava.

THE CENTRAL HOSPITAL.—A deputation, consisting of the Archdeacon, Dr. Corby, M. M. Manuke, Esq., and J. W. Alexander, Esq., waited on Lord Auckland, by appointment, on the 24th instant, for the purpose of presenting a memorial to him, craving some support from Government on behalf of the Central Hospital, which has since its formation afforded an asylum to numerous sick persons, *six thousand* of whom have been cured, by Dr. Brett, in the space of six months. Lord Auckland informed the deputation, that he could not determine upon what degree of assistance, if any, it might be expedient to recommend the Government to afford, until he received the report of the Municipal Committee.

DOBBAH SUGAR.—Some statements published last month respecting the Dobah Sugar Works, upon the authority of a letter from Mr. Blake and other well accredited information, have attracted the attention of the gentleman in charge of the works, who had also received letters from England of late date upon the subject of the transfer of the property. From their explanation it appears, that the £120,000 subscribed by the new Company, is for the working as well as for the purchase of the concern,—that the portion of this sum given for the concern alone is £48,000, the purchase being made by twelve proprietors, in shares as already described. It also turns out that, instead of the startling quantity of 8,000 tons of sugar, the works have only sent down as many hundreds, or rather about 900 tons this year, though capable of yielding much more if well supported.

THE LATE ROBBERIES IN GARDEN REACH.—Within the last month, more than one respectable house, at Garden Reach, has been entered and robbed during the night; and a *Masulman Faquir* absconded from his position,—near two small dilapidated mosques, situated on the opposite side of the road almost facing Sir Edward

Ryan's gate,—on the forenoon of the Monday, subsequent to an extensive robbery in that neighbourhood, between the night of Saturday and the morning of the Sunday previous. On this occasion, a plate chest was removed from the house of Mr. Bell to the bank of the river adjoining, quietly unlocked, rifled, and left on the bank. An almirah, also, was carried away with its contents, said to be of considerable value.

MOFUSSIL.

AGRA.—By order of the Lieut.-Governor the Quarantine system lately established, has been broken up, as plague has been pronounced to have disappeared. The preventive police employed on the different cordons, will be discharged immediately. 1,100 pilgrims from Kuttuck to Muttra, are now detained at Futtehpoor, who will however be speedily released.

A dense flight of locusts passed over this station on the 23d instant without doing any injury. Their direction was westerly.

The *Agra Ukhbar* of the 9th instant, is the first semi-weekly paper that has issued from the Mofussil Press. The weather has been unusually dry, and it was expected that the want of rain would be of serious detriment to the kurreet crop.

Seven natives were killed on the 7th instant, by the falling in of a grain pit in which they were working.

BURDWAN.—Three women have been murdered in Burdwan; but the assassins remain undetected.

SINGBHOOM.—Letters from Hazareebaugh mention, that famine and sickness are committing great havoc in the province of Singbhoom. There is a permanent cantonment at Chyebara. Into this cantonment numbers of Coles in the last stage of starvation daily proceed, but many others die from want, and sheer inability to reach the spot.

MYNPOORIE.—A melancholy affair occurred at Mynpoorie on the 28th of July. A young man of the name of William Thomas, belonging to the Dak Office, committed suicide by shooting himself. The young man had recently built a bungalow and had involved himself in debt, which preyed upon his mind so much that he was ill for some days, and did not on that account attend his office as usual. Another man was employed during the time; and he supposing from this that he was turned out of his situation, after writing many letters regarding himself and the cause of his death, deliberately set fire to his bungalow and shot himself. He was found amidst the flames with half his face blown off, and his brains lying more than a yard from him nearly burnt to a cinder.

NEEMUCH.—In consequence of little or no rain having fallen during June and the greater part of July, the grain merchants began to enhance the price of every description of grain; it was generally apprehended that a draught would happen; under the idea the principal grain dealers of the Sudder Bazar hoarded up an immense quantity of grain, and attempted to impose on the Commissariat Officer to reduce the nerrick; but unsuccessfully. When there was little hope of rain, a heavy shower commenced on the 30th July; it stopped for a few minutes, but about midnight it began to pour in torrents, and the stream which surrounds the Cantonments of Neemuch, was greatly swollen. A considerable number of huts constructed on the banks of the stream, and chiefly occupied by dhrs, khureeks, and butchers, were swept away, and the number of people who were carried off by the current of the stream, is estimated at twenty-two, and of cattle 700 sheep and a number of cows, buffaloes and bullocks, are said to have perished. The gunj, which was some years ago established during the time Sir David Ochterlony was Resident, and known by the name of General Gunj, was completely inundated—the greater part of the inhabitants, about 2 o'clock in the morning, with difficulty escaped a watery grave, and some of them were obliged to climb up a large burtut tree, which stands on the road to the town of Neemuch.

AJMER.—No rain had fallen up to the date of the last intelligence, and the barometer still stood high. Grain has in consequence again risen in price. The plague broke out after the rains at Gungapore in Meywar, but soon subsided; at present Nath-devarah and Rupun are nearly free.

ZILLAH BEHAR.—A letter, under date the 9th of August, states, that a great number of deaths are taking place amongst the jail prisoners every day, as also among the inhabitants of Zillah Behar, by the plague, which is attributed to the absence of the rains, not a drop having fallen up to the present day. The medical attendant of the jail has expressed his opinion that unless the prisoners were removed elsewhere, it is not unlikely that they would all die.

MOORSHEDABAD.—On the 21st of August the Nuwab of Moorsheadabad, was invested by the Honorable Mr. Melville, with the Guelpic order, conferred on him by the King of England. The ceremony was very grandly conducted, and the Nuwab distributed rich presents on the occasion.

CUTTACK.—A letter from Cuttack, of the 20th of August, says that the state of affairs there is any thing but satisfactory, and rice is becoming dearer every day. The mortality from starvation and cholera since the month of May last has been dreadful throughout the district. Wretched mothers bring their children and sell or give them away to any one who will give them something to eat. Crowds of men, women, and children, the picture of disease and misery, are seen crawling about the town and cantonments, begging for a handful of rice, and frequently lie down and die at our gates. A subscription has been raised by the collector, and our worthy commandant feeds some hundreds of them out of his own pocket. But this, though liberal in the extreme, is a mere drop in the ocean where thousands are dying of absolute starvation.

MYDAPORE.—Several murders have recently been perpetrated in Midnapore, and the assassins have been captured.

TAJARAH.—Intelligence has been received that a destructive fire had happened at Tajarah lately, which caused the deaths of about two hundred and fifty persons, and property to the amount of several lacks of rupees, was reduced to ashes by the accident.

NATIVE STATES.

TAHORE.—A Moosulman, who had been sent to ascertain the state of affairs at Cabool, mentioned, that the sons of Dost Mahommed were at Phroo, situated two coss on the further side of Dhuke, and that a small part of the army with two guns were at Ulee Musjid.

The Maharajah sent Kwaja Mahommed Khan, the son of Sultan Mahommed Khan, with Umeer Buksh, a Darogah, to Ruhim Dil Khan, and Muhr Dil Khan, Chiefs of Candahar, in order to strengthen the friendship of the two powers, at which the ruler of Cabool was vexed, lest the two powers should unite and deprive him of his territories.

An urzee was received from Meer Alum Khan, Bijoor Walla, mentioning, that, according to instructions from Dost Mahommed, he had gone to his sons; that the Chief of Cabool was anxious to get possession of his Jagheer; but that if the Maharajah would bestow favor on him, he would come to his court. An answer was sent, directing him to join Rajah Dyan Sing, and that every favour should be bestowed on him.

An urzee was received from Rajah Golaub Sing, stating, that he, accompanied by General Ventura, had marched from the banks of the Seind and fixed his camp at Bhsoor in the country of the Yusoofoo-Zaseans; many of the Zemeendars had come over to him, and that he would receive presents from them in the name of the Maharaj and commence active operations against Pyindub Khan Durbund Walla, and Futeh Khan Punjar Walla: an answer was sent directing him to seize the two leaders and to confine them.

An order was sent to Mahommed Ukburool Dowlet, and Mahommed Cassim, the sons of Abbas, directing them to send a vakeel to Shah Kamran of Herat to request, that two thousand small guns should be got ready. The chiefs consented.

A Purwannah was sent to Juwahir Sing directing him to proceed to Nursinghur and to fight against Payindah Khan.

Juwahir Sing wrote a letter to the Maharajah, stating that Payindah Khan, on hearing of the smallness of his forces had crossed the Sind and had raised a disturbance in the zillah of Huzaroh; but that he would turn him out of that, if a large army was placed at his disposal. An answer was given, that strong reinforcements should be immediately sent, in the mean time the gallant Juwahir Sing was to make the best of the matter and to show fight.

The Maharajah sent a message to Daya Ram Sing, urging him to do his utmost to persuade the sons of Sultan Mahomed Khan to remove from the banks of the Chjuab, and to fix their residence at Wuzerabad.

Sirdar Dost Mahomed Khan was at Cabool and Mahomed Ukburool Khan, his son, was, in consequence of the rainy season, desirous of joining his father.

A letter, received from Generals Allard and Ventura, mentioned, that having collected their forces agreeably to orders on the banks of the river, they were waiting for further instruction. An answer was sent, directing them to come by easy stages to Lahore.

A letter from Muha Sing, the son of Hurroo Sing, mentioned that Payindah Khan had gone to his fortress of Barn in the hills, that he had surrounded the fort with the troops under the command of Juwahir Sing Bisturee, and that he would not inflict whatever punishment the Maharaj desired.

PESHAWUR.—The Moosulman spies reported to Koonwur Now Nehal Sing, that the army of the Cabool Chief was collecting at the village of Ysawal, with the hope of meeting the forces of Lahore at the time when the waters of the Attock should have risen. The Koonwur selected his most chosen troops and sent the rest back to Lahore.

Rajah Goolaub Sing, and Oontald Saheb, with a large army, crossed the *Sind*, for the purpose of arranging the revenue and receiving presents, and entered the country of the Usoozaens. Futeh Khan, Punjar Walla, who was always an enemy of the Maharaj, came down from the hills and attacked them. His small force was defeated and compelled to seek safety in flight. Ten days afterwards Payindah Khan, Dhurband Walla, with numerous followers, fought with Goolaub Sing's force from sunrise to sunset, numbers were killed on either side, and Goolaub Sing finding the country a little too hot for him, retired to his former station in Peshawur.

COUDR.—The King elect is adopting sound and good measures; he has guaranteed all arrears of pay, civil and military; he has avoided the fault of making any abrupt changes; the ministers of the late King are still retained; but the feelings and policy of the present man are sufficiently well understood to make it almost certain that they will be dismissed so soon as the establishments are paid, and affairs become more settled. A sum of money exceeding fifty lakhs has been found concealed in the Palace; and revenue is being collected with less difficulty than was anticipated. The King, who was formerly minister, is perfectly acquainted with the routine of business, and examines into every thing. An immense reduction has been made in the household expenditure: much of which reform is no doubt attributable to the simple habits and advanced age of the new King; but there are not wanting persons who insinuate, that he does not yet feel himself so firmly fixed upon the throne, as to admit him of his indulging in the full pomp of sovereignty.

NEPAUL.—Letters to the 27th July state, that Cutmandoo was recently very nearly being the scene of a civil war, or something verging on it, and that the cause of this was partly owing to change of Ministry, and partly

attributable to the sudden demise of the King's youngest son, who, some say, was poisoned at the instigation of the ex-minister and his party, for the purpose of revenging themselves on the King for their disgrace. Be this as it may, however, the promote and energetic measures taken by his Majesty and the new Minister, have completely defeated all the machinations of Bhem Sien Thappa and his powerful adherents, a great many of whom, with himself, are now in chains, and strongly guarded, waiting their trial, and decapitation, it is expected, will be the fate of all who have taken part with him. It is supposed the ex-minister and his party are possessed of considerable sums of money, and until it be squeezed out of them they will be allowed to repent of their sins. The King has now his palace guarded by three thousand of his chosen soldiery with loaded muskets, and it is further stated that the King is so much afraid of being poisoned, that he will neither allow egress nor ingress to the palace, nor will he eat anything that has not been cooked and brought to him by the hands of his Rancee, who had a very narrow escape, as the poison which was administered to the unfortunate Prince was intended for herself, as she has been a thorn in the side of Bhem Sien Thappa, for very many years past. The physicians also of Nepaul are very likely to pay dear for the Prince's death, as reports state, four or five are now in confinement and more under suspicion of having been abettors, will not remain long out ofurance. The royal Physician has been turned out of office, and it is said the Maharaj is now in quest of the sons of his grandfather's physician, thinking there is more dependence to be placed on the former friends of the state, than on the upstart Thapas, and their fry, as they are now designated.

ULWAR.—The following is an extract from a letter dated Ulwar 14th July 1857. The weather here is very warm, and we have had scarcely any rain. The fever is raging most furiously and making great ravages among all classes of people, and numbers are carried to their last homes daily. About six days ago one of the Ranees was delivered of a boy—the day was celebrated with great rejoicings, and nuzzurs were presented to the Raja by all; but unhappily the child died the 4th day after its birth. Three other Ranees are on the eve of being confined, and then more nuzzurs will be exacted!

UMMOOJAN and Isfundyar Beg are not in such repute as they were on their first arrival here; in fact they appear to be much disappointed and very low in spirits in these days. The treasury is very low and there are no signs of the establishments being paid.

HUSHTNUGR.—It is well known that Mahomed Khan being afraid of all the zumeendars going over to Dost Mahomed, has written to Raja Dhyau Sing, mentioning that several of them had secretly joined the son of Dost Mahomed, but that if the assistance of a small force and a few guns was afforded to him, he would punish them. A force was immediately sent. Four hundred thieves attempted to rob the Suwars, and managed to enter their tents; luckily the suwars on ascertaining the nature of the attack and character of the assailants, displayed eminent judgment and valor, and succeeded in capturing two hundred of the depredators, in addition to the numerous dead. The prisoners were sent towards Peshawur on the following morning. On their arriving at Jumrood, Rajah Dhyau Sing amused himself by tying several of them in different attitudes to trees, all the rest were hanged at Jumrood, except the few who were known to possess wealth, they were reserved to be ransomed! It is said, that these severe measures towards the thieves have put the zumeendars in a state of funk, and, consequently, they have abandoned their intention of joining Dost Mahomed, and have taken to paying the revenue.

BHOPAL.—The Nuwab of Bhopaul has been besieged for a few months past in the fort of Ashta by the forces of his wife and mother-in-law. The country is in a most disorganized state, overrun by hordes of banditti, our subjects are plundered by both of the contending parties, and travellers robbed and murdered.

ATLEE MUSJID.—Travellers says that many of the Pathans at Khybur had lately told the sons of Dost Mahomed, that Misree Khan was corrupting some of his friends, and had declared that he wished to see the Sikh army, after taking Ullee Mu-jid, attack Jellalabad. On hearing this the son of Dost Mahomed was angry and sent some of his own servants to seize the offender. Misree Khan having ascertained the state of feeling towards him, and having obtained intelligence of the nature of the measures to be adopted against him, fled. Some of his friends were seized by the Dooranees and taken to Dost Mahomed's son: they were killed by having their bellies ripped open by the common executioner, and their bodies were tied on camels and paraded through the whole army, the public crier vociferating that all who committed a similar crime should suffer a similar death.

KARTARPOOR ON THE OTHER SIDE OF THE SUTLEGE.—By letters received from Kartarpoor, it appears that a dispute has been going on for about a month between the servants of Sirdar Nehal Sing, the ruler of Alwa, and those of Sirdar Soodhee Sadoo Sing, Harlarpoor wallah, regarding the boundary of Monza Jungera. An engagement lately took place, and the troops of the former power wounded some of those of the latter. On hearing this the ruler of Lahore has despatched four cavaliers with commissions to prevent bloodshed among the people of these chiefs, and the messengers have informed them that for the loss of each life, the party who should be the cause of it would be fined one thousand rupees.

CAUBOOL.—On the 20th of Rabee-ool-awal, the marriage of the youngest son of the ruler of Caubool was celebrated with great eclat; the expenditure on the occasion being enormous. The Ameer of Caubool, after all ceremonies were over, proceeded to Jullalabad and there distributed rich dresses to the Eusufzye Sirdars, who were present. His Highness then set out for Khybur for the purpose of awaiting there the arrival of a large reinforcement to enable him to take the field against the Sikhs in a manner so as to do justice to bravely.

MADRAS.

SHIPPING OF MILITARY STORES.—The Madras Government has been actively employed in shipping military stores for Moulemein. Speculation has been on the stretch, to find out the cause of these martial demonstrations.

COPPER COINAGE.—The denizens of Madras are greatly inconvenienced for the want of copper and small silver coin.

CUSTOM DUTIES.—PROCLAMATION.—Fort St. George, July 17, 1837. It is hereby proclaimed that the Governor in Council of Fort St. George, by and with the sanction of the Right Honourable the Governor-General of India in Council, has ordered that from the 12th August 1837, the levy of customs upon goods and merchandize imported or exported by land into or from, or passing through or sold within the territories subject to the Presidency of Fort St. George, and upon goods and merchandize imported by land into, or produced or manufactured within the limits of the Collectorate of Madras, shall be confined to the following 36 articles.

1 Cloths; 2 Tobacco; 3 Betel Leaves; 4 Ganjah; 5 Bang; 6 Godauk; 7 Opium; 8 Oils; &c.; 9 Ghee; 10 Betel Nut; 11 Tamarind; 12 Castor Oil Seeds; 13 Gingly Oil Seeds; 14 Sugar; 15 Jaggery; 16 Coconut; 17 Copra or Dry Coconut; 18 Iron; 19 Chay Root; 20 Indigo; 21 Salt Petre; 22 Grain on (exportation); 23 Gunny; 24 Cumblies; 25 Timber; 26 Cotton Thread (on exportation); 27 Cotton (on exportation); 28 Silk; 29 Pepper; 30 Cardamums; 31 Cummin Seed; 32 Sandalwood; 33 Red Wood; 34 Dying Flowers; 35 Hides; 36 Goa Saly,

All Goods and Merchandize, save and except such as are described in the above List, are hereby declared to be exempt from Land Customs and Town duties from

the above date.—By order of the Governor in Council. H. CHAMBER, Chief Secretary.

THE JAVA.—The report of the loss of the Java off of the Cape, is false.

TANJORE GOVERNMENT PAPER.—Several gentlemen, holders of Government Promissory Notes of the Tanjore Debt, made, in March last, a representation to the Government requesting that the Accountant General and Sub-Treasurer as Government Agents, might be authorised to receive such Notes upon the same terms as other Government Promissory Notes. They further suggested that similar precautions, with a view to prevent forgery, as are in use in other Government Promissory Notes, ought to be adopted in regard to the notes of the Tanjore Debt. The address has been favorably received.

SUPREME COURT.—Another case of considerable local interest to the Hindoo population of Chintadrappettah was decided on the first day of the term. The question in dispute related to a little Sawmy House and was, who had the right to it? This Sawmy House contains nothing but a single pillar fixed into the earth at the very confines of the village towards Egmore, and is supposed by the natives to keep the devil out of Chintadrappettah. This decision was upon the second trial to try the right to the property, and must have cost fifty times the value of the Pillar of Stone.—The matter is to be again agitated.

THE GOVERNOR.—The return of the Right Honourable the Governor to Madras has been further postponed. His Lordship, it is supposed, will extend his stay at Bangalore to the end of August.

THE MAIL COACH COMPANY.—The Mail Coach Company are very sanguine of the success of their plan—and also of receiving very large support from the government—we hope both anticipations may be fully accomplished.

LORD ELPHINSTONE.—Lord Elphinstone, it would appear, had left Bangalore for the purpose of visiting some parts of the Mysore country; the purport of this visit had not got abroad, but it was not expected his Lordship would be absent from Bangalore above a week.

TRANSIT DUTIES.—The amount to which the Transit duties at this Presidency have been relieved by a recent proclamation of Government, has been given at ten lakhs of rupees. This, though not equal to what had been expected, must afford considerable relief.

MASULIPATAM.—Masulipatam has been visited with rain, and at length there is every appearance of a continuance of it: the people there are suffering for want of copper coin; the exchange for the last two months having fluctuated between 11 fanams 40 cash and 11 fanams 20 cash per rupee.

HIGHWAY ROBBERY.—A most daring highway robbery took place a few days ago between Bangalore and Arcot. A gentleman's bandies were stopped three miles on this side of Battanungulam, his men and servants were knocked down, his trunks forcibly broken open with some kind of knife, and all his things stolen.

CHUNDOL LAL.—The following is extracted from a letter dated Secunderabad the 28th July:—

"The prognostications of the city sages touching the immortality of CHUNDOL LAL are likely to prove the baseless fabric of a dream sooner than was anticipated. The poor man is to all appearance dying! He was taken seriously ill with bowel complaint, and has been gradually sinking ever since; refusing medicine and relying upon prayers, charms and charities for recovery. It is supposed that his son, BALA PUNSHAD, the big elephant, will succeed him; but it very questionable whether he will be able to retain the seals of office long. Without the title of a title of the father's talent, and aptitude for business, he out-Herods Herod in all he objectionable qualities."

THUNDER-STORM AT ARCOT.—Letters from Arcot mention, that a tremendous thunder-storm was experienced

there on the 2d instant, with very vivid lightning. A sepoy of the 5th L. C., who was on sentry inside the standard guard, was struck dead, and two others were severely wounded. The electric fluid entered on one side of the house and passed quite through it, breaking to pieces two very large and strong teak beams. The tanks were said to be quite full, and the place very healthy: only four men of the 5th cavalry were in hospital.

THE CHOLERA.—Accounts from Secunderabad, to July 18th, state that the cholera had prevailed in the city and suburbs of Hyderabad during the previous fortnight to a considerable extent, and was at that time causing great ravages. The mortality by some reports was 150 a day, and by others 200 a day, in the city and neighbourhood. There has been very little rain at Hyderabad this season, perhaps not more than one-third of the usual quantity, and apprehensions are entertained of a bad monsoon.

Cholera has been so prevalent in Salem that it has been thought necessary to dispatch additional medical assistance to that place.

At Chittoor, the cholera was raging fearfully. No less than 20 individuals of the establishment of one of the judges are reported to have died of it.

PRINCE DE JOINVILLE.—Prince de Joinville, a son of the celebrated Prince D'Eckmahl, is on board of the French frigate *Artemise*.

BOMBAY.

CHARTER FOR THE BOMBAY BANK.—It is said that the recently arrived mails brought a short and pithy letter from the Court of Directors to the Bombay Government, in reply to the recommendation transmitted from Bombay in January last, in favor of a Charter being granted to the Bank of Bombay. The dispatch conveys the distinct refusal of the Court to sanction the measure, and in strong terms, cautions the Bombay Government not to hold out the least expectation that the application will be entertained at a future period. The Board of Control have without hesitation confirmed the view taken by the Court of Directors of the matter.

THE GUICOWAR.—Venecram, the karbharee of His Highness the Guicowar of Baroda, recently left Baroda under the pretence of attending the nuptial ceremony at Gopallwar Myral, giving it to be understood that he should be back in four days. Some say the truth really was that he was going to Calcutta with an appeal against the Bombay Government from his master, while others affirm that he was taking himself off after cheating his master, and that he had a Parsee with him. He was coming in a carriage from Sawlee, when his master sent him a palankeen and some rich honorary dresses. At the instance of Venecram, a great meeting was held at the house of Murree Bhugtee, on the 27th of June, to address the Supreme and Bombay Government, testifying their approbation of his conduct and utility, and requesting that he should not be removed from the office he at present holds under the Guicowar Government; and accordingly addresses have been prepared and signed by a number of people, and are about to be presented to the Resident.

PUNISHMENT AWARDED FOR ASSAULTING THE HINDOOS AND POLLUTING THEIR SHRINE.—On the 17th July, Mr. Pyne, the session Judge at Tannah, after a careful and deliberate investigation, passed sentence of ten years' imprisonment with hard labour in irons, upon 17 Mussulmen who were convicted of assaulting the Hindoos, polluting a Hindoo Temple, and destroying an image of Wittoba during the late Mohurram. The punishment awarded is considered by the people at Dheewndy and the Hindoo community a slight one for so daring an outrage.

THE SATARA STATE.—The Satara State is again in as disturbed a condition as it was when Govindow the Dewan was taken into custody.

SHIP LAUNCH.—On the 19th ultimo, a beautiful ship of six hundred tons, was floated out of the Bombay docks, and named the *Rajasthan*. The ship belongs to Messrs. Nicol and Co.

THE CROPS.—The prospects throughout the country are extremely favorable, and a sufficient quantity of

rain appears to have fallen in many of the most important districts to satisfy the demands of the cultivators. There seems every prospect of an abundant season and the price of grain has already in some quarters suffered a decline.

PRESENT TO MESSRS. MCGREGOR, BROWN RIGG AND CO.—On the 22nd ultimo a handsome silver snuff box was presented by Messrs. Farnworth and Co., Agents to Mr. Waghorn, on behalf of that gentleman, to Messrs. McGregor, Brownrigg, and Co., as a proof of the thankfulness with which Mr. Waghorn regarded the attention and assiduity with which the last mentioned firm had previous to the transfer of his agency from them to Messrs. Farnworth and Co., at all times promoted his interest.

THE BHEWNDY CRIMINALS.—The Sudder Adawlut has reviewed the sentence passed upon the Bhewendy prisoners by the Session Judge, and decided that in condemning them to 10 years' imprisonment, that gentleman had exceeded the power vested in him by the Government Regulations, which prohibit the Judges of the Zillah and Provincial Courts, in cases of this nature, from awarding a punishment of more than 7 years' imprisonment. The Sudder Adawlut finally decided that six of the prisoners should undergo each an imprisonment of one year with hard labour, and further pay a fine of 1,000 Rs. or suffer another years' imprisonment with hard labour. At the end of their imprisonment, each individual to enter into recognizances for his good behaviour for 5 years, himself in 2,000 Rs. and two securities, each in the same amount. Five of the remainder were set at large from then having been convicted upon the testimony of only one witness; but were ordered to find securities for their good conduct as above. Six who were considered as the ringleaders in the late affrays have not as yet had sentence passed upon them; but their case is under consideration. Several witnesses in the case, who were found guilty of prevarication and perjury, have been sentenced to *dheend* or parading through the town on an as, imprisonment and hard labour.

A meeting of the Chamber of Commerce was held on the 5th instant, when Mr. Brownrigg was elected Chairman and Mr. Gordon Deputy Chairman, for the ensuing year. At the same meeting a resolution was come to, to petition the Court of Directors on the subject of extending the powers of the minor presidencies.

GOPALL RAO MYRAL.—Venecram, and one or two other officers of his Highness, have gone to Shingar to conciliate and bring back Gopall Rao Myral, who has departed from Baroda.

MURDER.—The daughter of a wealthy tailor has been murdered by an old woman and her accomplices in order to procure the ornaments the deceased had about her person at the time, valued at about 800 rupees. The murderers have been apprehended.

AFRAY BETWEEN THE GOSAEENS.—We understand that two men were lately killed in a dispute between the two sects of Gosaeens, who, to the number of several thousands, had repaired to Trimbuk, near the source of the Godavery river, on pilgrimage in the last month. It seems that good order was preserved on the 9th ultimo by the presence of a body of troops from Nassick, and the assistant Collector, Mr. Bell; but on the evening of Monday the 17th, when Mr. Bell, with the men, had returned to Nassick, the hatred of the contending sects burst out into an open quarrel, and each party began to pelt the other with stones. The sect called *Oodasee* stood on one side, and those giving themselves the high names of *Nirunjunes Nirbanes* were on the other; and it was this latter party that unfortunately lost two of its number in the contest. Immediately on being informed of this, Mr. Bell arrived on the spot with two or three hundred sepoys, and apprehended several *Gosaeens*, the leaders of the affray, and took them to Nassick. It is said that none of the *Oodasees*, who were the aggressors, have been apprehended. They are the most numerous and the most powerful sect, being composed of the pearl dealers of Bombay, Hyderabad, &c. Many of them call themselves followers of Nanuk, or the founder of the Sheik religion.

CEYLON.

MEETING OF THE FRIENDS OF SIR R. W. HORTON.—On the 27th of July a meeting of the friends of Sir R. W. Horton took place at the Hon'ble the Chief Justice's, for the purpose of taking into consideration the best mode of testifying their regard for His Excellency previously to his departure from Ceylon. A letter was, however, received from Sir Robert Horton declining to sanction their purpose whilst he remained Governor, so that the Meeting was dissolved without coming to any resolution.

CENTRAL CIRCUIT.—On the 28th of July last, the Hon'ble the Chief Justice Mr. Sergeant Rough, left Colombo for Kandy, on the Central Circuit of the Supreme Court.

BURMAH.

ARRACAN.—Letters from Arracan to the 29th July, say, the assistant-surgeon at Kyauk Phyo and upwards of 100 men are in Hospital, and the officers are some ill, some well. Including the medical men, there are only seven at present doing duty with the regiment.

On the 13th July, there was an inundation; the water rose many feet. The river rose at least twenty feet, and seventy houses on the river side were washed away; houses, cows, goats, &c. followed them; the streams in the town could not be forded by a man, and mud lay on the ground three inches deep and destroyed the roads altogether.

Intelligence from Rangoon to the 28th of July has been received during the week. The Resident, Colonel Burney, had arrived there on the 6th of that month, having left Ava on the 17th of June. The new King, Tharawaddie, left Ava on the 10th of June for Kyaukmying, a town on the right bank of the Erawadi, fourteen miles due east of Monteshobo, where he proposes to establish his future capital. As the Residency could not accompany him, and as he desired to have Ava deserted and a heap of ruins, the Resident obtained his permission to retire with the Residency to Rangoon, until such time as he has settled his Government and appointed proper ministers and officers. The King parted with the Resident on the best of terms, and authorized him to correspond with him from Rangoon. It is, however, to be apprehended, that he is intoxicated with his extraordinary success,—has such a high opinion of his late and fortune,—gives his tongue such great liberties, and is surrounded by such a set of ignorant and mischievous people, that the chances are very strong in favour of another Burmese war. He has set Aloupra as a model to himself, and is urged by his own pride and vanity, as well as by the incessant instigations of his followers, to try and restore Burmah to its former state of power and glory,—that is, to dispend altogether with the presence of an English Resident, and to recover the territory and honor lost by the last war with us. A translation of the new regulations issued regarding the duties and customs at Rangoon has also been received. The regulations and orders of the Royal Grandfather alluded to in this document, prescribed the scale of duties which existed in the time of the late King, and a copy of which with explanations was published in the *Hurkaru* of the 6th September 1834. The reduction now ordered, amounts to about 217 rupees in the port and anchorage charges, besides the abolition of a tax of 10 per cent., which has hitherto been levied here upon the hire of coolies, carpenters and caulkers. Tharawaddie still persisted in considering the treaties made with the British by his brother, as cancelled by the change of Government, and refused to recognise the rank and authority of the Governor-General, and our right to maintain a Residency at his capital.

SUMATRA.

The following information respecting the Boonjal war is communicated by a correspondent of the *Hurkaru*, in a letter dated the 8th of July.—Since the unsuccessful attempt of General Cleerins in October, 1836, to carry the Fort of Boonjal, from which he was bravely repulsed after having effected a breach, things were allowed to remain *in statu quo*, until March last, when Major-General Cochius, a veteran who had already gathered laurels in the field of Java, arrived with a fresh and

considerable reinforcement from Batavia, and with a soldier's determination to put an end to hostilities that had already been attended with so much expence and loss of lives. Since the arrival of General Cochius, preparations of the most belligerent nature were set on foot under his immediate superintendence. A successful attack was made on some of the strongest posts of the enemy, one of which surrendered at discretion, and the rest were taken possession of at a great sacrifice of lives on both sides; for the hostile parties were compelled to approximate so closely as to be obliged to dispend with firing, and to have recourse to the bayonet and the pike. The *Padries* fought bravely, according to the General's own statement, but were eventually defeated and forced to retire further into the interior. The war may now, in a manner, be said to have come to a close, as the few villages that have not yet been taken possession of, are so insignificant, that the denizens of Padang were in hourly expectation of hearing of their surrender,—particularly as the supplies of the Malays were entirely cut off, and all communication with the main body effectually prevented.

There were many speculations afloat, among the European Inhabitants of Padang, with respect to the effect, the possession of the interior by the Dutch Government will have on the trade of this coast. Some anticipate a monopoly of coffee on the part of Myneer, which, if it really takes place, will occasion serious grievance to the mercantile community. Others seem to think, that the trade will considerably improve, inasmuch as the demand for articles of European manufacture will materially increase. This is a circumstance not unlikely to occur, but the question is, whether the "Dutch Trading Society," who form already a stumbling block in the way of the merchants, will not have the trade of the interior exclusively in their hands, supported as they are both by the home and the local Government.

PENANG.

Penang papers to the 15th of July, have been received during the month. The Penang Gazette state that the Rajah of Acheen had refused positively to give the Dutch any satisfaction for having harboured the men who run off with the Dutch guarda-costa schooner *Dolphin*, after having murdered her Commander, and for having retained the vessel, the treasure on board, and the children of the late Commander, although Myneers had offered to compromise the matter and expressed their willingness to be satisfied if the children only were restored. The reason the Rajah assigns for adopting the course he has pursued, is, that the Dutch had unjustifiably invaded the territories of his relation, the Rajah of Pagaruyong, murdered his subjects, and sent the Rajah himself a prisoner to Batavia. The Acheen Rajah was repairing his fortifications and making other preparations for war; and we may, therefore, expect shortly to hear of the commencement of hostilities between the Dutch and Acheenese.

SINGAPORE.

The Singapore journals of the 13th of July, furnish intelligence from China to the 12th of May, which is not, however, of much importance. The men-of-war had been cruising about the Straits in search of the pirates, but had not fallen in with any of them; although they had been met by, and had given chase to, trading vessels, which had only shortly before been boarded by the boats of the *Zephyr*. Two Chinese merchants have been expelled from the Singapore Chamber of Commerce for fraudulent practices.—Saltpetre has been recently manufactured in large quantities at Perak, and promises to become an article of considerable export.

Singapore journals to the 20th July, intimate the release from slavery of several Quedah Malays, of both sexes, who had been in a state of bondage in the islands of Lingin. The emancipation of these unfortunate people, was accomplished by the commander of the Dutch frigate *Ajas*.

Prince William Frederick Henderick, a son of the Dutch king, was about to visit Singapore.

PERSIA.

Letters from Persia, 10th 9th of July, state, that the passengers per *Hugh Lindsay* were expected at Tehran on the 7th June. The Shaw had it in contemplation again to proceed towards Herat with hostile views.

Advises from Bushire state that a proclamation has been issued by the Shaw of Persia, prohibiting horses being exported from his empire; it has already taken effect at Bushire, to the great prejudice of the British trade.

The Persian Gulf has been very unhealthy. Lieutenant Poole, Indian Navy, and Mr. John Stewart, Assistant Surgeon, both died on the 10th of June off Abutubee, of the *Bassadore* fever, after an illness of only three days, the former commanding, and the latter surgeon of the H. C. sloop-of-war *Clive*. The officers, seamen and marines have subscribed handsomely towards erecting a tablet to their memory.

A letter from the Tehran, of the 7th of May, states:—There is very little of novelty here. The Emperor of Russia, it is stated at Tiflis, is coming to Poti and Erivan in October. This will place our Shah in great alarm, and no doubt the journey will not be undertaken without an object, and of course an interview will be proposed by the Emperor; but I entertain hopes that the Shah's alarm will prevent him from acceding to this. There is little apprehension of Herat this year. The financial embarrassment is so great that it appears to be out of the power of the Government to assemble troops without taking money out of the treasury, which step, as there is very little left, it is unwilling to under-

take. The Russians are sending 12,000 men from Georgia against the Circassians, and 12,000 are to proceed from the Koban.

CHINA.

During the month have been received, per *Sylph*, China papers to the 13th of June. The Opium business remained in much the same position, as at our last intelligence. The last quotations were, for Patna, old 880 dozen per chest; new 815. Benares old 730 drs.; new 665. Malwa 525 to 535. Turkey, 525. The transactions were very limited, and nearly confined to "outside" deliveries of Malwa. One of the Government preventive cruisers had attacked one of the opium junks with 100 chests on board: the crew, amounting to 40 men, made a stout resistance, but the cruiser having sent a shot into the junk's side, below water mark, she went down with all on board. Governor Tang had issued a threatening edict without date, directing the English merchants Jardine, Dent, and Turner, forthwith to betake themselves to Macao, for that nothing was left to him (the Governor) but to let the laws take their course. The *Canton Press* contains an account of the mutiny of part of the crew, Manila men, of a Spanish vessel, *La Fama*. They murdered the captain, mate and boatswain, but were afterwards overpowered and secured whilst in a state of intoxication. On the news of the revolution at Goa and Demau reaching Macao, a disposition manifested itself at the last mentioned place to follow the example so set them by the former settlements. The Governor therefore called a public meeting, to deliberate upon the question, when it was unanimously resolved to adopt the constitution of 1822.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, August 26, 1837.)

INDIGO.—The accounts from the Upper Provinces are extremely unfavorable, while the rains and the north easterly winds during the past week must materially injure the districts nearer hand. The out-turn of the crop therefore may now be confidently reckoned below 90,000 maunds.

RAW SILK.—Very little has been done since our last at low prices. No transaction has yet taken place in the new bund, but as the produce will be large, prices will probably decline still further.

SILK PIECE GOODS.—A few purchases of corahs are reported for the Europe Markets, at unaltered prices. The exports this year, as compared with last, are very heavy.

COTTON.—A few transactions have been made for shipments on the vessels under dispatch for China; but no activity in the market and prices remain unaltered.

SALTPETRE.—The purchases reported are for the English and American markets. We quote the prices at a shade of decline since our last.

SUGAR.—The scarcity of coon bills has caused some inquiry in this produce for remittances to England, and several parcels have been bought during the week at our last quotations.

LAC.—In limited enquiry. A purchase of a parcel of Lac Dye for the American market is the only transaction reported since our last. The prices of both Shell Lac and Lac Dye have given away.

GRAIN.—The demand is limited, and confined to Moonghy and Ballum Rice, and Wheat for shipments to the Mauritius and Coasts.

The prices of the day exhibit a shade of improvement on Moonghy and Ballum Rice, Wheat and Grain.

OPPIUM.—Nothing yet doing, but shipments will be actively resumed, the moment the Government orders resulting from their late liberal measure, are publicly notified.

CANEA.—A sale is reported at a slight reduction in price.

OPPIUM (BOMBAY).—Have also been sold at a shade of decline in price.

MACE AND NUTMEGS.—A sale of the latter is reported at our quotation which remains unaltered.

PEPPER.—In limited enquiry, and the assortments may be quoted as in our last.

BLOCK TIN.—Has given way in price, in consequence of recent importations.

MULE TWIST.—Two days of Native holidays have occasioned some interruption in the course of business this week. No sales have been reported, and we may quote the prices as in our last.

TURKEY RED AND OTHER DYED YARNS. Without sales, and remain at former prices.

CHINTZES.—Very little done since our last. Fine quality Pines and Neutrals are enquired for at a slight improvement in prices.

WHITE COTTONS.—The market continues in a depressed state, and transactions since our last have been extremely limited. We have no change in prices to notice.

WOOLLENS.—A sale of 290 pieces middling quality assorted colors is the only transaction reported since our last at our quotation.

COPPER.—The market continues inactive, and prices, notwithstanding the absence of sales, are quoted at a decline throughout the assortments.

The sale of Sheathing and Braziers, reported in our abstract, is by the Honorable Company at co.'s rs. 35 per factory maund, cash.

IRON.—The sale reported exhibits a further decline in the prices of this metal.

STEEL.—The sale of *Blistered Steel* has been effected at our quotation.

LEAD.—Without sale, and remains at our last quotations.

SPELTER.—Has given way in price. We have heard of no sales during the week.

TIN PLATES.—The sale reported shows an improvement on the price of this metal.

QUICKSILVER.—Continues in very good enquiry, and our market is bare.

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MOONGHYR.

JOINT MAGISTRATE'S COURT, 24TH AUGUST, 1837.

A PACK OF BLOOD HOUNDS LET LOOSE UPON THOSE
WHOM THEY HAD WORRIED.

Yesterday and this day were occupied by the court in examining finally the case in which Buratalee, jamadar, and others, stood charged with torturing Moonghia, by which she died. The case having been brought to a close by the Assistant to the Joint Magistrate (Mr Hodgson) a roobukaree was made referring the case to the court, in which that court lays it down as its opinion, that the allegations of Mohun, the prosecutor, had been borne out by the evidence, &c. procured before it, and gives it as its opinion that the case should be committed to the court of the Sessions judge. This is a lengthy roobukaree, in which all the particulars have been distinctly touched on. His court reviews the whole of the evidence, and following witnesses, whose depositions we had not been present at the assistant Joint Magistrate's court to note down, were heard along with those we had reported on in a former occasion. Sobha, the husband of Moonghia, deposes that Rughoosa, Joommun Khan, and Nyasook, had bound and beat her in consequence of which she died. That Buratalee, jamadar, Mookoun Lal, zameendare's Putwaree, Roobnath, hulwasee and others, ordered to beat, &c. That they bound her in the morning, and after repeating the above treatment several times during two days, compassed her death. Marks of beating, &c. were very visible on her body. Did not come to complain himself in consequence of having been laid up by the ill treatment he had himself received. Jithase, the daughter of Moonghia, plainly corroborates the above. That her mother in her presence was reduced to a state of nudity, beat, &c. That she was never in the habit of using opium, nor in the present occasion had procured her death. Her mother had attempted to escape from the injuries that were being inflicted on her by running away, but she was forcibly brought back by her prosecutors, who repeated their cruelties. Chundoo, a nephew of Moonghia, corroborates much of the above and among others things deposes, that she was beaten with the ends of lathies. He did not eat opium. Deena Dasad, another nephew of Moonghia's, corroborates the above. Bechoa, the son of Moonghia, deposes that, besides the ill treatment which his mother had experienced, he had himself been tortured and carried towards a jungle with a command to shew where he had concealed the money he was suspected to have stolen. He was brought back to the tree. Moonghia's clothes were taken from her. She was thrown on the ground by her neck being twisted. She was beat with shoes, kicked, and beaten with the end of lathies, of which ill treatment she expired. Several men were bound in the first instance in order to procure confession, but failing to accomplish their object, some of the followers of the jamadar cried out, "you will get nothing from the men, the woman should be brought into requisition," which was done accordingly. Deena, one of the witnesses, was taxed with having omitted to mention to day, the circumstances of his having brought jamoon leaves, &c. for Moonghia, when she was about to expire, but which he had done before as per jamadar's report. He stoutly denied that he had ever said so in the Moofussil, and that it must have been a fabrication of that officer. Sobha, the husband of Moonghia, was taxed with contradicting himself by having in one instance before said, he was laid up from the effects of the beating he had received from the jamadar and his crew, and in another that he had followed the corpse of his wife to Moonghyr, and was present when it

was committed to the Ganges. Moreover, that if his wife's death concerned him more than Mohun his nephew, it would have been expected that he would have come forward to prosecute those who had compassed her death. This was easily accounted for by Jithase, who seemed to be quite clear in explaining that her father was indeed laid up during the best part of the two days of the prosecution, but was sufficiently recovered to follow the body of her mother to Moonghyr. That as Mohun was an active man, had withal a good deal of assurance, and was moreover employed when occasions required it in preference to others, he was on this occasion also sent forward to prosecute their common tormentors. We plainly saw that the old man was by far not a fit person to be employed as leader in a case in which he would be opposed to people in power, and such power too in the Moofussil, that none but madmen or those rendered desperate by persecution, would dare to exasperate by a prosecution.

We saw the motive of the selection of Mohun instantly by the question itself of the court, for before it was proposed, it scarcely occurred to us, that the prosecution by Mohun could be construed in the way it has been. The court seemed to give the prisoners the benefit of a doubt and that in the single circumstance of Sobha's apparent discrepancies. The court gave as its *res* (in summing up the case) that it could not be supposed, from the evidence adduced in the case, that Moonghia had come to her death by opium, nor yet that she had been killed outright by the treatment she was represented to have received from the jamadar and his gang, though the court could not but allow that the woman might have died by excitement of her feelings on the occasion of the *tudrook*. This of itself would have appeared to us to furnish one of the strongest reasons for condemning the whole crew of torturers, for the feelings of women ought to have been remembered, ere they were tortured by engines and tormented by chilies. The very circumstance of chilies having been called for, and gone to be fetched by one of the ministers of the arch tormentor, would reasonably appear to have had terrors enough for the feelings of the woman who was to be subjected to a monstrous species of barbarity, leaving other injuries aside, to have produced death, and the crime of the tormentor ought to be based on the circumstances of the feelings of his victim being overpowered by excessive dread. But it cannot be denied that the woman did not die before the arrival of the blood hounds of the police at Gola on a glorious *shikar*, but just when the *tudrook* was going on step by step, day after day, in the most unwarrantably illegal manner, that is, endeavouring to extort confession of guilt from suspected persons.

The result of the decision on this case will place the prosecutor and his witnesses in a position of which some notion may be formed by those who are acquainted with the manner in which these things are managed in the Moofussil. The jamadar has not only been released, but restored to his office in the self-same *thanna*.—*Markham*, September, 18.

DEPUTY COLLECTOR'S COURT, 25TH AUGUST, 1837.

The public sale of mohals in the arrears to Government, commenced on the 12th and closed this day. As it is usual on such occasions, a great deal of noise and bustle were patiently endured by the presiding authority. At times it was a regular Babylonish disorder of sounds and words, which, were we gifted with command, power and capacity of ambidexterity, and hands as numerous as the Goddess *Parvati's*, we should struggle

being able to produce any thing like a comprehensible sketch, with a view to delineate the features of the *land* confusion. Here was one bellowing uproariously for further time to pay in his dues; but on being questioned knew not how he could contrive it. There was another racking his invention to procure a suspension of *the stroke of the fatal hammer for a few days*, and verily and truly he would discharge all his dues to the uttermost farthing; but *defaulter as he was*, not a *Rubba* could he get out from his *humabund* or *pargue*, by way of earnest of his sincerity. Another vowed to ob-
 jurgations of his fellow-shareholders, who, if the Court would believe him, had by hook or by crook, that is, by means every thing but fair, collected all the *Mofucil* assets and appropriated to their own respective uses and comforts, leaving the hopeless complainant *just inter-
 vices to comfort himself as well as he could with such* substance as might afford a plentiful repast to a comelion *How then would he manufacture the means of aiding the
 officers of the state, which peradventure required to be
 headed to pluckers against the uncouth appearances in the
 Northern bar?* Another had the money *desiderated
 ready to be paid, by which he meant, by and bye, no body
 could say when, although he attested his fidelity to the
 Government by Dahass Sahib ka'* Some, at the very
 nick of time between the elevation of the arm of the Col-
 lector and his momentum with the *dahing* thwack on
 the table, *dahmied the chalan*, and opportunely extricated
 themselves from total wreck. We were amused by some
 again, who came provided with the needful, but cunningly
 kept themselves concealed in the crowd, and I sent
 another person forward to bid for the lot and purchase
 it *denomies*; but the court seemed to be up to such tricks,
 a question or two brought to light the manoeuvre, and
 the disconnected defaulter crept forward and paid
 down the cash. There were others who protested
 that they had deposits of money over and above the
 amount of their dues in the Collector's treasury, from
 which they begged the deficiency might be recovered.
 Enquiry, however, showed, that the said deposits were
 made by others on whom the defaulters had certain
 claims, in virtue of which they wished they might be
 considered as their own, and so on, but the following
 lots were knocked down.

1st. Talook Puhawar in Purgannah Mulker, on Mouza containing 1 025 beeghas for which the proprietor paid a juma of 677 rs. 5. as 4 pie, and sold for 250 rs. The small amount for which it was sold, would lead to suppose, that it cannot be a productive estate, but as far as our information extends, it is not so in reality. There is a clear remunerating profit and the lands not reckoned bad.

2d. Talook Infurnagur in purgannah Bulea, comprising two mouzas, measuring 3,003 beeghas, and the Sudder juma payable thereon 2,619 rs. 11 as. 9 pie, knocked down for 6,300 rs. This is a good bargain and would make a good estate for a moderate capitalist.

3d. Jhiktea, in purgannah Farkeea, one mouza containing 231 beeghas and paying 180 rs. Sudder Malgoonara, knocked down for 520 rs. Of this estate it might be said that, if the lands were all engaged by riots at so low a rate as 1½ rs. per beegha, and the expenses of collection taken into consideration, there does not appear much in its favour. Good lands ought in any part of this district to pay at the least 2 rs. a beegha. 1½ 10 per cent. allowed to the *maliks* in the settlement would scarcely be gleaned from this mahal. And yet a purchaser was found to pay 520 rupees for it. For there is more in the parcel than is allowed to be known.

4th. Talook Beebhoord, in Purgannah Moonghyr, one Mouza, comprising 61 beeghas, (so we hear) for a juma of 200 rs. is forced, knocked down for 100 rs. This lot is a complete puzzle. How in the

name of figures 200 rs. be paid to Government, expenses, of collection realized, and a remunerating profit super-
 induced from only 61 beeghas of land, is a question we are not able to understand, unless we can suppose that the lands are first rate, sugar cane for instance, which pay commonly 5 rs. per beegha; and 4,125 rs. paid for it! We are afraid the purchaser will find his fingers burnt by the bargain.

5th. Talook Mander, in purgannah Murethoo, one Mouza, paying a Sudder juma of 747 rs. 11 as. 10 pie, knocked down for 750 rs. The quantity of land comprising this Mouza we have not been able to ascertain. Whether the purchaser knows it or not we cannot say, but if the amount of the juma be considered, we might imagine that there ought to be a large tract of country attached to this Mouza, but the scale of juma, and the moderate amount of sale, makes the lot rather suspicious.

A review of these sales, though the estates that have been disposed of, subject to the confirmation of the Commissioner of Revenue, were small, gives a pretty fair criterion of the value of such landed property. We find that the majority of the talooks have lands extensive enough to yield a handsome profit, if they are good, and the prices paid for them by the natives themselves, might be regarded as a fair assurance of their value. We have made inquiries and have reason to be satisfied that there are no disputes connected with them. Boundary contentions will always exist in large estates between neighbouring Zamindars, but the lands contented for will generally appear to comprise a few beeghas, the complete loss of which, eventually, by the decrees of the courts, would not weigh a feather in the accounts of profit and loss. The extreme tenaciousness of right to every foot of land recorded in the *jumabundee*, is the only cause of the numerous complaints we hear about boundary disputes, and which is the cause no less of the large sums of money expended in carrying on fruitless litigations. Possession is readily given to purchasers and as easily obtained by them. It may happen that to pay a *kist* or two it would be necessary to have funds at their command to enable them to pay off the first one or two *kists*. After that all goes on smoothly enough. Native purchasers will not encroach on their coffers if they can possibly realize sufficient to pay the instalments from their *tyute*, and prefer keeping the latter back to the last moment. There is a about the Collector's Court speculators who purchase talooks and a day or two after the lots are knocked down to them, readily sell them to the defaulters, and thereby secure handsome profits. We have known individuals who realize large sums of money by such a trade. Others again appear in court on the days of sale with ready money and make advances to the defaulters at high premiums, payable in a few days on account, which they invest upon, or deposits of jewels or other valuable articles, and thus make a profitable job of it. We have never known them to lose by it.—Hankow, Sept. 19.

SEPTEMBER 6, 1837.

A BARE CASE SINGULARLY WORTHY OF NOTICE

About the 5th of July last a reebukara, accompanied by others, depots of witnesses, &c was sent by Mr. Liff, appointed sole deputy opium agent in this place, to the Joint Magistrate's Court, purporting to be investigations held by him in a case of some opium made away with by his *Gomphtha* Bodunchoonder Suika Nabeenchoonder Bhatterya, and Lamlal, and thereby, committing them to be used in the Foujdaree Court. The Court, without calling upon Mr. Liff to show when he had been arrested with judicial powers, and

without further investigation, committed the defendants to the Hajjeh-tajee jail to be tried for the crimes laid to their charge. The defendants earnestly entreated the Court (the Officiating Joint Magistrate presiding at the time) to allow them to give bail, but their prayers were not attended to, and to jail they went. About a month afterwards (the joint Magistrate presiding) they presented a *darkhast* soliciting to be released from prison on bail, which the Court readily agreed to. Bulunchinder was bound (in the Foudaree Court) in recognizances of 300 rupees. Nubeenbunder and Lamlal, each in 100 rupees. The Court at the same time, considering the informality (as the Court thinks it merely was) of the proceedings by which the defendants were committed to the Foudaree Court, sent back the roobukaree, &c. of Mr. Clift with instructions to refer the case to the Court of the Deputy Opium Agent in the first instance. This was accordingly done, but the roobukaree and its accompaniments remain the same, the defendants continuing in bail meanwhile in the Foudaree Court. The proceedings of Mr. Clift were laid on the table in the 27th August, and the Sarishtahdar of the Opium department was about to read them, when one of the pleaders entertained by the defendants objected to the roobukaree with its accompaniments, forwarded by Mr. Clift to the Collector's Court, being proceeded on, as he did not consider them to be warranted by the Regulations of Government. The Court allowed the objection so far as to postpone the production of the proceedings of Mr. Clift, till it had questioned that officer on the subject of the objection taken by the pleader of the defendants. The case remained suspended till the 3d instant, when the proceedings of Mr. Clift, were again laid on the table and the Opium Sarishtahdar called upon to read them. The pleader of the defendant presented himself presently before the Court, and begged to know whether his objection had been overruled.

The Court replied that it had, on the strength of Reg. VII 1824, and of those of the instructions of the superior authorities furnished to Mr. Clift his appointment or afterwards, and his having taken the usual oath of office. The pleader contended that the regulation quoted by the court, as well as all the others on the subject of the Opium, or, cy, were applicable to covenanted officers alone and not at all to uncovenanted ones. He quoted Regulation IX of 1833, and observed that, in the Act of the appointment of uncovenanted Deputy Collectors, in which was power for Government to enact a special regulation in order to delegate judicial powers to them. As no such law had been made in favour of the uncovenanted Sub Deputy Opium agents, it appeared plain that Government never intended to put them in possession of judicial powers. That he considered the Sub Deputy Opium agent merely in the light of overseer of Opium cultivators, godown keepers, and refiner of the drug, and nothing more. He did not think any authority not excepting the Opium Board, competent to commit judicial powers to any person without the sanction of the existing or any special regulations of Government. He therefore prayed that the proceedings of Mr. Clift might not be made the ground of criminal prosecution against his clients. He at the same time presented a *darkhast* stating, that as he did not consider Mr. Clift to possess judicial powers, and that as, therefore, he could not commit his clients to the Foudaree Court (but which has nevertheless been done and in consequence of which his clients were imprisoned and are now held on bail) he prayed that his clients might be released from bail. The court said it would reject the prayer of the *darkhast* as it was satisfied that Mr. Clift was entrusted with judicial powers. The pleader begged that before the court passed any order on his *darkhast*, Mr. Clift might be called on to produce any authority he might possess for exercising judicial powers, and that the document might be filed with the *darkhast*. The Court refused to do so and remanded

the petition adding that it would not produce the depositions sent by Mr. Clift, in the Foudaree Court, but in the Opium Department, where it would merely examine the matter, and if necessary, commit the case to be tried in the Foudaree Court. On the 5th September the pleader submitted the following demurrer for the consideration of the Court in the Opium Department:

"I respectfully beg on the part my clients, to demur to their being examined in the deputy Opium agent's court on the plea of *Coram non Judice* for the following reasons, viz. The court has been pleased to overrule my objection that an uncovenanted Sub-Deputy Opium agent was not authorized by the Acts and Regulations of Government to hold judicial proceedings (as Mr. Clift had done on the present occasion, as I conceive, unwarrantably) and that, therefore, the roobukaree with its accompaniments, sent to this court by him, ought not to be proceeded on. The Court has decided that the said Sub-Deputy Opium agent was, by the provisions of Regulations VII. 1824, and other Regulations (which still in my humble opinion do not apply to uncovenanted officers) vested with judicial powers. I respectfully submit that if such judicial powers are recognised in uncovenanted officers, the commitment of my clients by the Sub-Deputy Opium agent to be tried by the Foudaree Court, cannot be regarded as informal, and therefore my clients are now on their trial before that Court. It would be informal to examine them in this court while they are bound by bail in the Foudaree Court,—I am not acquainted with any regulation authorizing such a mode of procedure. If the Sub-Deputy Opium agent has a right to exercise judicial powers, (which I contend he has not in any shape whatsoever) his committing my clients to be tried in the Foudaree Court cannot be informal. It would rather have been irregular had he instead of so doing, sent them to be examined a fresh by the Deputy Opium agent. As, therefore, it has been decided by the Court, that an uncovenanted Sub Deputy Opium Agent has the privilege of exercising judicial powers, and he has in virtue of such powers, already committed my clients to be tried in the Foudaree Court, they cannot be examined anew in any other court. I therefore respectfully beg on the behalf of my clients to demur to the jurisdiction of this court to examine a case that is pending in the Foudaree Court. I this day the proceedings of Mr. Clift were again laid on the table, and the Court, (on the pleader presenting himself before it) said that it had already deferred the case too long; and notwithstanding the arguments of the pleader that the uncovenanted Sub Deputy Opium agents, were *deus* in this district allowed to exercise judicial powers, as he had learnt, the Sarishtahdar of the Opium Department was ordered to read the roobukaree of Mr. Clift, which was done accordingly. But the court would not allow the other papers to be read that accompanied it. It was stated in a part of the roobukaree that Mr. Clift had dismissed the defendants from their officers, which circumstance was noticed by the pleader as confirming his opinion, that as those officers were not included in the Deputy Opium agents establishment, but peculiarly his own, it might be taken as a proof of the nature of the duties he was required to discharge as overseer of Opium cultivators, &c. The Court said that Mr. Clift had the power of discharging the officers of the Opium Department also. The pleader was obliged to submit, expressing his regret that this case was not before a King's Court, for if it had, he would have advised his clients not to answer to the charge of the Court. The Court replied, that that was according to the English law; but if his clients refused to answer to a charge before his Court, he would commit them prison for contempt of Court. A roobukaree was directed to be sent to Mr. Clift purporting that the Court did not think it necessary to peruse any of the papers (why?) accompanying

the defendants, but would send them to the Joint Magistrate's Court, where the defendants, &c., would be tried. The defendants are therefore recommended for trial in the Fouzdaree Court. Nothing further was done this day in this case. The pleader for the defendants has forwarded a petition to the Sessions Judge, praying that his clients might be released from bail, and that Mr. Clift might be called upon to shew by what authority he exercised judicial power. — *Harkara*, Sept. 22.

JOINT MAGISTRATE'S COURT, SEPTEMBER 8, 1837.

THE SAVING PROCEEDINGS.

We understood that a roobakaree has been sent to this court by the Sessions Judge, forwarding either a copy of the darkhast of the moohitakar of Budanchunder Surhan, &c. or the original requiring the court to send a *daghat* on the particulars of the representation made by him. We hear further that the roobakaree has been read this day at the house of the Joint Magistrate, &c. We are certain that it has not been read in this court yet, a circumstance which we cannot account for as we are ignorant of the discretionary power vested in the Magistrate to have public proceedings of the higher Courts read in his private dwelling house. We, moreover, understand that a reply to this roobakaree has been dictated (at the house of the Magistrate) to the Sarishtadar; but which we presume should have been done in open court, in order to enable the moohitakar to know what course they should promptly pursue in matters in which their clients are concerned. A darkhast was this day presented to the Deputy Opium Agent by the above mentioned pleader, praying for copies of the roobakaree sent by Mr. Clift with the other papers that accompanied it. The Court directed them to be furnished. We observed hereupon, that the Sarishtadar and Peshkar (who read the pleader's darkhast) informed the Court, that the application was for Mr. Clift's proceedings, &c. as if they imagined the Court had ordered the copies to be given without having heard the darkhast; or were doubtful whether, upon further consideration, the Court might not change its mind and countermand the order to grant the copies; but the Court repeated the permission.

9TH SEPTEMBER.

The pleader informed the Deputy Opium Agent, this afternoon, (the Court did not sit earlier) that pursuant to the order he had given him to take copies of the proceedings of Mr. Clift, he had applied at his (Deputy Opium Agent's) *Shurkate*, but was told that the whole file had been sent to Mr. Clift. That he had sent his *Mahurri* to Mr. Clift's office to take copies of the papers with the darkhast bearing the orders of the Court to grant the copies; but that Mr. Clift said, through his people, that he had objections to giving copies of those proceedings. The Court would not believe it, until the pleader's *Mohurri* came forward, and then said that he considered him and Mr. Clift's office as one, and therefore the carrying away of the papers from his office to Mr. Clift's was nothing improper. If the office of Mr. Clift is to be regarded as that of the Deputy Opium Agent, we cannot see the consistency of sending a case to be examined (previous to its coming to the Fouzdaree) by the sub-Deputy to the Deputy Opium Agent, for from two offices, or no should more properly call them Courts, are to be regarded as one, nothing can be more absurd than sending a roobakaree from the sub-Deputy's office to the Deputy Opium Agent's office. The Deputy informed the pleader, that he had learned that the papers sent back to Mr. Clift were copies, as the original ones were in the Fouzdaree Court from the beginning, and even though they were not returned, stated, and not read yet. We were then permitted to understand all this. It was then stated that the defendants were committed to the jail, without the proceedings of Mr. Clift being

read at all, for how they are trusted out of the Sarishtadar enclosed in a sealed envelope? It also appears to us that all the proceedings held, or designed to be held of late (and which illustrated the objections, and demurrers of the pleader for the defendants) in the Deputy Opium Agent's and the Fouzdaree Court, were to be grounded on copies of the proceedings of Mr. Clift; and in the last none other than these self same copies were laid repeatedly on the table. We are lost in conjecture as to the object of the Fouzdaree Court in committing the defendants to the *Hajut Tajewee* jail in the first instance, on the strength of the copies of the above mentioned proceedings, and allowing the original ones to remain unopened. The Court, however, ordered the Opium Sarishtadar to give the copies required by the pleader, who was informed that hitherto the mind of the Court had remained unbiased in the case, and that to avoid it, it had purposely refrained from reading the papers that accompanied the roobakaree of Mr. Clift; but as the defendants had tried to evade a trial, it was impressed with a sense of their being guilty. The pleader observed that the impression might nevertheless be wrong, for so far from wishing to evade the trial, they had merely objected to their being tried on the new charge (of theft) brought against them, while they stood charged at the same time with a different act, namely, of *Tufangut kurdun* (removing opium). The Court said it would presently call up the prisoners and try them on the charge of theft. This was done accordingly. Hereupon the pleaders presented a darkhast on the behalf of the defendants to the following effect: "That on the 6th instant, the present case had been roobakared on the strength of proceedings sent by the Sub-Deputy Opium Agent, and that after taking this roobakaree (the rest of the papers were not read) into consideration, the case had been committed to the Fouzdaree Court. In as much as the case was a delicate one, the court will be pleased to consider seriously, first, that the prosecutor and Mr. Clift had committed his clients to be tried in the Fouzdaree on a charge of removing opium, conformably with which, the officiating joint magistrate had, on the 6th of July, committed them to the *Hajut Tajewee* jail on that charge and not for theft, as is evident from the *purwanah* sent to the jail *daragah* on the occasion. In the second place there are no regulations authorizing any case wherein the parties are charged with *Tufangut* any things (meaning, excepting money) to be tried in the Fouzdaree Court, nor that they are liable to any punishment. Thirdly, it does not appear from any Regulations that, when a case had been committed in the Fouzdaree for one crime, and while that case is pending, they can be proceeded against on a fresh charge, in the same Court and number, in the same case, and in which the same prosecutors, defendants and witnesses are parties; and that it can be examined afresh. He therefore prays, that the prosecutor and witnesses may be called upon to answer which of the charges is the real one, because in the first instance, they bring a charge of *Tufangut kurdun*, and in the second, of theft; when the notice of the prosecutor will be proved to the Court. He therefore prays, that it would take the above particulars into its serious consideration and deliver his clients from the calumny of the prosecutor. The Court *Namunaword* the darkhast, stating that the case was not formally committed for trial in the first instance, (N. B. nevertheless the defendants were sent to jail) in consequence of which, the case was sent back to the Sub-Deputy Opium Agent, and the prisoners released on bail. But in the opinion of the Court, *Tufangut kurdun* and theft, were the same thing. The pleader maintained that, had the two acts been regarded in the same light, the former Court (officiating Joint Magistrate's) would doubtless have mentioned the word theft in the *purwanah* sent to the *daragah* of the jail and not *Tufangut kurdun*; but as the latter and not the former had been imported, it was a proof that the act was not regarded in the light of theft. That it is always customary in committing

prisoners to the Rajat to specify the nature of the charges that had been brought against them. It was plain from the purwanah sent to the darogah in the case of his clients, that the charge brought against them was at that time not of theft, but simply *Tupwant Kudam*. Moreover, the rebuttal of Mr. Clift *asked*, did not charge his clients with stealing but making *Tupwant*, and that it left it to the Court to pass what orders it thought proper on the occasion, and that he had shown was for their being committed to jail not on the charge of theft, by the Officiating Joint Magistrate. The Court, however, proceeded with the trial of the prisoners.

Chitto Singh, burkundaz, was placed at the bar of the Court as the prosecutor, and was proceeding to depose to certain facts which he had heard of when the pleader observed to the Court, that the deponent was giving hearsay evidence. The Court said, that it was customary throughout the Mofussil to receive such evidence for the elucidation of facts, and it could not reject to receive it on the present occasion. The pleader cited a case tried lately in the 24 Pergunnahs, in which a witness was rejected (at the instance of the pleader) that was about to give hearsay evidence. The Court, however, overruled the objection, and allowed the deponent to proceed. The witness stated, that, four days after his return from Patna, Nobinchund Chatterjee (one of the defendants) came to the kotha (factory) from the Gomastha (Buddunchunder, another defendant) with the key of the godown. Moujeeal was with the deponent. Chatterjee desired him to go and open the godown, observing that the Collector of Bhagalpore was expected to inspect it, for which purpose it required to be cleared out. Chatterjee opened the godown, into which deponent accompanied him, and the other burkundaz, saw six pots of opium which, at the desire of Chatterjee, were removed into the *puthi* (stone) godown. Chatterjee then locked the godown and the deponent went home to dine leaving the *kothas* in charge of Mohun Singh and Hurlean Singh, *ziladars*. When he came back, he was asked by Hurlean Singh whether there had been any *mal* (opium) in the godown, to which he replied in the affirmative. He was told, that Chatterjee had taken the pots away on the head of Khedoo kuhar. Deponent went in and did not find the pots there. Here upon, he made a noise about it. Next morning Buharkhan and Goordul, *ziladars*, went to Bijnath Sahas with him, and mentioned the circumstance, who remained silent a little while, and then told him to go and inform Buddunchunder Gomastha in the Fort. He did so, Buddunchunder told him that, as there were only two seers of opium in six pots in the godown, he had desired it to be brought to him, but he would send it back to the factory. Four days afterwards Chatterjee came at ten a.m. with two pots, one containing 7 or 8 seers, and the other about 2 and 3 seers of opium, borne on the head of Khuradhar, Kooree, and locked them up in the *khusanghama*. Deponent desired him to bring the other 4 pots, but Chatterjee went away without saying anything. Some days afterwards, deponent went to Mohandial, Mokhtarhar, and mentioned the case to him, — got an *urree* written to the Collector of Bhagalpore, and enclosing it in another to the *Surishtadar* forwarded it, but to which no reply was received. He thereupon remained quiet. In answer to questions put by the Court. He had sent the letter by dark, the receipt is by Mr. Clift. Did not mention the circumstance to any body besides the Maharrir and another. When he found the Collector of Bhagalpore took no notice of the affair, he mentioned it to nobody else. Did not inform Mr. Clift at all. As the Umlah's did not do so, why should he? To questions by the pleader. No opium ever remains in the godown after the *final chulan*. Does not know by whom the last *chulan* was made, nor that according to accounts any opium remained in store after the *chulan*. Because the

Moharrir and other Umlahs did not inform Mr. Dunder when he came to inspect the factory, how could he? Did not give notice to the Magistrate nor yet to the Thannah of Police. The opium which he said had been in the godown, is not there now. Was at Patna and does not know whether Buddunchunder was with him at the time of the *chulan*. Did not see the deffen take away the opium. (He used the term *mal* throughout.) Buddunchunder did not sign the *chulan* in his presence, but it was taken to him for signature to the Fort. The opium was taken to the base of Buddunchunder at Lathapathur. Mohun Singh and Harban Singh told him that Buddunchunder was sick and therefore the *chulan* was taken to him to the Fort. The prisoners deny the charges brought against them, and as they must stand or fall by the depositions of the witnesses, we will, for brevity's sake, not insert what they had to state particularly, but which they did at some length. Mohun Singh, *Zilladar*, witness, deposed that in the month of Sewan (does not remember the year and date) was cooking his dinner at the *kothas*, when Chetoo Singh, burkundaz, left him in charge of the godown. That Chatterjee, Khedoo-Kuhar and another person came and taking his *chiring* went away. Two *ghurias* after this, the deponent went into the godown, and saw the pots being put in a basket, and was told that they contained scrapings (*Koorekhan*). Asked them what they were going to do with it? Chatterjee said that as Mr. Dunder was expected, the Gomastha had desired him to bring the pots. Deponent objected to their being carried away, but Chatterjee would not mind what he said, upon which deponent told him "You may take them away if you please." Upon Chetoo Singh, burkundaz returning, he asked him whether there was any thing in the godown, and was told there were some scrapings. He told Chetoo that deponent had carried away the *mal*. Next morning Chetoo came to him and said, "I went to the Gomastha, who told me, I have brought away the pots but will send them back by and bye." The *mal* was brought back at 10 a.m. on the head of Khuradhar Kooree. Chetoo came, opened the godown, and put the *mal* into it. Chatterjee came with Khuradhar. Does not know what became of the *mal* afterwards. To questions by the court Did not mention to Goordul that the *mal* had been brought back. The key of the godown was by Chatterjee. Kheloo made no objection to carry the pots. He had heard Chitto Singh say that he had sent an *urree*. To question by Pleader. Because Chatterjee was in the habits of distributing the *dadnu* to the ryots (we presume) he did not give notice to the Thannah of the act he had been guilty of. Did not see any Umlah do any thing before Chitto and Moujeeal had charge of the godowns. He saw the opium in the pots by means of a light. There were six pots, three on each side of a basket. When he returned from Dehat Buddunchunder's *adaut* was sick. Gomastha Buddunchunder was in his house, when the *chulan* of the opium was made. Chatterjee *chulane* the *mal*. There were in the two pots small quantities of opium. The two pots that were brought back were quite full. Could not tell the contents of the two pots, though he could say that the six pots contained each one seer, one and a half seer and so on. There was little in the pots therefore he could tell the quantity in the dark. Does not know where the two pots came from—said again from the base of the Gomastha. The two pots were of course part of the six. Does not know whether there is any opium in the godowns now. Does not know if any person informed Mr. Dunder when he came to inspect the godowns. Does not know if any body told him that Chetoo Singh went to give notice to Moujeeal. He did not go himself.

Hurlean Singh, witness, deposed, that on a certain Tuesday in the month of Sewan, he saw some *gharias* light from his house coming from the South, by which he saw three persons coming out of the *Kothas*, i.e., Chatterjee, Sam Lal, and Khedoo Kuhar; the latter was a

shot on his head. He asked them what the basket contained, to which the babas replied there were scrapings. He put his hand up to feel what it contained. Chatterjee told him, "What will you see? there are pots with scrapings—I am *malik* of the *mal*, you are only *sapa* *hee*." At this juncture Hissal and Shodon stopped off towards the East. Several persons were sitting towards the South. West and told them that scrapings in pots had been made away with. They replied, "he is *malik*, what will you do? Just then Chuttoo Singh, Barkandee, arrived, deponent asked him, whether there were any scrapings in the pots. Was told there was *mal*. Chittoo then went into the kitchen, and came out saying, "they have taken it away." In the morning Chetoo went to the Gomashis and returning said, "The Gomashis said he would send back the *mal* to the kitchen." Knowing nothing further of the matter. So questions by the Court. Neither Chetoo, nor any body else had told him

there was any opium (*mal*) in the godown. He was at the outer gate. Does not know who had charge of the keys. Saw the godown locked, and again that it was unlocked when Chuttoo went in and saw no *mal*. Did not himself see any, nor knows whether there was any. Is questioned by the pleader. Does not know how many pots there were. He gave nobody any notice of the circumstance because there were others who ought to have done so. The Moodindes did not go to give notice to Byjant Sahas, but Chetoo went. Here the examination closed, it being past 8:15. The Court observed that the witness had *bakhshas* (extremely well) sustained the charges of the Prosecutor, and that as therefore there were strong grounds of guilt attached to the prisoners, he would (now) release them from bail, and commit them to the *kyat* for further examination. The prisoners were accordingly sent to the jail.—*Hulk*, Sept. 23.

CHOWRINGHEE THEATRE.

SIR PERTINAX MACSCOPHANT.

The successful debut of an amateur in the "singularly difficult character" of Sir Pertinax Macscophant, and the triumphant return of puns and *burlesques* comedy to the Chouringhee boards, are events which, in the present state of Calcutta theatricals, cannot be passed over with indifference. We have been for so long a time accustomed to human and insect—broad opera, translated farces, *pieces de circonstance*, and all the etceteras which have marked the decline of the drama in England, that we had begun to think the right of intelligence and rationality fully at an end in India also. Nearly five years had elapsed without bringing a single recruit to the Chouringhee Theatre of even moderate ability. Modern youth having no such models before them as Cooke, Keen, Young and the Kembles,—whose transcendent talents hallowed the stage and gave birth to lofty and heroic thespian aspirations,—are rarely seized with that restless desire for heroic fame which seeks gratification the moment it is fully emancipated from the paternal dominion. John Reeve, Farren, Macready, and a few others, amuse the occasional half-price visitor, and perhaps send him away lamenting that the efforts of the two latter in the recent competitions of our dramatic writers are not better supported, but they do not awaken any ambition in the spectator—they exert no him no violent sympathy—they inspire him with no feverish desire to tread in the same path of professional distinction. Hence the want of successful debuts—hence the difficulty of sustaining the phalanx of existing veterans and, as all the distinctions of English society and manners extend their influence to the colonies, hence the decay of our amateur theatricals. If we have still a small band of enthusiasts who maintain their position for the pure pleasure of our principal dramatic writers, they are either too indolent, or too much occupied with matters of grave importance to surrender any large portion of their time to the interest of Thalia and Terpsichore, and we are consequently for a considerable part of each year condemned to the absurdities of Mr. Dimples, the plagiarisms of Mrs. Brimble, or the antiquarianisms of Messrs. Macintosh, Macmillan and Macle.

It is to be regretted that we have lately attempted to supply the deficiency of a gentleman of education

and talent, in the mighty character of Sir Pertinax Macscophant—a character which even in the palmy days of the British stage could only find two tolerable representatives independently of its bold and ingenious creator, Macklin, was an event of so refreshing and novel a character, that we could not marvel at the anxious state of the crowded boxes, or the apprehensions of the few and scattered critics of the pit. To say the truth, however, we were not ourselves very confident of the success of the undertaking, and we hailed it rather with painful than pleasurable emotions because we felt that a failure would inevitably prejudice the cause of English comedy, and give the advocates of trash an opportunity of sneering at the unaccountable temerity of the amateur. But we rejoice—most heartily rejoice—to proclaim that our fears and forebodings have been entirely dissipated. The attempt of the debutant was triumphantly successful, and the standard of comedy may be said to be through his agency, once more firmly planted on our neglected soil. Without any pretension to an acquaintance with stage business—without the possession of powers of gesticulation and varieties of tone which materially assist in the portrayal of the strange emotions and minute turns of passion peculiar to the character—our debutant presented us with a highly entertaining sketch of the corrupt, cunning, unprincipled, ambitious parasite. If he wanted the carbonic aneur—the occasional shuckle—the fawning leer which the experienced actor would have employed, he had what few of our amateurs think it necessary to possess,—a thorough acquaintance with the words of his author and a due sense of their import. His articulation was clear and distinct—an inestimable virtue in a Chouringhee amateur—and his action, though a little redundant, generally well suited to the passion of the moment. We have not room to enumerate the scenes in which we thought the representative of Sir Pertinax most successful, but we cannot omit a

* This is a fault on the right side. It is more easy to restrain animation in a momentary emphasis than to impart it to a man of a phlegmatic turn. Our debutant has his hands too frequently and keeps them both clasped for too long a period.

passing tribute to the exquisite, dry humor with which he described the "course of his wooing" and the happy effects of his "wooing." It was extremely felicitous. On the whole, we cordially congratulate our amateur upon the perfect success of his hazardous enterprise—an enterprise the more deserving of success from its having originated in a generous desire to serve the interests of genius suffering under the baleful effects of "chill penury." We hope that ere long we shall enjoy a repetition of the play, and perhaps hail the amateur in the second great character of the immortal Macbeth.—Sir Arvid MacSarcasm. With the amateurs that we now have in Calcutta, *Love is a Blade* could be brought out in excellent style.

The character of Sir *Perimeter* so completely, fixed and monopolizes the attention of the audience that the rest of the parts in the *Mind of the World* generally pass through the scenes without observation or remark. They are, however, in inexpressible strength, and might, if badly filled, seriously affect the just delineation of the master rôle. We have, therefore, much pleasure in saying that *Lord Lumbagoose*, by the worthy secretary, *Sturgeon* by Count Almaviva (of the Italian opera), *Henry*, by Mr. Davis, *Dady Rodolpho* by Mrs. Chester, *Little Mac-Sarcasm* by Mrs. Francis, and *various Kitharoids* by a young and rising amateur, who is qualifying for the second old men of the stage, were very well supported.—*Englishman*, Sept. 8.

MR. P. DELMAR'S CONCERT.

On Monday evening Mr. P. Delmar's benefit concert, the first he has taken (by the way) for the last four years, went off with what he call great *éclat*. The audience was numerous, and many subscribers were unavoidably prevented from attending, so that we may venture, we trust to congratulate Mr. Delmar, on the results of his exertions. Of the selection of the music, we have already expressed our opinion, it was judiciously made and the applause bestowed on the execution of the various pieces, as they took their turn for exhibition to the audience, was a true test, to show that the Comptroller of Taste commands no small one. We left the Concert Room highly gratified, and we believe that the satisfaction felt and expressed was very general.

Most of the pieces of music, were in old hands, or rather we should say eminent hands, and we need not expectate on the well-known abilities and musical acquirements and qualifications of Miss Atkinson, Welter, Linton, Thomson, or Delmar himself,—justice, however, to unobtrusive merit, and to talents and musical qualification of great promise, renders it imperative upon us to notice the Duet from *Zaire*, in which *Miss Harte*, here so distinguished apart. This young lady, rejoices in a soprano of considerable compass and power, her method strikes us as good, and she exhibits much good taste, and bids fair to attain to, and maintain, a very eminent place in her profession, we wish her much success. Mrs. Chester and Madame de Ligny received much applause.—*Hurkaru*, Sep. 6.

BAZAR TAXES—DURRUMTOLAH BAZAR.

We give in-ertion in our correspondence department to a document which appears to us on several accounts worthy of public attention. We refer to Mr. M. A. Thynell's appeal on behalf of his client, Dr. Jackson, to the Bengal Government, for the remission of a certain tax put by him for the Durrumtolah Bazar under circumstances which render the enforcement of the tax neither just nor equitable.

The case is altogether curious. It is the first instance, so far as we are aware, of a man being taxed for ground rent and assessed taxes, to which remission, it would seem, he has really no claim, while he, without remonstrating, was paying a sum of 2,000 rupees per annum, which, it appears to us, could not in equity or justice be demanded from him, and which there can be little doubt would never have been paid by Dr. Jackson's predecessors had they rightly understood the nature of their own tenure of the property. Mr. Bigsall, when the case was placed before him, after a full consideration of all the circumstances, was of opinion that the payment of the 2,000 rupees a year was in fact a consideration for privileges long since abrogated by law. It is unnecessary for us in this place to go into details, for the whole case is stated with great force and perspicuity in Mr. Bigsall's letter; to which we the more readily refer our readers, that it contains some information relative to the *Land Revenue*, which is interesting as illustrating an important portion of the history of our Eastern revenue laws, and which will be new to many who are not under the

necessity or in the habit of referring to the subject. That such information is by no means unimportant even to those who never had and are never likely to have any share in the administration of the revenue laws, the case before us may serve to prove, for in consequence of not possessing this information and of not enquiring into the nature of their tenure, not only Dr. Jackson but his immediate predecessors in the proprietorship of the Bazar, have gone on paying 2,000 rupees a year for a privilege they do not enjoy and never have enjoyed, for the benefit of a monopoly and the privilege of levying higher duties long since abolished by law. The case too, may serve as a warning against the danger of too readily taking for granted, that because a payment has been made for a considerable period, it must therefore be justly demandable, and that danger is greatly augmented when the payer happens to be a Government, for Governments in general seem to have adopted the maxim of the *Theatines*, of which the public are so considerably and consistently advised in the play *Bills*, "No money returned about *the rights of the people*," and in their corporate capacity the members of an assembly will not hesitate readily to throw principles and adopt maxims, which in their individual capacity, they would hold and reflect on their knowledge or their intellects to have imposed on them; so for example in the case of the *Forgotten Company's* paper, in which the error was pointed out by their rectitude and defeated justice by a legal technicality, which every one of them in his individual capacity, would have blushed to have had pleaded in his or her defense.

the case of the Durrumtollah Bazar, the Sudder Board of Revenue are not ashamed to agree that because the 2,000 rupees continued to be paid for many years after the bazar duties were abolished, it is to be inferred that the proprietor of the Bazar who paid it, did not consider the abolition an infringement of their contract! As if the real question were, not what they might happen in their ignorance to consider or not consider, but whether the abolition of the most important consideration for which the money was paid did not in effect vitiate the contract, and nullify all further demand of the consideration money. The other arguments noticed in Mr. Big-nell's appeal, are equally what Mr. Spinkins, we suppose, would call "beside" the laws of "equity and good conscience," for which it is now more than ever incumbent on all public authorities of the Honorable Company to evince their respect. It is quite clear that when Mr. Smollett entered into his agreement in 1793, he had the authority of law and usage for levying all the various duties included in the term "seyer," it is equally clear that he did levy them, that he paid the sum of 2,000 rupees a year for the privilege of levying them, and for that of establishing a bazar which could not then be done without permission of Government when then the seyer duties were abolished in Calcutta, as they had already been in the interior, on what principle of justice can it be maintained that the proprietor of a bazar in the Metropolis, was not entitled to compensation as well as the Zemindars of the Mofussil? and when the law was so altered that any man might establish a bazar without permission of Government, on what principle of justice can it be maintained that the consideration money for the privilege of establishing one, can any longer be claimed? Those who attempt to defend such a claim might as well argue that if the Company had agreed prior to the abolition of their monopoly to pay the people of England £100,000 per annum for the privilege, they would still be bound to pay the money when the monopoly was abolished! True, there was a right reserved in the agreement with Mr. Smollett to concede the privilege to others, but who does not see that granting a similar privilege to others is a very different thing from throwing open the right to all.

It is gratifying however, to record that upon Mr. Big-nell's letter being referred by the Bengal Government for the report of the Sudder Board, the justice of the claim was fully admitted by that authority, who stated in their report to Government, that the question now put before them was a very different one from that which had been previously submitted to them by Dr. Jackson. The Sudder Board has accordingly recommended the remission of the 2,000 rupees per annum levied on the Durrumtollah Bazar, and a like remission in the case of all other bazars similarly situated, the remission amounting in all to about 15,000 rupees per annum.—*Hurkaru*, Sept. 15.

To R. Dr. MACNAGHTEN, Secy.

Secretary to the Government of Bengal.

Sir,—On the 24th March, 1835, the Hon'ble the Governor of Bengal, was pleased to forward, through you, as the acting Secretary to the Sudder Board of Revenue, a letter from the Secretary to the Government of India, under date the 17th of March, 1835, with its enclosures from Dr. A. R. Jackson, urging his claim for a remission of ground rent and taxes on the Durrumtollah Bazar, and to request that the Board would, in communication with the Legal Officers, furnish a report, on the points in question, in the letter from Mr. Secretary Macnaghten. The report of the Sudder Board was forwarded to your Excellency on the 17th May, 1835, but understanding that it had not yet been submitted for the final orders of the Hon'ble the Governor-General in Council, may I

request you will do me the honor to lay before the Right Hon'ble the Governor of Bengal, the following observations which on behalf of Dr. Jackson, I would wish to offer in reply to the report of the Sudder Board.

2.—I would observe, in the first place, that Dr. Jackson is now aware he misstated the nature of his claim, when he applied to the Government for a remission of ground rent and assessed taxes on the Durrumtollah bazar. There are, no doubt, cogent arguments which may be urged against such a claim, but I would very respectfully submit that he is entitled, upon every principle of equity, to a remission of the annual payment of Rs. rupees 2,000 demandable by Government under the conditions of the Deed executed on the 28th December, 1793, between the United Company of Merchants of England trading to the East Indies and William Smollett of Calcutta. The justice of this claim will, I think, be apparent from a review of the circumstances under which that Deed was executed, and which I now beg to bring to the notice of his Lordship.

3.—Previous to the year 1790, the privilege of establishing gungee hauts and bazars, and of imposing and collecting duties upon the articles exposed for sale in the same, had been conceded to the zemindars throughout Bengal, Behar and Orissa. Experience having proved that the power with which the landholders were thus vested, led to great oppression and the imposition of many vexatious duties on articles of internal manufacture and consumption, as well as exports and imports, the British Government determined in the above mentioned year to take from the zemindars the powers that had been thus abused, and to exercise the privilege of imposing and collecting internal duties immediately and exclusively on the part of Government. It was subsequently found, on the collection of the Sayer being committed to the officers of Government, that the exactions were so numerous and complicated, and imposed on such impolitic principles, as to preclude the possibility of regulating them in such a manner as to render them productive to the state, and at the same time to prevent their operating as a burden on the internal commerce and industry of the country. It was in consequence determined to abolish the Sayer collections altogether, with certain specified exceptions, throughout the three provinces, leaving it to a future consideration what internal duties or taxes should be imposed in lieu of them. But in resuming the privilege of imposing and collecting internal duties which had formerly been vested in the landholders, the Government proceeded upon the equitable principle of allowing a full compensation for the resumption of such privilege, adequate to the profit formerly derived from its enjoyments, and in the adoption of these arrangements it was expressly declared that the Government had no intention to deprive the landholders of the right of making any collection of duties, although included under the general denomination of Sayer and market cesses, were not in reality a duty, but a consideration for the use of ground, shops or other buildings. The payments received on this account were recognised as being clearly of the nature of rent, the private right of the proprietors, and in no respect a tax or duty on commodities the exclusive right of Government.

4.—The whole of the rules connected with the resumption, and subsequent abolition of the Sayer duties throughout Baggal, Bahar and Orissa, are embodied in Regulation 27 of 1793, and his Lordship will find on a reference to Section 2, Clause 14, of that Regulation, that the gungee, bazars and hauts within the limits of the town of Calcutta, were specially exempted from the operation of its provisions. Mr. Harrington, in the 3d volume of his *Annals of the Regulations*, assigns two reasons for this exception. The first was founded on a consideration of the legal difficulties which at that time might have attended the imposition and enforcement of any new taxes within the immediate local jurisdiction

the Supreme Court ; and a second reason for the continuance of market duties at the seat of Government when they were abolished in the interior of the country, had reference to the more effectual means of regulating the collection of them, so as to prevent their becoming a source of vexatious oppression, or a cover to exaction of a different nature, as had been experienced when the levy of internal duties, under the indefinite denomination of sayar, was left with the landholders and farmers of the land revenue.

5.—It is clear then that in 1793, the date of the agreement between the Hon ble the East India Company and Mr Smoilt, the permission to establish the Dhurrumtollah Bazar, (in consideration of which the annual sum of Rs. rupees 2,000 was covenanted to be paid to Government) conferred upon the proprietor of that Bazar a right to levy certain duties, quite distinct from any collection that might be made on account of the use of ground, shops or other buildings, which collections were declared by Regulation 27 of 1793 to be the private right of the proprietors, and consequently were not included in the abolition of the sayar in the interior. The Rs. Rs- 2000 must have been paid for the transfer of the right to collect duties, which the preamble to the above mentioned Regulation declares to be the exclusive privilege of Government, not exercisable by any subject without its express sanction, adding that it had ever been a well known law of the country that no person could establish a gunge, haat or bazar without authority from the governing power, although the practical assertion of this principle in the Moteah, might have fallen into desuetude. Mr. Harrington, under the head of " Calcutta Market duties," states that " in consideration of the revenue paid to Government, the proprietor and farmers of the several Bazars are entitled to levy a duty from the market vendors," and the same gentleman gives a list of the rates of duties collected in the different Calcutta Bazars in the year 1788. In addition to these duties, which appear to have been comprised under the denomination of Fulah, another tax called Tehbazaree was levied by the proprietors or farmers of Calcutta Bazars. The party entitled to the Tehbazaree exacted the same not only from those who exposed articles for sale within the actual precincts of his Bazar, but also from all vendors of commodities within certain limits, though it does not distinctly appear upon what principle the Tehbazaree boundary of each bazar was fixed.

6.—Dr. Jackson is not in a situation to prove the amount of the tulah duties collected by the first proprietor of Dhurrumtollah Bazar, but it is probable they were regulated by a standard very nearly approaching to the rates mentioned by Mr. Harrington, as having been levied in 1788. With reference, however, to the Tehbazaree tax, my client can produce satisfactory evidence to shew that it was levied up to the year 1820, and that the limits assigned to this particular bazar extended as far as Brijetollah. The produce of this Tehbazaree tax was little short of rupees 700 per mensem.

7.—Such were the general circumstances under which Mr. Smoilt, in 1793, agreed to pay to the Government Rs. ru 2,000 annually, in consideration of the permission to establish the Dhurrumtollah Bazar. At that time no person could set on foot a rival establishment without the express sanction of Government, which it might reasonably be supposed would not be afforded to the detriment of existing Bazars, so long as the proprietors should duly perform the conditions of their covenants. In addition to this virtual monopoly, for such it was to all intents and purposes, the Government transferred to Mr. Smoilt and his successors for 99 years, its own exclusive and most valuable privilege of levying the duties above mentioned. But how does the case stand now? Any person who pleases is at full liberty to establish a bazar in Calcutta, without permission granted or leave solicited from Government, and on the 17th July, 1820,

a public notification was issued abolishing the Tehbazaree duties, or at least all collections on that account beyond the actual precincts of the bazar. It may be difficult to point out the precise duties formerly levied, and subsequently abolished by authority, and I have in vain sought for full information on the subject ; but the Sudder Board of Revenue, in the 4th paragraph of their Report, admit that the stall-hire and shop-rents constitute the whole income at present derived from the Dhurrumtollah Bazar ; that is to say, Dr. Jackson collects nothing but rent, the private right of the proprietor, and which was specially reserved when the sayar duties in the interior were abolished in 1790. For what then does Dr. Jackson pay Rs. Rs. 2,000 per annum? For the privilege of holding a bazar? This is now no privilege at all, for it is the universal right of every resident in Calcutta. For the transfer of the Government's exclusive privilege to levy certain duties? The Government itself has prohibited their exaction. When in 1790 the Government resumed the Sayar, it made full compensation to the landholders for the loss they sustained by the resumption. Does not the same principle hold good here? When the Government for the general advantage of the community of Calcutta, has relinquished its right to limits, the number of bazars, and to impose vexatious imposts, is it not bound to give up all claim to the revenue it formerly received as a consideration for the grant of the monopoly, and the transfer of its right to levy the duties? I cannot conceive it to be necessary to argue this question. A sum of money was agreed to be paid to the Government in consideration of the grant of certain privileges, the Government by its own act has done away with the privileges, and upon what possible principle can it continue to demand payment of the consideration money? Dr. Jackson enjoys no one immunity over any other inhabitant of this city, and why should he be taxed with this heavy annual cess?

8.—The Sudder Board of Revenue, in the 6th paragraph of their report, state that the privilege of levying Tehbazaree and other duties, " is not in the agreement." In express terms, it certainly is not. But is it possible for any one aware of the circumstances connected with Calcutta bazars in 1793, and of the fact that the Sayar duties abolished in the Mofussil were continued in Calcutta, to doubt for a single moment that the intention of the agreement, as understood by all parties, was to confer upon Mr. Smoilt all the privileges lawfully enjoyed by the proprietor of a bazar, in the interior, previous to the abolition of the sayar, and in Calcutta, subsequent to such abolition, and that of these privileges one of the most important was the Tehbazaree duty? The Board, indeed, would seem to recognize this fact, for in a note appended to the last paragraph of their report, in arguing against Dr. Jackson's claim to the remission of ground rent and taxes, they say, " at that time the complicated system of taxation comprehended under the native sayar system was in existence, and the terms of the contract seem particularly intended to guard against any new demands under this head." This is no doubt the correct statement of the case. The real intent of the agreement was to make over to Mr. Smoilt and his successors for 99 years, for a certain fixed annual sum, the privilege of levying all the duties comprehended under the name of sayar. That the Tehbazaree was one of these I need not argue. Mr. Harrington shews that it was collected up to 1790, and Dr. Jackson is prepared to prove that the levy was continued until 1820.

9.—The next argument of the Board is founded upon the circumstance that the Government revenue of Rs. Rs. 2,000 continued to be paid for many years after the Tehbazaree and other exactions alluded to, were abolished by law, from which it is inferred that the then holders of the Dhurrumtollah Bazar did not consider the prohibition to make such exactions as any infringement of the contract. I would observe in reply, that the

inhabitants of Calcutta, speaking generally, are but little acquainted with the revenue laws, and I can easily conceive that the former proprietors of Durrumtollah Bazar may have been utterly ignorant of the nature of the right under which duties had hitherto been levied, and just as ignorant of the claim which the abolition of those duties gave them to a remission of the Government revenue. It is a fact that there are zemindars in the interior who at this day levy the very market duties for the abolition of which they received a compensation at the time of the permanent settlement, and this is done in many instances without the parties being at all aware that they are infringing any law. In the case of the Durrumtollah Bazar the reverse has happened; the Government has been receiving a revenue for the grant of privileges which have no longer any existence, and the parties have paid the amount, without knowing that the equivalent in consideration of which it was originally given has been taken away from them. But the question is not whether former proprietors of the Durrumtollah Bazar have ignorantly acquiesced in this payment, but whether the Government has any just claim to demand its continuance now that the right is disputed. I very respectfully submit that it has none.

10.—The third argument of the Board is to the effect that Dr. Jackson has no right to complain of the circumstance that any party is now at liberty to establish a bazar within Calcutta, without permission from Government or the payment of any revenue; because in the agreement of 1793, there was a reservation of the right of Government to establish other bazars, and such being the case, it was of course at liberty to grant this permission on any terms it pleased, either more or less favorable, or if it pleased, without requiring any payment at all. Now without pausing to inquire what would be the legal construction of this stipulation, (although I do not entertain much doubt upon that point,) I feel confident his Lordship will not consider the interpretation put upon it by the Board to be an *equitable* one. When Mr. Smoult agreed to pay to the Government a large annual amount for permission to hold a bazar, it could never have been in the contemplation of either party that the Government would issue an order granting to all the inhabitants of Calcutta, generally and indiscriminately, the very same permission; such a supposition is impossible. The only object of the reservation insisted on by the Board must have been to guard against an abuse of the privileges granted to Mr. Smoult, and not to enable

the Government to secure the revenue of a virtual monopoly for 99 years, and then to abolish the monopoly, throwing the whole loss of such abolition upon the party with whom they contracted.

11.—The only other argument of the Board against the present claim is founded upon the supposition that Dr. Jackson must have included in his calculations, not only the fair profit to be expected from the capital invested in the buildings erected by him, but also the sum for which he made himself liable to Government. I am really unable to understand upon what principle this calculation of profit and loss can be urged against Dr. Jackson's claim. If he had been mistaken in his calculations and unfortunate in his speculation, the Board of Revenue would not have recommended the Government to make good his loss; nor do I see how the circumstance of his speculation proving a fortunate one, is to deprive him of any right to which he would otherwise have been entitled. The same remark applies to the following note at the conclusion of the Board's report. "Dr. Jackson, by purchase, has merely acquired the rights possessed by Mr. Smoult, therefore to admit his claim would necessarily involve a retrospective claim." It is sufficient to say that Dr. Jackson makes no claim except on his own account, and that claim, I most respectfully submit on his behalf, is founded in justice and equity.

12.—I will not trouble his Lordship by a recapitulation of what I have already urged, and which might indeed be summed up in the simple statement, that the Government of 1793 must have intended to give something or other, in return for the 2,000 rupees a year made payable by the proprietors of the bazar; whereas Dr. Jackson receives nothing at all. Most respectfully soliciting the attention of his Lordship to these observations, which I have now the honor of submitting for his consideration,

I have the honor to be, &c.

M. A. BIONELL,

Constituted Attorney of Dr. Jackson.

P. S.—I have not noticed those parts of the Board's report which relate to Dr. J.'s claim to remission of ground rent and assessed taxes, such claim being now abandoned by him. Copies of the previous correspondence accompany the letter.

May 29, 1887.

[Hurk. Sep. 16.]

COLLECTORS' SALES.

The following statement had been handed to us for publication:—

"Baboo Prossuno Comar Tagore, proprietor of a talook called Hoodah Puchim-Mushara, situate in the Purgunnah Bhabayamoorah, in the district of Midnapore, and paying to our Government an annual revenue of Co.'s rs. 3,287-4-3, having been informed by his mooktar in that district, that there stood a balance of revenue amounting to Co.'s rs. 433, due to Government on account of the said talook, directed a remittance of Co.'s rs. 400, in a Bank of Bengal post bill, dated 19th August, 1887, and Co.'s rs. 33 in cash, to be paid into the collector's office; and the mooktar, accordingly did, on the 1st September, tender the post bill and the money to Mr. Houston, collector of the district.

"Mr. Houston, not only refused to accept of the proffered payment, but fined the mooktar in the sum of five rupees, on the latter attempting to explain the ground of his application, but caused the talook to be sold for the sum of Co.'s rs. 3,600.

"This proceeding of refusing a post bill to transfer for revenue is contrary to the standing orders of the Government, contained in the circular issued by the Accountant General.

"The mode of remittance by Bengal Bank post bills is universally adopted and similar remittances made by Baboo Prossuno Comar Tagore had been accepted of by Mr. Houston's predecessors.

"The credit of the Bank of Bengal is likely to be affected throughout the district by its bills being thus dishonored by Government officers.

"Mr. Houston, being a Government officer, was the last person from whom it could be expected that bills from a bank chartered by Government and under the superintendence and control of Government, should have been thus dishonored and that against the positive instructions of the Accountant-General and the established practice of the office."

Knowing, as we do, that the intention of Government was to facilitate the circulation of Bank of Bengal paper, and that the post bills now issued by that institution were sanctioned by authority, we can hardly imagine that any collector of the public revenue could be ignorant that it was his duty to receive them in payment. We must, therefore, suppose that there is some mistake, either the want of an endorsement, or the supposition of forgery. But even allowing this to be the case, one would think that so harsh a measure as the confiscation of property might have been deferred without violating the spirit of the regulations when a payment was obviously intended conformably to the law, though it might by accident have been somewhat irregular. But if there was no objection except that the collector did not like a post bill, but preferred bank notes, we think the Government can do no less for the sake of its own dignity than to repay to the Baboo all losses and expences which he may have incurred by this extraordinary proceeding. Upon whom is to be the final incidence, the Government or the collector, must be decided by the conformity of the latter to his instructions; but at all events, the sufferer should be remunerated. Otherwise, what confidence can the people have in the security of their property? Will they not say, if Bengal Bank bills are refused one day, may not their notes be refused the next, and may not the collector, equally object to silver under some pretence or other, if he wants to take our estates from us? Surely the Indian revenue system is harsh enough, without adding unnecessary harshness.

Here the agent of the proprietor is fined for attempting to explain that his tendered payment is according to the law. We hope the proceedings will go home as a chapter in the commentaries upon the Black Act.—*Englishman*, Sept. 14.

We are now with some regret about to bring to public notice, the conduct of the acting Collector in the Zillah of Midnapore. We do so, not with a view of holding up unnecessarily to public censure, the conduct of an individual, who will to a certainty receive the usual allowance of bureaucratic whiggish consequent upon his offence, or for the purpose of rendering ourselves instrumental to the infliction of a double punishment for one and the same offence. Such is not our motive; we are, we hope, actuated by a more laudable and less invidious intention; and that is, to bring to the attention of the junior officials of Government, the fact that a hasty, and perhaps a petulant disposal of cases which many come before them, is certain, in the present state of things, to find its way into the columns of the newspapers, and that Government officers offending in this fashion are subjected, now-a-days, to the coercive power of public opinion, as well as to the oburgations of their official superiors. We trust most sincerely, that the result of the present and past exposures of official derelictions, in which it has been our fate to take part, will tend to inspire with more caution, and greater prudence and circumspection, those who have rendered themselves obnoxious to our Public notice.

The facts of the case which has elicited from us the above observations, are as follow. In the month of August last, the mookhtar of a wealthy Zemindar, resident in Calcutta, gave notice to his principal, that there was due and owing for Government Revenue, on account of the Talook Hoodah, Pushim, Mushihara, in Pergunnah Boyamootah, in the Zillah Midnapore, the sum of rupees four hundred and thirty-three, whereupon the Zemindar proceeds to the Bank of Bengal, obtains a Bengal Bank Post Bill for 400 rupees, at three days after sight, signed by the secretary, and so forth, in all due form,—the which Bill, with 33 rupees in cash, the Zemindar remits to his Mookhtar in Midnapore, with directions to discharge

the government claim. The acting Collector, Mr. Houston, however, takes it into his head to refuse to receive a Bengal Bank Post Bill in payment of the government revenue, fines the Mookhtar five rupees for presuming to tender it in payment of revenue, and forthwith proceeds, to put up the Talook for sale for arrears of Jumma; The Talook is accordingly sold for the sum of 3,600 Rs. and the Zemindar has thus, through the scrupulous delicacy of Mr. Houston, in refusing to receive a Bengal Bank Post Bill into the government treasury, lost his property, without the shadow of a fault or the slightest pretence of laches or neglect in paying the Revenue attaching to the Zemindar. Now it appears to us that a Bank of Bengal Post Bill is, when indorsed, pretty much the same sort of thing as a Bank of Bengal note payable on demand. The credit of the Bank is, we suppose, as much pledged to the payment in the one instance, as in the other, and a Bank Post Bill duly endorsed, is in point of law as much a valuable security as a Bank note. There would, therefore, exist apparently no reasonable ground for the refusal on the part of the Collector to receive such an instrument in payment of revenue; and we are told that the custom in the Collector's office is to receive Bank Post Bills of the Bank of Bengal in payment of revenue, we are, moreover, told, although we have not seen it, that there is a circular Government order, emanating either from the Governor of Bengal, or from the Revenue Accountant, authorising the receipt of Bank Post Bills of the Bank of Bengal, in payment of revenue; and with reason, expediency, common sense, common justice, and a Circular Order to boot, which in point of authority is of course better than all the former conglomerated, and put in a bag together,—with all these moving persuasives for the receipt of the Post Bill in payment of revenue, it is difficult to understand how or why, the said Bank Bill came to be refused. The fact, however, is as we state it,—the Post Bill was refused, and the property is sold.

Let us now look at the consequences of this rash and ill-advised, and inconsiderate, proceeding on the part of Mr. Houston,—and we beg to be understood to speak “more in sorrow than in anger.” The Talook in question, was purchased about two years ago by the Zemindar who has just been deprived of it, for the sum of 16,000 rupees. It pays a Government jumma of 3387 rupees, of which he it observed, the small sum of 433 rupees, only was in arrear. In order to be re-admitted to the possession of this property, of which we suppose there can be no doubt, the Zemindar must lay the matter before the Commissioner at Cuttack, a considerable time must necessarily elapse, before he can obtain the decision of the Commissioner upon the point. In the meantime this is just the season for making the collections from the ryots. The ryots, now that the property is sold, will not pay to their old Zemindar,—they will or will not pay at all, as the case may be. The cultivation for the ensuing season will undergo great interruption, in consequence of the disputed ownership and unsettled title to the Talook. The new purchaser, will not make the necessary advances to the ryots to cultivate for the ensuing season, because he is not sure, that the sale by the acting Collector will not be upset by the Commissioner; and the ousted Zemindar will not of course make the advances, until he is sure of getting his property back. So that the Collections for the past year are evaded by the ryots on the plea that the Zemindar to whom they are due is no longer in legal possession, and the cultivation for the ensuing season will probably be put a stop to, because no one will make the advances; and so the lands are thrown out of cultivation and the ryots out of employ; the Zemindar is deprived of his rents, and the Government of its popularity, and all because the Acting Collector either does not understand his business, or understanding it, chooses to act with a degree of rashness and intemperance which is perfectly appalling.

The Government will, we presume, interfere, supposing the authorities at Cuttack uphold the act of the Collector of Midnapore; they may re-instate the Zemindar in the possession of his Talook; but they never can put him exactly in so good a position as that from which he has been driven by the rashness of the Collector. Some portion of his rents he will certainly lose; and some deterioration of his property, will of necessity ensue. There is yet one other inconvenience which, as it strikes us, is likely to ensue from this proceeding. The credit of the Bank of Bengal is likely to be affected by it, in the eyes of the whole of Mr. Houstoun's Cutchery, and all persons having cognizance of this transaction; for every body knows that a Bank Post Bill is a printed instrument, and signed by the Secretary, Mr. Udny, for the Trustees and proprietors of the Bank of

Bengal, or in some such form, pledging the credit of the institution to the payment of the instrument. People will say, the credit of the Bank of Bengal will not be much hurt by this transaction. Possibly not much; but a little; and if the same spirit of rashness were to infect the nodules of half a dozen Collectors, and that similar refusals to receive or recognize this description of Bank paper were to occur, the result might be found very sufficiently inconvenient. We have now said the little that occurs to us on this matter, and we do hope, that this our candid *expose* of this proceeding, may serve to put gentlemen on their guard, and to induce them to adduce to the execution of their official duties, a greater degree of considerate forbearance, and a more wise and salutary caution. — *Hurkaru*, Sept. 15.

BENGAL CLUB.

5TH SEPTEMBER, 1837.

At an Extraordinary General Meeting of the Members of the Bengal Club held this-day.

Present.—Major General Sir Willoughby Cotton, K. C. H., James Pattie, Esq., C. Trower, Esq., D. C. Smyth, Esq., Captain Champneys, J. A. Dorin, Esq., Captain J. W. J. Onseley, Dr. J. Sawers, Dr. T. Smith, T. Bracken, Esq., W. Bracken, Esq., Dr. J. Ranken, A. J. de H. Larpent, Esq., C. E. Newcomen, Esq., R. Molloy, Esq., A. C. Binny, Esq., Lieut. R. Pigou, Capt. Mr. G. White, R. W. G. Frith, Esq., W. H. L. Frith, Esq., H. Alexander, Esq., F. Osborne, Esq., E. B. Ryan, Esq., Lieut. W. Abercrombie, and J. Staniforth, Esq.

James Pattie, Esq., C. S., was requested to take the chair.

The following Resolutions were proposed and carried.

1st.—*Proposed by Major-General Sir Willoughby Cotton, K. C. H., seconded by C. Trower, C. S., and resolved unanimously.*

That any Member wilfully infringing Clauses 2 and 13 of Rule 8, for which no penalty is at present prescribed, shall be requested by the Committee to withdraw his name from the Club, and on his refusing to do so, a General Meeting shall be called to consider the propriety of his expulsion.

2d.—*Proposed by D. C. Smyth, Esq., C. S., seconded by Captain Ousely and resolved unanimously.*

That the Committee be authorized to take measures to engage in Europe a first rate French Cook, and to procure his arrival as soon as possible.

3d.—*Proposed by Capt. Champneys, seconded by D. C. Smyth, Esq., C. S., and resolved unanimously.*

That the quarterly subscription payable by non Resident Members when visiting the presidency, agreeably to 5th Clause, 5th Rule, be reduced from 15 to 11 rupees; and this reduction to take date from the commencement of the last quarter.

4th.—*Proposed by D. C. Smyth, Esq., C. S. seconded by Major General Sir W. Cotton, K. C. H. and resolved unanimously.*

That in compliance with a numerously signed requisition, the sum of 500 rupees be given as a Donation towards the enlargement of the Ice House.

5th.—*Proposed by Captain Champneys, seconded by Charles Trower, Esq., C. S., and resolved unanimously.*

That all members of the Byculla Club shall be considered as "Honorary Members," of the Bengal Club, as "*vice versa*" all those of the Bengal Club are to be of the Byculla Club.

6th.—*Proposed by R. Molloy, Esq., seconded by Dr. J. Ranken, and resolved unanimously.*

With reference to the resolution passed on 20th June last.

Resolved.—That the committee be requested to reserve the sum of 18,000 Rs. to indemnify the gentlemen who signed the agreement, under which the Club premises are at present held, and by which the Club House cannot be vacated without giving the landlord two years' notice.

7th.—*Proposed by Capt. Ousely, seconded by Thomas Bracken, Esq., and resolved unanimously.*

That with reference to the communication made by Captain Champneys on behalf of the Committee of Management, the committee for the time being be requested rigidly to enforce the Rules for procuring the regular payment of all debts due to the Club.

8th.—*Resolved unanimously.* That the thanks of this meeting be given to the chairman.

JAS. PATTIE, *Chairman*,

N. B. The 1st, 3d and 5th Resolutions as above, will remain on the Club Table for five weeks, and non-Resident Members are requested to transmit their written votes, for or against either of these resolutions of the Secretary, or to a Resident Member, on or before the 12th proximo.

R. S. STRICKLAND, *Secretary*.

Club House, 5th September, 1837.

[*Englishman*, Sep. 7.

OPIUM SALES.

A meeting was held yesterday of the Chamber of Commerce to take into consideration the report of their committee on a communication from Government as to some proposed improvements in the mode in which the opium sales are conducted.

A letter from the Board to Government was read, the first paragraph of which excited no small surprise in many of the members of the Chamber, as it stated that the Board had never been able to obtain the co-operation of the merchants in any scheme of improvement until the present occasion. Many enquired when their co-operation had been asked, and when the Board had ever shewn the smallest disposition to abandon their *hugger-mugger* system till compelled by necessity.

The report of the committee recommended first, that whatever rules are laid down should be adhered to inflexibly, considering that uncertainty is far worse than a bad system.

The Board proposes that the depositors should be a fixed sum of 1000 rupees per lot, payable in promissory notes; the committee recommended that these should be payable at the Bank of Bengal, and that accepted cheques should be received in payment; all lots of which the deposits are not paid in cash on the 3d day to be resold on the 4th day, and no deposit to be accepted for forfeited lots on the day of sale.

The whole purchase to be made good in one month, approved Discount for cash proposed by the board objected to as necessary.

The Board propose to receive deposits only from purchasers named in the sale room. The committee "or their order," thinking that every man ought to be allowed to transfer his purchases freely.

The Board propose the following sales:

2500 ditto.....	February.
6000 chests.....	January.
5000 ditto.....	April.
2500 ditto.....	May.
3000 ditto or the remainder in...	June.

The committee recommended eight sales, one at the beginning of every month till August, the first 5000, and the others each 2000 chests, except the last which would contain all that might remain unsold.

This proposal occasioned a warm debate and a modified proposal for five sales only, the last to be in July, was carried by a majority of one. On the whole we think it matters little how the sales are distributed, provided the conditions are strictly adhered to, but if the ships coming from Europe are to be considered, July and August would be as suitable periods for sales as the preceding months. The Board of course look to an early realization of the revenue, but experience alone can shew whether their plan will sacrifice amount to time, or not. At all events we may congratulate the merchants on this appearance of a return to sound principles, and we fully concur in the recommendation of the Board that its members should be made personally responsible for every deviation from the sales once published as having been sanctioned by Government.—*Englishman*, Sep. 8.

STEAM TUG ASSOCIATION.

The Steam Tug Association had a third half year meeting to-day, the proceedings of which we are enabled to publish. It will be observed that a resolution has been adopted to double the capital in order to double the number of tug-vessels, which of course will be a great benefit to the shipping and commercial interests of the port. The Sugar Trade has already made an important addition to the tonnage required for our exports, and promises to increase very much in extent. At the same time the Government vessels serviceable for tugs are wearing out. There is consequently no reason to fear that four private Steamers will be too many for profitable employment, allowing the most idle time of the year for heavy repairs, refittings and alterations when not of an emergent nature. The profits of the *Forbes* during the half year have been so large as to yield a dividend at the rate of nine per cent. per annum, notwithstanding the heavy expense incurred in shifting the boilers of the *Satakand*, and the long period during which the latter vessel was consequently unemployed.—*Calcutta Courier*, September 18.

At the Third Half Yearly General Meeting of Proprietors of the Steam Tug Association, held at the Office of the Secretaries this day the 18th instant.

PRESENT.

J. A. Cragg, W. Bruce, Jas. Young, W. T. Fraser, A. H. Sim, J. Carr, N. H. Collins, M. M. Manuk, D. Tagore, W. Prinsep, L. DeSouza, L. A. Avietick, W. S. Smith, Rajchunder Mookerjee, Radanath Dutt, Esquires; Captains A. Thompson, and A. Cunningham.

Jas. Young, Esq., in the Chair.

Moved by M. M. Manuk, Esq., and seconded by W. Bruce, Esq.—

Resolved,—That the Accounts be passed and the Report be adopted.

Proposed by L. A. Avietick, Esq., and seconded by H. Tagore, Esq.

That a dividend of 45 Co.'s rs. per share be advertised for immediate payment.

Proposed by J. Carr, Esq., and seconded by Rajchunder Mookerjee—

Resolved,—That the appointment of Mr. Cunningham as Commander of the *Forbes* be confirmed; with the understanding that he make good his subscription for the shares he has taken.

Moved by J. A. Cragg, Esq., and seconded by L. DeSouza, Esq.

That taking into consideration the recommendation of the Committee for an increase of Capital as highly desirable, chiefly with a view to the reduction of the rates of daily hire for tugging, it is *resolved*,—that a proposition be circulated among the present Proprietors to double the capital of this Association, or say, to increase the amount of capital to four lakhs of Company's rupees instead of two lakhs sicca, receiving new Subscriptions of 1,000 Co's rupees per each share and setting off the fraction of 66-10-8 paid by present Proprietors who subscribed in sicca rupees, against any Subscription they may make under the new arrangement.

The present Proprietors have the first option to take an additional share for each share that they hold, and should the present Proprietors consent unanimously to the adoption of this measure.

It is further Resolved,—That the Secretaries proceed at once to publish the new Prospectus, inviting Subscriptions and otherwise for carrying this object into effect.

JAS. YOUNG, Chairman.

Report of the third half year's proceedings of the Steam Tug Association.

SEPTEMBER, 1837.

1. The result of another half year, enables us to shew the Proprietors, that, although we have not a sufficient sum remaining in hand to declare a dividend, the produce of our Tugging has been sufficiently profitable to warrant our earnest and strong recommendation to the Proprietors at once to increase their capital, and to secure to themselves the run of such employment, before any effective competition shall be started against them. The Company's largest boat, the *Euterprize*, will shortly be taken off the list against us, and we believe the *Irrawaddy*'s hull is not in a state to remain long in her present full employment in competition with our Association. It is very desirable that the daily rate of hire should be decreased, but it will not answer for us to do so until we have more boats in play, for us in the present instance with only two vessels at our command, when one of them is laid up for repairs, the other with all her best earnings has to bear the current expenses of the establishment of both until the boat under repair can again be brought into active service, and thus the profits disappear, while with a greater number of boats a smaller establishment might be retained, and the loss upon the one out of use would be more easily covered by those which are running. This will be better shewn by the statement now laid before the meeting.

2. The *Forbes* has been fully employed thus—

Tugging on hire,.....	127 days.
Demurrage,.....	6 "
Idle and cleaning,.....	42 "
Repairing,.....	9 "

Total, 184 days.

And has earned, Co's Rs. 51,400 0 0

Less repairs, " 2,281 7 4

while the *Seetakoond*, having been laid up for upwards of three months, has earned only Co.'s rupees, 6,500, her repairs bring Co.'s rupees, 15,507-8-8. The establishment for both boats is Co.'s rupees, 18,532-4: for two additional boats the establishment would not have been increased Co.'s rupees, 10,000 while their earnings might have been nearly on a par with those of the *Forbes*, for there has been no want of demand for Tugs indeed it would greatly increase if we were able to decrease the cost of daily hire, a point greatly to be desired.

3. The proprietors will have been partly prepared for the expenses incurred upon the *Seetakoond*, since they are aware that new boilers had been daily looked for at the period of the last meeting, and that Co.'s rupees, 10,000 had been reserved from the originally subscribed capital to meet their cost. They arrived in the *Jupiter* from Glasgow on the 16th April, and were valued upon for cost and charges by Messrs. Rickards, Little and Co. in the sum of Co.'s rupees, 15,622. It was fortunate

that they then arrived, for it proved upon taking out the old boilers, that they could not have been worked many days longer, and had indeed frequently disappointed us by failures of different kinds since they had been turned out of hand by Mr. Currie.

4. The *Seetakoond* was at once laid up, and when the new boilers were placed in the room of the old ones, being scarcely more than half their size, it was found absolutely necessary to the effectiveness of the vessel as a tug, not only that the engines should be bodily raised, her paddles being too much immersed, but that they should likewise be moved further aft so as to bring the vessel more on an even keel. In doing this it was found that the engines had been originally so very ill and crookedly placed, that most of the brasses and casings had been worn irregularly away, and required entirely new doing, thus increasing the expense considerably, while it necessarily prolonged the term of her inactivity. Our Superintendent, Captain Boothby's, report, which is annexed, describes more minutely what was required to be done, but when it is remembered that the estimate formerly made of the expense for exchanging the new boilers for the old ones amounted to about Co.'s rupees 10,000, we think we have reason to congratulate the Proprietors upon the advantage of having a Superintendent *au fait* to the business who has in his analysis, attached to his report, of the expenses incurred upon the *Seetakoond*, shewn that the total expense of this heavy job has only amounted to Co.'s rupees, 13,174 3-7, besides the cost of a new funnel now in hand, but from which are to be deducted Co.'s rupees, 1,427 realized by the sale of old iron and brass. There is a previous item of repairs upon the steam vessel in March, incurred chiefly in patching up the ill-finished work of Mr. Currie.

5. The *Seetakoond* is now, however, in such prime order and her new boilers are so very effective, that we have reason to think she will work throughout the approaching shipping season in the most satisfactory manner.

6. We should mention that from the peculiar construction of the new boilers, we have found it an economy to burn a mixture of half English and half country coal, even at the high cost of the former, since she keeps up her steam with so much less quantity—being about 16 maunds per hour instead of 24 with the old boilers.

7. Upon completing the *Seetakoond*, and setting her upon full work about the latter end of August, we have thought it most advisable to overhaul the *Forbes*, so as to have her in perfect trim likewise for the approaching busy season, and we have found upon docking her that it was full time we did so, since a good deal of copper had been worn off her bows by her cables, and abast from the hawsers, and several weak places in her boilers required patching.

8. We are informed by our Superintendent, that he hopes to have her at work again in a month, the expense being estimated at something short of Co.'s rupees 4000.

9. Should we be able to keep both vessels in full play during the approaching season, we trust to have it in our power to shew sufficient surplus for a handsome dividend in March.

10. The expenses above alluded to, with the cost of coals and other contingencies, have entirely absorbed the reserved capital for boilers, and have also reduced considerably the sum laid aside at the last meeting as a fund for increasing our means of Tugging, the total expenditure having exceeded the earnings by Company's rupees 6,599-10-10 as per Schedule (on the table.) We should notice a column in that Schedule for the "purchase of stores." These were required for the establishment of

our workshop on the Docking premises at Kidderpore, where, by having materials ready at a moment's call for small repairs, there is much saving both in time and expense. This item does not strictly apply to the past half year alone.

11. In compliance with the wishes of the Proprietors present at the last meeting, we addressed a letter on the 27th March to Messrs. W. Carr, W. Shand and Captain Henderson in London, which is now laid before the meeting; but we have not any notice of its receipt by the Steam Mail of July, which is unfortunate. Captain Henderson, however, in a letter to Dwarkanath Tagore, expresses a hope that his services may be rendered useful to this Association—so that doubtless he will set to work actively the moment he receives our letter; he states that the most effective vessels are exactly those which in our letter we have called to his attention.

12. Mr. W. Carr, in a letter of June, mentions having been on board the *Duffus*, a magnificent boat of 250 horse power, which Mr. Shand was about to negotiate with the *Duffus* Company for placing in this country, in connexion with our Association, but nothing had been brought to a point. In the mean time it will be well worth the attention of the Proprietors to subscribe at once a further sum of five hundred rupees per share for the purpose of increasing the stock; and if such is the wish of those now present, we will circulate the proposition for the consideration of every individual member,

previous to calling a special meeting for determining upon the measure, which we are quite confident will be the means of greatly increasing the advantages to be derived from this investment of capital.

We are sorry to remark that the contingency referred to in the last report has not been entirely realized, a balance of about 700 rupees is still under recovery from Shaik Adum by our Attorney.

The accounts laid upon the table present the following balance.

At Credit of the Reserved Fund Co.'s	
rupees	16,056 11 0
Less balance at debit of the Current	
Account	6,599 10 10
About 4½ per cent. on the Capital Co.'s	
rupees	9,457 0 2

We regret to have to report the death of Captain Pent of the *Forbes*; he has been succeeded by Mr. Cunningham, the Chief Officer, who has proved himself in every way equal to the charge; he has taken five shares in this Association and will increase his interest to ten shares as soon as his means will permit.

CARR, TAGORE and Co., Secretaries.

Englishman, September 18.]

SAILORS' HOME.

TO THE EDITOR OF THE BENGAL HURKARU.

Sir,—Will you give insertion to the accompanying list of subscribers to the Sailors' Home, from the commencement up to the 14th September inclusive, and also to the statement of receipts and expenditure in detail up to the same date? From the balance the public will see that our funds are at a low ebb owing to the heavy items of repairs and outfit of the establishment. We shall now only have to provide for the ordinary expense of the house, which, we believe, may be effected for the comparatively small sum of from 5,000 to 6,000 rupees per annum, (a sum which we are confident the public will readily supply. We would urge it on those friends to seamen, who have not yet aided the fund, or who may feel disposed to render further assistance, to lend us a helping hand now as the cold season is fast approaching, when we must be doubly vigilant in our efforts to save Jack from his enemies. We have much pleasure in stating, as we are confident you and the public will be glad to hear, that the institution is working admirably, and will continue to improve as we obtain experience, the best of all teachers. We only want time and the confidence and support of the public, and of the parties especially interested, to prove that neither an enervating climate or the power and virulence of our opponents can either damp our exertions or prevent success.

Yours sincerely,

T. BOAZ.

J. W. ALEXANDER.

Henry, Secs. Sailor's Home.

DONATIONS AND SUBSCRIPTIONS, &c.

	Co.'s Rs.	A.	P.
The Right Hon. Lord Auckland,	300	0	0
Sir J. P. Grant,	100	0	0
Sir B. Malkin,	100	0	0
Messrs. Colvin, Ainslie and Co.,	250	0	0

	Co.'s Rs.	A.	P.
Col. Colvin,	100	0	0
Messrs. Cockerell, and Co.	250	0	0
— Mackey & Co.	200	0	0
— Jamieson and Co.	250	0	0
— Macintyre and Co.	200	0	0
— R. C. Jenkins and Co.	2	0	0
— Livingstone, Syers and Co.	200	0	0
— Bates, Elliot and Co.	200	0	0
— Bagshaw & Co.	100	0	0
— Gibson & Co.	100	0	0
— Boyd and Co.	100	0	0
J. W. Alexander, Esq.	100	0	0
T. Macnaghten, Esq.	50	0	0
Messrs. Foster, Chapman & Co. (Annual,) ..	50	0	0
— Carr, Tagore and Co.	50	0	0
G. Alexander, Esq.	60	0	0
R. D. Mangles, Esq.	50	0	0
E. S. Ellis, Esq.	60	0	0
R. W. Allan, Esq. (Quarterly,) ..	4	0	0
R. Molloy, Esq.	32	0	0
F. Macnaghten, Esq.	25	0	0
N. B. E. Bailie, Esq.	32	0	0
Rev. J. Haberlin,	16	0	0
George Uday, Esq.	20	0	0
R. O'Dowds, Esq.	20	0	0
Messrs. Fraser, Macdonald and Co.	50	0	0
— Robert Watson and Co.	50	0	0
— Mackenzie, Lyall and Co.	100	0	0
— Eleywell and Co.	16	0	0
Rev. D. Ewart,	16	0	0
A. Grant, Esq.	32	0	0
G. J. Siddons, Esq.	32	0	0
Messrs. Bruce, Shand and Co. (Annual,) ..	100	0	0
Capt. F. Birch, (Annual,)	60	0	0
D. Macfarlan, Esq.	50	0	0
Captain Hope, (Monthly,) 10, 3 months			
received,	30	0	0
J. M. Vos, Esq.	100	0	0

Co.'s Rs. As. Pte.		Co.'s Rs. As. Pte.	
Dr. Bell, (Monthly,)	2 0 0	Wm. Bracken, Esq.	50 0 0
Dr. Bain, (Ditto,)	4 0 0	A Friend to the Rev. T. Boaz,	10 0 0
Rev. W. Robinson,	5 0 0	A. Dobbs, Esq.	50 0 0
M. M. Manuk, Esq.	100 0 0	Messrs. Adam, Scott and Co.,	100 0 0
Col. Oglander,	50 0 0	Rev. G. Mundy, produce of Sale of Sermons,	25 0 0
Lieut. Macgregor,	24 0 0	M. B. through Rev. T. Boaz,	50 0 0
F. C. Smith, Esq.	50 0 0	Messrs. Turner, Stopford & Co.	260 0 0
T. H. Gardner, Esq.	16 0 0	Jas. Hill, Esq.	50 0 0
A. D. Rice, Esq.	4 0 0	A Friend to Watts and Co.	10 0 0
E. O'Brien, Esq.	4 0 0	Messrs. Colville, Gilmore & Co.	100 0 0
A. Shabett, Esq.	4 0 0	N. Alexander, Esq.	50 0 0
Captain Vint,	51 3 2	J. Maclean, Esq.	50 0 0
Capt. J. H. Johnston,	50 0 0	Messrs. Leach, Kettlewell and Co.	100 0 0
Charles Dearie, Esq.	100 0 0	J. Leach, Esq.	50 0 0
Messrs. Teil & Co.	100 0 0		
H. Walters, Esq.	50 0 0		
Capt. Roxburgh,	20 0 0		
Baboo Muntyloll Seal,	50 0 0		
E. Gray, Esq.	16 0 0		
John Pigou, Esq.	16 0 0		
J. M. Seppings, Esq.	32 0 0		
J. W. Spance, Esq.	25 0 0		
Captain Clapperton, (Monthly 4 rupees.)			
received 2 months,	8 0 0		
A. Dobbs Esq.	50 0 0		
J. E. Skimmer, Esq.	50 0 0		
G. C.	5 0 0		
J. Kentie, Esq.	5 0 0		
J. Hill, Esq.	32 0 0		
Alfred Bond, Esq.	5 0 0		
Capt. H. Wright, (Red Rover,)	50 0 0		
Captain H. Elliot,	10 10 8		
Captain Lloyd,	20 0 0		
26th or Cameroonian Regt.	64 8 0		
Officers and Crew of the Ship Abberton, ..	84 0 0		
— Logan, Esq., through R. Davidson, Esq. ..	50 0 0		
John Lamb, Esq.	16 0 0		
W. Leslie, Esq.	16 0 0		
Thos. McKellar, Esq.	16 0 0		
J. Wallace, Esq.	12 0 0		
W. W. West, Esq.	5 0 0		
James Monteth, Esq.	8 0 0		
Captain Rose, Ship Catherine,	25 0 0		
Subscription collected by Capt. Balston, ..	137 0 0		
Remainder of the Subscription for the Crew			
of the Windsor transferred by Messrs.			
Bruce Shand & Co.	1,326 0 0		
Dr. Drummond,	50 0 0		
Mrs. Fergusson, (through Capt. Vint,)	17 1 0		
Mr. Ryland,	5 0 0		
Rowland Graham, Esq.	16 0 0		
James Blanchard, Esq.	16 0 0		
J. P. McKilligin, Esq.	20 0 0		
James Hastie, Esq.	20 0 0		
Baboo Gobeerdhun Mullick,	10 0 0		
A Friend,	10 0 0		
M. Gibson, Esq.	20 0 0		
R. Lushman, Esq.	20 0 0		
Francis Bailey, Esq.	16 0 0		
Messrs. Moore, Hickey and Co.	50 0 0		
W. N. Hodger, Esq.	16 0 0		
Messrs. Gilmore and Co.	160 0 0		
W. S. Allan, Esq.	16 0 0		
J. S. Judge, Esq.	16 0 0		
Dyce Sombre, Esq.	32 0 0		
Rev. W. E. Mackay, Esq.	10 0 0		
A Friend, through Rev. T. Boaz,	50 0 0		
J. Perkins, Esq. (Annual,)	10 0 0		

Co.'s Rs. 8,063 10 5

Dr. *Sailor's Home, to 14th Sept., 1837.*

14th September, 1837.

To Amounts of Subscriptions
and Donations,

Deduct sums not yet received,

7,938 10 5
Co.'s Rs. 7,938 10 5

Contra.

14th September, 1837.

By Cash paid, Board and
Expences of Men, &c.
while at Jaun Bazaar,

By ditto, Building Re-
pairs at Police Ghaut,

By ditto, Furniture and
Fittings,

By ditto, Bazaar Account

Deduct, received from
Men for Board, &c.

By ditto, for Appareland Vaterials,

By ditto, for Decree of Petty Court
in a case against the House,

By ditto, for License Money,

By ditto, for Salaries, Wages, &c., ..

By ditto, for Advance Notes,

Deduct amount received 1,024 9 9

Still undue

Loss,

By ditto, for Adverti-
sing and Stationary,

By ditto, for General
Expences,

By balance,

1,310 12 3
1,410 14 4
1,301 2 6
109 11 10
42 0 0
67 5 0
66 2 2
847 5 9
1,499 10 11
308 14 6 1,333 8 5
166 2 8
55 12 0
44 7 7
1,987 7 2

Co.'s Rs. 7,908 10 5

15th September, 1837.

To balance thus accounted for Cash
in the Union Bank,

Seamen's Impress Notes undue, ..

In Secretary's hands,

Calcutta, 14th September, 1837.

1,570 2 2

THE ADDRESS TO THE QUEEN.

A meeting was held yesterday, at ten o'clock, convened by the Sheriff, Thomas Holroyd, Esq., in compliance with a requisition, to consider the propriety of addressing Her Most Gracious Majesty the Queen of Great Britain, on her accession to the throne, and manifesting the loyalty and attachment of her Majesty's subjects in British India.

The Sheriff opened the proceedings : —

GENTLEMEN,—This is the first time that I have been called upon to preside, officially as Sheriff, at a Public Meeting of my fellow-citizens, and were I not supported by a consideration of the object for which it has been convened, as well as by a conviction that your proceedings this day will be characterized by the most cordial unanimity, I should feel too much embarrassment and discomposure to venture upon addressing you. In fact upon any ordinary occasions my inclinations would carry me no further than to read the requisition, but on an occasion of unexampled interest like the present, when we are assembled for the purpose of congratulating a youthful Queen on her accession to the throne of her ancestors, and manifesting our loyalty and attachment. I am impelled by a mingled feeling of pardonable pride and exaltation to indulge the privilege which will be conceded to all of you of avowing my individual devotion to her royal person. A beautiful and accomplished woman, thrown suddenly into circumstances of trial and difficulty, before maturity of years has given confidence to her judgment, is at all times an object of interest, but how intense becomes that interest when to her other claims upon our sympathy can be asserted the right of a Queen to our fidelity and best affections! Here, gentlemen, we have a sovereign, in whom youth, beauty, intelligence and moral excellence mingle their attractions, passing at the earliest moment that the laws of her country permit her to assume the diadem from the comparative seclusion, to which maternal solitude and her own passion for improvement had restricted her, to the Council Chamber of a mighty empire, where, though surrounded by men of the highest civil and military attainments, she has already exhibited a degree of good sense and self-possession far beyond her years. There is an old maxim, gentlemen which is no doubt familiar to most of you, that "where men reign, women govern," and that "where women reign men govern;" whether the truth of this aphorism be equal to its antiquity it is hardly worth while to enquire, since to all rules there is an exception, and I shall be much mistaken, gentlemen, if our most gracious Sovereign do not, ere many years elapse, furnish that exception in her own person, by becoming, no matter who her ministers may be, the real director of their most momentous deliberations. Educated as she has been in the expectation of filling the exalted station to which time has called her, it cannot be doubted that she will sustain the weight of empire with dignity and glory, and that under her fostering rule measures will be multiplied for the diffusion of knowledge, religious and moral, and for the spread and consolidation of social and political liberty and happiness. In the career of improvement, India too, under her auspices will, I hope, move on *pari passu* with the mother country, and among other means devised for ameliorating the condition of our native fellow subjects, we may live to see the day when our Sovereign's influence will be exerted in such a way as to lead to a more extended scheme of female education, when the philanthropist may enjoy the luxury of liberating the female mind from its living tomb and elevating it by cultivation to something like the level of the western world. But I will not long occupy your time, Gentlemen, by dwelling on anticipations of this nature, pleasing though they be. We are

assembled here to offer homage to a Sovereign, who is at this time an object of intense interest to the whole civilized world, and right cordially and enthusiastically will it, I am sure, be rendered. Before I conclude allow me to call upon the good sense of this meeting to refrain from all political allusions of a character to disturb the harmony of the meeting. We ought all to be, and I dare say we all are, animated by one common impulse, to proffer fealty to a Queen who, whether her ministers be Whig or Tory, will, I am satisfied, govern both wisely and constitutionally—

"With a firm and skilful hand
May she uphold the laws, and keep them ever
Above the proud man's violence and wilful
The poor man's reach."

I will now, gentlemen, for form's sake, read the requisition, after which I shall be happy to bespeak attention for any gentleman, who may desire to address the Meeting.

The Sheriff then read the requisition.

James Pattle, Esq., at the request of friends had undertaken a duty for the perfect performance of which every one around him was much more competent; but the eloquence of the Sheriff had rendered the duty comparatively light, and still easier had the task of addressing the meeting become by the nature of the subject which needed not the fascination of eloquence to command attention. (Cheers.) He was relieved too, by the impression that those whom he was then addressing were imbued with loyalty, and by the conviction that the patriotic purposes for which they were met, would engage attention to the exclusion of other subjects. He need not remind the meeting that the Queen had assumed the government of an empire which had never been surpassed in the number of its population or the extent of its wealth, almost at the moment when parliament had declared her competent to reign, and that she had demeaned herself in the most appropriate manner, showing a magnanimity of mind which could only proceed from a nobleness of disposition, promising a reign of happiness to the people, and glory for herself. (Cheers.) He thought also that her subjects were much indebted to the Queen's august mother who had secured to her a mind perfectly unbiased, and who had, with a feeling which could but be gratifying to every Englishman, travelled from Germany to England, that her daughter might be born on British soil. It was the misfortune of the meeting to be at a distance from their sovereign, but sure he was that the expression of their attachment would not in consequence be the less approved. He apologized to the meeting for the imperfect manner in which he proposed the resolution; his intention was but to give expression to the honest and warm feelings of his heart, and he regretted that his words did not correspond with the ardour of his feelings, were it otherwise his address would be more worthy of the attention of the meeting.

Mr. Pattle then proposed the first resolution : —

"Resolved that the accession of her Majesty to the throne must excite the best and most patriotic feelings, and on which the inhabitants of the Metropolis of British India ought to tender to her Majesty their heart felt congratulations, assuring their sovereign that distant as they are from the seat of empire, they yield to none of her subjects in loyalty to her government and attachment to her person."

Major-General Sir William Cagament seconded the resolution which was put and carried with acclamation.

Captain R. H. Cockerell, R. N., briefly proposed the second resolution :—

“ That a dutiful and loyal address from the inhabitants of Calcutta of all classes be presented to Her Most Gracious Majesty congratulating her on her accession to the throne of the British Empire.”

The Resolution was seconded by M. Manuk, Esq., and carried amidst loud cheers.

Theodore Dickens, Esq., proposed for the adoption of the meeting an address which, he said, had been drawn up by a gentleman of talent and whose competency for the duty was undoubted (Mr. Rattray.) Politics would have deprived the address of half its grace and propriety, it had the afore been framed on a comprehensive plan, calculated to unite all men. He wished people, however, not to adopt it as a matter of course, but freely to express their opinions. Those who were conversant with the usages of public meetings, must be aware that it was the practice, and a most convenient one, to come prepared with addresses and resolutions drawn up and duly considered before hand—indeed it was absolutely necessary that somebody should undertake the invidious task. In the present instance, the duty of making these preparations had been undertaken by a committee of several gentlemen, and it had been their study to make the address combine the feelings of all and speak only the common sentiment of loyalty for their youthful Sovereign which pervaded every breast. All reference to political questions had therefore been carefully avoided; and he hoped the display of loyalty, which he trusted would now be exhibited by the native portion of the community joining in the address, would impress the Royal mind with a deeper attachment to this portion of an empire, which, including her colonial possessions, was the largest in the civilised world. Different opinions might exist as to the mode of administering the government, but he was satisfied that all must concur as to the general benefits of the union, and he trusted under the new reign to see improvement rapidly advance, with the development of the resources of this fine country, and that the natives would ere long have their full participation in the prosperity and glories of the British empire.

Mr. Dickens moved “ that the following address, signed by the High Sheriff of Calcutta on behalf of the inhabitants, be adopted :—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,—We your Majesty's subjects of all classes, residents of the capital of British India, beg leave to tender to your Majesty our heartfelt congratulations on the occasion of your accession to the throne of your illustrious ancestors.

In the records of their private worth and public bearing, in times of warfare and in times of peace; and in the living example of the parent, who has been mercifully spared to guide your youthful footsteps with safety and honor to the exalted station which you occupy and adorn; we discern our guarantee that what we hail with all our best affections awakened, will prove to us, to our children, and to our country, a blessing and a pride.

Distant as we are from the object of our homage, that homage will necessarily follow, at a long interval, the welcomes of our more fortunate fellow subjects, assembled round you; but we doubt not your Majesty will graciously accept our tribute in the spirit in which it is proffered; and at the moment of such gracious

acceptance, we would humbly invite a benignant sympathy towards the land wherein we address you. The vast extent of its varied population (comprehending eighty millions of your subjects, and forty millions of your allies and tributaries,) with the many and magnificent plans and projects, in operation, or in prospect towards their improvement; its indigenous treasures, and its infinite capabilities, and the increasing frequency of their beneficial development; and finally, its intrinsic value, and unacknowledged importance to the British Crown; are now worthy subjects of your regard. It is the land, which has enriched, by turns, the most civilized nations of the earth, and, though not cherished hitherto with the warm sympathy which it merits, has maintained its vigour and its resources, and shined, as it has long shone, the brightest jewel of your diadem.

The dominion, established in British India by the arms and wisdom of your ancestors, although it may not claim to be the most perfect of human institutions, has nevertheless brought prosperity and security, where anarchy and violence had reigned without control; and when we turn from the history of the past to look upon the present, we cannot but be deeply impressed with a grateful consciousness of the vast benefits which have accrued from the Union, through which we enjoy the blessings we acknowledge.

No season can be more appropriate to the expression of such sentiments, and the assertion of our attachment to the Crown and Constitution, than that of the accession of your Majesty to the seat of empire; and we nothing doubt—Heaven seconding our prayers—that the name of VICTORIA shall become associated in our hearts and in our annals, with all that is noble, great and dignified.

May the Almighty Disposer of all events, grant that your Majesty may long remain the chosen instrument of maintaining the honor and interests of the great Empire, which it has pleased Him to commit to your sovereignty; and of preserving to the nations, which He has entrusted to your rule, their safety, their freedom, their civil rights, and their religious liberties.

Calcutta, Sept. 29, 1837.

Dwarkanath Tagore, Esq., seconded the resolution. He alluded to the absence of the usual number of natives from the meeting, a circumstance which he said could only be attributed to the day being a Hindu holiday, for no one could deny that his countrymen entertained a lively sense of gratitude for the benefits that had been the result of British dominion. He referred to the state of India under Mahomedan rule, and though, he said, there are still grievances existing, life and property are now safe from viceregal authority, and justice, in Calcutta at least, is equally distributed amongst the people.

H. M. Parker, Esq., unexpectedly had a resolution put into his hands, but felt much pleasure in connecting himself with this occasion, and the more so when he saw a native gentleman come forward and acknowledge the great benefit derived by the country from British rule. He did not think her Majesty could receive a higher compliment :—

“ That the High Sheriff be requested to forward the address to Her Majesty in the most suitable manner.”

The resolution was seconded by Rustomjee Cowarjee, Esq., and carried on the suggestion of Mr. Parker, with NINE TIMES NINE.

Thanks were given by Mr. Pattle to the High Sheriff, and the meeting separated.—*Englishman*, Sept. 30.

EXAMINATION OF THE SCHOOL AT FORT GLOUCESTER.

We understand that the Second Annual Examination of the School at Fort Gloucester, under the superintendence of the General Assembly's Mission at Calcutta, was held on Tuesday the 19th instant. It was conducted in presence of the Reverend James Charles and Reverend William H. Meiklejohn, the Senior and Junior Ministers of St. Andrew's Church, the Reverend W. S. Mackay, of the Assembly's Mission, and Mr. Walker, Superintendent of the Works at Gloucester. The School is taught by Baboo Kedarnath Singh, a young man educated at the Assembly's Institution in Calcutta, and is supported partly from the Funds of the Mission, partly by the Proprietors of the Mills, and

partly by the parents of the children who attend. Although it has not been in existence for much more than eighteen months, the pupils have made considerable progress in the different branches taught. Prizes were delivered to the most deserving in the different classes by the Reverend Mr. Charles, who, in complimenting them on the progress they had made during the short period they had been engaged in their studies, took occasion to impress upon them the necessity of continued industry and perseverance, and expressed a hope that their future examination would prove as creditable as the present, both to themselves and to their Teacher.—*Calcutta Courier*, Sept. 22.

HOOGLY COLLEGE.

We are happy to find that this noble institution is in a very prosperous state, both in regard to numbers and discipline. The number of scholars at present is about 1,000, and teachers, 19. The course of instruction embraces a knowledge of the Indian and English languages, history, science, &c. The library is well selected, and amounts to about 1,000 volumes of the best works of our western authors, besides a considerable number of the principal authors in the native languages. On inquiry as to the studies most popular amongst the alumni, we found that the vast proportion were pursuing the study of English and Bengalee, the following being something like the proportions. Sanskrit class, 16; English, Arabic and Persian, 200; English and Persian, 50; English and Bengalee, 600. In English, reading novels and some of

the lighter works appeared the favourites, if we might judge from appearances. One great desideratum in an institution like this is a good set of scientific apparatus; this we did not see; popular lectures on the sciences would not only interest the minds of these young men, but instruct them in their incipient state much more effectively than abstract teachings. The cold season might be well embraced for this purpose. The whole establishment reflects the highest credit on the industry of Dr. Wise and his colleagues. This is a fine sphere for three or four intelligent and devoted missionaries. We believe the London Society has determined to send one whose special attention will be directed to these youth.—*Friend of India*, Sept. 14.

MEDICAL COLLEGE.

We had the good fortune to be present yesterday evening at a most interesting lecture upon the powers of Galvanism by Professor O'Shaughnessy at the Medical College, which was honored with the attendance of the Governor-General. Dr. O'Shaughnessy had been some time engaged, as we mentioned last week, in constructing a very powerful battery upon his improved principle, and having at length completed it, he kindly undertook to gratify his friends with an exhibition of its extraordinary powers. The concourse in the College theatre was larger than had been expected, the room being quite crowded, and the learned professor, in acknowledging the compliment to his labours, modestly expressed regret that he had it not in his power to render the exhibition more perfect. The battery, in fact, was not nearly at its full power, from an accident discovered too late; but what it did perform was nevertheless very surprising, and the brilliancy of the light emitted in the combustion of charcoal was as beautiful, as the arch of the flame when exhibited in vacuo was curious and new to the beholders. The loud sparks obtained on disconnecting the wires were a sufficient index of the great power of the engine, which, the lecturer stated, was capable of decomposing water so rapidly as to generate 500 cubic inches of gas in a minute.—And here he took occasion to notice two very curious facts which he had accidentally discovered, and which appear to have hitherto escaped attention in

Europe, namely, that the decomposing power increased in a rapid ratio with the increased temperature of the water, being at 150d. of Fahr (we believe he said) about three times as great as at the temperature of 80d. and in the afternoon always greater than in the morning, which latter observation had suggested his experiments to ascertain this galvanic law. The other discovery is equally important, namely, that the galvanic force increases in a certain ratio with the periphery of the plates, and is not, as hitherto supposed, merely in arithmetical ratio dependant upon their superficial size. A flat bar was exhibited whose galvanic powers were stated to be as five to two compared with a square plate of the same number of square inches of superficies.

Dr. O'Shaughnessy's lecture embraced a rapid sketch of the science from the first discovery of galvanism by the wife of Galvani. But we have no time to extend our slight notice of his able and most interesting discourse, except, merely to notice a diagram he has prepared from his own experiments upon the powers of the new battery, shewing the ratio of increase and decrease by adding to the number of cups in a set. The increase of power is most rapid up to six, and goes on still rapidly up to nine, being greatest at twelve; after which it descends to fifteen, at which we believe the retrogression stops and the power is nearly stationary with any number of cups beyond that number.—*Calcutta Courier*, Sept. 14.

MEDICAL AND PHYSICAL SOCIETY.

Proceeding of a Meeting of the Medical and Physical Society Calcutta, held at the Asiatic Society's Apartments, 2d September 1837.

Letters from the following gentlemen were read :

1st. From J. Eaton, Esq., of the Madras establishment, requesting that his name might be withdrawn from the list of members.

2nd. From W. H. Macnaghten, Esq., Secretary to the Government of India, stating that he was directed by the Right Honourable the Governor-General in Council to forward for the information of the Society, a "Medical Memoir upon the plains of the Indus," drawn up by P. B. Lord, Esq., M. B.

3rd. From J. Jackson, Esq., forwarding a fine specimen of urinary calculus, which he had lately extracted. The patient (aged 19,) had suffered from symptoms of stone since he was two years of age, but when he was 8 years old the annoyance subsided, and he enjoyed excellent health and complete freedom from pain, till within the last two months. At that period he relinquished the sedentary employment of shoe-making in which he was

brought up, and became a field labourer. The change of life was soon followed by a renewal of the old symptoms, he felt something suddenly give way within him, and all the annoyances of the complaint returned upon him with redoubled violence. The stone was easily extracted, and the patient quickly recovered.

The calculus presented evident marks of being composed of two substances deposited at distinct periods distant from each other, the original formation was smooth and was over the greater part of its surface covered with a quantity of newly crystallized matter.

4th. From W. A. Green, Esq., of Howrah, forwarding numerous specimens of calculi, which he had extracted, with an abstract of the result of the operation of 14 cases. One only died, the rest recovered.

Mr. Menzie's case of congenital small pox and Mr. Baikes' case of Malformation were then read and discussed.

H. H. GOODEVE, M. D.*

Secretary, Medical and Physical Society.—*Englishman*, Sept. 11.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held at the Town Hall, on Wednesday morning, the 13th September, 1837, at $\frac{1}{2}$ past 9 o'clock.

THE HON. SIR E. RYAN, *President, in the Chair.*

Present:—His Excellency Monsr. Belier; The Hon. Colonel Rehling; Dr. Wallich; Col. D. McLeod; D. F. McLeod, Esq.; W. Storm, Esq.; A. Colvin, Esq.; R. Watson, Esq.; W. Cracroft, Esq.; E. Stirling, Esq.; Dr. Jackson, Dr. Hufnagle; Dr. Goodeve, Col. Caulfield; Capt. Carter; N. Alexander, Esq.; D. Hare, Esq.; M. Staunton, Esq.; Dr. W. B. O'Shaughnessy; Dr. R. O'Shaughnessy; Baboo Ram-comul Sen; G. A. Prinsep, Esq.; A. D. Coull, Esq.; E. Harding, Esq.; John Jenkins, Esq.; W. Jackson, Esq.; C. Hutchins, Esq.; T. H. Gardiner, Esq.; W. Ainslie, Esq.; D. McPherson, Esq.; A. Harris, Esq.; W. K. Ewart, Esq.; J. W. Masters, Esq.; W. F. Gibbon, Esq.; G. F. Speed, Esq.; C. Dairie, Esq.; John Bell, Esq., and three or four Members whose names could not be ascertained.

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at last meeting, were duly elected Members of the Society, viz.:

F. P. Boller, Esq., C. S.; P. Barron, Esq.; F. T. Ferguson, Esq.; L. Roussac, Esq.; Thos. Maddock, Esq., C. S.; E. Bentall, Esq., C. S.; Owen John Elias, Esq.; Jas. Church, Esq.; E. Preston, Esq.

The following gentlemen were proposed.

J. A. F. Hawkins, Esq., C. S., proposed by Col. McLeod and seconded by D. F. McLeod, Esq.

W. D. Shaw, Esq., proposed by Dr. Jackson and seconded by Dr. Wallich.

G. C. Nansell, Esq., C. S., proposed by Dr. Wallich and seconded by the Secretary.

Baboo Joykissen Mookerjee, proposed by H. Walter, Esq., and seconded by the Secretary.

A. Gouger, Esq., proposed by C. K. Robison, Esq., seconded by the Secretary.

James Collie, Esq., proposed by C. K. Robison, Esq., seconded by the Secretary.

R. Montgomery, Esq., C. S., proposed by the Secretary and seconded by R. Walker, Esq.

Capt. S. H. Hannay, proposed by the Secretary and seconded by W. Storm, Esq.

G. R. Dennison, Esq., proposed by the Secretary and seconded by W. Storm, Esq.

Alex. Porteous, Esq., proposed by Dr. Hufnagle and seconded by W. Storm, Esq.

The following motions, of which notice was given at last meeting, were disposed of, viz.:

1st.—Mr. Storm's motion to give premiums and medals for cows and ewes.

After reading the Committee's minutes, it was resolved, that a premium of 250 rupees and the silver medal be awarded for the best bred cow imported from any part of the world.

2d.—That a premium of 100 rupees and the silver medal be awarded for the best woolled Merino or Saxony ewe imported within the period prescribed in the resolutions already passed for the encouragement of importing bulls and rams.

3d.—That these resolutions be added to those already published.

2d.—Dr. Jackson's motion to give a premium for a certain quantity of land cultivated with carrots, as fodder for cattle.

As some doubts were raised as to the necessity of holding out encouragement, carrots being cultivated largely in many parts of India for such purposes, the Secretary was ordered to hand this motion over to the cattle committee for further consideration.

3d.—Mr. Walter's motion to have the whole catalogue of premiums and medals offered by the Society, printed in Bengalee and Hindsee.

Resolved that it be adopted.

The Secretary had taken measures to have this done, and the copies will shortly be ready for distribution.

The following motions were read, and made over to the Secretary to be brought forward next month.

1st.—"Proposed by Dr. Wallich, seconded by G. A. Prinsep, Esq., that the Society's gold medal be offered to any Captain or other person who shall undertake the charge of and bring round from Bourbon, or any other place for the Society, the true Cochineal insect, or *grana fina*," (male and female), and who shall succeed in delivering a fair proportion of the insect in a living and healthy state; all expenses incurred to be defrayed by the Society.

2d.—"Proposed by E. Stirling, Esq., seconded by A. Colvin, Esq., that the gold medal shall be awarded to Capt. Sleeman, in consideration of his zealous exertions in bringing the Mauritius sugar cane to this country, and ultimately successfully establishing the permanent cultivation of that cane on the banks of the Nerbuddah."

The President now drew the attention of the Meeting to a correspondence that had taken place between Mr. William Griffith and the Secretary, consisting of

1st.—A letter from Mr. Griffith to the Secy., dated Aug. 24th, acknowledging the receipt of his election, as an ordinary member of the Society, and animadverting on the condition of the Society's Seed Nursery, situated in the H. C.'s Botanical Garden, which that gentleman considers "unworthy of the Society, or of the Botanic Gardens;" further giving it as his opinion, that the Committee have relied too much "on another quarter" and concludes his strictures by recommending Members to visit the Nursery and judge for themselves, suggesting at the same time that Mr. Piddington, be added to the present Nursery Committee, and that the management of the Nursery be left to Mr. Masters, or, that a separate parcel of ground be rented, where the operations of the Society might be conducted "without any clog to its movements."

2d.—The Secretary's reply to Mr. Griffith, dated 26th August, explaining the nature and objects of the Nursery, which appeared to him to have been entirely lost sight of, (if at all understood) by the gentleman, who had brought so grave a charge against a disinterested body; and hoping that his explanation would tend to correct the mistaken views adopted by Mr. Griffith; adding, however, that should they fail to do so, Mr. Bell would consider it his duty to second Mr. Griffith's proposal for the most public enquiry, and for the most unqualified opinion of Members at large.

3d.—Mr. Griffith's rejoinder, admitting only the misnomer "experimental Garden" for a seed Nursery, and adhering to his former opinion in all other points, requesting that this last letter might also be submitted.

The President having read all these Communications, stated, that a most grave and serious charge of neglect had been instituted against a Committee, by a gentleman whose scientific acquirements entitled his opinion to be treated with every respect by a Society to which he had been so recently elected a Member. That the Society

had reposed implicit confidence in the judgment of that Committee, which consisted of Dr. Wallich, Mr. Storm and Mr. Bell, and that the truth of the reports framed, and signed by that Committee from time to time, since the establishment of the Nursery, having been impugned by a gentleman of Mr. Griffith's Botanical attainments; he (the President) felt that the only course to be adopted, which would effectually establish or refute the accuracy of implied neglect, and consequent mismanagement, was to nominate a Committee of independent and disinterested Members (disinterested in the question at issue) who would enquire into the charges brought forward by Mr. Griffith. The following gentlemen were accordingly named by the President as a "Committee of Enquiry," and having agreed to act, were requested to bring their report up at next General Meeting, complete in every point, viz.

W. Cracroft, Esq.; E. Stirling, Esq.; A. Colvin, Esq.; Dr. Anslie; D. Hare, Esq.; W. Gibbon, Esq.; W. C. Hurry, Esq., and Robert Watson, Esq.

The President hoped that no objection would be made to accept the report of such a Committee, and none being offered they were accordingly elected.

Professor O'Shaughnessy observed, that as Mr. Piddington had been named by Mr. Griffith, as a Member who would, in his opinion be an acquisition to the Committee now under imputation, he thought it would be gratifying and only an act of justice to Mr. Griffith, to give him the benefit of that gentleman's judgment in conjunction with those already appointed, and the Secretary was desired to solicit Mr. Piddington's attendance, when the Committee might resolve to meet and to visit the Nursery.

Dr. Hufnagle was also named, but excused himself, by saying that he could not as a Member of that Society, sit in judgment on a body of fellow-members, of whose disinterested zeal and motives, he was too fully satisfied.

Dr. Hufnagle was pressed by Mr. Colvin and other Members still to join, but the President objected, as Dr. H. had so far already delivered his opinion, and he wished a full and uncompromising enquiry to be made.

Read a letter from Capt. P. T. Cautley, Superintendent of the Doab Canal, dated 6th August, acknowledging the receipt of the Secretary's letter of the 10th July, and the Carolina Rice therein alluded to. Promises to send sample of Banmutta rice to compare with the former variety, as well as samples of each kind cultivated in the surrounding districts. Mentions his intention of sending down cuttings of the Otahete sugar cane for the use of the Society.

From Mr. Pontet, dated Bauglipore, 16th August, noticing the circumstance of grape vines growing most luxuriantly in that district in a wild state. States having distributed the cotton and grass seeds received from the Society to the hill-people, who cultivate cotton in very small quantities, and of the most inferior description.

From J. Davenport, Esq., Secretary Branch Society at Comilla, dated 20th August, acknowledging receipt of 3 vols. Society's transactions. Speaks favorably of the upland Georgia Cotton, and guinea grass.

From T. O. Crane, Esq., Secretary to the Singapore Society, dated Singapore 11th August, promising to furnish shortly a report of his exertions in the culture of cotton on the island, requesting that an efficient mule be procured and sent.

Note.—If such a person can be found the Secretary will be happy to send him, but one is a "rara avis" in Bengal.

From H. Clarke, Esq., dated Suhaswan, August 20th, intimating the establishment of a Branch Society, or rather a Botanical Garden at that station, and requesting a supply of seeds and plants, &c.

Mr. Clarke reports favorably on the growth of some cotton plants produced from Sea Island and upland Georgia seed received from this society.

From G. H. Smith, Esq., dated Munroorie, August 21st, acknowledging receipt of books, seeds, &c. Speaks favorably of the growth of three kinds of American cotton in his grounds at Delhi, and of the successful introduction of the Otahaiti sugar cane, of which there are now about 1,500 plants, the produce of 20 plants received a short time since from Colonel Colvin.

From W. H. McNaghten, Esq., Secretary to Government, dated 4th September, forwarding by desire of Government, additional circulars by Dr. Wright, of Madras, containing his further remarks on cotton.

From Dr. Wallich, dated 22nd August, presenting in the name of Dr. Wright, of Madras, another copy of his observations on cotton, also 2 cases of Mr. Inglelew's Treatise on the culture of the grape vine, red rose, strawberry, &c.

From Lieutenant Kirke, dated Deyrah, 29th August, speaking most favorably of his plantation of upland Georgia cotton, also the improvement visible on a plot of *denon* cane, cultivated after a new plan; stating that he has found the Tartarian wheat to grow most luxuriously in the Dhoon, that it is very prolific and makes excellent flour; and soliciting a supply of Egyptian cotton seeds.

From H. Walters, Esq., dated 12th September, 1837, presenting a specimen of cotton grown at Hooghly from American seed.

From Mr. Masters, dated 12th September, forwarding further supplies of cotton seeds produced in the Society's Nursery, viz. 13 seeds Upland Georgia, 6 seeds New Orleans, a packet of Sea Island, a ditto of Egyptian.

(Memo.—This is one of the special objects of the Nursery.)

From R. Montgomery, Esq., dated Azimghur, 24th August, forwarding a highly interesting statement, shewing the quantity of land under sugar cultivation in that district, together with an estimate of the quantity of sugar manufactured during the last year.

Note.—If all public officers would contribute in this way, (and if they knew how much such statements are appreciated they doubtless would), what a fund of information would not the Society shortly possess!

From W. Stevenson, Esq., Secretary to the Society of Lucknow, dated 24th August, in reply to the Secretary's letter of the 3rd July, soliciting a supply of sugar cane. Intimates his inability to meet the wishes of the Society of India owing to a want of rain in that quarter which will prevent the execution of prior engagements to several parties, who had applied for cane.

From J. B. Jones, Esq., dated Bubecha, Jaunpore, 11th August, mentioning the loss of a quantity of Otahaiti sugar cane (obtained from the Western Provinces), by the ravages of the white ants, and soliciting a supply from the Society; stating that this description of cane has been found to answer well in the district of Azimghur, and that several nurseries have been formed in his neighborhood, for increasing the cultivation next year.

(Note.—No cane yet available from the Society's Stock.)

From J. W. Payter, Esq., dated Bogorah, 25th August, intimating his intention of cultivating, a large portion of his lands, both neezi and by ryots, with sugar cane (the soil being reckoned the best for that staple, provided he can be put in the way of obtaining supplies of plant cane, Otahaiti of course.

Suggesting for the opinion of the Society, the hire of a small vessel to be sent direct to the Island of Otahaiti, for a cargo of cane, cost of the undertaking to be defrayed by a number of subscribers to a certain number of shares, Mr. Payter offers to put down 1,000 Rs. for the purpose.

Some member fancied that the sudden transiiton of the cane from its original soil and climate to that of India would be an insuperable objection, but this opinion was opposed by others, and the feasibility of the scheme was referred to the sugar committee.

From W. Liddell, Esq., dated 10th August, (Secretary to the Agriculture and Horticultural Society of Madras), stating in reply to Mr. Bell's letter of the 23rd July, that the Madras Government have purchased and presented to that Society, 10 Merino rams at a cost of £13 or £14 each, with a view of improving the wool, and have further most laudably given orders for the purchase of 500 white ewes. Further, in reply to Mr. Bell's enquiry respecting the plough from an American model, Mr. Liddell informs the Society, that Government have also ordered the despatch for the use of this Society of ten ploughs, manufactured at Bombay.

Mr. Liddell hopes, that the Societies of Madras and Bengal will, as suggested by Mr. Bell, heartily co-operate, in respect to their endeavors to improve the wool trade.

Memo.—This is doing the thing properly, and if the Bengal Cattle Committee's first plan had been adopted, we should have been able to make the experiment in a proper manner.

From Mr. C. N. Villet, dated Cape Town, 8th June, advising shipment per *Perfect* of seven cases kitchen garden and flower seeds, for the use of the Society. Amounting in all to sicca rupees 1,020, which the Secretary was directed to pay.

From Mr. J. Hannay, dated Dinapore, 24th August, advising the despatch of three cases garden and flower seeds, for the use of the Society.

The Secretary stated, that only 25 boxes of kitchen garden and 25 boxes flower seeds had been sent, each box with no more than enough for one individual.

These seeds are excessively dear, and Mr. Hannay will hardly obtain further encouragement from this Society.

Resolved, that the Secretary do the best he can in the difficult matter of dividing such a wretched assortment.

From Dr. D. M. Moir, to the Secretary, dated Musselburgh, (near Edinbro'), 20th February, acknowledging receipt of the copies of the transactions of this Society, and stating that he has distributed them according to directions conveyed in Mr. Bell's letter of the 9th April, 1836. Mentions the circumstances of a quantity of flax seed having been sent out to India for trial by Mr. Hastie, the M. P. for Paisley.

From Mr. Veterinary Surgeon H. C. Hulse, to William Storm, Esq., dated 12th August, stating that a breeding establishment for horses would be of more service to the Society than the offer of premium for cattle and sheep.

Suggesting that a medal be awarded for the heaviest and fattest country sheep that can be produced. Referred to the cattle committee.

From His Excellency Sir Henry Fane, dated 22d August, expressing great doubt as to the arrival in a proper state, at Simlah, of his hop plants, lately received from England, owing to the delay that has taken place on the part of his Agents, in forwarding them.

From Captain Jenkins, of Gowhätti, dated 25th July, forwarding two pieces of cloth made from the area silk, and promising to forward some cocoons soon. Ordered to be made over to the silk Committee.

The Secretary mentioned that he had, in accordance with instructions from the Society, received from Messrs. Cantor and Co. 500 rupees, the sum placed at its disposal by Captain Jenkins, as a premium. Having obeyed the Society's order, he now wished to know if Captain Jenkins ought not to have the same rate of interest allowed, as the Society received on their large paper. Resolved accordingly.

From Dr. W. Montgomery, of Singapore, dated 15th August, presenting to the Society a model of a rice mill commonly used at Malacca.

(Ordered that the thanks of the Society be offered.)

From J. J. Dixwell, Esq., dated Boston, 25th April, enclosing a bill of lading for a barrel of American maize (the yellow dutten) shipped per *Repulse*, for the use of this Society.

From D. W. H. Speed, Esq., dated 12th September, presenting to the Society, 38 ears of maize, the produce of American and of country seed.

From Mr. Harris, dated 13th September, presenting a coconut from the Seychelles Island.

From C. K. Robison, Esq., dated 12th September, on the subject of having a new die for medals.

Ordered that the medal Committee be requested to report.

The thanks of the Meeting were ordered to be offered for the foregoing communications and presentations.

The Secretary brought to notice, that the next month's regular meeting day would fall just in the middle of the Doorgah Poojah Holidays, when most of the members would be out of town; and suggested that an earlier day should be fixed, as it was highly desirable, that the report of the "Committee of enquiry," should be brought up, and published without delay as the nursery committee's hands had been tied since the receipt of Mr. Griffith's letters, and its objects would be frustrated, by any delay.

Resolved, that the first Wednesday in October, be fixed for the next General Meeting of the Agricultural and Horticultural Society of India.

JOHN BELL, *Secretary.*

Town Hall, 13th September, 1837.

Addendum.

Dr. Hufnagle presented some samples of twist and cloth made from American acclimated cotton, of very superior quality.

ASIATIC SOCIETY.

AUGUST 2.

TRIBUTE TO THE MEMORY OF MR. COLEBROOKE.

Adverting to the edition of the Miscellaneous Essays of the late Mr. H. P. Colebrooke, announced among the presentations to the library this evening, Mr. J. T. Pearson called to the attention of the meeting that although it was impossible now to return thanks to the illustrious author for what might be called his dying bequest to literature, the Society might justly place on record some appropriate acknowledgment of its great obligations to this eminent orientalist, and some expression of its regret at the termination of his honorable and useful career. He thought it would be an excellent plan to follow the example of the institute at Paris, in its eulogistic memoirs on the death of eminent members—such as those pronounced by the Baron Cuvier on so many occasions.

The meeting concurring in Dr. Pearson's proposition, which was seconded by Mr. Hare, and the Vice-President Dr. Mill, having acceded to the request of the meeting to embody in their present resolution an abstract of the services rendered by Mr. Colebrooke to the Society and to Asiatic literature in general,—it was accordingly.

Resolved, unanimously, that the Asiatic Society cannot place on its shelves this last donation from Henry Thomas Colebrooke, so long one of its most distinguished members, without recording a tribute of affection for his memory, of admiration for his great talents, and regret

for the loss sustained by oriental literature through his lamented death.

"Mr. Colebrooke was proposed as a member of this Society in the year 1792, and his first essay "on the duties of a faithful Hindu widow," was read in the last session of Sir William Jones' occupation of the chair, in April 1794. Though on an insulated subject only, which various circumstances however render deeply interesting, this short essay well exemplifies the manner in which he executes every subject of that nature that he undertakes: and is a happy prelude to that series of splendid contributions to the society, which in profundity of acquaintance with all subjects of Indian literature and science,—in the union of the most extensive erudition with the most chastened judgment, and an accurate scientific acquaintance with the several subjects which his essays collaterally embrace, are unsurpassed by those of any other contributor to our Researches,—or by any who, either before or since, have pursued the same unbeaten paths of literature.

His next essay was the "enumeration of Indian classes," or (as we commonly term them) castes—in the 5th volume of the Researches; an able and excellent elucidation of a subject of no common interest. And this, after some less important contributions, was followed by the essays on the Religious Ceremonies of the Hindus, and on the Sanskrit and Prakrit languages, which appear in that volume and in the 7th—essays which would be of themselves sufficient to place the author in the highest rank of oriental scholars,—and which must long continue to form the best text books of those who wish to investigate the depths of Indian literature and religion.

The translation of one of the more recent inscriptions on the Delhi lâl, which appears also in the 7th volume of the *Researches*, is chiefly interesting as being the commencement of the author's more extensive researches into monuments of the same kind in our later volumes: he was among the first to point out the great importance to the knowledge of ancient India of a pursuit, the enlargement of which is daily increasing our stock of historical information. The "account of certain Mahimayan sects" in the same volume contains some valuable particulars respecting the origin of the curious race so well known in the west of India under the name of *Bahras*; and proves that in the midst of his accurate study of the more secluded literature and monuments of the Hindus,—the author was versed also in the learned records of Western Asia.

The dissertation which bears, perhaps most of all, the stamp of the profound Sanskrit learning of the author, is that on the Vedas in our 8th volume; a work which, though necessarily leaving much undone that is not required towards furnishing a complete analytical index to those records of the ruler language, and oldest worship of the Hindus,—has found none to second, much less to complete, or to supersede the masterly outline of their contents which is here presented to the inquiring student. In this, as in the other essays of Mr. Colebrooke,—the reader feels that it is not a mere philologist or collector of ancient records that he is consulting,—but one whose critical sagacity weighs, well the value, the age, and the import of every authority that he alleges: and whose statements in consequence, may be received with the most entire respect and confidence.

The latter volumes of the *Researches* are adorned not only by the elaborate "Observations on the Jains" in which very respectable classical erudition is brought to aid profound Indian research,—and the learned and interesting Essay on Sanskrit and Prakrit poetry, but by the author's articles on Hindu astronomy. To this deeply interesting subject of inquiry none has so completely brought the qualification desiderated by Idler, the union of Sanskrit learning with competent astronomical science. The account of the Indian and Arabian divisions of the Zodiac in the 9th volume,—and the essay in the 12th on the notions of the Hindu mathematicians respecting the precession of the equinoxes and the motions of the planets,—are most valuable contributions to our knowledge on this subject. They are the best corrections to the extravagant notions of Indian antiquity which the preceding speculations of Bailly and others had deduced from imperfect notices of the Hindu observations, and also to the crude and fanciful speculations with which a writer on the opposite side, the late Mr. J. Bently, had unhappily adulterated some very valuable and interesting calculations.

Such, with some articles of less moment, but all deserving perusal, are the contributions of Mr. Colebrooke to the *Researches* of the Society, of which he was elected Vice-President on the 5th of October, 1803, and President on the 2nd of April 1806,—an office which he continued to fill until his departure to England in 1815. But it would be unpardonable to omit all mention of the works separately published by him while resident here: particularly the Sanskrit Grammar, with its very able critical preface,—the edition of the ancient Sanskrit vocabulary, the *Amarâ Cûsha*, to the interpretation of which much botanical knowledge is made to contribute;—the very erudite and ingenious work on the Algebra of the Hindus,—and the Digest of Hindu Law, a standing monument of the professional value of the writer, and of his skill at the same time as a jurist and an oriental scholar.

Neither would it be pardonable to omit all mention of what has been contributed by Mr. Colebrooke to the same cause since his return to England, where he acted

zealously as the Society's agent until age and infirmities compelled him, in 1830, to relinquish the duties of the office to which they elected him. This period is signalized by the erection of the Royal Asiatic Society, to which, as their first President, Mr. Colebrooke, delivered his inaugural discourse in March 1823, and of whose transactions his articles may be regarded as the principal ornament. Of these the essays on the Philosophy of the Hindus in its five principal divisions is unquestionably the most important, relating as they do, to a subject which none who studies the history of the human mind can regard otherwise than with the greatest interest,—and written with an ability, a mingled profundity and clearness, which challenges comparison with the best of his preceding works. A perusal of the five essays—as they were successively published in the two first volumes of the R. A. S. Transactions, or as they are now republished with the best of his earlier essays in the selection now presented to our library,—will at once convince every discerning reader of their immeasurable superiority to any thing that had been before published on the same subject."—*Calcutta Courier*, Sept. 5.

WEDNESDAY EVENING, THE 6TH SEPTEMBER, 1837

The Hon'ble Sir Edward Ryan, president, in the chair.

Read a letter from Sir Charles D'Oyly, tendering his resignation as member of the society on account of his immediate departure from the country, but hoping, that his name might be continued as an honorary associate on the list of members to which it had belonged since the year 1814.

The rule does not seem to be generally known, that although members on quitting the country are exempted from contributions, they continue on the list, and in case of return to India recommence their subscription only from their date of arrival.

Committee.

Dr. Stewart, Secretary of the Statistical Committee reported the result of two applications to the Government of Bengal, one for the privilege of franking its correspondence, which was accorded as far as regarded the returns from public servants to the Secretary; the second for a specific grant of funds for the prosecution of its inquiries: this was refused under the explanation that a reference from the Society for a grant for general purposes was now on its way to the court, and that statistical inquiries might be regarded as included therein. The Committee also recommended that they should be empowered to associate with themselves any friends to statistical inquiry who might not be Members of the Society.

The Secretary thought with submission, that the Committee should have applied to the Society rather than to the Government direct, if they required pecuniary or other aid:—as a Committee their duty was to devise measures and collect information, reporting thereon; and the Society of course, on their nomination, contemplated meeting any expences they might recommend as advisable in the prosecution of their inquiries. With regard to postage he was happy that the privilege had been accorded, but the indulgence seemed hardly consistent with its uniform denial to the Society itself.

Sir Benjamin Malkin, as chairman of the Committee, admitted that it would have been more regular for the application to Government to have been made through the general body. The inadvertence arose solely from the idea of the Society having no funds to spare, and this was also the reason for seeking to incorporate associates with the Committee who might by separate

subscription meet all charges independently of any call on the general fund. He therefore moved,

That it be permitted to enrol parties who are not Members of the Society as associates of the Statistical Committee.

After some discussion, in which the President instanced the parallel case of the Physical Committee and its corresponding members, Mr. Macnaghten moved an amendment, which was carried.

That the question be adjourned to next meeting, and in the mean time the opinion of the Committee of papers be requested.

Sir Edward Ryan, adverting to the approaching retirement of the Rev Dr. Mill to Europe, suggested to the Society the propriety of paying some compliment to this distinguished scholar expressive of their feeling on the occasion. He would not now expatiate on the Vice President's title to such a tribute, because if his proposition were adopted, this pleasing task would be more ably performed and more appropriately conveyed in the name of the Society at large; he therefore moved first:

That an address be presented to Dr. Mill, expressive of the loss which the Society will sustain by the departure of a member so eminently qualified by his profound knowledge of the languages of the east, to aid and assist in the objects and pursuits of the Society.

Mr. W. H. Macnaghten had great pleasure in seconding any proposition to do honor to Dr. Mill. In no member had greater erudition ever been witnessed nor had any converted profound learning to uses calculated more to benefit the country and to dignify the study of oriental learning. Addresses had been very rarely presented, but on such an occasion the practice would be more honored in the observance than in the breach.

The motion being carried *nem. con.* was followed by a proposition from the President.

That Mr. W. H. Macnaghten be requested to draw up the address, to be presented to Dr. Mill, at the next regular meeting, or at a special meeting should he be unable then to attend.

Sir B. Malkin, seconded this motion. Though his Indian acquaintance with Dr. Mill and his capability of appreciating his local studies was less than that of other members, he had enjoyed his friendship at more remote dates and at a greater distance than many. The wide scope of his friend's knowledge embraced the east and the west. It had been observed of him at college, that his knowledge was equally remarkable for area and for depth: certainly its depth had not diminished by his sojourn in India, while its area had wonderfully extended.

This motion being likewise carried, Sir Edward Ryan prefaced his third proposition by reading the following eloquent passage from Dr. Wilson's reply to the address presented to him on his departure in December, 1832. "If I can Judge of your sentiments by my own, I can fully appreciate the motives which induce you to seek to preserve memorials of those who have taken an active part in the labours of the Society. One of the most interesting decorations of the room in which we are accustomed to assemble is to me, to all, the portrait of our illustrious founder; and I am sure you will agree with me that the apartment would possess a still dearer interest were such decorations multiplied; did the countenance of Colebrooke, Wilford, Wilkins, and other distinguished members look down complacently upon the labours of their successors. I need not add, how irresistible are such influences upon the human mind, and how well calculated are such memorials to give wholesome stimulus to youthful energies. It is not from a merely selfish motive, therefore, that I accede to your request, but in the

hope that even in this way I may contribute, however feebly, to the great ends of our institution; at the same time I am not insensible of the kindness which has prompted the proposal, and if I do feel vain it is that you should have thought me worthy of the honor of being perpetually, as far as any thing human is perpetual, present among you."

He concluded by proposing.

That to meet the wishes of his numerous friends anxious to subscribe for the preservation of a memorial of Dr. Mill in the Society's rooms, he be requested on his arrival in England to sit for his picture to some eminent artist.

The Secretary in seconding this proposition, said he had been called on at a late festive meeting to bear testimony to Dr. Mill's great talents and learning, and had felt some humiliation at his total incompetency to answer such a call, for indeed it would have been naught, but presumption in him to speak to merits so far beyond his criticism. Happily in these rooms no such testimony was required, for here all knew his learning and his value. He could not, however, omit to make public acknowledgment of the kindness and aid he had always received from Dr. Mill, in his capacity of Editor of the journal; to which Dr. Mill's contributions had been ever among the most valuable. A circumstance worthy of mention had enabled him to hear what the pundits thought of his attainments in Sanskrit, for Dr. Mill was so scrupulous of accuracy that he never put a page of his own composition to press until it had undergone the scrutiny of several natives of learning. On asking an opinion of one of the most learned of these, Kamalakanta, had begged to be allowed to express it in verse, and he now held in his hand what might really in some degree be regarded as a diploma of the Vice President's Sanskrit proficiency. "Where, said the pundit, among all the English who have studied our language, was there yet one who could compose a poem in the style and language of our most classical ages? Verily is Kalidasa come again among us."

Museum.

Read a letter from Dr. J. T. Pearson, stating that in consequence of his departure from Calcutta, he was compelled to resign his situation as Curator of the Society's museum.

The catalogue which he had undertaken to prepare of the objects of Natural History in the museum, was in a forward state; that of the birds was ready, and the remainder he hoped to complete on his way up the river to join his new station.

The secretary said that the aid the museum had now received from government pledged the society to maintain it in an efficient state, and some arrangement was immediately necessary. The committee of papers would be the proper organ to take charge, on the retirement of Dr. Pearson, and to recommend (if they judged proper) a successor. He had not himself made generally known the state of the question, but in the only quarter to which he had applied he had found that spirit in the reply which he himself always anticipated and rejoiced to see among his associates. One member, Dr. McClelland, had volunteered to act gratuitously as superintending curator during his stay at the presidency. Dr. Cantor too had in like manner, kindly undertaken to classify and arrange the large collection of snakes in the rooms below, now augmented by a valuable donation from Aga Kerbalai Muhammad.

He could not help mentioning some particulars regarding this donation. The Aga had purchased Dr. Pearson's private collection for 3,000 rupees, including

* We have taken the liberty of publishing this poetical tribute with a translation at foot.—Ed.

a much more extensive selection of shells, insects, and other objects than the society possessed, mostly classified and named, and arranged in convenient cabinets. The society had spent more than double that sum in the two experimental years without (as it appeared to him) reaping equal advantage. Was it not then worthy of consideration whether in most cases it would not be preferable to purchase collections already formed, and only to keep up such an establishment as should suffice to preserve the objects with care, until the determination of the court were known in regard to the late memorial? If so he would propose that the Government grant of 2000 rupees monthly should be declined with proper acknowledgements, reserving the option of purchasing collections, which had been also liberally granted by government.

Should the majority, however consider that the present favor should not be declined, he thought that the best way of employing it would be in deputing a collector, by permission, to accompany the expedition under Captain Pemberton now on the point of proceeding to *Bhotán*, and to which no naturalist stands appointed, although Dr Griffith, the botanist, will doubtless give all the attention in his power, collaterally, to natural history.

The meeting seemed unanimous in opinion that the government grant should not be declined, and it was finally resolved that the committee of papers be requested to examine and report upon the best mode of maintaining the museum in an efficient state.

*Tribute of the Pundits to the Rev. W. H. Mill, D D,
&c by Kamalakanta Vidyakanka*

Translation.

1. The honorable Company, generous, pursuing a course of integrity very dextrous, learned, compassionate, and exalted skilled in the velocities and motion of fire, air and water (the laws of the elements), never relaxing from their determination—deeply conversant in their own religion, with equity protecting their subjects and enjoying their trust,—moving forward to aid the aggrieved who come to them for help, may they long live the protectors of the world!

2. By their own mighty power to maintain the rule of *Aryavarta* and all India have they deputed thousands of men eminent either in commerce, in religion, in the administration of justice, or in war, who arriving with full knowledge of their respective grades, have performed and do perform their several duties with regularity.

3. Among these, the names of Jones, Colebrooke, Sutherland, Carey, Wilson, Macnaghten, and Mill, (have been conspicuous) for their acquirements in the Sanskrit language. Of how many highly instructive and entertaining books, by their individual talents in forming a complete analysis, have they reproduced the facsimiles in various other languages!

4. In the midst of these, prominent stands the name of Jones, the minister of justice, the cheerful, the very

clever, justly endowed with the title of judge. Through the celebrity of his knowledge he has become the theme of conversation among the learned. Having pursued the shastras, by skill he translated into his native tongue the famous drama of the birth of India's king. He first arranged in alphabetical order for the benefit of Sanskrit students the *Cośha* (or dictionary of *Amara Singh*)

5. The name of Colebrooke has acquired an inheritance of renown by his "laws of inheritance." He translated the text books of civil and criminal justice. He first brought together and employed many pundits in printing and disseminating Sanskrit books at a cheap price in this country.

6. Carey introduced the puranas to the people of England in their native tongue, and translating the holy books of his own religion into Sanskrit, engaged systematically in their promulgation.

7. Wilson collected the literary stores of dramatic and other poetry, and made them known by translation as well as the dictionary, the systems of philosophy, and the puranas.

8. Menighten, celebrated in grammar, in legal opinions, having thoroughly examined the judicial authorities prevalent in different parts of the country, has arranged and published the results in English.

9. But who among all these has been capable of producing a continuous poem in the Sanskrit language save Mill?—He, indeed, in lines verse in which the best pundits can describe no faults. Of the works of prosody he is a master, so skilled in regular and irregular metre, in the correct and harmonious combinations of letters, that rumour proclaims Kalidasa is once more born to the world!

10. In the *Vedānta* the *Sāṅkhya*, the *Patanjali* and the *Buddhist* (schools of philosophy) deeply versed in the holy vedas, in the law, and astronomical shastras equally learned, such smoothly flowing verses can Mill alone indite. In the literature of *Babel** and Persia, with all their various characters, a scholar—religious, mild, strict, affable, taking pleasure in conversation with all learned men—such is his mind!

11. The work written by the celebrated Kalidasa, the *Kumara Sambhava*, has this equally eminent poet reproduced in the self-same measure in his own language in a manner altogether new! What more need be said of him but that with due observance of regular and irregular metre, and of all the rules of the ancient authors, he has composed the *Christa Gita* to delight and instruct the minds of multitudes!—*Journal of the Asiatic Society for August*

* Babel is, I fancy, a corruption of *Bible*, but it may be read, and it is equally applicable in the sense I have given.—Ed.

CORONER'S INQUEST.

Sept. 1, 1837.

An inquest was held on the body of Connye Naupit, of Baumunbusty, who was admitted to the Calcutta Native Hospital last night, with several wounds on his person, and expired early this-morning. About a quarter past five o'clock, the Jury being sworn in, one Baidenauth Gowala of the same place, was ushered in charged with having inflicted the said wounds on the deceased. The relations of the deceased, namely his mother, half brother, and stepfather were called in; and the coroner said that one of them should remain in the Court during the course of the inquest to assist therein; and the mother offered to do so.

Dr. Bain, sworn.—I am the Police Surgeon. I have examined the body of the deceased now lying in Chand ney Hospital, which was pointed out to me by Bolaky Naib. There were four wounds upon the body; one over the left eye brow, measuring three quarters of an inch and a half in length; one superficial wound over the epigastric region, measuring seven inches, but which did not penetrate the abdomen; one on the left side of the chest, over the situation of the eighth and ninth ribs, penetrating the chest and abdomen, measuring three inches and a half in length. I opened the chest and abdomen, and found the eighth rib was completely divided, and a part of the ninth, to the extent of a quarter of an inch. The diaphragm was wounded to the extent of four inches and a half, and the transverse arch of the colon was found in the cavity of the left side of the chest, pressing upon the lung of the same side. The sigmoid flexure of the colon and mesentery were also wounded to the extent of half an inch, and a large quantity of the fluid contents of the bowels were found in the cavity of the left side of the chest. The bowels were injected, and in a state of slight inflammation. Stomach and other organs natural. There were some old adhesions of the pleura to both the lungs. I am of opinion that the deceased had died of the effects of the wound inflicted upon the left side of the chest. It was this wound that produced all the internal injuries which I have described. The wound appeared to have been produced by a sharp instrument, such as that now shewn to me.

The coroner and the jury then proceeded to the Native Hospital, to inspect the body of the deceased now lying there. At the Hospital was taken the evidence of

Peter O'Brien, first assistant, Calcutta Native Hospital.—Connyeah, the deceased, was admitted to this Hospital at about half past seven o'clock last night. He had a wound on the left side, over the false ribs, measuring three inches and a half, penetrating the cavity of the abdomen, from which wound was protruding a large portion of the large intestine. He had three other slight wounds, one on the left eye-brow; one on the right fore-arm, above the wrist; and the third across the epigastric region. He expired about half-past five o'clock this morning. Deceased himself told me his name, and that he was a barber by profession. It was the body of the deceased that Dr. Bain examined to-day in this Hospital. The wounds must have been inflicted with a sharp cutting instrument.

The coroner then returned to Court; but it appearing that there were more witnesses than would be possible to examine to night, it being now near half past six; it was resolved to adjourn the proceedings till ten o'clock precisely to-morrow morning.

ADJOURNED INQUEST,—SEPTEMBER 2, 1837.

Proceedings resumed at about half after ten o'clock, instead of ten, in consequence of two of the jurymen being about half an hour too late.

Sonyes, sworn.—I am a widow and live at Bammunbustee. I knew Connye, the deceased; he was my nephew, son of my sister Gungo. I brought him up from a child, feeding him at my own expence. He was a barber by profession. Between twelve and one o'clock the day before yesterday, he asked me to apply cupping to his leg. I said as I was going out, I could not do it, and desired him to go to his mother for it. He replied, I must do it, but I again refused to comply. He then asked me for something to eat; I said I had nothing to give him. He then went out, and returned shortly after, with a quantity of rice and dol, which he handed to his concubine Mirchia, desiring her to cook the same. About three o'clock, he took his meal in his own room, and went out again. At five o'clock, he returned home, and asked me for some rice; I replied, as before, I had none to give him, because I was ill and could not go out, and because the moon would give me no further supplies, I being in his debt. He then commenced using opprobrious language to me, and struck me with his hand. On this, I begged him to leave the house. He reproved me by saying "you vile woman! you have means to feed your paramour, and yet you can't give me any thing to eat!" At this time, the prisoner told him to go away and leave his house immediately. Deceased said that he would not go that day, but the day following. Deceased threatened prisoner, by saying that if he talked much he would thrash him. Prisoner and deceased then closed together and began to wrestle with each other. This took place in the compound, and I interposed and begged deceased to leave prisoner. I fell at his feet and entreated him to do so. In struggling they both fell on the ground. I then observed that the bowels were protruding from deceased, and gave the alarm; when the Police came and secured prisoner and removed him, because deceased said that he had been wounded by him. I have nothing more to say. [Witness appearing to have concealed facts she was aware of, was reminded by the coroner that she was sworn, and therefore bound to tell the truth, the whole truth, and nothing but the truth; that if she did not, the consequences would be very serious to her; and that the law punished such conduct severely.] I will tell the truth. When the quarrel began deceased and prisoner were near each other. No blows passed before they closed together. Deceased attempted to throw down prisoner and he vice versa. When on the ground, I heard deceased call prisoner names; he called him a "Sula," &c. I did not see any stick or knife in the hands of either party. (The knife shewn to witness) I know it, it belongs to me and prisoner. Prisoner is my gallant, with whom I have lived for 20 or 25 years. I don't recollect when I last saw this knife before the struggle. After the struggle, I saw it pulled out of the beley of the deceased, by the chokoodars.

In answer to a jurymen.—During the quarrel the only other person present, besides myself, was the concubine of the deceased. When the parties fell, prisoner was first on the ground, and then the deceased, and prisoner got on the top of him; it was then that I saw the wound. At this time prisoner's arms were in an embracing position.

The coroner here remarked, that as witness had been present during the whole transaction, she must have seen the wounds inflicted; and that if she thought that she was doing any good to prisoner by concealing what she saw, she was very much mistaken. She was again reminded of her obligation to tell the truth.

To tell the truth, prisoner brought the knife out, when he saw deceased beat me. Prisoner was standing with the knife in his waist cloth, while I begged deceased to leave the house. Deceased had no sort of weapon in his hand. The knife remained stuck in prisoner's waist cloth, during the conversation that I have already mentioned. On the deceased seizing hold of the prisoner, the latter took out the knife and stabbed the former with it. Prisoner was a conservancy chaprassy formerly but is out of employ at present.

Marchia, sworn.—I am a widow and knew the deceased. I lived with him as his mistress. I was present when the Doctor Sahab opened his body after his death, at the hospital. I know how he died. The day before yesterday, about midday, prisoner told the deceased to leave his house. Deceased said he would do it the next day. Prisoner said that if deceased did not leave the house immediately, he would stab him with a knife. Deceased said "what crime have I committed, that you will stab me;" and repeated that he would go away the day following. After that, deceased went out and returned home about candle-light. Prisoner was then cutting some straw. Prisoner on seeing deceased, bid him quit the house instantly; and said if he did not, he would strike him with the *butter* with which he was cutting the straw. Deceased replied, "If you strike me with the *butter*, I have hands to strike you in return." After this conversation, deceased went to the compound when prisoner said "sala! I will beat you to-day!" Deceased heard him say so. Prisoner then went inside his room, and returned with a knife, came up to deceased and called him "sala" again, and ran the knife into his belly. I saw blood running out, and called out "murder! murder!" On receiving the stab, deceased fell on the ground, and prisoner got on the top of him, resting on his knees. I went to the assistance of the deceased, to rescue him from the prisoner. I tried to get the knife out of prisoner's hand, and got my hand cut. On my crying out, the younger brother of the deceased came in; and on seeing what had happened he went and informed his mother of it, and came back; the mother came also. Two chokeedars came in almost at the same time; pulled out the knife from the belly of the deceased, while the handle of it was yet in the hands of the prisoner. The thana people then took the deceased to the hospital and the prisoner to the thana. Prisoner desired deceased to leave the house, because deceased used to earn money, and gave prisoner none. At the time the affair took place, I and the last witness were present. Deceased was a nephew to the last witness. She is the concubine of the prisoner. The cause assigned by the last witness of the assault, is false. A quarrel did take place between the last witness and the deceased, the former finding fault with the latter for not giving her any money. Deceased did not make use of any abusive expression to the last witness, nor did he strike her; that is a made up story. There had been no dispute between the parties before. The prisoner was tipsy; he was tipsy all day. Deceased was sober. I saw prisoner go into a liquor shop and drink there. Deceased did ask last witness to apply 'cupping' to his leg, which was swollen, but she refused to comply with the request.

In answer to a Jurymen.—"here is no other tenant in that compound.

(The knife shown to witness).—"This is the knife with which deceased was stabbed. It belonged to prisoner, and I had the use of it occasionally. Deceased was not

in the habit of bringing his razors home. I did not see prisoner tipsy before that day.

Cross-examined by prisoner.—About three quarters of the blade of the knife had gone into the deceased's belly, and with the remainder of it my hand was cut. I saw prisoner give the deceased three other wounds, namely, on the forehead, arm, and breast.

Gungo, the mother, Chumron, the step-father, and Bundo, the brother of the deceased, having seen nothing material, their evidence was dispensed with.

Raheem Ooddeen, sworn.—I am a chokeedar belonging to the Baumunbustee thana. About candle-light, the day before yesterday, when I was at a tank, not far from the house of the parties, washing my lota there, I heard a noise that a murder had been committed; and ran in the direction the noise came from. On going into the house of the prisoner, I saw in the compound, the deceased lying on the ground, on his side, and prisoner quite close to him in an embracing posture, with his right hand on the side of deceased, and his fist clenched. I called out for assistance, and Oseem Ooddeen chokeedar came; and we both raised up the prisoner, when I observed that in his fist was the handle of a knife which had penetrated into the body of the deceased. We then wrenched the knife from the prisoner's hand. Our thanadar came and ordered the deceased to be taken to the Native Hospital, and the prisoner to the thanah.

Oseem Ooddeen chokeedar's evidence was to the same effect as that of the last witness.

The Coroner then summoned up the evidence and charged the Jury at a great length, explaining points of law bearing upon the case; which occupied him for a considerable length of time. The Jury after a little consideration gave their verdict of "WILFUL MURDER" against the prisoner.

Prisoner is to take his trial at the next Sessions of Oyer, and Terminer.—*Hurkaru, September 5.*

SEPTEMBER 18, 1837.

A Jury was impannelled by the Coroner to investigate into the cause of the death of a woman named Jutto, whose body was lying in a hut in Shampookur division with several incised wounds on it, since Saturday evening last. The Jury and the coroner, after the former was sworn in, proceeded to inspect the body; and on their return, which happened to be near dusk, the following proceedings took place. Buddenauth, the husband of the deceased, stood charged with inflicting the said wounds.

Robert Henry Bain, sworn.—He was the Police Surgeon. He examined the body of the deceased which was pointed out to him by Najceeb-oolah, thanadar of Shampookur. There were sixteen wounds upon it: one on the left temple, half an inch in length; another on the left side of the neck, an inch and a half in length, and half an inch in depth, which had laid open the large jugular vein of that side and had split the eat of the same side to the extent of a quarter of an inch. Immediately over the situation of the liver and stomach there were nine wounds varying in size from three inches and three quarters to an inch and a quarter. There was also a wound on the left fore arm, just below the elbow-joint, measuring one inch and a half, one on the right elbow, and another on the right fore-arm, each measuring an inch and a half. There were two wounds upon the back, one measuring two inches and the other one inch and a half. The hair of the head was saturated with blood and a great quantity of blood lay upon the floor. Witness opened the chest and abdomen, and found the cartilages of the eighth and ninth ribs were

divided to the extent of an inch and a half. The lower extremity of the right lung was also wounded to the extent of an inch and a half. A small quantity of blood lay in the cavity of the chest. The right lobe of the liver was wounded in eight different places, each an inch and a half in length; four of these had passed through the liver. The anterior portion of the stomach, and its upper part, were also wounded in eight different places, and allowed the contents of the stomach to enter the cavity of the abdomen, and also to have exit at the external wounds. There was a considerable quantity of fluid and coagulated blood in the cavity of the abdomen. Witness was of opinion that the deceased died of the effect of the wounds inflicted upon her person; more especially the wound on the left side of the neck, and those situated over the region of the liver and stomach. No one of the wounds which he described could have been inflicted with a stick or brick or by any other means than a sharp cutting instrument. He thought each of them might have been inflicted by the instrument now produced. Some of the wounds were larger than the edge of the instrument, but the enlarged wounds could be made by a repetition of plunges.

The hour being now late, and there being too many witnesses to be conveniently examined in the course of the evening, the inquest was adjourned till to-morrow afternoon.

ADJOURNED INQUEST, — SEPTEMBER 19, 1837.

The gentlemen of the Jury being in attendance and the Coroner having taken his seat, the proceedings were resumed.

Sooranny sworn.—She was the wife of one Connor, a shoe-maker, and a neighbour of the prisoner; she knew both him and the deceased, as husband and wife. She was of the same caste with them but no relation. On Saturday afternoon last she heard a cry from the house of the prisoner, and on going to enquire what the matter was, she saw the prisoner beating the deceased with his hand. Neither the one nor the other, uttered a word by which witness could know the cause of the assault. Witness then hastened to the house of the father and mother of the deceased hard by, and on her informing them of what she saw, they came and asked prisoner why he was beating their daughter, but instead of giving any reply to the question, prisoner beat them with a stick. Witness saw the prisoner stab the deceased.

Khunjunny sworn.—She knew the deceased to be the wife of the prisoner, whose aunt she was. About two o'clock on the afternoon of Saturday last, she heard a noise proceeding from the house of the prisoner. She proceeded thither and saw the prisoner cutting the deceased with a *badaree*, an instrument used in cutting leather. Witness asked the prisoner why he was cutting the deceased, when he shoved her down. The deceased was lying on the ground while the prisoner was cutting her. The deceased was crying "murder! murder!" Both the parties were drunk. Witness did not know of any previous quarrel between them. About half an hour after she heard that the deceased had expired.

Nuffer sworn.—He was a shoe-maker. On Saturday last he recollected both the deceased and the prisoner were drunk, and saw the latter beat the former, first with his fist and then with a brick. They both fell. The prisoner then pulled out a *Badaree* and wounded the deceased with it. Witness got frightened and ran away from the spot. A *chokeedar* then arrived and took prisoner into custody.

Juggurnauth sworn.—He was the father of the deceased, and lived in Shampookur. The deceased was about 20 years of age, and was married at the age of 13 to the prisoner. She had four children, three of whom were dead and one living, and was aged about two years. They used to quarrel some times for mere trifles. Prisoner never complained of infidelity on the part of the deceased. On Saturday evening last, on hearing that the deceased was being beaten by the prisoner, he and his wife went to their house. Prisoner beat witness and his wife with a stick. Witness's wife cried out, on finding the deceased expire from the effects of the wounds inflicted upon her, by the prisoner. Shookur Mahomed Chokeedar then came and took prisoner into custody.

Sona, Madhoo, and a woman, named Pannahae, gave evidence serving only to confirm the statements of the foregoing witnesses: we have therefore thought proper to omit their testimonies.

Shookur Mahomed sworn.—He was a *chokeedar* belonging to the Shampookur thanah. About 3 o'clock on the afternoon of Saturday last, he heard a noise in the direction of prisoner's house, and he went there to ascertain what the matter was. He saw deceased lying on the floor of the hut. He saw the deceased give a stab on the belly with the weapon produced in Court. Witness desired prisoner to throw down the weapon, which he did, when he took him into custody; he seized him by the hands and tied them with a cloth and took him to the thanah. The woman was dead before the prisoner was taken to the thanah. He secured the weapon afterwards, on his return to the place about half an hour afterwards: he found it amongst a quantity of the cuttings of leather in a corner of the hut. He was perfectly sure of the identity of the instrument, having seen it in the hands of the prisoner while he was stabbing the deceased, and there being no other like it in the place.

Neyjeeboollah, sworn.—He was the thanadar of the division. He pointed out the body of the deceased which Dr. Bain examined, and about which the Doctor gave his deposition here yesterday. Deceased was the wife of the prisoner.

The coroner then charged the jury, who, without retiring, gave their verdict of "WILFUL MURDER" against the prisoner.

Prisoner was committed to take his trial at the next criminal sessions. — *Hurkaru, Sept. 21.*

CORONER'S INQUEST AT THE CALCUTTA JAIL.

22d September 1837.

DEATH OF BHOVRUB POUTER.

(Before C. B. Greenlaw, Esq., coroner.)

The following are the names of the gentlemen who were impannelled on the inquest.

Richard Christian,	William Gallagher,
Ernest Gray,	Peter D'Silva,
George Gill,	Nicholas DaCruz,
James Goodall,	David J. Daniel,
Alexander Tulloh,	Astica C. Aviot,
Robert Cribbley,	William Walker,
Thomas Gardner,	Joseph Chas. Sage.

Mr. Gray was chosen as Foreman.

The Coroner called the attention of the Jurors to the oath he would administer to their foreman, he then swore the rest of the jury. The Coroner desired his assistants to inform three fellow prisoner's who were present, that

the jury had assembled to enquire into the cause of the death of Bhoyrub Poulter, and if they, during the enquiry, could suggest any queries which might not appear to them to have been gone through, that they will do so, and also that if they can name any witnesses who may be able to shew that Bhoyrub came by his death by the administration of poison, or by violent means, that the Coroner would be glad to hear them.

Dr. Ralleigh, deposed.—I visited Bhoyrub, the deceased, in the Calcutta Jail Hospital at 5-30 p. m. yesterday, at which time I found him in a state of insensibility, and to all appearance suffering an attack of apoplexy, or under the extreme effect of poison: I bled him in the right arm and external jugular veins, and applied the stomach pump, but the deceased expired about six o'clock the same evening. On the following morning I examined the body, but although a careful inspection was made, I could discover no sufficient indications of the cause of death. The contents of the stomach have also been chemically tested, but no traces of poison have been distinguished. The brain was a little more turgid than healthy, but no marked indication of apoplexy appeared on a post mortem examination. The stomach exhibited no marks of derangement. Dr. Ralleigh concluded by saying, that he had been informed that the man had been doing work that day, and it being a very hot day, the cause of death may be owing to the cause of apoplexy very common on excessive hot days in Calcutta.

Edward Durtill Gleeson, deposed.—That he is keeper of the House of Correction. That the deceased was sentenced on the 15th instant, for fifteen days to imprisonment with hard labor by Mr. W. C. Blaquiere. The deceased was well then. First heard of the man's illness at 2 yesterday afternoon in the usual manner, that a native prisoner had been sent to the Calcutta Jail Hospital. The native doctor's authority is sufficient for the removal of a prisoner under indisposition. The man made no complaint of illness. Ascertained afterwards from the Jemadar and the fellow prisoners who are here now, that the prisoner was yesterday suddenly seized with very violent fever. A burkundaz and a peon supervise a certain range of the prison, to them the prisoners are at all times free to make any complaints whether of wants, or indisposition. The native officers see that the work is properly performed by the prisoners. They have no power to punish in any way. Never had a complaint against the deceased for refusing to work. It is usual, if a man is negligent in the performance of his labor, that the peon should report it to the Jemadar, who reports to me of the man's refusal to work, and I exercise a discretionary authority conferred on me by the magistrates. I ordered no punishment to be inflicted on the man yesterday, or at any other time.

Shurreetoolah, a peon of the House of Correction, was sworn.—

Mr. Sage, a juror, here objected to the witnesses being in the same room during the examination.

The Coroner replied that the three fellow prisoners should be in the same room to check, or to point to any thing that may appear incorrect to them, and as being fellow prisoners, it was not likely they would follow the evidence of their keepers. The evidence of the peon continued. Did not know the deceased by name, but knew the man that was taken ill yesterday. Was in charge of a range in the House of Correction. Had a fellow burkundaz yesterday on duty, named Habbabeeboda. A Prisoner complained at 3-30 p. m. yesterday of being ill, who was taken to the Calcutta Jail Hospital. The man complained of being apt of inability to work. The man made no complaint before the time mentioned. I reported the man's illness to the Jemadar, who sent for the native doctor, who directed the man's removal to the Hospital.

Less than a quarter of an hour transpired from the time the man complained to the time of his removal. Did not feel the man, but saw him go the tank and drink water from it. No other prisoner complained of illness yesterday. Was present when the native doctor took the man away. The man worked as well as usual previous to his illness; had no reason to complain of the man's labor, and in point of fact had no occasion to make any report against him.

Suburuth, native doctor of the House of correction, deposed.—

Does not know the name of the deceased. The coroner here observed how shameful it was that the doctor did not know the name of a patient removed from his boundary.

A peon reported the indisposition of the man to me at 3-30 p. m. yesterday. My duty is merely to see that the men are actually ill and to send them to the Hospital, the doctor of which place keeps a registry of names. On seeing the patient, I discovered him to be in high fever; I ordered his immediate removal to the Hospital and accompanied him thither. The man had some swelled marks on his back, over the shoulders, which marks appeared to have been inflicted with leather straps, but I saw no body beat the man. The man made no complaint of having been beaten. I asked no questions as to the cause of the marks, not having observed the marks in the first instance. The man first complained of fever. The peon who informed me of the man's illness is named Puriao.

Moheschunder Dass, another doctor attached to both the Calcutta jail and House of correction, deposed. The witness refused to be sworn by Gunga jul, and was sworn by another form, after which he deposed that the deceased was called Bhoyrub Poulter. Suburuth sent the man to me. Suburuth came two or three minutes after the man. Shurruetoolah brought the man to me (Shurruetoolah was here called and acknowledged having taken the sick prisoner to Moheschunder). When the man was brought he fell at the door of the hospital. Witness asked the cause of his falling. It was 15 minutes to 4 o'clock then. Shurruetoolah was standing by him when he fell, and witness asked the peon why he let the sick man fall? The peon answered, that the man fell several times on his way to the hospital. The man was insensible. When I first felt him, he had fever, and marks on his back; he never recovered his senses while in the hospital. When witness first saw the sick man, he said his name was Bhoyrub. About an hour after the man was brought to the hospital doctor Ralleigh saw him. Witness administered medicine previous to Doctor Ralleigh's coming and went immediately and reported the man's serious indisposition to the Doctor. The man's indisposition I considered serious and reported it to the Doctor in consequence. I report all cases of a serious nature.

It being so late as 15 minutes to 8 p. m. the inquest was adjourned to 4 p. m. the next day.

ADJOURNED INQUEST—SATURDAY, SEPTEMBER 28, 1837.

Gaur Dass, a convict, deposed. The deceased went six or seven times to the tank to drink water, and every time he went he was beat. (The instrument with which Bhoyrub was beat was here produced, it was a leather strap a cubit in length and a little more than an inch width.) Witness did not drink water that day. All new comers drink water, and several others drank water that day, and were not beat. This man was not flogged for drinking water, but for refusing to work. The man all along said he was ill, and therefore refused to work. If men refuse to work under mere excuses they

are punished. A man's refusal to work is reported to the Superintendent, and after investigation, if the Superintendent thinks the man deserving of punishment, he is either sentenced to six, or twelve stripes, or is locked up in a solitary cell.

Ram Chand, a bricklayer by profession, and now a convict, deposed.—Know Bhoyrub Poulter as a fellow convict. Bhoyrub and witness were working at the same hand mill on the 21st instant. After working some time, he went to the tank for water; he went a second time, when the peon passed and not finding Bhoyrub at his work struck him three or four strokes with a strap. The peon walked on, and Bhoyrub returned to his work; but finding the peon away, Bhoyrub again went to a pot, and found no water in it. He then complained of thirst, and asked what he should do. Witness said that if Bhoyrub went, he would be punished. The man then found a pot of water on a beam, and drank off its contents. The peon returned and finding Bhoyrub again from his work, repeated the first punishment. It was then breakfast time, and the prisoners were sent to have their meals. Ten a. m. is the general hour for the first meal. After breakfast the prisoners returned to work. Bhoyrub then complained of inability to work. Witness said, "go and work, or you will be beat." Bhoyrub then went to the peon, it was just after he had breakfast, and said he was ill and unable to work. The peon struck him, and desired him to resume his work. Bhoyrub returned to work, and worked slowly. Bhoyrub then said he was ill with fever; the peon felt him, after which he told Bhoyrub it was an excuse and desired him to work, and struck him again. Does not know if the peon is a proficient in pulse feeling. Bhoyrub then laid himself down from inability, and the doctor was sent for. The doctor after examining him, sent him to the hospital.

Mr. Gleeson sent for witness yesterday morning, but the peons having threatened to beat witness to death if witness mentioned the truth, witness denied the truth. Mr. Gleeson did not warn witness against any consequences or to tell the truth. The peons beat the prisoners, keep them confined and prevent access to the Superintendent. Mr. Gleeson is not in the habit of coming over the prison ranges. Witness has been six days a prisoner and has not seen Mr. Gleeson often. Witness was sentenced several years ago, when pounding bricks was the labor.

Moburruck Allee, jemadar of the House of correction.—Mr. Gleeson sent for the last prisoner and enquired, if he and Bhoyrub did not work together on the 21st. The witness was then asked if any person had ill-treated Bhoyrub, and replied in the negative. The witness informed Mr. Gleeson, that the man had complained of fever at 3 p. m. and was sent to the Hospital after being seen by the Doctor. Mr. Gleeson also told the last witness, that he would have to attend the inquest, and that he should speak the truth without fear. Witness was present at the foregoing conversation, it transpired in the morning.

Mr. Gleeson here informed the jury, that from six to eight stripes are inflicted in ordinary cases; in former times the number of stripes were greater, but solitary cells are now constructed, and they are resorted to as a more effective punishment in cases in which gentle punishment would be thought insufficient. That no punishments are inflicted without Mr. Gleeson's cognizance, but that this man may have been struck as alleged.

The inquest closed here and the Coroner charged the jury to the following effect.

That the jury were bound to pronounce a verdict according to enquiry. They had assembled to investigate the cause of the death of Bhoyrub Poulter; if the evidence before them would be found sufficient for that purpose. That if the jury were disposed to be guided by

the evidence of Dr. Raleigh, they could come immediately to a point as to a verdict. The coroner was satisfied that the Doctor's evidence was the best in the case. It gave a probable cause for the man's death, as the doctor had said that it was very probable the man may have died from a determination of blood to the head; but if the jury thought the evidence of the other witnesses preferable, their verdict should be different, in as much as it was proved, beyond a doubt, that the peon had flogged the man, without being authorised to do so, which want of authority rendered the peon's conduct an illegal infliction of punishment, for which he must answer; but observed the Coroner, by the evidence of the doctor it is clear that though the flogging was illegal, it was merely superficial, and that it could not have caused the death of Bhoyrub, which created a great doubt, to which doubt the peon was fully entitled. The jury were not to look to what may possibly have occurred, they were not to make up evidence. They were not to go beyond the evidence before them, and on which alone they should pronounce their verdict. The Coroner concluded by saying that if the enquiry had taken place at any other place, he would have felt satisfied with the evidence of Dr. Raleigh; but as the enquiry was connected with a jail, he felt it to be his duty to enter into as full an investigation as possible, to discover any error in the system of treatment, or any gross irregularity in the case of prisoners. He, however, felt satisfied that Mr. Gleeson was in no way cognizant of the conduct of the peon, as Mr. Gleeson sent for the fellow labourer and held an enquiry compatible with his duty, and had warned the witness Ramchand to speak the truth. The coroner after a few minor observations concluded.

They jury retired, or rather all save the jury, retired out of the jury room, and were kept out so long as an hour, when the door was opened and the foreman, Mr. Gray, said his mates had agreed and pronounced the following verdict "Died by the visitation of God; but that there is not sufficient evidence to shew the manner of the visitation." After which some of the jury were inclined to comment upon the conduct of the peon, which long commentary was nothing more than, that the peon was highly wrong in having done what he had no power to do, and that he should get an out and out setting down. —*Hurkaru, Sept. 25.*

SEPT. 29, 1837.

The inquest on the body of Sreemutty, found in a well on her own premises, on the morning of Tuesday last, which commenced the day before yesterday, ended about six o'clock yesterday evening, but the verdict was adjourned till four o'clock this evening. Comul and Hycaunt were apprehended on suspicion of having murdered the deceased.

Dr. Bain, the Police Surgeon, examined the body of the deceased, and deposed to the following effect: The body of the deceased was pointed out to me by the Thanadar of Tuntoneah. There appeared three wounds, viz. one on the head, one on the middle of the forehead, rising perpendicular, and one over the eyelid, done with a pointed instrument. The chest and the sides were scratched or grazed. The chest, head, abdomen, and the eyes were full of blood. The cheek-bone was broke in three different places. Nine of the ribs on the right side were broken, and the same number on the left side, except the eighth. I am of opinion, that the death of the deceased must have been caused from the effect of pressure on the neck and the chest.

Sham Dass, a native Police Officer.—On Tuesday morning last, I was desired by Mr. McCann to proceed to the house of the deceased, to enquire into the circumstances of her death. I found there the Thanadar, the Naib, and the Chokasary of the Tuntoneah Thanah,

with a great crowd of people. I saw Ramjoy, and said to him, "tell me the truth how this matter occurred?" He asked me what cast I was; I replied that I was a Hindoo. He then said, putting his hands together, "If you will save me, I will state the whole particulars to you." I said, "I can't promise you any thing, it rests with the authorities, they may save you if they like." I then took him to a keranchy for the purpose of bringing him to Mr. McCann. The Thanadar, Naib, and some Chokedars were with us. I then asked who were the parties that committed the murder, and desired him to be calm and collected, and state the whole of the particulars. I do not threaten or press you, but state all you know of the matter. He then said, that there were seven persons, five Mosulmans and two Hindoos; that he knew the names of the two Hindoos, but he did not know those of the Mosulmans. That one of the Mosulmans was a peon, wearing a badge, which was a round plated one; and that he would know the Mosulmans if he saw them. I then asked him the names of the Hindoos: he said, Comul and Bycaunt. I took him before Mr. McCann; after which I received orders to take Ramjoy with me to apprehend Comul and Bycaunt. Ramjoy described Bycaunt's house to me, and when I got near it, I left Ramjoy in the keranchy, and went towards Bycaunt's house. I asked a boy, where it was, and he pointing out a house to me, ran to it himself. I saw the boy speak to a man in the verandah, who immediately ran into the house, I suspected him to be Bycaunt, as I observed a change in the appearance of his face when spoken to by the boy. I ran after him and seized him. I then asked him what his name was. He said Bycaunt. I then took him away and put him into a keranchy with a chokeedar, and desired him to follow my keranchy. As he was passing the other keranchy, he saw Ramjoy and said to him, "Takoore, why have you had me taken into custody; why don't you have the chaprassy taken." Ramjoy made no reply, and nothing further transpired. We then proceeded to the house of Comul. When we arrived within a short distance of it, I went in with the naib and chokeedars. I saw a man sitting in the verandah, whom, from the description I had received from Ramjoy, I took to be Comul, and seized him. He said his name was Comul. I put Comul, into the keranchy where Ramjoy was, desiring the latter to get out of it, and a chokeedar to take charge of him and walk him along. When I took him into custody, he said, "Why do you seize me, what have I done, I have done nothing." I took them all to the thanuah of the division. Mr. McCann shortly after came and desired me to apprehend the chaprassy. I went with Ramjoy to the Military Board and revenue Board, but nothing resulted.

Ramjoy.—I am a servant to the deceased, and a Bramin. I have been in her service about a month and a half. My occupation was that of a priest to perform poojahs. One day I went to the house where Comul resides, and requested him to allow me to take flowers that grew there. He permitted me to do so, and I went to his house every morning for flowers. Comul being a Bramin also, I

used to smoke with him now and then. I saw Bycaunt there, as also a chaprassy sometimes. The chaprassy had a separate hookah and he smoked also. About 20 or 25 days ago Comul said to me, "if you will favor me, we will take the property out of Shreemutty's house and give you a share of it." I said I will consider about it. I intended to inform chokeedars of it, but feared that I would get into trouble myself if I failed to prove, and therefore did not mention it to any body. Bycaunt was at Comul's when the proposal was made; he was at some distance, and I don't know whether he heard the conversation or not. On Monday evening last, when it was very cloudy and dark, I took lights upstairs and below, coming out of the house I met Comul and Bycaunt standing together outside the door. I asked them what they wanted; they said they wished to smoke. I desired them to come in, and they did so. I then filled a chilim and handed the hookah to them. At this time five Mosulmans came in; one of whom I knew to be the chaprassy I met at Comul's. I asked them who they were and what brought them there. Scarcely had I uttered these words, when Comul and Bycaunt knocked and held me down, one of them pressing on my breast severely and stopping my mouth. What passed while I was thus held down, I can't say, as I was insensible. After a considerable time I recovered myself and saw no body; then I called out, ma! ma! and receiving no reply, I was alarmed. I then went out of the house and proceeded to Goluck mistry, a blacksmith, and Ropchand a shopkeeper, who lived hard by; but my mind being still agitated, I don't recollect what conversation I had with them. I know that they went upstairs, as Comulor Bycaunt said, "hold the safe," take care that he does not get away, whether he lives or dies we are going stars. I got acquainted with Comul five or six days after I entered the service of deceased.

Goluck mistry.—I know Ramjoy Takoore, and knew the deceased. On Monday evening last, about half past eight o'clock, Ramjoy came to my shop and said, that he had gone out of his mistress's house locking the door up; that on his return he found the lock open, and on going in he found near the well a brass pot and some clothes; he then called out ma! ma! but no answer was given, and he was much alarmed. I said there was no cause for alarm, as his mistress might have gone to the privy. He replied, he could not help feeling alarmed. He seemed agitated at first. It was dark, and I could not see his face. He asked me if the deceased had any relations I told him that she had a brother-in-law at Burtallah.

The rest of the evidence being calculated to throw no further light upon the case, we have thought proper to omit it.

The prisoners both denied all knowledge of the affair; adding that they did not even know the witness Ramjoy. They did not hear of the murder till they were taken up by the Police.

The Jury having met at four o'clock this-day, gave their verdict of wilful murder against some person or persons unknown.—*Bengal Hurkara*, Sept. 30.

SUPREME COURT.

SEPTEMBER 1, 1837.

(Before Sir Edward Ryan, Chief Justice, Knight, and Sir Benjamin Malin, Knight.)

The Judges, on taking their seats, and previous to the commencement of business, administered to each other the oath of allegiance, which was also taken by such of the Officers of the Court as were present.

The *Advocate-General* moved the Court—stating that he appeared on behalf of Captain Stanley, of H. M.

sloop *Wolf*, for his claims for the capture of certain Pirates agreeably to Sec. 1st, 6th Chap. the IV. chap. 49. The claims are grounded upon four particular cases, the first on the 24th March 1836, when Captain Stanley fell in with the Pirates, in which eighteen of them were killed.

The Judge remarked that he had had that case already before him and had granted the necessary certificate.

The *Advocate-General* stated that he had not attended the Court on the former occasion, and was consequently not aware of his circumstance.

The second case occurred on 13th April, 1836.

The third on 11th October, 1836.

The *Advocate-General* here remarked that the last case was well known to their Lordships.

The fourth case occurred on 30th April, 1837, when the Pirates were taken and carried to Singapore; eleven were ultimately taken.

James Archibald McDonald, Lieutenant of H. M. Sloop *Wolf*, deposed that he remembers having last year, in the month of March, been on board the Sloop of War *Wolf*, and having been despatched off the island of *Pulo Tinge* in chase of Pirates; thirteen Parical boats were met with, and were taken. There was a Chinese Junk passing on her way to Singapore, and these boats appeared to be lying in wait for the vessel. "When we first saw them, they were lying near the shore. H. M. Sloop *Wolf* was at that time at the distance of about five or six miles from them. We closed and shot over them, and they immediately fired at us, and pulled away at the same time. The nearest of the boats was within grape shot range. We had in our pinnace a twelve pounder cannonade, and in our cutter we had one gun. The pirates fired both from large and small guns." Witness has been a good deal in the neighbourhood of these islands for the last year and a half. He has during this time seen a great number of coasters and merchant vessels, but none armed similarly to the pirates. The majority of the pirates' vessels, at least twelve of them, had stockades and large guns. There were altogether eighteen vessels. The five first mentioned were afterwards joined by thirteen others, and "we were engaged from ten to five during the day chasing them. We were at one time 300 yards from them, which was the nearest distance we had approached. Our firing continued from half past ten in the forenoon till five in the afternoon, and round and grape were fired. The pirates pulled away, keeping close together and out-pulled us considerably; we were not more than half an hour within grape shot range of them, and had discharged about thirty rounds of grape and round shot."

The pirate boats contained, at the very least, six hundred men in all. We had fired musket shots also. Our gun boat had a six pounder in her, and we could distinctly observe, without the aid of the glass, the grape shots strike the pirates' boats. Witness cannot say whether any men were killed or wounded. Our boats crew observed one of the principal men fall and remarked the circumstance to the rest of the crew. Her Majesty's sloop *Wolf* was not in sight at the time; one of the sampans, or small boats, that had been attached to one of the *prahus*, was picked up by the sloop of War. On the Thirteenth of April, 1836, witness was off *Pulo Tinge* engaged against the pirates. He was despatched to H. M. sloop *Wolf* and left the pinnace, cutter, and prow about 2 o'clock and arrived at the next morning. Nine men were captured and brought to the ship: a week afterwards witness took the three Cochin Chinese from another island. Mr. James is the

¹ We could not distinctly hear the name of the place.

officer who had charge of the pirates (or looks after these men on board). Witness was present when the nine men were brought round, and tried in this port last year. Witness landed on the 30th April of this year at *Pulo Tinge*, 14 men were captured; six escaped at Singapore, and the remaining five were brought round to Calcutta, the other three were not identified. Witness was present at their trial at the last Sessions. These men had been captured in the jungles. Witness assisted in destroying their boats. There were eighteen in number, and some cloths of the Cochin Chinese, which they had been robbed of, were found in their boats. Eight out of 14 men were identified by a Cochin Chinaman, who was on board, and three others were identified at Singapore.

Alexander Glen, formerly Midshipman, and now a Mate of the H. M. sloop-of-war *Wolf*, deposed, that he was last year in H. M. Sloop *Wolf*, and employed in her boats off the island of *Pulo Tinge*. In the latter end of April, there was one boat captured by Mr. James, 2nd Lieut., at sea, about a mile from the shore; witness was on one of the boats and assisted the *Wolf's* cutter in capturing nine men on the high seas. They were brought round to this Port and tried at the last Sessions; witness attended at the trial.

Robert Jenkins, a Mate of H. M. sloop-of-war *Wolf*, deposed that he was employed about the beginning of October—, in the *Wolf's* cutter: the boat was armed with brass three pounders, muskets, &c. At about 11 o'clock in the morning on or about the 13th of October, we saw three prows under sail; we chased them, and they kept close to each other, till we lost sight of them in a fog; two hours afterwards we again closed with them, they pulled into the jungles between the trees, where there was about four feet water. We got within half of the boats when they were at the mouth of a creek, and we hailed them through an interpreter on board. They all landed on the beach carrying their boats up with them, and remained there until we fired." Witness does not understand their language, but through the medium of the interpreter made them understand his intentions. After repeatedly hailing we fired on them, as they were hauling the boats into the jungle, to prevent their escaping; we estimated the number to be about sixty men in all. One boat was a much larger one than the other two, and we principally fired at her; the smaller boats were hauled on the shore by the pirates, who retreated on our opening our fire. We landed afterwards and found that the large boat had also disappeared."

A certificate was granted of the capture of the nine men on the high seas by the Judges on the statement of Mr. Glen. The other three captures were disallowed on account of there appearing no evidence to shew that the pirates were taken on the high seas.

The Court adjourned at twenty minutes to 3 P. M., and will be re-opened on Tuesday next at 1 P. M., for the purpose of administering the oath of allegiance of Her Majesty to such Officers of the Court as had not already taken it.—*Cal. Courier*, Sept. 2.

INSOLVENT COURT.

SATURDAY, SEPT. 9.

The business in the Insolvent Court of Saturday was of little interest, a few native cases only coming before the court, and an application made by Mr. Leith on behalf of Mr. St. Leger Kearnan, a tidewater, receiving a salary of rupees two hundred per mensem, the full amount of which he applied to retain until he is promoted to a higher grade. The learned counsel urged that unconscionable servants in general have not to undergo the difficulties and incur the expenses which the class of servants termed tidewaiters undergo, for in the former

they are on shore, and have only one establishment; on the other hand a tidewater must have a house and establishment of servants for his family on shore, and another on board of each ship as he may be posted to, it being the express orders of government that it is not incumbent on captains of ships to supply the tidewaiters with maintenance, diet or provision of any kind.

Mr. Justice Maikin ordered the application to stand over until next court day, with liberty to amend the affidavit by adding to it the amount of the additional expenses incurred by the insolvent in attending to his duties on

board of ship, and while absent from his house in Calcutta.—*Englishman Sept. 11.*

SEPTEMBER 9. 1837.

(Before Sir B. Malkin, Knto.)

Rada Kanth Baswas was sworn to the truth of his schedule, and there being no opposing creditor, he was discharged.

Shake Choonee, a dealer in cattle, previous to being sworn, was opposed by Mr. C. G. Strettell, the Attorney of Shake Shaumees, the constituted Mooktar of Modarbux and Tulah Beebee, infants, the heirs and representatives of Shake Jungoo, deceased; who had instituted an action against this insolvent for 478 rupees in the Supreme Court, previous to this insolvent's application for the benefit of the insolvent act, and which action is still pending in that Court.

The right of Shake Shaumees to oppose the insolvent, was admitted by the Court, as the insolvent in his schedule had admitted him to be the Mooktar of Modarbux and Tulah Beebee, whose claims were inserted in his schedule.

This Insolvent, was strictly examined by Mr. Strettell. He deposed, that he had 10 cottahs of ground in Kurraah, jointly with Minnah Beva, which is mortgaged to a person named Emambux; and 2 biggahs and 15 cottahs of ground at Gurochok, jointly with a person named Arzan, and one hut on the ground where he lives at Chuckerbaure. These he said were inserted in his schedule. He had no sheep in the custody of Shake Salaroo nor any claims against him for 200 sheep sold to him, nor has he any claim against the Free School; in fact he has no claims due to him beyond what are inserted in his schedule. He was formerly a partner with Shake Salaroo and Haddee, butchers in the Teretta Bazar; but in December 1835, just previous to his taking out a writ of adjudication, their partnership was dissolved,—Salaroo and Haddee paid him a sum of money, for sheep which he had sold them, and took the concern into their hands which they are carrying on still. Deponent knows Tureebut sircar: Shake Haddee and Salaroo, had brought an action against him in the Petty Court for 64 rupees, in which, as this deponent was formerly their partner, he was, against his consent, made a party to the suit. When deponent heard this, he instructed his attorney, Mr. Ochme, to inform the Court that he had no interest in the suit. He has no claims on Tureebut sircar. He used to sell sheep to Salaroo and Haddee during his partnership, and they paid him his due on his dissolving his partnership. He did not inform his assignee of the suit brought against Tureebut sircar in his name—that suit is postponed.

Tureebut, sircar, deposed, that he was this Insolvent's sircar when he was in partnership with Salaroo and Haddee, and kept his money and accounts. In December 1835, when the partnership was dissolved, the Insolvent settled his accounts with deponent, and had a balance of 64 rupees to receive from him: this money is still unpaid. Deponent saw the insolvent in jail when insolvent advised him to confess judgment in favor of Shake Haddee in the suit against him in the Petty Court, and he would pay the money. Deponent refused to accept this advice and informed Mr. Alexander, the assignee of the insolvent, of this suit. The suit is postponed.

R. Z. Shircore, deposed, that he is an assistant in the office of Mr. J. W. Alexander, the Assignee to the insolvent Court. He was ordered by Mr. Alexander to attend on behalf of the Assignee to suspend the seat in the name of this insolvent and others against Tureebut sircar. The Assignee had received the power of this Court to present the insolvent in that Court, and the case was

postponed in consequence till the decision of this Court regarding this insolvent is communicated to that Court. Tureebut, gave the information of the suit pending against him in the Petty Court, at the suit of this insolvent and others, to Mr. Alexander the Assignee.

The Judge said, that Mr. Strettell had not made out his case, and the insolvent was then sworn as to the correctness of his schedule, and discharged.

(Orthake Maher Ollah being called,

Mr. L. Clarke remarked, that formerly this Court had decided, that if an insolvent is discharged from custody previous to the hearing of his application, that application could not be heard; since then this Court had, in one instance, heard and discharged an applicant, who had been released from custody since he had made his application to the Court. He said that it was the intention of the creditors whose claim he represented to oppose the discharge of this insolvent; but he had refrained from so doing on the plea, that it was now too late for him to file his objection to the discharge of this insolvent; but he argued that if the Court had deviated from its former practice, and discharged insolvents, who had been released after filing their Schedule, he considered that it ought to afford the same justice to the creditors to come forward now and oppose the insolvent's discharge. The Judge in reply directed Mr. Strettell, the insolvent's Attorney, to amend the insolvent's application for his discharge as the 34 Section of the clause did not extend to a general discharge under these circumstances, and he at the same time, informed Mr. Clarke, as this assumed application would be a new one, Mr. Clarke's client would thereby have an opportunity afforded him to put in his opposition to the insolvent's discharge. The insolvent's case was then postponed to the next day of this Court's sitting.

Mr. Leith, made an application on behalf of C. S. L., Kearnan, an insolvent, who is a tidewater and gets a salary of 200 rupees per mensem, to be enfranchised from the payment of $\frac{1}{2}$ of his salary to the assignee, on the plea that he has a wife and a large family to support, and is obliged to keep up an establishment at home for the support of this family, and another on board the vessels on which he is employed, the Captains being prohibited by the Government regulations from maintaining the tidewaters on board the ships. The applicant said that he expected his salary to be increased and then he would be happy to pay the deduction awarded by the Court. In conclusion Mr. Leith said, that there was no opposition on the part of the assignee to the insolvent's requests.

The Judge said, that before he could pass any order on this application, he must have the particulars of the additional establishment, which the insolvent is obliged to entertain, filed in Court. In the interim, if the applicant apprehended that the assignee would press him for the payment of this amount, he may make another application to this Court to suspend the Court's order on this subject pending this application of the Insolvent, but this would entail additional costs, and if the applicant considered the assignee not to be hostile to him and favorably inclined, he can risk his not making the first application.

Mr. Leith replied, that he believed the assignee to be favorably inclined and declined making a special fresh application.

Mr. Strettell made application for the final discharge of Bearchund Mody, who had obtained the benefit of the insolvent act some years ago. He put in files of papers to show that the notice of this application had been for

6 months advertised in all the Calcutta papers, and notices served on all the creditors except two, who are resident at Benares; and their deputies, who are residing at the Burra Bazar here, have had notices served on them, of this application, and none of them have come forward to oppose the insolvent's final discharge. He said that there are no creditors in foreign countries, and therefore no notice of this application had been advertised in English papers in Europe.

The Judge postponed the decision on this application till next court day.

A dividend of 33 Co's. rs. 5 as. 4 pie per 100 Sa. Rs., was declared to be payable by the assignee on the private estate of G. Ballard, Esq., and of 7 Co's rs. per 100 Sa. Rs. in the private estate of J. A. Ayton, Esq.

Mr. Perry, the Police constable, was to be sworn in the messenger to this court to-day for the services of the notices of this court.—*Hurkaru Sept. 11.*

ALLIPORE COMMISSIONER'S COURT.

ALLIPORE, THURSDAY, SEPTEMBER 7, 1837.

COSIPORE GHAT CASE.

Mr. R. Dias, constituted agent for Rustonjee Cowasjee, appeared this day and filed a petition of appeal against the officiating magistrate's decision on Beeraswur Bhattacharjee's complaint against his, Mr. Dias's client, to the following effect.

That in the early part of August last, one Beeraswur Bhattacharjee, an inhabitant of Cosipore, lodged a complaint against Mr. Dias's client, alleging that several persons in the employ of Baboo Rustonjee had wantonly and feloniously assaulted and plundered certain women, and that Rustonjee had fenced off a ghat, thereby preventing certain inhabitants of Cosipore from the enjoyment of certain customs. That on the above complaint, the officiating magistrate ordered one Archibald Deyson, a Sergeant of Police, jointly with a certain darogah, to hold an enquiry on the spot, and to report as to the truth, or falsehood of the charges preferred against Mr. Dias's client and servants:

That Archibald Deyson is a man unpossessed of either a knowledge of the land, or of rights either by law or custom, and that the appointment grieved Mr. Dias's client much, as the appointment was in no way called for, there being no apprehension whatever of a breach of the peace; and that though Mr. Dias's client was possessed of vast landed property in the 24-Pargunnahs, he had never been known to be guilty of either oppression or violence to the poor, or been called upon to answer any charges whether of those, or any other criminal nature, but that on the contrary, Mr. Dias's client had done much to serve the poor as well as all other classes of persons. And that the appointment was also objectionable, it having been made barely on the assertion of Beeraswur Bhattacharjee, and without a reference to Mr. Dias's client.

That Mr. Dias's client was credibly informed and believed his information to be true, that he, Archibald Deyson, contrary to the Magistrate's orders, went first to the house of one Ram Rutten Rai, an inhabitant also of Cosipore, and the employer of Beeraswur Bhattacharjee, and after receiving certain instructions from Ram

Rutten Rai, proceeded to the alleged ghat with eighteen or nineteen natives of low condition, and in no way respectable or worthy of belief, and retainers and dependents of Ram Rutten Rai; and that Deyson, without giving Mr. Dias's client any notice held his enquiry with the people described, and made his report and that the officiating Magistrate on that report passed summary order on Deyson and the darogah to open the alleged ghat. That on the 17th of August last Mr. Dias prayed by petition against the said order, that the Magistrate should re-hear the case and the evidence of good and credible men, but that the Magistrate refused to do so.

That Mr. Dias's client recently purchased a spot of alluvial land on the banks of the river at Cosipore, and that a part of the land so purchased is situated against a spot of land belonging to Ram Rutten Rai. That Ram Rutten made repeated offers to Mr. Dias's client to purchase the spot from him, but as Mr. Dias's client had purchased the land merely to prevent it being a nuisance, he refused to sell it to Ram Rutten, and had it fenced off to prevent its continuing as a convenience for Beeraswur's occasional visitors, and that Rustonjee had, at great pecuniary expense and trouble, had the spot cleared out, it having been a receptacle for filth at the turn of the tides.

In consequence of the cleanliness of the spot, Ram Rutten Rai found that Mr. Dias's client had much enhanced the value of his estate at Cosipore, and that he, Ram Rutten, wickedly and maliciously, through the instrumentality of his dependent Beeraswur Bhattacharjee, instituted the abovementioned false charge against his, Mr. Dias's, client.

That Mr. Dias therefore prayed that the Commissioner would order the officiating magistrate to summon good and respectable ryots from the adjoining estates of the four principal Zemindars of Cosipore, and that he should take their examinations on oath, as to the complaint of Beeraswur Bhattacharjee, and as to alleged ghat being in no way adapted to the purposes of either ablutions, or pojahs; or that the Commissioner should hold the enquiry and pass such orders as he may deem fit.

Mr. Pigou entirely disapproved of the officiating Magistrate's order, and therefore reversed it, thereby ridding Rustonjee of a great nuisance.—*Hurkaru, Sept. 11.*

NIZAMUT ADAWLUT.

SEPTEMBER 22, 1837.

Before J. R. Hutchinson, Esq.

KOMUL SAIVAN, *versus* MOONDOORODON, WASHERMAN.
CHARGE MURDER.

Referred to the Nizamut Adawlut by the Session Judge of Zillah 24-Pargunnahs. The prisoner was committed by the Magistrate of Zillah 24-Pargunnahs, charged with having murdered his master, Kartick,

washerman, and robbed his house at Chitpoor, during the month of June last.

The prisoner pleaded not guilty. The particulars of this case are these.

The prosecutrix is the mother of Kartick, and resided with her son at Chitpoor. The prisoner had been employed as their assistant about six weeks previous to the commission of the crime laid to his charge. On Saturday the 24th of June last, the prosecutrix proceeded from Chitpoor to Chandernagore, with the intention of

arranging the preliminaries preparatory to the marriage of her son, and she returned to Chitpoor on the 27th of that month. When she arrived opposite to her house she found the entrance door shut, and on demanding entrance, nobody responded to her call. This induced her to make enquiries regarding her son and the prisoner, from neighbours, who related the circumstances to her, which are hereafter detailed in evidence. This information not being satisfactory, the prisoner went back and opened the door of the dwelling, which she found to be empty; this alarmed her, and on searching the house, she discovered a jackall pulling out a corpse from the floor of the cookroom. This incident excited her fears, and she proceeded to the thanah, and gave the information of these facts to the Police authorities there. Some of them accompanied her to her house and had the dead body dug up, which, on inspection, was identified to be the corpse of Kartick. The prosecutrix immediately suspected the prisoner to be concerned in the perpetration of this homicide, and had him arrested on the 30th June last, at his house in the village of Chagdah, where, on searching the house, a smoothing iron, which had belonged to the deceased, and several bundles of clothes in a state of defecation, were discovered. These clothes were afterwards, at Chitpoor, recognized by several persons to have been their wearing apparel, which they had given to the deceased to wash for them. It was further proved in evidence, that the prisoner, during the absence of the prosecutrix from Chitpoor, had been seen by many residents of that village, carrying away clothes from the house of the prosecutrix, and when questioned some of them by, about Kartick not having returned them their clothes, he replied, that Kartick had been detained by Baboo Ladlymohon Tagore, within his house and as soon as he would be released, he would give them their clothes. This closed the evidence against him, in addition to which was the prisoner's confession, made at the time he was apprehended. In it he admitted that he was present when this murder was committed, his account of its perpetration is thus:

Hari, washerman, and Hari, bagdi, residents of Chagdah, had often urged the prisoner to rob his master. Whilst the prosecutrix was at Glandernagore, these two individuals, accompanied by Teencourie, came one evening to Kartick's house, and informed him that they had been discharged by their employers and were proceeding to their homes, and they requested Kartick to permit them to sleep that night within his house. This request was granted by Kartick, and these three persons slept in a verandah where the deceased used to iron the clothes, and there was a boiler there for steaming them. The prisoner and Kartick slept in an inner apartment. Late at night the prisoner got up and smoked, and then laid down again to sleep. Whilst thus lying, he perceived these three visitors enter the room where he and Kartick slept, and Hari, bagdi, seized Kartick by the throat and attempted to strangle him. Kartick then groined and emitted a sound, *gu, gu,* and the blood gushed out of his mouth. The other two accomplices then suffocated him with sheets and pillows, and crammed clothes into his mouth to stifle his cries. They then wrapped the corpse in a sheet and carpet, got a spade and dug a hole on the ground, raked for laying out the clothes and buried the body in that hole and covered it.

The next morning they left the deceased's house accompanied by the prisoner and stopped at the gurnel of Mudden Mohon Thakoor, where the prisoner brought the clothes to them. They then advised the prisoner to proceed with the clothes in Toquee manjy's boat to Chagdah, and that they would go there by land and

meet him. They added that as the prisoner was a washerman by profession he could do this without being suspected. The prisoner adopted this advice and he further borrowed 3 rupees on the pledge of some of these clothes, from Toquee manjy, with which money he redeemed a silver chain, which he had pledged with Gooroochurn mistree. Neamat, the chokeydar of this village, and a songstress, who had resided with a person named Bhyroo, and had been turned out from thence by the advice of the deceased, had likewise instigated the prisoner to do this deed. Whatever might have transpired between this songstress and Neamat, the prisoner does not know. He added that on the night of the murder the chokeydar of the division, when the crime was committed, passed by the prosecutrix's house 5 or 7 times, but he made no noise; but when Hari Bagdi had seized the deceased by the throat and caused him to groan, the chokeydar then shouted; subsequently he came and saw the corpse laid in the hole, but said nothing. A few days previous there was a fight amongst the chokeydars, but the songstress was not acquainted with it,

Before the Magistrate, the prisoner adhered to these confessions, and added, that the chokeydar held back the prisoner from assisting the deceased whilst the murder was committed, and Bhyroo, the songstress, and Toquee manjy, were all present and aided in the commission of the murder, which was committed in revenge for an intrigue, which the deceased had with the songstress's sister Mohonee.

This ended the case for the prosecution.

The prisoner denied all knowledge and participation in the murder before the Session Judge.

Moulvy Fozila Rubbee, the Mahomedan Law Officer of the Session Court, in his *futwah*, declared the prisoner to be guilty of the crime laid to his charge on the strong circumstantial evidence given in this case, and by the prisoner's own recorded confessions, and declared him liable to discretionary punishment by *akhoobut*.

The Sessions Judge coincided with this *futwah* so far as to consider the prisoner guilty of having been an accessory to the commission of this murder, but he did not think it probable that the prisoner, who is a very young man, about 18 years of age and of a slight frame of body, could commit the crime without the assistance of one or more persons, as the deceased was a hale, healthy man and about 30 years old. But the Judge added that he was sorry to find that there were no extenuating circumstances connected with this case to induce him to recommend the prisoner to the mercy of the Nizamut Court, on the contrary he considered that the prisoner should be punished capitally to deter others from the perpetration of similar heinous crimes.

When the body was disinterred it was in too putrid a state to hold an investigation on it. It was then forwarded to the General Hospital, where it was likewise found to be in too decomposed a state to enable the medical practitioners there to examine the injuries that might have been received, and ascertain the cause of the demise of Kartick.

The case was taken up on the 22d of September 1837, by the Judges of the Nizamut, the Mahomedan law officers of which Court barred kisas, and Mr. J. R. Hutchinson, the Officiating Judge, coincided in this decision and sentenced the prisoner to imprisonment for life in the Alipoor Jail.

SUDDER BOARD OF REVENUE.

August 1.

No. 68.

To the Commissioner of Revenue for the division of—

Sir,—A difference of practice having been found to exist, notwithstanding previous orders on the subject, as to the mode of effecting sales

* Under Section, 33, of estates under butwarra, I am Regulation XIX. of 1814, desired by the Sudder Board of Revenue to request, that

you will instruct your subordinates, that the whole estate with its entire jumma, must be advertised in one lot, whether all the sharers be in balance, or only a portion of them; but should any of the sharers have paid, or previous to the sale pay up, his or their proportion of the balance due, (advertence being had to the provision of Clause 2, Section 34, Regulation XIX, of 1814) his or their share or shares must be exempted from sale by proclamation at the time, and place of sale, and by written order in the lotbundee and sale proceedings, and only the share or shares still in balance, sold in one lot without specification of separate jumma, and the purchasers of the share or shares sold, will succeed to the exact place, interests, and right of the late sharer or sharers in default, the entire estate remaining in balance as before the sale.

I have, &c.

(Signed) C. E. TREVELYAN,
Additional Secretary.

14th August.

The commissioner of Bauleah having requested under date the 23rd ultimo, the opinion of the Board "as to who is the authority to decide suits for resumption of land, held under grants for less than 100 beegahs situated in permanently assessed estates, of which Government has become the zemindar by purchase," the Board caused a reference to be made on the subject to Government, in which it was stated as follows :

"Government recently determined, that cases coming under Section 30, Regulation II., of 1819, should be decided by the ordinary revenue authorities. The cases referred to are those in which the holder of a permanently settled estate, claims to resume rent free tenures of less than 100 beegahs, which are included within the limits of his estate, and it follows from this construction of the law, that when Government as proprietor of a permanently settled estate asserts a similar claim, the right should in like manner be determined by the ordinary collectors, and not by the special deputy collector.

"It is possible, however, that the Government may think fit, that some change should be made in the law in this respect in the forthcoming comprehensive enactment on the subject of rent free tenures, and the Board have therefore directed me to call the attention of Government to the case."

The following dated 1st instant, is the reply :

"I am directed by the Right Honorable the Governor of Bengal, to acknowledge the receipt of your letter of the 18th ultimo, with its enclosure, and to inform you in reply, that in all cases of the nature alluded to by you, the Government is to be dealt with, as any other zemindar; and suits under Section 30, Regulation II. of 1819, should be decided by the collector of revenue.

I am, &c.

(Signed) T. C. SCOTT,
Offg. Dpy. Secy. to the Govt. of Bengal.
[Englishman, Sept. 5.]

Aug. 22, 1837.

No. 70.

To the Commissioner of Revenue for the Division of—

Sir,—The Sudder Board of Revenue have desired me to issue the following instructions for the guidance of special deputy collectors as there is reason to believe that uniformity of practice does not prevail on the points adverted to.

2d. On declaring any lands liable to assessment, the special deputy collector will himself cause the notice, prescribed by the orders of government, dated the 22d, February 1831 to be served on the parties in possession intimating to them that the lands will be assessed at the end of six months, unless it should intermediately be ordered otherwise by the special commissioner.

3rd. The special deputy collector will at the same time transmit a copy of his decree to the commissioner of the division, in order that he may issue the necessary orders to the proper officer for the assessment of the lands and the collection of the government dues at the end of six months from the date of the decree, provided the special commissioner shall not see fit to stay the assessment on the party in possession furnishing security.

4th The Board further direct me to request that you will call the particular attention of the special deputy collectors to the rule prescribed by section 16, Regulation II., 1819, relative to the identification of documents filed in the support of rent free claims.

I have, &c.

(Signed) C. E. TREVELYAN, Additional Secretary.

No. 71.

To the Commissioner of Revenue for the Division of—

Sir,—I am directed by the Sudder Board of Revenue to communicate the following explanation, which is considered necessary in regard to the clauses underlined of the passage quoted in the margin* from their circular instructions of the 2d January last, No. 1, paragraph 8.

2d. The concluding clause was introduced into those circular instructions, without due advertence to the connection in which it stands to the measurement of lands claimed as rent free.

3rd. The measurement, whether of lands claimed to be held free of assessment, or of the estates upon which they abut, when necessary to the just determination of the laktiraj claim, is not intended to be prohibited. Such a proceeding, in order to assert the rights of the state to lands claimed to be held free of assessment, is not

and not otherwise.

at variance with any of the rights or privileges conferred on the zemindar by the perpetual settlement; nor can it be seriously objectionable to any proprietor of honest intentions. The disinclination of any zemindar whose object is to screen the fraudulent conduct of a neighbour or his own, is not worthy of consideration.

4th. It is the duty, and should be the purpose of those parties to whom a fixed tenure is guaranteed by the permanent settlement, to further every endeavor to assert the just claims of the government, from which they derive their possession and their security, and to bring under contribution to the service of the state those lands which have hitherto obtained an authorized exemption, under illegal or invalid titles. Nor should they less readily give their aid, and submit, as the state requires it, to a temporary inconvenience as the consequence of a measurement may be the permanent recognition of duly registered, and valid titles, which circumstances may, for a time, lead the officers of government entrusted with the powers of resumption, to question.

5th. The above remarks refer entirely to the course of proceeding to be adopted in regard to lands claimed to be held free of assessment. Under the orders of government dated the 2d May last, No. 586, circulated by the Board on the 16th of May, the special deputy collectors were directed to defer investigations regarding alleged tauseer lands until they shall have disposed of all the lakhiraj cases on their respective files, except in special cases to be previously reported for the sanction of the Board.

I have, &c.

(Signed,) C. E. TREVELYAN, Additional Secretary.

[Englishman Sept. 11.]

CIRCULARS.

No. 66.—This circular is a continuation of the Board's Circular dated the 28th October 1836. It is a communication from Mr. Mangles, promulgated by Mr. Secretary Trevelyan to all the Revenue Commissioners, informing them that the orders of the Right Hon'ble the Governor of Bengal, dated the 20th September 1836, relate exclusively to cases coming under the cognizance of the officers employed in investigating the titles of lands claimed to be held free of assessment, in which tenures may appear to have been appropriated to purposes connected with education, and that his Lordship wishes the Board to consider the purport of those orders to be extended to all cases whether the grant be upheld or resumed, in which the professed object of the alienation from the public Revenue was to provide means for purposes of general utility, or benevolence of whatever description.

SPECIAL DEPUTY COLLECTORS.

No. 67.—It is a correspondence between Government and the Board in which His Lordship concurs with the Board, which appears from Mr. Walter's second minute of the 13th instant to be unanimous on the subject, that it is not expedient that they should promulgate for the guidance of the special Deputy Collectors, in their capacity of public prosecutors, an authoritative digest and construction of the Resumption Laws:—the more so, because these officers are in no wise subject to the direction or control of the Board in the exercise of their judicial functions.

At the same time His Lordship is of opinion that the Board might not only unobjectionably, but with great advantage, lay down for the instruction of the special

Deputy Collectors, general rules and principles of procedure, calculated to ensure uniformity of practice, and all possible consideration for the parties contesting the claims of Government consistent with the assertion of the unquestionable rights of the state; as well as to obviate any misconceptions, if such are likely to obtain in regard either to the view of Government, or to the rights guaranteed to the zemindars by the Government.

The Governor has already expressed his sentiments with respect to the obligation of the Board to afford the benefit of their extensive information and experience to the officers employed in the enforcement of the resumption laws, with regard to the towseer and alluvion cases in particular, especially the former, and he thinks it highly desirable that the special Deputy Collectors should be encouraged to seek the Counsel of the Board upon all points of doubt and difficulty; such Counsel, indeed, the Board in their capacity of superintendents of legal affairs, are bound to render to all officers conducting suits in which the public interests are involved.

The Board have agreed to abide by the instructions of Government as above stated, and the Government in reply state, that the intentions of the Board in regard to furnishing instructions to the Commissioners and Special Deputy Collectors on all matters of practice and procedure connected with the resumption operations in progress, and in their capacity of superintendents and remembrancers of legal affairs, their opinions to the latter officers, on any points of legal difficulty which may be referred to them, are entirely satisfactory to his Lordship.

No. 68.—Is on a difference of practice having been found to exist notwithstanding previous orders on the subject as to the mode of effecting rules of estates* under Butwara. Mr. Secretary Trevelyan, under the orders of the Board, has requested all the Commissioners of Revenue to instruct their subordinates that the whole estate with its entire Jumma must be advertized in one lot, whether all the shares be in balance or only a portion of them; but should any of the share's have pail, or previous to the sale pay up, his or their proportion of the balance due, (advantage being had to the provisions of clause 11. section 34. Regulation XIX. of 1814), his or their share or shares must be exempted from sale by proclamation at the time and place of sale, and by written order in the lothundee and sale proceedings, and only the share or shares, still in balance, sold in one lot without specification of separate Jumma and the purchaser of the share, or shares sold, will succeed to the exact place, interests, and rights of the late share or shares in default, the entire estate remaining ijmaltee as before the sale.

No. 69.—Is a correspondence between the Board and Government regarding a letter from the Commissioner of Bauleah, requesting the opinion of the Board, as to who is the authority to decide suits for Resumption of lands held under grants for less than 100 boegahs, situated in permanently assessed estates, of which Government has become the zemindar by purchase.

The Board observed that the Government recently determined, that cases coming under Section 30, Regulation II., of 1819, should be decided by the ordinary Revenue authorities. The cases referred to, are those in which the holder of a permanently settled estate claims to resume rent free tenures of less than 100 boegahs which are included within the limits of his estate, and it follows from this construction of the law that when Government as proprietor of a permanently settled estate asserts a similar claim, the right should in like manner be determined by the ordinary collector and not by the Special Deputy Collector. The Board went on to observe that it was possible, however, that the Government may think fit that some change should be made

* Under Section XXXIII, Regulation XIX. of 1814.

in the law in this respect, in the forthcoming comprehensive enactment on the subject of rent free tenures, and the Board therefore called the attention of Government to the case.

The Government have informed the Board through Mr. Officiating Deputy Secretary T. C. Scott, that in all cases of the nature alluded to by the Board, the Government is to be dealt with as any other zemindar, and suits under Section 30, Regulation II., of 1819, should be decided by the Collector of Revenue.—*Hurkaru*, September 13.

Aug 22, 1837.

to the Commissioner of Revenue for the Division of—

Sir,—I am directed to inform you, that the Right Honorable the Governor of Bengal, has been pleased to determine that ten annas per beegah of land in cultivation be fixed, as the basis on which the remuneration of the Government pleaders in the Special Commissioner's Courts, shall in future be calculated in conformity with the rule prescribed by Government Orders, dated the 21st August, 1828.

2d. You will be pleased to instruct the Collectors in your division to pay immediate attention to the requisitions of the special commissioners for payment of fees granted under these orders.

3rd. The Board further desire, that any arrears which may be still due to these pleaders, notwithstanding their circular orders issued on the 28th March and 2nd of May last, directing their immediate payment, be at once calculated at the above rate, and the amount remitted to the special commissioners for delivery to the pleaders to whom it is due.

I have, &c.

(Signed) C. E. TREVELYAN, Additional Secretary.

[*Englishman*, Sept. 13.

CIRCULARS.

UNIFORMITY IN CERTAIN POINTS OF PRACTICE.

No. 70. Mr. Secretary Trevelyan, at the desire of the Board, has issued this circular among the Revenue Commissioners for the guidance of special Deputy Collectors, as there is reason to believe that uniformity of practice does not prevail on the points adverted to.

On declaring any lands liable to assessment, the special Deputy Collector will himself cause the notice prescribed by the orders of Government, dated the 22d February 1831, to be served on the parties in possession, intimating to them that the lands will be assessed at the end of six months unless it should immediately be ordered otherwise by the special Commissioner.

The special Deputy Collector will at the same time transmit a copy of his decree to the Commissioner of the division in order that he may issue the necessary orders to the proper officer for the assessment of the lands and the collection of the Government dues at the end of six months from the date of the decree, provided the special Commissioner shall not see fit to stay the assessment on the party in possession furnishing security.

The Board have further directed, that the Commissioners will call the particular attention of the special Deputy Collectors to the rule prescribed by Section 16 Reg. II. 1819, relative to the identification of documents filed in support of rent free claims.

FRAUDS IN THE MEASUREMENT OF RENT FREE LANDS.

No. 71. This circular is an explanation which is

considered necessary to the clauses underlined* from the circular instructions of the 2d January last No. 1. The concluding clause was introduced into those circular instructions without due advertence to the connection it stands to the measurement of *land claimed as rent free*.

The measurement whether of lands claimed to be held free of assessment of the estates upon which they abut, when necessary to the just determination of the *lakhiraj* claim is not intended to be prohibited. Such a proceeding in order to assert the rights of the state to lands claimed to be held free of assessment, is not at variance with any of the rights or privileges conferred on the zemindar by the perpetual settlement; nor can it be seriously objectionable to any proprietor of honest intentions. The disinclination of any zemindar whose object is to screen the fraudulent conduct of a neighbour, or his own, is not worthy of consideration.

It is the duty, and should be the purpose, of those parties to whom a fixed tenure is guaranteed by the permanent settlement, to further every endeavour to assert the first claims of the Government from which they derive their possession and their security, and to bring under contribution to the service of the state those lands which have hitherto obtained an authorised exemption under illegal or invalid titles. Nor should they less readily give their aid, and submit, as the state requires, to a temporary inconvenience as the consequence of a measurement may be permanent recognition of duly registered and valid titles, which circumstances may, for a time, lead the officers of Government entrusted with the powers of resumption, to question.

Mr. Trevelyan concludes by observing, that the above remarks refer entirely to the course of proceeding to be adopted in regard to lands claimed to be held free of assessment, under the orders of Government, dated the 2d May last, No. 586, circulated by the Board on the 16th May, the special Deputy Collectors were directed to defer investigations regarding alleged towfeer lands until they shall have disposed of all the *lakhiraj* cases on their respective files, excepting special cases to be previously reported for the sanction of the Board.

REMUNERATION OF GOVERNMENT PLEADERS.

No. 72.—This circular informs the Commissioners that the Right Hon'ble the Governor of Bengal has determined that ten annas per beegah of land in cultivation be fixed as the basis on which the remuneration of the Government pleaders in the Special Commissioner's Courts shall in future be calculated, in conformity with the rule prescribed by Government orders dated the 21st August 1828.

The Commissioners have been desired to instruct the Collectors in their respective divisions to pay immediate

* This circular never having been published, we give the particular part of the instructions alluded to below.—*Reporter*.

"On this account you are requested especially to place the Deputy Collectors on their guard against the frauds which will assuredly be attempted, and in many instances probably with success if they do not ascertain the existence and extent of *lands claimed as rent free*, previously to investigating the validity of the tenure. At the early stages of the proceeding, the parties in possession will be generally ready to point out their lands and a definition of boundaries, and in cases where they are defective, actual measurement should be resorted to, whenever such a measure can be adapted without infringement of any of the rights and privileges conferred on the zemindars or proprietors of permanently assessed Estates by the permanent settlement and not otherwise.

attention to the requisitions of the Special Commissioners for payment of fees granted under those orders.

The Board further desire that any arrears which may be still due to these pleaders, notwithstanding their circular orders, issued on the 28th March and 2d May last, directing their immediate payment, be at once calculated at the above rate, and the amount remitted to the Special Commissioners for delivery to the pleaders to whom it is due.

SUMMARY SUITS UNDER SECTION XVIII. REGULATION VIII. 1819.

No. 73.—Mr. Commissioner Henry Ricketts, of Cuttack, on the 26th of May last, addressed the Board stating, that on the 17th August, 1837, the Court of Sudder Dewanny Adawlut ruled that a zemindar is not at liberty under Section XVIII. Regulation VIII. 1829, to attach the tenure of an intermediate holder i. e. oust him, without having previously instituted a summary suit against him under Section XV. Regulation VII. of 1799. "The declaration * that it is illegal to such except under stated circumstances, necessarily implies a remedy in case of the contravention of such rule," an intermediate holder therefore, who may be disturbed in possession, on application to the Judge, may obtain an order for restoration until the process prescribed shall have been observed.

On the 7th March 1828, the Court ruled that a resident cultivator could not be disturbed till an arrear had been adjudged to be due, and if ousted in contravention of that rule, should be restored to possession by the Judge on Summary application.

On the 15th November 1833, it was ruled by the Court that all such cases of illegal ejectment, not attended with violence so as to bring the case within the cognizance of the magistrate, should be preferred to the Collector under the provisions of Regulation VIII of 1831.

Mr Ricketts says, that under these constructions, Collectors are bound to receive all complaints of illegal ejectment brought forward by all classes of intermediate holders and ryots, but such is not the general practice, neither is it known that such complaints can be admitted by a Collector.

Mr Ricketts therefore proposed, with the Board's permission, to direct the permission of the Collectors in his division to the existing Laws as construed by the Court of Sudder Dewanny Adawlut and instructing them to open a register of these cases, and keep them separate from suits for arrears instituted under Regulation VIII of 1831. Mr Ricketts also requested to be informed, whether appeals from the decisions of Collectors in such cases should be received.

The Board have requested Mr Ricketts to direct the attention of his subordinates to the existing laws as construed by the Court of Sudder Dewanny Adawlut in the manner proposed by him, instructing them to open a Register of the cases preferred under section XVIII Regulation VIII of 1819 and to keep them separate from suits instituted under Regulation VIII of 1831.

Mr Secretary Travelyan concludes by saying, that according to the spirit of the Court's construction, cases of the above nature are appealable to the Commissioner under the limitations prescribed for appeals against summary decisions in Section IV Regulation VIII 1831.

The Board have instructed all the other Revenue Commissioners accordingly.

* Quoted from the subsequent circular order of the Court dated the 7th March, 1837.

PRACTICE OF HOLDING ESTATES UNDER FICTITIOUS NAMES

No. 74: By this circular the Board call on all the Revenue Commissioners to notice a letter from the Officiating Secretary to the Indian Law Commission, regarding the practice of holding Estates under fictitious names, and that the Commissioners will call upon each of the Collectors subordinate to them to furnish an immediate answer, in as few words as possible, on each of the points stated at the conclusion of that letter; and that after the commissioners receive replies, they will submit those replies to the Board with their sentiments, and any additional information which it may be in their power to furnish.*

CONSULTATION, —FRIDAY, AUGUST 22, 1837.

DELINQUENCIES OF THE TIPPERAH COLLECTOR'S SHERISHTADAR.

Mr. Commissioner Dampier, of Chittagong, on the 29th of July last, submitted copies of certain correspondence that had transpired between him and Mr. acting collector W. J. H. Money, of Tipperah, relative to certain instances of misconduct and corruption on the part of Keshenchunder Roy, Sherishtadar.

Mr. Dampier says that it appears from Mr. Money's report relative to the postponement of the one anna share of Pergunnah Buldakhal, that the Sherishtadar stated *officially* to him that the arrears had been paid up (when such was not the case) and consequently the sale was not proceeded with. Mr. Dampier goes on to say, that he does not consider Mr. Money as free from blame in taking the assertion of the Sherishtadar for granted, without having adopted every measure, either then, or at the close of the day, to see if the arrears had really been paid up. Mr. Dampier considers that Mr. Money was bound to have ascertained either by a reference to the chulluan, or the treasure's books at the time of the payment, or the non payment of so large a sum into his treasury, and that his omission to do so was a neglect of his duty. This, however, does not free the Sherishtadar from having wilfully deceived his superior officer by asserting a payment to have been made; and from the evidence in this case, and that taken with regard to the two shares of Hoomnabad, but Mr. Dampier has no doubt but that a system of corruption has, for a considerable period, been in use amongst the Tehsee omiah and the Sheristadar of the Tipperah collectorship.

There is no direct proof of corruption in the case of Buldakhal, but, taking all the cases stated by the Tehsee Mohurrirs, and the evidence produced with regard to the Hoomnabad proprietors, there can be no doubt, but that the Sherishtadar, in this instance deceived Mr. Money wilfully, and that he did so for the consideration of 10 per cent. on the arrears, which it is stated was the amount levied by him from all defaulters, the sales of whose properties he, by direct, or indirect means, procured to be postponed. Mr. Dampier cannot consider that he was, as stated by himself, misinformed by the Tehsee Mohurrirs. His influence (observes Mr. Dampier) in the office is far too extensive for them to attempt such a thing, if his talent and aptitude for business did not render a deceit of that kind hopeless.

Besides, says Mr. Dampier, the Sherishtadar must have discovered the deception, which, as he would have the authorities believe, was practised on him by the Mohurrirs on the ensuing day, and if he had acted in this case with uprightness, he would have brought the conduct of the omiah to the notice of the acting Collector,

* For the letter of the Indian Law Commission referred to in the above circular, see the *Hurkar* of the 13th instant, in which we have given a complete abstract of it, in a report of proceedings held by the Zillah Judge of Allipore on the 20th August last. —Reporter.

and not allowed such mal-practices to have remained concealed. Mr. Dampier conceived the Sherishtadar's conduct in this instance to render him totally undeserving of future trust, and therefore directed his immediate dismissal.

Mr. Dampier availed himself of the opportunity of stating to the Board that he is generally and extremely well satisfied with Mr. Money's official conduct, and that he is convinced the laxity which he has noticed, is not at all customary with him, but was in this instance, the result of a press of business, and of the hurry which attends sales of numerous estates.

Mr. Dampier continues, that in the cases respecting the two shares of Hoomnabad, the acts of corruption are clearly and positively sworn to by the agents for the zemindars, who are extremely respectable persons in the district, and who state with precision why and when the demands were made, the manner in which the sums were made up, and the places in which they were paid. It is absolutely necessary, says Mr. Dampier, that these cases should be prosecuted criminally, and although it is extremely difficult to prove corruption, yet Mr. Dampier trusts, that if money procures (as Mr. Dampier had directed) the evidence of the sharers of Hoomnabad, there will be sufficient to obtain the conviction of the Sherishtadar.

Mr. Dampier regretted much that Mr. Money had been so incautious as to hold out any hopes of pardon to the Mohurris Muddun Mohun Chukerbuttee and Greet Dhor Doss. Their statement of the influence exercised by the Sherishtadar in the office, and the means he adopted to secure himself in his corrupt practices, is (says Mr. Dampier) tolerably correct, but of course the credibility of their evidence will be much affected by the fact that it was elicited by a promise of pardon, still (observes Mr. Dampier) the Magistrate or the Sessions Judge (if the case goes to his Court) may take their evidence into consideration particularly, supported as it is, by direct evidence given by other parties.

From several examinations which have been sent to Mr. Dampier by Mr. Allen, the Magistrate, taken before him in his enquiry relative to the conduct of Kissenchunder in Buldakhal, in which acts of corruption were sworn to, other than those regarding that Pergunnah, and from the evidence submitted to Mr. Dampier by Mr. Money, Mr. Dampier is obliged to state his conviction, that up to Mr. Money's arrival in the district the Sherishtadar was considered to hold all the power and authority of the collectorate in his hands, and that the European officer was looked upon as nothing; the consequences are beginning to be apparent in the Hoomnabad cases on which Mr. Money has now reported, and will be more fully developed when the result of Mr. Allen's enquiries in Buldakhal are submitted to the Board. That officer has not been able yet to complete those enquiries, for as he has proceeded in the investigation, it has become a question, not from whom did Kissenchunder extort money? but from whom did he not extort money? and Mr. Dampier has been compelled to request Mr. Allen to confine his enquiries to some of the most important cases, and report on them, for they were extending themselves, as evidence was taken, beyond all limit.

Mr. Dampier regretted bringing to the notice of the Board such disreputable conduct on the part of an officer noble and intelligent as Kissenchunder Roy. Mr. Dampier says that he knows him to be possessed of more talent, aptitude for business and information than the majority of our native public servants. Mr. Dampier knows that Kissenchunder has acquired a thorough knowledge of Revenue duties, and all the details of a Collector's office, and he might under proper control, have been a most valuable and efficient public servant,

and eventually have risen to the superior offices now held by natives of this country. By the inefficiency, facility of disposition and want of energy in those placed over him, he has had in his hands all the duties and the authority of the Collectorate without any responsibility. Of course applications to him for favors accompanied by *douceurs*, soon became common, and Kissenchunder was unable to resist the temptation which offered him the means of obtaining with celerity considerable wealth; but the European Officers are almost as much to be blamed as Kissenchunder; (says Mr. Dampier) for, it is owing to their neglect, or inefficient discharge of business and dependence on him, that the state of affairs in the Collectorate has reached to such a state.

Mr. Secretary Trevelyan, under the direction of the Board, has informed Mr. Dampier that the Board entirely approve of his having dismissed Kissenchunder Roy and instituted a criminal prosecution against him. The Board have desired the Commissioner to report the result of the trial in order that, should he be convicted, the Board may take into consideration the propriety of recommending to Government that he should be Gazetted as unworthy of serving Government in future.

The case against the Treasurer (Mr. Trevelyan observed) appears less strong than that against the Sherishtadar, but the Board hope that the circumstances which will be elicited in the trial, will shew that the Commissioner acted judiciously in ordering him to be included in the criminal prosecution.

The Board are of opinion that the whole of the Treasury Tomjee and Tehseel Mohurris, (who all must have been cognizant, if not participants in the mal-practices of the Sherishtadar) should be dismissed, not perhaps at once, which might be productive of inconvenience to the current duties of the office, but gradually as opportunity may offer for filling their places with properly qualified successors. The Commissioner has been directed to take measures accordingly, in communication with the Acting Collector.

In order to prevent the recurrence of similar fraud, the Board have requested the Commissioner to instruct the Collectors in his division not to content themselves with a verbal report of the payment of balances of estates about to be exposed to sale, but to require the Treasurer in every such case to submit a written report signed by himself and countersigned by the sherishtadar, and at the close of each day's sale, the report, or reports so submitted, should be embodied in one Roobocarry proceeding of the officer holding the sale, as constituting the grounds on which he acted in not selling the estates, in portions of estates the balances of which had been reported paid up. Mr. Trevelyan goes on observing, that it is not likely native officers would permit such complete evidence against themselves as such documents would afford, while if exacting these reports did not deter them it would convict them.

Should the Commissioner, however, be aware of a preferable course of proceeding, or entertain any objection to the above orders, he has been requested to submit at large the suggestions he may have to offer for the consideration of the Board, previously to carrying into effect the precautionary directions stated above. — *Hurkuru, September 20.*

PRESIDENCY, TUESDAY, THE 19TH SEPTEMBER, 1837.

Present, — James Pattie, Henry Walters, Charles Tucker, and F. J. Halliday, Esqrs., Members, and C. E. Trevelyan, Esq., additional Secretary.

This was an unusually heavy Board day, as so many as four and twenty cases were proposed for discussion, among which a report on a case of conspiracy among

some of the clerks of the office was brought before the Board by the Secretary.

Mr. Trevelyan informed the Members, that he had appointed Mr. Rayson to the situation of examiner in the room of Mr. Fordyce.

Senior Member. What's become of Mr. Fordyce?

Secretary. He was dismissed by me.

Senior Member. By you! without the sanction of the Board?

Secretary. Yes, Sir, I dismissed him as Secretary of the office, in consequence of his having brought some charges against another subordinate officer, which he failed to prove, and in consequence of his having been of a very untractable disposition.

Senior Member. This is an innovation, that should not be allowed, and Mr. Trevelyan, it has always been the rule here, that no officers shall be dismissed or promoted without the sanction of the Members.

Secretary. The papers were first sent to you, Sir, and Mr. Fordyce's dismissal has the sanction of two Members.

Senior Member. I never saw the papers, and I say again that this is an innovation.

Secretary. I take the opportunity of bringing before the Board a question in a great measure connected with me as Secretary of this office. I believe I am held responsible for the conduct of my subordinates, and it is a general rule in the offices of the Secretaries to Government, that the Secretaries shall have the control and superintendence of the office and of the subordinates.

Mr. Tucker. I think it very proper, and will put a proposition to that effect before the Board.

Mr. Walter. I agree with you, Tucker.

Senior Member. The salary of a Secretary to Government is twice as much in amount as that of the Secretary of the Board, and I believe, Sir, that grades are distinguished by emolument.

Mr. Tucker. Do not let us be all day about this business; put a regular proposition before the Board, and let it be discussed.

Mr. Walter to the Senior Member. If you will only read the whole of the papers, you will agree with us, as to the right of the Secretary. I am entirely of Tucker's opinion.

Secretary. I spoke to Mangles particularly on this subject, and he said, that while he was Secretary of the Board, the Members never interfered with his office arrangements, and I believe it was not the case while Mr. Halliday was Secretary.

Senior Member. Mangles may have said so, Mr. Trevelyan, but you must be informed that he had that control only by sufferance.

Secretary. Mangles did not lead me to conclude any thing of the kind.

After a deal of conversation between the Senior Member and the Secretary and the other Members, during which Messrs. Walters and Tucker strenuously supported the Secretary, and after frequent suggestions from Mr. Tucker, that the Board had much to discuss besides the present frivolous matter, the Secretary, according to desire, read his report.

This report is extremely long, and as we have not much time to spare we will give as brief an abstract of the facts therein related, as possible.

In consequence of the Examiner's department being in heavy arrears, Mr. J. D. M. Sinais was entertained as an officiating assistant, and on the completion of his duties, Mr. Sinais gave a farewell tiffin to his office mates, among whom was Mr. Speed. At the end of

the tiffin several popular toasts were given, after which the health of the Senior Member was drank with loud cheers, the healths of the other Members and the Secretary were next drank, and then those of the Registrar, uncovenanted assistants, &c., &c., and after thanks were unanimously expressed to Mr. Sinais with libations of the best Chateau Margeaux and Lafitte, the guests dispersed, each to his respective department. Mr. Speed had to pass Mr. Fordyce's room, in which he heard his name rather disrespectfully used by a Mr. Lowrie, a sectioner. Mr. Speed told Mr. Lowrie to desist, and concluded by informing him, that he was too low a blackguard for Mr. Speed to notice. Another young sectioner of the name of the Tucker then came in Mr. Speed's way and got a box on the ear for some bad habits Tucker had been previously displaying in the office.

At the "going home" time that day, Mr. Speed was surprised to find his conveyance stopped, and on looking out, was assailed by Mr. Lowrie, the latter challenging the former to single combat, not with lance, or spear, but with the more convenient instrument a pair of fists. Mr. Speed declined accepting of the gauntlet for such a conspicuous tournament, but informed Mr. Lowrie that he would bring his conduct to the notice of the Secretary. Mr. Lowrie vexed at the reply, set to, and assailed Mr. Speed in language commonly used by persons unaccustomed to small swords and cold lead.

On the following day the whole affair was brought up, and Mr. Lowrie was dismissed from office by the Secretary, that gentleman viewing the matter as one deserving of immediate punishment. Mr. Lowrie appealed to the Members, and pending the enquiry, a conspiracy was formed against Mr. G. H. Poole, the Registrar, by Mr. Lowrie's party.

On taking charge of the office, Mr. Halliday discovered great irregularities, and confusion in several of the departments, much to the obstruction of business, and very much against the interests of parties connected in suits under the superintendence of the Board. Mr. Halliday saw no other method of eradicating the evil, than by the introduction of a general reform, in which serious matter he was ably assisted by Mr. G. H. Poole, that officer having distinguished himself for industry and integrity above many of the subordinate hands. The consequence was, that the more efficient clerks were promoted, and persons of good information and education were introduced, and the less efficient were appointed to situations suited to their respective capabilities. These reforms gave rise to a spirit of discontent which gradually assumed a rather important feature, and though things had day by day mellowed, a fitting opportunity never offered for a display of the opposition to reform. Mr. Lowrie's case was availed of, and Mr. Fordyce laid nineteen charges against Mr. Poole, the whole of which clearly determined themselves into nothing more, nor less, than that Mr. Poole had been at the head of the reform, and that he should therefore be forthwith dismissed from office.

Mr. Fordyce's charges were, in the usual form, handed round to the members: by the senior member, the writer was held to have been under the influence of strong mental aberration while he wrote them, and by Messrs. Tucker and Walters and also by the senior member, it was thought necessary to investigate into the truth of several alleged acts of corruption alluded to by Mr. Fordyce against Mr. Poole, though Mr. Walters gave it as his opinion, that if Mr. Lowrie's case had not come up, the present charges would never have been preferred, and that it was clear that Mr. Poole's official merits were turned into foibles by Mr. Fordyce. The Secretary in accordance with the suggestions of the members, held a formal enquiry at the office, the result of which was as follows:

The respective parties having been solemnly warned by the Secretary, that the future prospects of both Messrs. Poole and Fordyce depended on the result of the examination that was about to take place, and having warned the witnesses of the important necessity of adhering strictly to the truth, the investigation proceeded.

Mr. Poole declined being furnished with a list of the witnesses against him, but trusted, that as several persons would be called of notoriously questionable veracity, their evidence would be cautiously received. Mr. Fordyce wished several immaterial witnesses to be first examined, but the Secretary objected to that course of proceeding, and directed Mr. Fordyce to name his evidence on the principal charges. Those of corruption fell to the ground at once, and appeared to have originated in nothing more than a desperate effort on the part of the opposition, as the parties alleged to have bribed Mr. Poole, broadly denied having had any pecuniary transactions with him; and two persons of the name of Martyr, father and son, the former a pensioner, and the latter a discharged sectioner, spoke of having heard certain things from certain persons, which persons altogether denied the assertions; and Mr. Tottie, also a clerk in the Board, said that he had heard some thing, and on being questioned as to his informant, answered with a "*non mi ricordo*." The general characters of the two Martyrs were then enquired into, and their referee, Mr. Taylor, gave them in plain terms a very bad character for veracity.

One charge was at the commencement of the enquiry withdrawn by Mr. Fordyce, that of Mr. Poole having received certain sums of money from suitors as fees for granting authenticated copies of papers, and with having divided his profits with a native writer. It is a rule of the office that copies of papers shall be paid for at the rate of one rupee eight annas for every 750 words, eight annas of which is allowed to the Registrar for his trouble in examining papers, and the rupee to the writer.

The charges having one and all of them been disproved, and it appearing that this was an attempt to destroy the reputation of a deserving officer, whose feelings were unnecessarily severely aggrieved, and Mr. Fordyce having always conducted himself with discontent and having shewn an unhappy and impracticable disposition. Besides which it also appeared that Mr. Fordyce was looked to by a certain class of the scribes as the Lawyer of the office, and all discharged clerks being always with him for advice; the Secretary gave it as his opinion that such a person should not be allowed to continue in the office, and therefore ordered his discharge.

Senior Member.—Are the examinations of witnesses attested?

Secretary.—No, they were taken by me in my own hand writing.

Mr. Walters.—We cannot wish for more. They are all written by the Secretary.

The Senior Member also took an objection to the fee for copies of papers, and after a little conversation it was proved by Mr. Halliday, that the fee had been settled after much consideration, and after a reference to the Sudder Dewanny Adawlut by the Board.

The Senior Member then suggested that Mr. Fordyce should be called before the Board and informed of his discharge, and asked if he had any thing further to urge.

Mr. Tucker objected, and proposed, that as the Secretary is the organ of the Board, the sentiments of the Board should be communicated through the Secretary, and if the party wished to appeal, the Board would listen to it, if it came through the proper channel.

Mr. Walters supported Mr. Tucker, and we believe it was ultimately allowed that the Secretary of the Board will in future be the Secretary of it in every respect.

The Secretary then read his report on Lowrie's appeal. The Secretary said that he was at first disinclined to enter into the case it being one only of the usage of bad language. The Secretary knew that persons of that class were in the habit of expressing their opinions and sentiments in language that would be considered coarse among those in a higher grade of life?

Senior Member.—Yes, several of them are in the habit of beating their wives, over which conduct the Board have no control.

The Secretary went on to say that Mr. Speed had acknowledged having struck Tucker, and that Tucker, it was clear, did not feel himself aggrieved, or he would have immediately complained. However to put a stop to such conduct in the office, he had fined Mr. Speed a hundred rupees.

The Senior Member was of opinion that the Board could not take cognizance of Mr. Lowrie's conduct out of the office.

Mr. Tucker sided with the senior member entirely in regard to offences out of the office, committed after office hours. That in Lowrie's case Mr. Speed had been the aggressor, and if Mr. Lowrie had resented Mr. Speed's abuse of him in the office, the Board would have immediately blamed him for it; but that as Mr. Lowrie belonged to Mr. Fordyce's party, Mr. Tucker would not consent to his returning to the office, setting which aside, Mr. Lowrie was only an acting sectioner, and as his principal had returned, his services were no longer in requisition.

Mr. Walters agreeing with the other Members, it was ultimately settled, that not to affect Mr. Lowrie's future prospects, an order should be recorded, that as Mr. Lowrie's principal had returned, he is no longer required. This order cancels the order of dismissal.

The Secretary also said, during the proceedings, that Mr. Sinais had conducted the duties of acting examiner with efficiency, and very much to the satisfaction of the Secretary; that but for the tiffin, which had caused so much trouble and annoyance, Mr. Sinais would have been appointed in Mr. Fordyce's room.

The Members having retired to discuss their respective tiffins, we left to test the merits of ours.—*Hurkuru, September 25.*

No. 324.

To Secretary to the Government, Revenue Department.

Sir,—In continuation of my letter No. 281 of 6th instant, I am directed by the Sudder Board of Revenue to submit for the consideration and orders of the Right Honorable the Governor of Bengal the accompanying letter and its enclosures from the commissioner of Jessore, relative to the accounts of the collectorate of the 24-pergunnahs.

2. His Lordship is already aware that serious frauds have been committed by the native officers of the collectorate, and the Board regret to say that the papers now submitted will shew further malversations, and that there is a strong reason to apprehend their malpractices have been committed to a much greater extent than was at first supposed and has yet been discovered.

3. It will be observed that the collector proposes in the 7th par. of his letter, to have the accounts examined from the year 1820 to 26 inclusive, and this length of time the Board are of opinion will be sufficient for the present.

4. With reference to the next proposition, the employment of an extra native establishment, the Board are decidedly of opinion that such aid will be indispensable.

5. The chief point for his Lordship's consideration, is the mode in which, and the officers by whom the enquiry shall be conducted. All the members of the Board are of opinion that a strict investigation should take place, but as they differ in opinion as to the mode of effecting it, I am desired to submit the substance of their minutes for His Lordship's consideration.

6. The senior member is of opinion that the employment of Ramdhun Ghose, (as proposed in the 2d para. of Mr. Pigou's letter) would not at all attain the end in view, and being an inefficient measure, would most probably give the inculpated native officers an opportunity to obtain exemption from conviction and exposure. It is the more important, the senior member observes, that a searching enquiry should be made into the accounts of the 24 pergunnahs' collectorship, as the same abuses have been reported to exist in the collectorships of Midnapoor, Rajshahie and Sylhet (and assuredly they exist more or less in every collectorate) whilst effectual measures for future reform can only be adequately devised, when the extent, nature and scheme of the existing frauds shall have been thoroughly sifted and ascertained. He observes that the satisfactory accomplishment of a duty of this nature demands the services of a very capable public officer exclusively devoted to the object, and cannot properly be executed by the officiating collector, together with due attention to the very arduous duties of his office. He therefore proposes the appointment of an experienced and able revenue officer, for instance Mr. Raikes or Mr. J. C. Scott, to undertake the duty, which, he states, with the aid of intelligent native officers, appointed for the purpose, may be fulfilled in a month or six weeks.

7. The senior member is of opinion that the most effectual plan to prevent future frauds would be to substitute, in all collector's offices, English for native accounts, as the latter, in his opinion, are defective both in form and principle, and from being cumbrous and voluminous, cannot be checked and superintended by the European controlling authorities, thereby affording most inviting opportunities for the successful practice of dishonesty by the native officers. He suggests that a committee be appointed, consisting of three covenanted revenue officers and two native gentlemen, who should examine and report upon the present system, and devise a simple plan of English accounts to supersede those in use at present.

8. The temporary member proposes to depute Mr. McClintock, from the revenue accountant's office and give him the services of Mr. Francis, the candidate for the collectorship of Calcutta, or of an uncovenanted assistant from the accountant's office, and also those of Ramdhun Ghose. He is of opinion also that the commissioner and collector should be ex-officio members of this committee, and that in conducting the investigation they should commence with the year A. D. 1830. He adds that Mr. McClintock should draw up a plan for the future arrangement of the accounts in all collector's offices, in doing which he would have the advice of Mr. Dorin, the accountant Revenue Department. He concludes by recommending for sanction the extra establishment proposed by Mr. Erskine, so as to insure the quick dispatch of the business.

9. The officiating member remarks that the collector has not satisfactorily explained how the frauds have been committed, and he is of opinion that they never could have been perpetrated, without being speedily detected, unless the European head of the office grossly neglected his duty. He observes that the fictitious entries now discovered are all in the interest accounts of the individual estate alluded to, but the abstract interest account is made out daily on the gross balance due from the district at large and the mere entry in the *Seeah* or *Khutecanee* would not benefit the party unless the amount so entered

be included in the abstract interest account, and it could not be entered therein, and not brought to credit in the treasury account without immediate detection in the revenue accountant's office. He would wish to see the accounts kept in English (although he sees nothing objectionable in the present form) merely to render them more easily available to the European head of the office. Whoever conducts this enquiry should, in his opinion, be conversant with the native mode of keeping accounts, and should have nothing else to do being allowed also the services of native accountants. It would be impossible, observes Mr. Tucker, for the acting collector to attend to his own regular duties in addition to this work. One or other, probably both, would be neglected, and disappointment would be the result.

10. Having now stated the individual opinions and plans of all the members of the board, I am desired to solicit His Lordship's early instructions as to what course should be adopted in conducting this important enquiry.

I am, &c.

C. E. TREVELYAN, Addl. Secretary.

No. 989.

To C. E. TREVELYAN, Esq.

Officiating Additional Secretary to the
Sudder Board of Revenue.

Sir,—I am directed by the Right Hon'ble the Governor of Bengal to acknowledge the receipt of your letter dated the 4th instant, with its enclosures relative to the accounts of the collectorate of the 24-Pergunnahs, and to communicate as follows, in reply.

2. His Lordship has already communicated to the Board his desire that they should undertake to place the collectorate of the 24-Pergunnahs "in such a state of order, and to introduce such fixed rules of procedure, and such a system both of accounts and general business, as may render it a model upon which the other collectorates throughout the country may hereafter be organized." The frauds alleged to have been discovered in the accounts (though the Governor concurs with the officiating member in thinking that the mode of perpetration has not been satisfactorily explained) afford an additional reason for commencing at once and earnestly upon the work of reform.

3. At the same time, His Lordship does not anticipate any advantage, commensurate with the valuable time and labour which it will cost, from going back into the accounts through a long series of past years, with a view either to convict obscure native officers of fraud or to make out claims on the score of short payments of interest against individual zemindars. The great value and scarceness of competent European Agency, render it imperative on the Government to employ it to the best account; and whilst the existing exigencies of the public service render it impossible either to relieve Mr. Erskine altogether from the current duties of his office, or to assign the investigation of the accounts of the collectorate to a separate functionary. His Lordship is clearly of opinion, that the interests of Government will be best conserved by making the prevention of future fraud the primary object of the local authorities, and by carrying the investigation no further back than may be indispensably necessary to the full understanding of the manner in which fresh frauds have been committed, and to the punishment of offenders among the superior members of the omrah,—if such there be.

4. The necessary investigations under the above address, or must unavoidably be conducted by Mr. Erskine,

who, His Lordship remarks, has not expressed any doubts as to his being able to carry it to a satisfactory issue, nor has asked for special assistance, other than of an additional native establishment. He is authorized to make over, at his discretion, any part of his current duties to Mr. Snell, and to entertain whatever temporary establishment, including Ramdhun Ghose, [of whom he appears to entertain a high opinion,] the Board may think requisite, for a period not exceeding three months. Should they be required for a longer term, the exigency must be reported.

5. As regards the general subject touched upon in your letter under reply, the Governor is inclined to concur generally in the opinion expressed by Mr. Pattle in its 7th par. and he is therefore pleased to appoint the officers whose names are entered on the margin a committee for the purpose of considering the defects of the present mode of keeping collectorate accounts, as they may be exhibited upon the inquiry ordered above, with a view to their simplification and improvement, and the question whether these accounts ought to be kept in future in the Bengallee, as at present, or in the English, language. In forming their opinion upon the latter point, the committee will not fail to advert to the important consideration of expence.

6. The committee will, of course, make the accounts of the 24 Pergunnahs the ground work of their enquiries.

7. His Lordship requests that Mr. Tucker, who has had great practical experience as a collector, and who is understood to be thoroughly conversant with the system of revenue accounts, and Mr. Halliday, who is known to have given much attention to the subject, and to have intended to submit a plan of reform, will afford the committee all the aid and counsel which their arduous regular duties will permit.

8. The Governor will only add his hope, that it may be formed practicable, consistently with safety, to reduce the number and bulk of the accounts kept in the collectorates, and express his persuasion that the nearer approximation is made to the mode in which accounts are kept by private merchants, bankers, and others, who have often the most extensive and complicated transactions to exhibit on their books, the greater will be the simplicity and the security attained.

9. The inclosures of your letter are herewith returned, copies having been kept for record.

I am, Sir, your most obedient servant,

ROSS D. MANGLES,
Secretary to the Govt. of Bengal,
Fort William, the 11th July, 1837.

No. 133.

To J. A. DORIN, Esq., T. C. SCOTT, Esq., The Hon'ble J. C. ERSKINE, Committee for investigating into the accounts of the collectorate of the 24 Pergunnahs and C. TUCKER, Esq., and F. J. HALLIDAY, Esq.

Gentlemen,—I am directed to transmit a copy of a letter from Mr. Secretary Mangles, dated the 11th instant, No 989, on the subject of the enquiry you have been ordered to conduct into the present mode of keeping the collectorate accounts.

2d. The correspondence, in which these originated,

is also sent in original* and you are requested to return it after perusal.

3rd. You will observe that the Board is very decidedly of opinion that the collectorate accounts should be kept in the English characters and figures, wherever sufficiently qualified and sufficiently cheap agency is available for this purpose.

4th The following facts seem to indicate that a sufficient number of persons qualified to keep accounts in this manner, may now be procured at low rates of pay in the neighbourhood of Calcutta, and that an adequate supply will not long be wanting in other parts of the country. In consequence of an advertisement having been issued to the effect that section writers were required at this office at a rate of pay much below that which now prevails, upwards of 200 persons attended at the office within three days and wrote specimens of their hand writing, and after that numerous other applications were received and will continue to be so. The hand writing of most of these persons was very creditable—that of upwards of 60 of them very good, and it was evident from their certificates and from the account they gave of their education, that a large proportion of them were quite as competent to discharge the ordinary duties of an accountant as those of a copyist. The other fact to which I am directed to advert, is that upwards of 5,000 boys are now receiving their education in different parts of the country under the Government education committee, much the greater part of whom are taught the English mode of keeping accounts, and the number so educated must soon be very much augmented. This is independent of those who are educated at institutions supported by private individuals and by societies, the number of which is not small, and is continually increasing.

I have, &c,

C. E. TREVELYAN, Additional Secretary.

No. 344,

To ROSS D. MANGLES, Esq.

Secretary to the Government of Bengal,
Revenue Department, Fort William.

Sir,—I am directed to acknowledge the receipt of your letter dated the 30th ult., No. 914, on the subject of the disuse of the Persian language in the Revenue Department, and to inform you that the Board has perused with sincere gratification this exposition of His Lordship's comprehensive and enlightened views on a subject of infinite importance to the future prospects of the country.

2nd The whole of your letter under acknowledgment has been lithographed, and sent to the officers subordinate to the board with a circular letter, of which the accompanying is a copy.

3rd In one respect only, the Board beg to suggest that an exception ought in proper time to be made to the general rule which His Lordship has laid down regarding the limits within which the English and Bengallee languages are respectively to be used in the transaction of revenue business. It is in their opinion

* From Commr. of Jessore dated 27th May, No. 240.
To Secretary to Govt. R. D. 6th June 1837, „ 281.
From Commr. of Jessore, 12th Do. „ 263.
To Do Do. 4th July „ 173.
„ Secy. to Govt. R. D. 4th Do. „ 324.
From Do. to Do. 30th June with enclos. No. 914.
To Do. to Do. 11th July (copy) „ 344.
Circular 11th Do.

an object of very great importance, that all the accounts and figured statements generally of every collectorate should be kept in the manner most readily intelligible to the collector, and nothing would so much conduce to this advantage as their being kept wholly in English. This change would be attended with no difficulties, requiring little more than the substitution of English letters and figures for native letters and figures in denoting names of estates and sums of money, and so far as the natives system of accounts differs from the English, the advantage is undoubtedly very much on the side of the latter. The Board trust that his Lordship will take early measures for instituting an enquiry into the system of accounts now in use in the collectors' offices. The necessity for such a scrutiny has been rendered evident by recent discoveries of malpractices in the office of the collector of the 24-Pergunnahs and those of other collectors, and when such an enquiry shall be set on foot, the improvement now suggested may be taken into consideration with the rest of the subject.

4th. The Board entirely concur with his Lordship in opinion as to the advantages which might be expected from the promulgation of authoritative rules of practice for the transaction of business in collector's offices, both as regards the establishment of uniformity, and the supplying at once to new incumbents much of that practical knowledge which they now have to acquire by degrees, often not without injury to the interests both of the Government and the people. The Board will immediately apply themselves to the preparation of such a manual, which may, when approved, be printed and circulated for the remarks of the local officers previously to its final adoption. The English forms as revised by the committee appointed for that purpose, will in effect form an appendix to this manual, and the Board have already taken measures to revise all the ordinary Native revenue papers, (puttahs, rubookarees, security bonds, sale advertisements, bairanmahs, &c. &c.) and to establish as far as practicable for the whole presidency only one form of each, to be expressed in the vernacular language of each province.

5. The completion of these changes, however, will be a work of time, while the appointment of a trustworthy person to be the head of the native office of the collector of the 24-Pergunnahs, is urgently required. The Board therefore trust that his Lordship will sanction the immediate appointment, experimentally, of such an officer on a salary of 100 rupees a month for the reasons mentioned in my former letters on this subject.

I have, &c.

(Signed) C. E. TREVELYAN,
Additional Secretary.

Mis. Dept. Sudder Board of Revenue, }
William, the 11th July, 1837. }

No. 1032.

To C. E. TREVELYAN, Esq.

Officiating Additional Secretary to the
Sudder Board of Revenue

Sir—I am directed by the right honorable the Governor of Bengal, to acknowledge the receipt of your letter dated the 11th instant, relative to the use of the vernacular and English languages in the offices of the collectors of revenue, and to refer the Board in reply to your 3d para. to my letter of the 11th idem, upon the subject of the accounts of the collectorate of the 24-Pergunnahs and appointing a committee to consider and report upon the best manner of keeping such accounts generally.

2. His Lordship is glad to find that the Board concur with him "as to the advantages that might be expected from the promulgation of authoritative rules of practice, for the transaction of business in collectors' offices," and will await their submission of the manual, which they propose to draw up for the general guidance of that class of officer.

3d. In the mean while, the governor is pleased, at the repeated and earnest recommendation of the Board, to sanction the immediate appointment, experimentally, of a sherishtadar, on a salary of Rs. 100 per mensem, to the collectorate of the 24-Pergunnahs, but he considers it to be of the utmost importance, that all possible endeavours should be made upon this, as on every similar occasion, to provide the means of increasing the salary of the responsible native officer at the head of an importance establishment by effecting such improvements in the transaction of business, and especially, by so simplifying it as to admit of a reduction in the number of subordinate hands employed, or their payment at the rate of merely mechanical labourers.

I am, Sir, &c.,

(Signed) ROSS D. MANGLES

Secy. to the Govt. of Bengal.

Fort William, the 27th July, 1837.

No.

To the Commissioner of Revenue for the Division of
Jessore.

Sir,—In continuation of my letter to your address dated 31st ultimo, No. 193, I am directed to transmit for your information and guidance, copy of a letter from the Board to Government, dated 11th ultimo, No. 344 and of Mr. Secretary Mangles's reply.

2nd. You will be pleased to instruct the collector to submit a plan for remodelling his establishment on the principle pointed out in the concluding paragraph of Mr. Mangle's letter for which the recent dismissals of some of the amla will afford him every facility.

I have, &c.

(Signed) C. E. TREVELYAN,

Additional Secretary.

Mis. Dept. Sudder Board of Revenue }
Fort William, the 18th Aug. 1837 }

(True Copies)

C. E. TREVELYAN,

Additional Secretary.

Sudder Board of Revenue, Fort }
William, the 31st July, 1837. }

(Englishman, Sept 28.

AUGUST 29, 1837.

No 73.

To the Commissioner of Revenue for the division
of—

Sir,—I am directed by the Sudder Board of Revenue to forward for your information and guidance, and that of your subordinates, copies of* correspondence with the commissioner of Cuttack on the subject of summary suits under section 18, Regulation VIII 1819.

* Commissioner to the Board No. 1141 of 26th May 1837.

Board to Commissioner No. 151 of 29th Aug. 1837.

2d. You are requested to conform to the instructions issued to the commissioner of Cuttack.

I have the honor to be, &c.

(Signed) C. E. TREVELYAN, Additional Secretary.

No. 1141.

To the Secretary to the Sudder Board of Revenue,
Fort-William.

Sir,—On the 17th August 1827, the Court of Sudder Mia. Revenue. Dewanny Adawlut ruled that a zemindar is not at liberty under section 18, regulation VIII. of 1819, to attach the tenure of an intermediate holder, i. e. oust him, without having previously instituted a summary suit against him under section 15 regulation VII. of 1819.† “The declaration that it is illegal to oust” except under stated circumstances necessarily implies “a remedy in case of the contravention of such rule;” an intermediate holder, therefore, who may be disturbed in possession, on application to the judge, may obtain an order for restoration until the process prescribed shall have been observed.

2d. On the 7th March 1828, in the same spirit the court ruled that a resident cultivator could not be disturbed till an arrear had been adjudged to be due, and if ruled in contravention of that rule, should be restored to possession by the judge on summary application.

3d. On the 15th of November 1833, it was ruled by the court that all such cases of illegal ejectment, not attended with violence so as to bring the case within the cognizance of the magistrate, should be preferred to the collector under the provisions of regulation VIII. of 1831.

4th Under these constructions, therefore, collectors are bound to receive all complaints of illegal ejectment brought forward by all classes of intermediate holders and ryots, but such is not the general practice, neither is

† Quoted from the subsequent circular order of the Court, dated the 7th March 1828.

it known that such complaints can be admitted by a collector.

5th. I purpose with the Board's permission directing the attention of the collectors in this division to the existing laws as construed by the court of Sudder Dewanny Adawlut, and instructing them to open a register of these cases and keep them separate from suits for arrears instituted under regulation VIII of 1831.

6th. I request to be informed whether appeals from the decisions of collectors in such cases should be received.

I have, &c.

(Signed) HEN. RICKETTS, Commissioner.

Office of Commissioner, 19th
division, the 26th May 1837. }

No. 151.

To the Commissioner of Revenue for the division of
Cuttack.

Sir,—I am directed to acknowledge your letter, No. Settlements. 1717 of 13th ultimo, referring to your former communication No. 1141 of the 26th May last.

2d. You are requested to direct the attention of your subordinates to the existing laws as construed by the Court of Sudder Dewanny Adawlut in the manner proposed by you, instructing them to open a register of the cases preferred under section 18 regulation VIII. 1819, and to keep them separate from suits for arrears instituted under regulation VII 1831.

3d. According to the spirit of the Court's instructions, cases of the above nature are applicable to the commissioner under the limitations prescribing for appeals against summary decisions in section 4, regulation VIII. 1831.

I have &c.

(Signed) C. E. TREVELYAN, Additional Secy.

Englishman, Sept. 30.]

MISCELLANEOUS.

CALCUTTA.

THE CROPS.—The appearance of the crops in the vicinity of Calcutta, and to the eastward, is represented to be more promising than was expected from the late setting in, and scarcity, of the rains; but the most desponding reports have been received from other quarters, were total failures seem inevitable. The tanks, generally, are not more than two-thirds full of water, and the populace, cannot but suffer severely next hot season from want of a sufficiency of water. The most recent accounts of the crops are more favorable than the previous ones were, the showers of rain that have since fallen having been of considerable benefit to them; but still the out-turn of the season, is expected to be rather under average.

THE PICE.—During the month, in consequence of the short time the government pice-venders attend their shops, the batta charged by the other shroffs on changing a rupee, has again increased to three and a half pice. The half-and-half measure of Government respecting the pice works so very ill, despite the boast of a certain secretary, that it would be better for them to abolish the shops at

once, and cease to be pice-venders. The farce of affording relief to the poor through the means of the Government change shops, is carried on, for the benefit of the Government shroffs alone; who attend at their posts for a portion of the prescribed period, and giving the half-and-half change to a few individuals, send the rest away, with a request to come the next day for change. Really the administration of Lord Auckland, bids fair to be notorious for its imbecility and humbug.

ACCIDENTS ON THE RIVER.—Several accidents have occurred on the river during the month from the upsetting of boats, and several lives have fallen sacrifices in consequence.

MURDERS.—A murder was committed on the 16th September, in Shamooker. A chumar, in a fit of jealousy, stabbed his wife to death, and wounded his father and mother-in-law. The Coroner's inquest held on the body of the murdered woman, has passed a verdict of wilful murder against the chumar, who is to be tried next sessions.

A Hindoo woman, aged about fifty years, who lived in Tuntoneah, was murdered on the night of the 25th September. The body of the deceased was found in a well on her own premises, and a Coroner's inquest held on it, has returned a verdict of wilful murder against some person or persons unknown.

On the night of the 31st of August, Kunny, a man of the barber caste, residing at Samunbust, was stabbed in the abdomen by Buddinath Goalah, and expired this morning at the Native Hospital, to which place he had been removed during the night.

EMBEZZLEMENT.—A roobacary has lately been received by the Police authorities at Calcutta, from the Magistrate of Zillah Sarun, stating that one Ramdhun Mookerjee had, on the 10th of August last, absconded with a lun-dee for 8,000 rupees on his being ordered by the magistrate to get it exchanged.

WAR WITH BURMAH.—It is said that there is every probability of a war with the Burmese. The ultimatum of the Supreme Government has been forwarded to the British Resident, Colonel Burney, for the information of the King. The Governor-General's departure for the Mofussil, will be postponed, until the result of this despatch is known.

STEAM NAVIGATION.—The proposal for promoting a well digested plan for the establishment of steam communication with England, has already attracted so much attention, and excited so warm an interest, that in the very short space of time between its publication on the evening of the 16th September, it has obtained the subscriptions of upwards of 100 firms, and individuals, taking collectively to the amount of upwards of 815 shares.

Mr. Waghorn's plan for rendering the present steamers immediately efficient for keeping up the steam communication between Suez and Bombay, has been adopted. The *Hugh Lindsay* is to be employed in the Red Sea only, and the *Atalanta* and *Berenice* in taking alternate packets from Mocha to Bombay, and two more steamers are to be sent out. This arrangement is not to be interfered with by the Parliamentary Committee appointed to report upon the question of a comprehensive plan of communication with other ports of India.

KING WILLIAM THE FOURTH.—Pursuant to appointment, obsequies were on the 3d September celebrated at the Armenian Church, in commemoration of the demise of our most gracious King William IV., of happy and glorious memory.

THE LATE KING AND THE QUERN.—Minute guns, corresponding with the age of his deceased Majesty, King William the Fourth, were on the 31st of August, fired from the ramparts of Fort William.

Her Majesty, Queen Victoria, was the same evening, at five o'clock, proclaimed Queen of Great Britain, &c. in the usual form.

GOVERNOR GENERAL.—The Governor-General contemplates leaving Calcutta about the 15th of November, if no news from England or Ava induces him to alter his intentions.

THE OPIUM BONUS.—It is stated that the Chamber of Commerce of Bombay, has remonstrated with the supreme Government against the partiality of the opium bonus, and that a strong petition has been got up for the return of the pass duty.

THE OPIUM SALE.—A re-sale of opium, consisting of Mr. Cohen's forfeited lots and the uncleared portion of the quantity assigned to the French Government, took place on the 15th of September. The quantity put up was 637 chests of Patna and 163 chests of Benares, together 800 chests, and though deposits or promissory notes to the amount of 1,000 rupees per lot were taken in the room of every buyer at the time of registering his purchase, the sale went off at prices fully equal to those of

the day in the bazar, and higher considerably than the present aspect of the China market warrants the expectation of realizing there. The first lot of Patna was knocked down to the rich kootee of Luchmechund Radakissen at 1,185 rupees, which was the highest price of the sale, the next lot being sold at 1,140 and the 6th lot at 1,130, the minimum; the average of the Patna Opium was rupees 1,149 per chest, while the Benares averaged rupees 1,088-1-7, ranging from 1895 to 1095 rupees per chest.

SHIPWRECK.—The *Highland Chief* was wrecked on the 27th instant on the Long-Sand off Saugor Point. Her crew and officers were saved.

CIVIL ORDER OF MERIT.—In connexion with the recent measure for increasing the salaries of a portion of the native judges, the Government has had under its consideration the expediency of establishing a Civil Order of merit similar to the Military Order lately sanctioned for the army. It is not intended to confine the bestowal of the distinctions of the order to the servants of the Government. Natives of respectability generally are to be eligible to the honours, and it is supposed that this will be a means not only of gratifying their feelings of ambition but of attaching them to our rule.

MILITARY ORPHAN SOCIETY.—A quorum of subscribers was obtained on the 5th of September, at a meeting held in the Town Hall, for the election of a Manager of the Orphan Society, in the room of Lieutenant Abercrombie. The election accordingly took place, and the choice fell upon Captain Roxburgh, the Assistant Military Auditor General, and in case of his declining to serve, Dr. Craigie was nominated in his stead.

THE BANK OF INDIA.—Mr. Holt Mackenzie and Mr. Deans Campbell are reported to be still intent upon getting up the Bank of India, and the Glasgow people are said to be warm supporters of the scheme.

CIVIL SERVICE ANNUITY FUND.—The Court of Directors' sanction has been received to the Rules of the Civil Service annuity Fund, which were submitted from Bengal for their approval; which sanction is, however, limited for the present to the three years' experiment they refer to. Mr. W. B. Bayley, Mr. H. Newnham, Mr. P. E. Paton and Mr. A. Campbell are admitted to the benefit of these rules.

MR. CHARLES BECHER.—The Court of Directors has liberally awarded 5,000 rupees to Mr. Charles Becher for the invention and introduction of the quadruple basons in the Company's silk filatures, whereby much saving in fuel has been effected.

GOVERNMENT ADVANCES ON BILLS.—A notice has been issued by Government, that "the Board of Customs, Salt and Opium, are authorized to receive tenders for advances on bills drawn on London and Liverpool, at the rate of two shillings for the Company's rupee, until further orders. Tenders at the rate of 2s 1d., the acceptance of which may not have been notified to the parties, will be admitted at the reduced rate."

THE LAKH.—The lakh turned up to the ticket No. 2018, the property of Messrs. E. B. and John Gleeson, the former the keeper of the House of Correction and the latter an assistant in the Judge Advocate General's office.

THE GLOUCESTER WORKS.—The proprietors of the Gloucester Works, by the last accounts, are stated to have been in treaty to sell them to a Joint Stock Company in England, for eight lakhs of rupees!

MR. C. R. MARTIN.—The special Commission for the investigation of the charges preferred against Mr. C. R. Martin, Judge of Hughli, was opened on the 4th instant, by Mr. W. W. Bird, the special commissioner. Mr. M. A. Bignell appeared as prosecutor on behalf of Government and filed seven charges against the Judge. Mr. W. P. Grant and Mr. Hedger appeared as the Council and

Attorney for Mr. Martin, and after putting on record a general and complete denial of the whole charges, requested that the further proceedings might be postponed for a day or two, in order that they might be prepared for the defence. It was finally arranged, that the sitting of the Court should be postponed until the 6th instant, when Mr. Rignell brought forward the charge of Mr. Martin's having exercised a harsh and oppressive abuse of authority towards Sreenauth Bannerjee, the Moonsiff of Nalab Serai, with intent to compel him to resign his appointment.

THE BISHOP.—The Lord Bishop of Calcutta left the presidency on the 4th instant, and proceeded in the *Thames*, steamer, accompanied by Major General Brown, to the Upper Provinces.

CAPT. STANLEY.—The Chamber of Commerce, on the 5th instant, gave a dinner to Capt. Stanley and the officers of the *Wolf*, in acknowledgment of their services in the Straits.

NOTES ON THE MEDICAL TOPOGRAPHY OF CALCUTTA.—Dr. Martin's "*Notes on the Medical Topography of Calcutta*," are just published, having been printed by order of Government, and forming a pamphlet of considerable bulk, which contains a map of Calcutta as it was in 1757, and a map of the Soonderbuns as far as Backergunge.

ATTORNEYS FEE IN THE INSOLVENT COURT.—It is said that some important alterations have been recently made in the table of fees chargeable by the attorneys who practise in the Insolvent Court. Henceforth the scale of fees will be similar to that allowed in the Insolvent Courts in England, with this difference, however, that for every shilling allowed there, one rupee will be receivable here.

RIVER POLICE.—The Chief Magistrate has been instructed to appoint two European officers at the head of the River Police each on a salary of 200 rupees, and to increase the pay of the Police chuprassees to twice its present amount. These officers are to be furnished with fast rowing boats so that they may be able to overtake the light dingies of the natives, particularly those of the *bombattias*. The Magistrate of Hooghly and the 24-Pergunnahs are to invest the officers with the powers of Darogahs in their respective zillahs, in order that their services may be perfectly efficient. They will also see that the ferry boats do not take in a greater number of people than they are safely capable of carrying.

BABOO ROSOMOY DUTT.—The Baboo Rosomoy Dutt has been appointed to act as a Commissioner of the Petty Court in the room of Mr. Brielzcke, who has obtained leave to proceed to the Cape. The Baboo has received from Lord Auckland a very flattering letter accompanying the appointment.

GEOLOGICAL DISCOVERY.—Another very curious geological discovery has been made by the boring experiment in the fort. Specimens of coal were brought up by the boring auger from a depth of 302 feet. The coal is of a quality superior to that of Burdwan and equal to the best specimens from Sylhet. It was described as not forming part of a stratum, but having the appearance of stream coal found in rolled independent pieces, indicative of the proximity of a bed of the mineral.

A STRIKE AMONGST THE COOLIES.—In consequence of the Police having issued orders to their peons to bring the coolies who ply for hire, to the office of the Superintendent of Police, with a view to have their numbers registered and a badge given to each of them, there has been a general strike amongst this class of labourers. The strike amongst these labourers has greatly embarrassed and put a temporary stop to the business of this city, particularly in a commercial point of view, several gentlemen have complained of the inconvenience which they are experiencing in their business by this unadvisable measure.

A LEOPARD.—The animal that has for some time past been carrying off children, and wounding adults, in Shampokur, proves at last to be a large leopard. The hunters are out after the brute, and the underwood, which is very thick in the neighbourhood of Shampokur, is being cut down by the police.

SAUGOR ISLAND COMMITTEE.—This association is extinct. Until 1833 there were hopes of getting an eventual dividend from the property to the extent of some hundred rupees per share, or an income corresponding with that value, on the termination of the existing leases in 1839. But the disastrous May gale of that year ruined all the settlements upon the island and depopulated the estates; and though exertions have since been made with some success to repopulate the villages it once exhibited in a high state of prosperity, and the lessees have since made some profit by the manufacture of salt, the sad experience they have had, will indispose them to lay out any more money in clearing away jungle, or to offer terms for the renewal of their leases such as would yield the Shareholders either income or dividend worth their looking after. Moreover, all the uncultured lands will soon revert to Government by default, and the others will become chargeable with a Government rent of four annas per biggah, which, if demanded, will absorb the whole net income of the best estates, making allowance for loss of crops and repair of bunds and other damages incident to inundations.

ROBBERY.—On the 22nd instant, the regimental canteen in the fort, was broken open and rifled of two thousand rupees. One thousand rupees of the money were subsequently found behind a tree in the fort; but the robbers remain undetected.

HOUSE OF CORRECTION.—Mr. Edward Gleeson, the praise-worthy Superintendent of the House of Correction, has been exerting himself strenuously to make the labor of the convicts as beneficial to the public as possible. He has recently established a bakery in the House, where he has bread baked of a superior quality to any procurable elsewhere, which is made of flour prepared by the prisoners.

ABDOOL RAZAK, THE DEPUTY COLLECTOR.—Abdool Razak, the Native Deputy Collector, who was discovered to have embezzled large sums of money collected by him on account of Government, has been convicted by the Sessions Judge of Moorshedabad, and sentenced to four years' imprisonment.

THE ROADS.—In consequence of some freak which seems to have seized the Superintendent of Roads, the highways of the city of palaces are left in a most shameful condition: large pieces of brickbats and stones are scattered loosely over them, and the vehicles of equestrians, are left to perform the office, hitherto accomplished by the roller, of laying these smoothly, much to the detriment of wheels and springs, and to the endangerment of the necks and limbs of the leiges. We wish some competent authority would teach this functionary his duty.

RULE FOR DRIVING.—It is stated that a rather novel application was made by a certain gentleman to the Chief Magistrate, on the 23rd ultimo, to establish a fixed rule for driving through the streets of Calcutta, and to make the same as public as possible, through the medium of the newspapers; as the applicant was impressed with the conviction, that many of our good citizens are of opinion, that to keep to their right hand is proper, instead of the left, which custom has from time immemorial been established as the right rule of driving, and which mistake has been the cause of many accidents. The applicant proposed the rule to be left unaltered, the keeping to the left appearing so reasonable, and it having grown into a habit with many which they could not easily be able to forsake. The Chief Magistrate has circulated the letter to his brother magistrates for their respective opinions, as to the necessity of interfering in the matter.

PUNISHMENT OF TUSHEER.—Two natives, who had been found guilty of perjury, were thus punished on the 23rd of September:—

Imprimis, they had one side of their heads, whiskers, mustaches and beards shaved; they were then clothed

in *kuffees* made of sackcloth, and their heads were decorated with fantastically painted paper foolscaps, in lieu of turbans, and strings of shoes were suspended from their necks in the place of their headstrings; their faces were daubed on one side with blacking, and on the other with *chunam*. They were then taken out of the Alypoor jail and mounted on jackasses in lieu of steeds, with their faces towards the tails of the patient animals, whilst two sweepers, who acted as squires to the knights errant, every now and then flourished immense coconut shred brooms over these worthies, and a common crier preceded them, with a tom-tom, beating on it the *Rogus's* March, and detailing to the numerous spectators the exploits of these two notable characters, which had been the cause of this procession and *tumasha*. The males alternately hissed or applauded as their whig directed them, and the females smiled and giggled. The procession commenced its perambulation from the Alypoor jail, went over Alypoor bridge towards Kidderpore, and thence over Kidderpore bridge through Kidderpore to the Alypoor Court, and thence back again to the Alypoor jail. It was numerous and attended. When the party arrived opposite the Alypoor pill, these notables were dismounted, stripped of their *daraphernalia*, washed and ushered into the jail to undergo the other portion of their sentence,—four years imprisonment,—and, the *tumasha* being over, the spectators retired highly pleased with the ludicrous spectacle.

CAPTURE OF DORA BISBOYE.—A letter from Ganjam, dated 20th ultimo, announces the capture of Dora Bisboye in the zemindary of Angolia, in Cuttack, beyond the Mishnuddy. "I have not heard by whom," says the writer, "nor any thing whatever of the circumstances of capture." He was well known in that zemindary, whither he had gone on the part of the late rajah of Goomsoor to concert an attack upon Bond.

ESCAPE OF THREE CHILDREN FROM ONE OF THE TIPPOO'S MAHOLS.—The Kidderpore darogah sent up three girls, two of age between twelve and fourteen years and the other of about seven or eight years of age, stating that they were straying about the streets at Kidderpore and on being questioned as to where they had come from, replied that they were in their infancy sold to Nawub Zelaalooddeen of Russapuglah, and that they latterly were very severely treated, and in consequence of the great hardships they were subjected to, were obliged to escape. Claims have been laid to the children: the youngest of the three is claimed by the widow of a peon belonging to the twenty-four Pergunnahs Court; she, it appears, informed the Magistrate of her daughter having been kidnapped in August 1834; but the claims for the other children are of a very questionable nature.

WATER SPOUT.—The unusual phenomenon of a water spout on the Salt Water Lake, was observed on the 28th ultimo at 5 P. M.

BALL TO CELEBRATE THE ACCESSION OF THE QUEEN TO THE THRONE.—The accession of Queen Victoria to the throne, is to be celebrated with a fancy dress ball and supper. Thirty-two stewards have been named, commencing with the highest in rank in society, and including every class, both Armenian and Natives.

THE FRIGATE ARTEMISE.—The French frigate *Artemise*, will remain at Kedgerie during her stay in this river, her draft of water being too great to allow of her coming up to Calcutta. The frigate has had a great many men sick with cholera since she entered the river, five of whom have died. The disease, however, does not appear to have broken out with much virulence, the proportion of deaths hitherto being very small and the anxiety it occasioned at first has very much abated.

NEW PILOT.—The removal of the pilot station has again been brought before Government in a letter from the Master Attendant, who is of opinion that the cruising of pilot brigs off False Point, will be of great advantage to vessels making the Sandheads. Captain

Harrington makes the proposition provided a large sized floating light is moored off the Point.

FIXED TABLE OF VALUATIONS.—A fixed table of valuations for passing goods at the Custom House, upon which subject the Board of Customs and Chamber of Commerce have been in communication for many months past, has received the approbation of Government. One article is overvalued considerably with reference to the ordinary wholesale price, *betelnut*, which is rated at 5 rs. 8 annas per maund, its present value, which is most unusually high, the price at which betelnut from the Straits is ordinarily sold by the importer being under 4 rs. per maund.

THE ARIEL.—A new clipper for the opium trade, called the *Ariel*, built on the lines of a French privateer *Les huit Amis*, was launched on the 4th instant from the Kidderpore yard, of 368 tons burthen—five tons larger than the *Water Witch*, which she closely resembles except in having a round stern.

MOFUSSIL.

HATRAS.—The appearance of drought from the setting in of westerly winds was recently so decided, that *Adami* spread every where, and grain fell to 19 and 20 seers of 80 totals each per rupee. The Kotwal, however, with a courage truly praiseworthy, seized a number of the grain merchants and after a course of persuasion well known to native functionaries, fixed the rate at not less than 22 seers. A very satisfactory shower fell immediately after and business has again commenced—grain selling at 23 seers for the rupee. Confidence is again restored, no fears being entertained for the rubee crops, the khureef crops even may not be an entire failure. The Tuhseeldar likewise has not been backward in adding his weight to the general distress—he has placed his veto on the culturing of the miserable indigo fields until security is found for the whole of the khureef revenue.

COEL.—A burst of thunder, peculiarly loud and sharp in its report, recently broke in the neighbourhood of Coel, and two prisoners on the road were killed by the lightning. A few pice in the hand of one of the poor wretches, were flattened to twice their superficial size, presenting somewhat the appearance of melted metal dropped into water.

A vacancy has taken place in the judicial establishment of this district by the resignation of the Principal Sudder Amcen, who, if report be true, has thrown up his respectable appointment in a pet. Robberies are becoming very prevalent in consequence of the great drought, and the anticipation of famine. The zemindars have forcibly possessed themselves of a considerable number of grain pits, while their assamese collect for the purpose of robbing the bunneahs and other town's people, who have anything to lose.

KHASOUNGE.—Recently the dacoits assembled at Khasgunge, to the number of 200 or so, with the intention of making a foray on the town and particularly the shroff's coffers. They were anticipated by the police who went to welcome them outside, when a fight took place in which the thanadar was killed and his death revenged in the wounds of four or five of the robbers, who in the end took to flight, leaving glorious victory to the police, and a few of their number to answer for their misdeeds.

NUSSEERABAD.—The rain has lately been abundant, and the fearful prospect of famine has entirely disappeared. There is a large quantity of grain in store in the provinces and no fears are entertained for the rubee crop. The latest price current was, wheat, 20½ per rupee; ottah, 20 a 21; bajrah, 28; mukha, 35; chunna, 25; barley, 34. With the abundance these prices shew, a little management on the part of Government would easily direct a quantity of grain to other less-favoured districts.

BEANJEHANPOON.—The rebellion in this district has been somewhat suppressed by the capture of nearly seven hundred of the parties engaged in it. At one period it raged with great violence. Four villages were seen in flames at the same time, and thirteen dead and wounded were found in another. In one Purgunnah several of the police officers were wounded. The Magistrate had returned to the civil station. From a fact which transpired, that the rioters were not of the poorer classes, it would appear that some other motive than hunger drove them to their violent proceedings. What this was does not clearly appear, though the immediate object of it, was plunder.

There are upwards of a thousand prisoners on trial for their part in the insurrections throughout the district. Heavy rain fell for several hours on the 5th ultimo, and has quite altered the aspect of the country. The khureef crops, such as cotton, joor and bajra were sown, in despair, and to the astonishment of all, have proved the most favourable ever known. The luxuriance of the cotton crops is perfectly wonderful. All this change has been effected in the space of ten or fifteen days. The lands for the rubber crops, too, are beautifully prepared, and on the whole, there is now little doubt of a gradual return of peace and plenty. The crops which have suffered are the rice and sugar cane; the former is totally destroyed; the latter one half.

FUTTEGHUR.—Famine prevails in Futteghur, to a very great degree. The population are thereby driven to the perpetration of constant robberies, and able bodied men are offering their services for a moderate allowance of food only.

From the continued drought in this district, the natives seem progressing towards a state of anarchy. Five boats coming from Anoopshuhur laden with grain, were stopped on the river and robbed. The grain pits at Chuppramow have been broken into and the contents appropriated by the robbers. The distinction betwixt meum and the tuum is gradually becoming more and more undefined in the minds of the natives, and the strong arm of government will soon be required not to settle and fix prices as some untrading or despotically inclined people would have, but to protect the bunyas and shroffs.

DELHI.—Rumours say that the plague has again appeared to the westward.

Letters from the Hills do not give favorable accounts of Sir Henry Fane's state of health.

The following is a list of dacoities recently perpetrated.

At Ferozepore, in the purgunnah Subul, one inhabitant of the village and thirty dacoits were killed.

At the village of Tathee, Purgunnah Surwan, a buncah's house was attacked; seventeen men and two women dacoits were killed.

At the village Sorha, Purgunnah Chundowsee, thirty men killed, fifteen dacoits, fifteen villagers; and at Burooe, Purgunnah Sunbul, an attack was made on the house of a blacksmith; seven dacoits were killed and one of the villagers wounded.

At the village of Dadowl, Purgunnah Chundowsee, twenty dacoits were killed.

At Durnore, in the Zillah of Bijnore, two hundred dacoits, under the pretence of belonging to a wedding

party, entered the village and plundered. Several persons were killed and wounded.

Near Kadir Gunj, in the Zillah of Saswan, the inhabitants of a village assembled, opened the granary of a merchant, and were about to remove the grain, when Meer Wazzer Ali, the Thanadar, accompanied by the Police, arrived and endeavoured to prevent them. The Thanadar and two of the Police were wounded and the grain taken away. The Thanadar is very dangerously wounded.

The Corps of Local Horse at Bareilly had been called out, on the requisition of the Magistrate, to assist the Police in preventing crime, and on one occasion a young Civilian was wounded when leading a small party against a body of dacoits, but the wound is not considered a dangerous one.

Daily tumultuous meetings and outrages occur in different parts of the Dooab, Rohilkund, and Oude, and the dread of famine is, doubtless, the inciting cause.

AGRA.—The *Agra Ukkbar* of the 30th ultimo, has the following:—

The rumours so long abroad of the resignation of Sir Charles Metcalfe and his retirement from public employ, have at length been confirmed, and he will resign the service of the Company on the conclusion of this year.

A few slight showers have fallen since the 26th, which have given a little freshness to the stunted crops. Without more, however, the khureef crop must be lost.

Emigrants from Bundelkund are flocking in daily, in the most wretched condition.

Mr. Plowden, Deputy Magistrate of Ally Ghur, succeeds Mr. Blunt, as Collector of Customs at Agra.

Captain A. Wilson is on his way to the Presidency, to officiate as Assistant Adjutant General of Artillery, in consequence of Captain Lawrenson's transfer to a troop of Horse Artillery.

DELHI.—Accounts from the palace report that the disorder of His Majesty the King of Delhi, had increased to an alarming degree on the 16th ultimo, but that he has since experienced some mitigation of his complaint. No less than sixteen native practitioners are said to have consulted upon the royal malady.

An instance of the cruel and barbarous sacrifice of Suttee has occurred in the Marwar Territory where an unfortunate girl no more than sixteen years of age became the victim of a benighted and diabolical superstition.

AGRA.—The state of the weather, which is hot and dry, is becoming a subject of serious interest with all classes. The extreme drought has already affected considerable injury in the total destruction of the sugar-cane crop, and the partial ruination of those of cotton and indigo. Grain continues to rise in price.

At the half-yearly Bank meeting held on the 11th August, a dividend of 12 per cent per annum was declared.

CALCUTTA.—The following is an extract of a letter from Calcutta, dated 22d August. "For one month and three days previous to last evening we had not had a single

shower of rain—last evening we had a very slight one. Famine is gradually spreading over the whole face of the country, and is now as severe as it was in 1833. The poor people around us are selling their children for mere trifles, in order to save them from starvation, and are themselves emigrating in large bodies towards Saugor, where grain is much cheaper than it is here, being there sold at thirty-seers for a rupee, while here only fourteen and a half are obtained. Of course it is impossible for laborers, earning only three rupees a month, to be able to purchase a sufficient quantity to keep them from famishing. The factories and fields are all deserted, the surreef crop has totally failed, and fever rages among the people.

MYNPOORE.—A band of dacoits was recently apprehended by the Magistrate, who, on receiving intimation of the robbers having assembled in a garden near the town, to concert measures for an attack, immediately assembled his chupprasses and burkundauzes, and proceeded to arrest them. After a close search one of the party was observed, and after receiving two slight sabre cuts on his head was secured. The whole were gradually uncovered, until none but the leader remained, a stalwart fellow with a long double handled sword, with which he threatened to cut his way through the party. Discretion, however, cautioned him to give himself up, and thus, by the activity of the Magistrate, robbery, and perhaps murder, were prevented.

MINZAPPOOR.—A Court of Inquiry will assemble immediately for the purpose of investigating some matters in which a gallant Field Officer, of courts-martial and courts-of-requests celebrity is implicated. Rain has fallen almost every day since the 19th of August. It came too late to do any good to the koontee indigo plant, but the new plant and the khureef crops are thriving admirably under the vegetating influence of alternate sunshine and rain.

CAWNPUR.—Cholera has broken out both in the city and cantonments and is producing numerous casualties among the European soldiery.

SAUGOR.—A general court-martial will, it is expected, shortly be convened for the trial of an artillery man, who with one discharge of a fowling piece, killed one woman the wife of a comrade, and severely shattered the arm of another. Sickness has been prevalent, and deaths frequent both in the city and sudder bazaar.

MORADABAD.—No rain has yet fallen that would do good to the paddy crop, but the hovering clouds and easterly winds hold out a hope of the latter rain being plentiful. The khureef is quite green and promises a good harvest.

In Rampoor the cholera is said to have made considerable ravages, and still continues with equal violence.

Mr. Okeden, whose return from Shahjehanpoor the people have hailed with feelings of joy and gratitude, has displayed a practical benevolence in providing the poor of the town with food at the rate of ten rupees a day. The humane doctor also intends forwarding a proposition for the sanction of Government, that the surplus funds of the dispensary be converted to a similar purpose.

SAHARUNPORE.—The shock of an earthquake was felt about 3 p. m. at Saharunpoor, on the 16th August. It was very severely felt.

AMRER.—The whole of the plague cordons have at length been entirely broken up. Heavy rain fell

throughout this district recently, and agricultural prospects are consequently improving.

JUNBULPOOR. A great quantity of rain has fallen within the last few days, the rice and other crops are in consequence safe, the bunded lands and tanks being quite full. Grain, however, keeps up its price.

BAREILLY.—The state of the Bareilly district is most deplorable. Several hundreds of prisoners are under trial for robbery, and numbers have been killed in their conflicts with the villagers. The grain crops have totally failed, and wheat is selling under fifteen seers per rupee: there is no real scarcity of grain, but *buniah*s have established a monopoly, and have the market entirely at their command.

ANAGULPORE.—The scarcity of food is not so much felt in Bhagulpoor amongst the lower classes of natives as in Tirhoot; but the mortality is very great and has been for months. The disease seems to be spasmodic cholera, and carries off the sufferer in a few hours, leaving the fingers and toes contracted. Some villages have been absolutely deserted, and the dead left scattered about unburied, chiefly by the side of tanks or wells. Those who escape have to contend with another disorder, namely, that of the circulating medium, fourteen annas being all that is allowed in the bazar for that anomalous coin called a Company's rupee.

NATIVE STATES.

AMRUTPORE.—Rain has fallen here in such quantity as to reduce the price of wheat to 30 seers per rupee. His Highness has just returned from Deeg, whither he had gone up to pray.

The Rajah has just completed a map of his territories, an instance, that knowledge is advancing with native Governments, though it may be very slowly. The heat and drought are as intense here as throughout the country.

LUCKNOW.—His Majesty the new King of Oude, has issued his gracious proclamation, henceforward forbidding his Hindoo subjects from profaning the ears of the faithful by the sound of their conches. So the Hindoo festival of Ashtumes or the birth of Kunnya was celebrated in morning.

The cholera is raging so dreadfully at Lucknow, that no less than from 700 to 1,002 men are carried off daily. In some families they are attacked, and at most all swept away within 24 hours, and there are whole neighbourhoods in a state of awful dread as to the consequences of this great and frightful visitation. Cry of the subjects of this unfortunate kingdom. His present Majesty takes an airing almost every evening, and takes a stroll in very many different directions, purposely with the view of seeing if all his orders, which he passes in court, have been obeyed, and to check any abuse which may come to his knowledge.

An order has been tom-tomed in the city, that all holders of grain above 100 rupees' worth are either to forfeit one *dumree* in the rupee or be compelled to sell 10 seers of otta in the city for a rupee. In captonment it is now 10 Lucknow seers, and not procurable. The Padsha Begum and Moona Jan, are to be confined in Chunar for their lives. A short time since their sentence was read to them, and they appeared quite composed and resigned.

His Majesty with the sanction and approbation of the Supreme Government of India, has been pleased to re-nominate Nawab Hukeem Mehndee Ali Khan, Bahadur, Vizier and Naib of Oude. The Hukeem's local experience, his general knowledge of the country, and the true character of the different chuckedars, fully qualify him for a proper and creditable discharge of the Ministerial duties.

GWALLIOR.—An heir^{ess} has just been born to the Raj which, like other great States, will probably yet be under female government.

CAUNBOO.—By letters received from Caunbool, it appears that Sirdar Dost Mahomed Khan had sent a deputation to the Chief of Bokhara, requesting a loan of from five to six lakhs of rupees for the purpose of making preparations to take the field against Runjeet Sing's army in a suitable manner; but the request was not complied with.

JURROOR.—The Thakoor of a large zemindree of this district, by name Mekh Singh, has been furnishing matter for a crim. con. which will be decided by fire and sword, instead of by the civilized fashion of swearing and lying. The charms of a Brahmin's wife inflamed the Thakoor, and he seized her. This violence the Brahmin has represented as sinful to such a degree against Providence, that the Thakoor's people and himself will die off from day to day. This the people don't like, so the affair will be decided by an appeal to arms: a few on both sides have already fallen.

DEERA KHYBUR.—It is stated that an Afghan named Misery Khan, having informed the Nauzens of Peshawur, that Khybur was guarded by no more than two hundred men, they immediately proceeded with a large detachment of troops, to avail themselves of so favorable an opportunity to make themselves masters of the place. On their approach, the guards at Khybur, from the smallness of their number, thinking themselves unequal to cope with the enemy, retreated. The Seikhs pursued them, and killed some and wounded others; they robbed the people of their property also. While things had arrived at this stage, the *succors* in the service of the chief of Caunbool, stationed at Dahta, were informed of what was going on; and they proceeded to the assistance of the run-away guards. Now the tables were turned against the Seikhs who were so very much frightened that their lost no mite in flying back to Peshawur.

MOLTAN.—By letters received from trading people at Moltan, it appears, that from the good management of the Government affairs by Dewan Sawun Mull, the Nauzen of that place, the people are much satisfied; every body following his respective calling with comfort and safety. Cultivation of lands is so much increased that there is not a hiswa to be found lying waste. Since the setting in of the rains the price of grain is considerably lowered.

LAHORE.—A shooka was despatched to Dost Mahomed Khan, informing him that the ancient good understanding between the Lahore State and that of Cabul might be restored, if the latter country would acknowledge its dependence by transmitting the usual gifts of horses and Persian blades, and appoint its Vakeel to reside at the Court of Lahore, for the purpose of receiving occasional admonition from the Maharaja; but that if these amicable proposals were rejected, that Sultan Mahommud should at the close of the rainy season take active measures for reducing the country. New from Cabul reports that Dost Mahommud Khan was suffering from a severe cold, and that his two sons, Mahommud Akber Khan and Mahommud Afzul Khan, had commenced a mortal quarrel which had caused great inquiet to their father.

Mr. Court was informed that he would receive the command of Hurree Sing's regiment upon its arrival at Lahore.

HERAT.—An individual writes from Herat, that Shah Kamram, the ruler of that place, having of late contracted the habit of indulging himself in the use of things of an intoxicating nature, much neglect has found its way into the state affairs; so much so that the people have had cause to be greatly dissatisfied. A number of the wealthy inhabitants have quitted his highness's territories and settled themselves in those of the neighbouring chiefs: some who have not been able to do this, in consequence of their having landed possessions, are only praying for the death of the Shah, and for the succession of Mirza Jahangeer to the throne.

MADRAS:

THE HEBE.—The schooner *Hebe*, in which Colonel Monteith, Chief Engineer, embarked to proceed to the Paumbam Pass, encountered very severe weather after leaving Madras, with strong southerly winds. She sailed on the 27th ultimo, and on the three following days remained in sight of the Palaveram Hill; on the fourth the gale drove her out into the centre of the Bay, and she only made the land again with great difficulty. The schooner has received injury—bowsprit sprung, jib boom carried away, and rigging very much strained. About 30 miles East of Madras they saw a mast about a foot in diameter, standing upright in the water; about 8 feet of it were out of the sea and the wood seemed good and new, but the high sea and the night closing in prevented their sending a boat to examine it closely.

A NEW MASULLAH BOAT.—An accommodation masullah boat of a new construction has been lately built and launched under the direction of the Master Attendant. She is considerably longer than the old boats, with eight oars on one side and seven on the other, and carries her beam in midships. In consequence of the surf being moderate of late there has not been a fair opportunity of trying her comparative capabilities, but it is supposed she will pull quicker than the old muster, in consequence of her additional oars.

BREAKWATER.—The Madras Government has received a despatch from the Court of Directors on the subject of the Break-water, and the court has viewed the matter in a liberal way—expressing its readiness to take upon itself the construction of a Break-water, provided its feasibility can be made clear and making the cost a matter of no consideration. The Government has been directed to procure a full report on the subject and has referred it to the Break-water Committee.

MAIL COACH COMPANY.—The Mail Coach Company on the 1st instant sent in its tender for conveying the mails between Madras and Bangalore. It has engaged to perform the distance in 34 hours, transporting 180 lbs. weight daily, for the sum of 2,000 rupees, per mensem. The present monthly expenses amount to 564 rupees, the runners carrying 18 lbs. weight daily, and 50 lbs. thrice a week.

MR. GARROW.—Mr. Garrow, Chief Judge of the Provincial Court in the Southern Division, is appointed a general expurgator of all useless and obsolete records in public offices, in the discharge of which duty he will act in conjunction with their heads.

INSURRECTION IN CANARA.—A commission, composed of Major Vigouraux, C. B., and C. R. Cotton, Esq.,

of the Revenue Board, is appointed to enquire into the causes and origin of the late insurrection in Canara.

THE SIR EDWARD PAGET.—The *Sir Edward Paget*, which left the Roads about 1 A. M. on the 16th instant, returned to the Port on Sunday morning, having been almost entirely dismasted in a squall some sixty miles to the Southward. One boy was blown overboard and drowned.

BOMBAY.

THE BERENICE.—The Steamer *Berenice*, was forced to return to Bombay on the 25th ultimo, in consequence of having no fresh water on board the forty tons taken in having been, through some defect in the pipe, safely deposited by the careful officers in the hold of the vessel instead of the tanks.

CAPTAIN SINCLAIR.—Captain Sinclair, of the Artillery, understanding that the President of the Elphinstone College Council was opposed to the nomination to the Secretaryship of an individual with whom he had not previously had an opportunity of forming a personal acquaintance, has withdrawn his application to succeed Lieutenant Pope.

PUNISHMENT TO THE RINGLEADERS OF THE RIOT AT DHEWNDY.—On the 24th of August, the Judges of the Sudder Adawlut pronounced sentence on the remaining six individuals whose case has been remitted by the Session Judge at Tanah as the Ringleaders in the late riots at Dhewndy. A difference of opinion having existed between all members of the Court, it was necessary to call in the Chief Judge, the Hon'ble Mr. Farish, by whom after consultation with the rest of the Bench, it was decided that each prisoner should undergo an imprisonment, for one year, in irons, and pay a fine of rupees 3,000; in default of which, an additional imprisonment of two years. Each of the persons thus sentenced will also at the expiration of his punishment be called upon to enter into recognizances, himself and securities, to the amount of rupees 10,000, for his future good behaviour.

CAPTURE OF THUGGS.—It is reported that about fifty or sixty Mussulman Thuggs, having a Patel at their head, have been caught by the officer in charge of the Thuggee department; in a village near Dharwar, and are now in the course of being tried. It is also said that some of the companions of the above Thuggs took to their heels at the time they were caught.

THE CHOLERA.—It is said that the cholera has made its way to Kulludghee, a garrison town about eighty miles east of Belgaum.

TRANSIT DUTIES.—It is stated that the transit duties in Bombay are directed to be abolished from this day, and that the new scale of customs consequent on this change come into operation simultaneously.

A FURIOUS GALE AT SURAT.—The city of Surat has again been visited by an awful calamity. On the 27th of August a furious gale sprang up, and the river Tapi continued to rise rapidly until the waters had swollen to a height of nine feet beyond the mark, of any former inundation. About twenty human lives have been

lost and a great number of horses, cows and other cattle have been swept away by the river.

THE LATE PRIME MINISTER OF THE GUICOWAR.—Venkaram, the late Prime Minister of His Highness the Guicowar, has at last left Baroda, and proceeded to Aurangabad, with the intention of repairing ultimately to Bengal to appeal to the Supreme Government against the decision given in his case by the local authorities. It is said that disgusted with the treatment which he has received from the British Government, he is desirous of placing himself where their jurisdiction will not extend to him as a private individual.

THE BERENICE.—The *Berenice* has been a second time constrained to return to Bombay, after being seventeen days at sea and having compassed half the distance to Mocha, in consequence of having broken her main shaft and burnt her boiler. The injury is irreparable in India and an indent has been sent to England for a shaft in consequence.

BURMAH.

Authentic accounts from Akyab, to the 8th instant, intimate, that sickness still prevailed to a great extent at Kyouk Phyoo. In consequence of the death of Assistant Surgeon Sibbald, that station being entirely without medical assistance, the two medical gentlemen who accompanied the acting commandant of the local corps, to Akyab had been directed to proceed immediately to Kyouk Phyoo. Rumours of war had become rife; it was reported that the Burmese having brought their internal disputes to a settlement, intended to make a descent upon Arracan, after the rains. The acting commandant according to orders already published, had received instructions from Government to raise 400 men, thus doubling the strength of the local corps, and have them all ready by the cold weather in fighting trim. The battalion were, in consequence, out morning and evening at drill.

The new Woongyee, Lu-nyo, left Rangoon for Toung-oo on the 2nd July. The service on which he has been sent by the new king of Ava, is now stated to be the examination of all the country between Lower Pegu and Toung-oo and the taking an account of the number of armed men which can be assembled whenever necessary. He is then to establish himself at Toung-oo and, assemble and discipline, with the aid of 800 or 100 men, whom he has brought with him from Ava, all the stout men and rogues he can find there, and the district of Toungoo has always been famous for bold and lawless adventures. He is to block up the road leading from Maulmain towards Ava, and put a stop to the encroaching and flourishing trade which has of late years sprung up between Maulmain and the Burmese and Shan Provinces, via Toung-oo; and lastly, he is to keep an eye on both Rangoon and Maulmain. If the English desire war and advance from Rangoon, he is to act on the flank of the advancing force and threaten Maulmain.

One of the four prisoners who lately escaped from Maulmain has been delivered up to Mr. Blundel, the Commissioner, who arrived at Rangoon on the 15th of July and had an audience of the local authorities the next day.

PENANG.

Penang papers to the 12th of August have been received during the month, but their contents are not very interesting. The *Black Jack*, schooner, has been sent with letters from the Resident Councillor to the Rajah of Quedah, requesting his assistance to recover Mrs. Bresley and her attendants. The small pox had been raging in Penang, and Mr. Harris, an apothecary, had at length succeeded in obtaining good vaccine virus, which he was disseminating. A schism had taken place among the Roman Catholics; a portion of whom had been excluded from divine service by the priest, in consequence of having sent their children to a Protestant school to be educated!!

SINGAPORE.

Singapore journals to the 10th of August have been received during the week. The rajahs of Sulengore and Lingiu were on a visit to Singapore, and the pirates had again been committing depredations in the Straits, having captured a Borneo-trader. The Steamer *Diana* had made an unsuccessful cruise after them.

SUMMATRA.

The pressure of Europe news has prevented our paying much attention to the Singapore papers we received two days ago. The following Batavia news of the 13th of July, is from a correspondent of the *Singapore Free Press*:

The Dutch troops before Bonjal were taking active measures to reduce that fort—and the preparations that were going forward seemed to indicate that a great and final effort would soon be made. General CLAARENS had been superseded in the command of these forces by another officer, Major General COCHINS, who was understood to have blamed the proceedings of his predecessor in the former attack upon the fort of Bonjal—and he is reported to have commenced operations with his miners with the intention of blowing up the enemy's works.

"The Dutch steamer, *Willem de Erst*, which left Sourabaya on the 26th April last for Amboyna, had struck on the Lucepara Shoal, close to the *Turtle Islands*, and about 120 miles distant from her port of destination, after being eleven days out. She had on board the Governor of the Moluccas and his family with 150 troops for these islands. Being an old vessel she soon became a wreck, and all on board were compelled to seek safety on the shoal, on which however they were up to their knees in water when the tide rose to its highest. There were three boats belonging to the vessel, all of which were sent away by the Commander, with as many people on board as they could take.—one to go to Amboyna, another to Macassar, and a third, it is supposed, to Bouton. The two former made their voyage in safety—and the colonial ship *Eric*, as also a government schooner, were immediately despatched to bring away those who had been left on the shoal; but no further tidings as to their fate had reached Batavia. When the last of the three boats put away, those who of necessity remained on the shoal were engaged in making a raft, and there appeared cause to apprehend some misfortune having befallen them, as the few materials that had been left them could, it is said, scarcely have sufficed for the construction of a raft fit to transport such a number of people—when the distance of the only spot which they could expect to make was considered. The

general opinion at Batavia appeared to be that the Commander of the vessel before he sent away the boats, should in the first place have made use of them in conveying all those intended to be left behind to the nearest *Turtle Island*, instead of leaving them exposed on a shoal which was flooded all over at high water. Our correspondent remarks that this accident would not in all likelihood have happened at all, had the Commander of the steamer been a *country captain*—experienced in the navigation of these seas. The Java Government, it appears, passed a law about three years ago, by which all persons not being natives of Holland or Burghers of Netherlands India, are prohibited from commanding on board of a Dutch vessel, and among those whom the law leaves qualified there is not always to be found one possessed of the desirable requisite of *experience* in the navigation of the *Archipelago*—a circumstance likely enough to lead to accidents which would not otherwise have occurred. It has thus often happened that a ship-owner who thinks experience more useful and available for the navigation of his vessel, than the legal qualification to command, is compelled to put on board some Burgher supernumerary as nominal commander, while the other is actual master. In the present case, the commander was a lieutenant in H. N. M. Navy, reported to be a skilful and clever seaman, without however having had experience in this country.

The Government had on board of the *Willem de Erst*, specie to the amount of 100,000 guilders, no part of which appears to have been saved; and as they had a large quantity of stores, &c, also on board, their total loss, including the vessel, is estimated at about 500,000 Rs."

PERSIA.

No material change has lately taken place in the aspect of affairs in Persia. The Shaw seems determined to disregard alike the voice of reason and of experience, and to involve his kingdom more and more deeply into difficulty and distress. While that kingdom, from mismanagement and misgovernment, is in a most distracted condition, requiring the best energies of the king and his ministers to preserve even the semblance of order, and to put it in the road to improvement, the resources of the country and the time of those to whom its interests are entrusted, are dissipated in carrying war into remote territories, thus leaving the kingdom a prey to those discontented and designing spirits which its present state of anarchy has created and fosters. Notwithstanding the advice of the British ambassador, and, also of the Russian, the Persian levies are to be directed against Khorrassan, and the king is in person to head them. The Governor of Isphahan, a man of high character, and allowed to be one of the most talented men in Persia, has been recalled from his Government and another appointed in his place, whose character and policy are congenial to the views and feelings of the Chief Moollah, and of the Ameen Addouls, who has been in sanctuary in the Moollah's house, and consequently protected, ever since the accession to the throne of the present prince. The reason assigned for this extraordinary act on the part of the king is, that the troops that would be necessary to suppress the rebellious disposition manifested at Isphahan, cannot be spared from the army for the contemplated expedition.

The imbecility of the present government is proved in the case of a person who had been appointed to the Government of Pehanan, having been imprisoned and afterwards put to death by the people he was sent to govern; yet no steps have been taken to punish the perpetrators of that act, or to vindicate the authority of the Government.

Our Ambassador at the Persian Court, continues to do the best he can for the protection of British interests; but

our chief interest—our trade, is still at the mercy of the authorities for the time being. Every exertion has been used by the present representative, as by his predecessors, to secure a commercial treaty between the two countries; but all their labours in that behalf have been of no use, the existing understanding, as regards trade being liable to be set aside when it may suit the purpose of the Persians or their prompters, the Russians, to think it necessary to do so.

CHINA.

China papers to the 15th of July, have been received.

They represent the state of affairs in China to remain the same as at the date of our last intelligence. Some correspondence has occurred with the local Government anent the Hing-tas Hong, from which it appears that the Governor is well disposed to aid foreigners in the recovery of debts owing to them by the Hing-tse. The total deliveries of Opium during the months of April, May and June, was 6,153 chests; and the quotations were, for Patna per chest of old 810drs.; new 680 drs. Benares old 730drs.; new 655drs. Malwa 525 to 530drs. Turkey 520drs. Prices were on the decline.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, 30th September, 1837.)

INDIGO.—Account from the Factories, the manufacturing is nearly completed every where.

RAW SILK.—Several purchases, under demand, for remittances, appear to have been made during the week for the English market, at rather low prices.

SILK PIECE GOODS.—Cossimbazar Corahs have engaged attention during the week for the English market, and the prices exhibit a shade of improvement.

COTTON.—The market is bare of good quality, and business in this produce is consequently at a stand. Upwards of 80 boats, we understand, have been despatched from Mirzapore, and are on their way down with supplies.

SALTPETRE.—Continues to engage attention, and several purchases have been made since our last, for shipments to England, America, and the Eastward. The prices of the day show a slight improvement on GUNDA.

SUGAR.—Is less inquired for, and we have no change in prices to notice. The transactions reported are for the English market.

LAC.—Shell Lac of ordinary quality has been engaged on English and American accounts at rather low prices. We have not heard of any transaction in DYE.

GRAIN.—The transactions during the week have been to a limited extent, and are reported for the Mauritius only. We notice no change in prices.

OPIMUM.—A few speculative purchases of Benares have been made during the week. Active shipments are in progress on the *Antonio Pereira* to leave this in a few days for China. Prices are quite nominal and are likely to remain so, till the arrival of the *Water Witch* and *Cowajee Family* now daily looked for.

BETLENUT.—A sale is reported at our quotation.

CLOVES.—Without sale. The prices of the day exhibit slight reduction.

MACIS AND NUTMEGS.—Have been sold at a shade of decline in prices.

PEPPER.—Has also given way in price, as will be seen for the sales reported.

TIN.—A sale is reported at a slight reduction in price.

CHINTZES.—A few sales of Bengal Stripes, and Neutral Pines have been effected during the week at rather low prices. The market continues as reported in our last, and no change for improvement can be expected until after the Native Holidays.

WHITE COTTONS.—Book Muslins of ordinary quality to the extent of about 23,000 pieces have been sold during the week at low prices. The market continues flat for other descriptions of white cotton.

MULS TWIST.—The prices of this article show a reduction of 3 to 6 pie per morah throughout the assortments.

Holdings have shown some disposition to force several parcels in the bazar at present prices.

TURKEY RED AND OTHER DYED YARNS.—Without sale.

WOOLLENS.—A few pieces of ordinary and Coarse Woollens have been sold, but without any improvement in prices.

COPPER.—We notice a further improvement on the prices of this metal. Sales during the week, however, have not been extensive.

IRON.—We have not heard of any sale since our last, and prices throughout the assortments remain without change.

STEEL.—Also without sale, and without alteration in prices.

LEAD.—No sale has been reported since our last. Pig lead is quoted at a shade of improvement.

SPELTER.—A sale has been effected, at reduced prices.

TIN PLATES.—Without report of sale, without change in prices.

QUICKSILVER.—Has further advanced in price, and remains in good enquiry.

FAREWELL ADDRESS TO SIR R. W. HORTON.

To His Excellency the Right Hon'ble Sir ROBERT WILMOT HORTON, Bart., G. C. H., Governor and Commander-in-Chief, &c. &c. &c.

We her Majesty's faithful and loyal subjects, the principal Burghers and Natives inhabiting the Districts of Jaffna, in the Northern Province of the Island of Ceylon, sensible of the benefits conferred on this part of her Majesty's Colonial Territories by the local Government under your Excellency's administration, and of the many advantages we enjoy in consequence of the enlightened and benevolent character of some of your Excellency's official acts, feel ourselves called upon to present, on the eve of your Excellency's departure from this Colony, our grateful acknowledgements. In doing this, we beg to assure your Excellency, that we are not influenced by any motives of a sinister kind, nor are we merely confirming to an accustomed practice; but we are actuated by a sense of obligation and a desire to convey to your Excellency the warm expression of our admiration of your Excellency's Public conduct as the Governor of this Island.

That we have the greatest reason gratefully to acknowledge our obligations to your Excellency, will best appear by some of the leading principles of your Excellency's administration, and the acts emanating from or embodying those principles are viewed with an impartial eye.

The most prominent features of your Excellency's enlightened Government have ever appeared to us to be liberality and official equity. From the principles in active operation we have been permitted to see a new era with regard to the mental improvement of every class of Her Majesty's subjects. It is true, that we do not participate at this distance from the metropolis, the higher advantages secured to the community by the higher means of instruction provided, but we hail the provision with delight, and are permitted to see elementary instruction imparted to the rising generation in the English language, and cherish the hope, that at some future period we shall be privileged to enjoy a greater provision here for perfecting those who may, in time be called to fill the various responsible offices at the disposal of the local Government.

That there is a necessity for the mental cultivation of Her Majesty's subjects appears to us the more urgent since, under a further development of the enlightened policy of the constitution of British empire, Burghers and natives are elevated to the higher situations of the Government. The very fact that Burghers and natives take their seats in the Legislative Council of this Island and that Burghers and native gentlemen are placed on the Judicial Bench, affords a sufficient stimulus to all who possess patriotic feelings, to wish for every means for the mental training of the young, and also to acknowledge the liberal and equitable character of the Government administered by your Excellency.

The Savings' Bank is an establishment which we view with the greatest pleasure, and its operation we are confident cannot fail greatly to benefit the community at large.

The Pension Fund is not less entitled to our approbation. In the one we see means at hand for the exertion of voluntary economy, and in the other security against those disastrous consequences which have too often succeeded to effluence in families bereaved of those through whom means of support were obtained.

We shall not enumerate the benefits we are sensible we have derived from your Excellency's benevolent administration, feeling persuaded, that your Excellency will more highly appreciate our silence than an attempt at a garnished statement of your Excellency's official conduct.

We beg in conclusion, your Excellency will be pleased to accept our unfeigned acknowledgments for all the benefits we have received, and continue to enjoy, under your Excellency's Government. We hope your Excellency will have a speedy and prosperous voyage to your native country, and that her Majesty's Government may be duly sensible of the beneficial efforts which have followed your Excellency's career as the Governor of the Island of Ceylon.

We beg to subscribe, with every mark of respect and esteem,

Your Excellency's most dutiful and Humble Servants,
Jaffna, Ceylon, Sept. 1st, 1837.

BURGHES.

District Court.—F. C. Grenier, Secretary; J. Margenout, Head Clerk; J. F. Toussaint, 2d Clerk; H. Bartholomeusz, Extra Clerk; J. Modder, Proctor; F. W. Van Rossum, Proctor; G. Toussaint, Proctor; F. M. Herft, late Proctor and Notary; F. J. Grenier, Drawer; E. W. Theile, Drawer.

Cutcherry.—J. De Niesse, Head Clerk; C. G. Koch, 2d do; B. De Niesse, 3d do; B. H. Vander Gucht, 4th Clerk; E. Meyer, 5th do; F. B. Modder, Post Office Clerk.

Fiscal's Office.—J. Krause, Head Clerk; J. E. Theile, 2d do; T. Rodrigo, Acctg. 3d do; D. B. VanShoonbeck, Auctioneer; J. H. Claasz, Auctioneer; A. De Valliere, Gaoler.

Custom House.—J. G. Gratiaen, Head Clerk; C. De Niesse 2d do; H. A. Leembruggen, 3d do.

Assistant Civil Engineer's Department.—H. T. Ebell, Superintendent; G. H. Sikera, Clerk; A. Seyp, do.

Ecclesiastical Department.—J. B. Vanderwerff, Clerk; L. H. Kock, do; J. Nulder Sexton.

Vaccination Department.—P. R. Schokman, Medical Sub-Assistant; J. E. Beekmyer, do.

Public Servants retired on Pension.—C. H. Leembruggen, late Sitting Magistrate of Ponereen; J. E. Ebbenhorst, late Secretary District Court of Chilaw; B. H. Toussaint, late Medical Sub-Assistant; M. Vander Gucht, late 3d Clerk District Court of Jaffna.

Constable.—Spiedewinde; J. W. Toussaint.

Independent Persons.—F. A. Toussaint; C. Toussaint; J. M. Gratiaen; W. Maartensz; J. Matthys; L. Koch; F. Mattheisz.

PRINCIPAL NATIVES.

Cutchery.—Philip Modliar, Chief Modliar of the District and 1st Interpreter to the Government Agent; S. Mudr. Sewerymoigo, 2d Interpreter to the Government Agent; Tisewerasinga Mudr. Concipely in charge of Stamps; S. Mudr. Aairwadum, General Store-keeper; C. Fullie; W. Mudr. Abraham.

District Court.—S. Mudr. Soosepulle, Interpreter; Senuderaya Mudr, Ptr.; Sigewayenam Walaupermania

Ayer, Ditto; Ammeear Philipae Mootetamby, Drawer.

Fiscal's Office.—P. Perampnayegam, Conicoply; C. Tambae, Head Aratchy.

Custom House.—S. Mudr. Nicholas, General Superintendent and Searcher; V. Caderietambery, Accountant.

Wesleyan Mission.—Rev. S. Ambrose, Assistant Missionary; R. J. Kats, do.

Headmen, and other persons not connected with Government.—Armogam Waytianaden, Acting Manager of Jaffna; Porirayasinga Mudr. Conicoply of the Engineer's Department; G. Tissera, M. Nicholas, Ayniapulld Marcair, Mahamadoe Ibrahim, S. Mudr. Irrogouaden.

And many others whose names are too numerous to be mentioned.

HIS EXCELLENCY'S REPLY.

To the Principal Burghers and Natives inhabiting the District of Jaffna.

Mount-Lavinia, September 11, 1837.

Gentlemen,—Your Address, bearing date the 1st September, 1837, reached me yesterday; I had never received any intimation direct or indirect of your intention of addressing me.

I observed, with peculiar satisfaction, "the warm expression of your admiration" (but for which I would venture to substitute "approbation") "of my public conduct as the Governor of this Island."

You have explained, in such minute and impressive terms, the grounds upon which you have been led to consider the Government administered by me as being of "a liberal and equitable" character, that it would only be to weaken the sentiments you have so clearly expressed to offer any commentary upon them.

You appear to comprehend so completely the real nature and character of advantages which have been extended to the classes of Burghers and natives under the system of Government, the effects of which you have witnessed, that I feel no necessity to add one word in

vindication of that system. But, it must not be forgotten, that the course of public conduct, which I have pursued, was prescribed to me by the liberal policy chalked out by His late Majesty's Confidential Ministers in 1832, and founded upon the report of the Commissioners of enquiry. I feel that I have done my duty in following up that policy in letter and in spirit; and to that extent I am conscious, that your favorable expressions are not misapplied. It is, at the same, time my duty to explain to you, how much I am indebted to the Members of the Executive Council, for the cordial co-operation which they have given me in working out the important problem of carrying on a Government, to use your own words, of "liberality and official equity" to all classes of the community. I have also derived the most valuable assistance from the members of the public service generally, and from no individual in a greater degree than from the energetic and enlightened agent to whom the more immediate administration of the northern province has, to your extreme advantage, been confided.

There is one circumstance in your address, which is peculiarly gratifying to me. It is the joint address of Burghers and natives united under the due appreciation of the benefits, which the classes to which they severally belong, have received during my administration.

In my answer to the address presented to me by the natives on the 8th January, 1836, I stated, that the extension of education would afford them "a complete opportunity of qualifying themselves for public stations and that a career was open to them, which could be frustrated by their negligence."

"You have been kind enough to express your hope, that I may have a speedy and prosperous voyage to my native country, and that the British Government may be duly sensible of the beneficial efforts which have followed my career as the Governor of the Island of Ceylon."

These are very flattering sentiments which I shall have great pride in communicating to the Secretary of State, and for which I beg to return you my most sincere thanks.

I remain, Gentlemen, your most obedient humble servant.

(Signed) R. W. HORTON.

Ceylon Chronicle, Sept. 21.]

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A General Meeting of this Society was held at the Town Hall, on Tuesday morning, the 3d. October, at ½ past 9 o'clock.

THE HON. SIR E. RYAN, *President, in the chair.*

Present:—The Hon. Col. Rehling; Dr. Wallich; Col. D. McLeod; Capt. Carter; E. Sterling, Esq.; W. Cracroft, Esq.; W. Storm, Esq.; D. F. McLeod, Esq.; C. DeVeronne, Esq.; R. Watson, Esq.; A. Colvin, Esq.; G. F. McClintock, Esq.; W. Ainslie, Esq.; Professor O'Shaughnessy; Dr. Hufnagle; Dr. Drummond; Dr. Jackson; Dr. Egerton; Samuel Smith, Esq.; Dr. Goodeve; A. Grant, Esq.; W. C. Rose, Esq.; J. M. Seppings, Esq.; Nawaub Tohow-erjup; R. Walker, Esq.; W. Bracken, Esq.; R. J. Bagshaw, Esq.; F. T. Fergusson, Esq.; John Allan, Esq.; M. S. Staunton, Esq.; M. A. Bignell, Esq.; G. A. Prinsep, Esq.; J. H. Stocqueler, Esq.; W. K. Ewart, Esq.; M. M. Manuk, Esq.; J. B. Higginson, Esq.; W. Jackson, Esq.; D. Hare, Esq.; G. F. Speed, Esq.; C. Trebeck, Esq.; W. F. Gibbon, Esq.; T. H.

Gardiner, Esq.; D. McPherson, Esq.; T. Leach, Esq.; Col. Caulfield; Dr. Strong, and two or three members, whose names could not be ascertained.

Visitors:—Capt. Pemberton, introduced by Col. McLeod; Dr. Bennet of Paris, introduced by Dr. Wallich, and Dr. McCosh, introduced by Dr. Strong.

The proceedings of last Meeting were read and confirmed.

The following gentlemen proposed at the last meeting were elected members of the society.

J. A. F. Hawkins, Esq., C. S.; W. D. Shaw, Esq.; G. C. Mansell, Esq., C. S.; Baboo Joykissen Mookerjee; A. Gouger, Esq.; R. Montgomery, Esq., C. S.; Jas. Collie, Esq.; Capt. S. H. Hannay; Alex. Porteous, Esq., and G. R. Dennison, Esq.

The following gentlemen were proposed, viz.:

H. C. Tucker, Esq., C. S., proposed by the Secretary and seconded by Dr. Wallich.

James Fergusson, Esq., proposed by the Secretary and seconded by Dr. Wallich.

J. A. Dorin, Esq., proposed by the Secretary and seconded by G. F. McChutock, Esq.

Thos. Holroyd, Esq., proposed by Sir E. Ryan and seconded by Dr. Wallich.

Charles Bury, Esq., C. S., proposed by W. Hickey, Esq., and seconded by Col. Caulfield.

Captain R. B. Pemberton, proposed by Col. McLeod and seconded by Captain Carter.

Baboo Cassinauth Bhow, proposed by G. A. Prinsep, Esq., and seconded by Dr. Jackson.

J. H. D'Oly, Esq., C. S., proposed by H. Walters, Esq., and seconded by the Secretary.

W. Luke, Esq., proposed by I. Leach, Esq., and seconded by W. W. Kettlewell, Esq.

Manickjee Rustomjee, Esq., proposed by Dr. Jackson and seconded by Professor O'Shaughnessy.

A. H. Sim, Esq., proposed by W. F. Gibbon, Esq., and seconded by W. Ainslie, Esq.

Lieut. W. Abercrombie, proposed by W. F. Gibbon, Esq., and seconded by W. Ainslie, Esq.

G. A. Dyce, Esq., proposed by W. F. Gibbon, Esq., and seconded by W. Ainslie, Esq.

Read a letter from R. Montgomery, Esq., to the Secretary, dated 12th September, (Azimghur), promising to send replies to the Agricultural Queries transmitted to him in a former letter. Asking for supplies of cotton, tobacco, clover, lucern, and guinea grass-seed. Speaks favorably of the Otaheite sugar-cane plants received from Jubbulpore, and planted out last cold season.

From D. F. MacLeod, Esq., of Seonee, dated Calcutta, September 18, presenting specimens of three varieties of country cotton, called "Munnooa," "Deo," and "Berar," and of the produce of Egyptian cotton-seed, received from this society in May 1836. Also, the flower and leaves of a large tree the growth of Seonee, the bark of which is said by the natives, to possess great febrifugal powers.

The Munnooa (green seeded) and the Deo (black-seeded) are stated by Mr. McLeod, to be perennial plants, yielding their cotton in the hot-weather, and not as the common country annuals, at the close of the rains. These varieties are planted by the natives near their dwellings, with a view to shelter, and the produce is chiefly used for making Brahmenical threads. The Munnooa, is also cultivated extensively in fields on the ranges east of Mirzapore. Mr. McLeod, regards these specimens, as very inferior, owing to the excessive rains which fell in that part of the district.

The Berar cotton, is sent merely as a subject in comparison, having been obtained from a native at Hingun Ghat. Mr. McLeod speaks favourably of the appearance of the Peruvian cotton plants, from seed also forwarded by this society, but the pods were not ripe when he left Seonee.

The flowers and leaves of a large tree also accompany this parcel. This tree is stated, according to tradition, to have been planted by a wandering suqueer, and its bark, as already observed, supposed to contain medicinal virtue.

From Dr. A. Campbell, dated Nipal, 5th September, 1837, presenting for the use of the Agricultural Society, a bottle of white clover seed from a crop grown by Mr.

Hodgeon. Dr. Campbell mentions the fact of the famous "Prangos" of Thibet, having seeded at Nipal.

From Dr. Wallich, dated 21st September, annexing an extract of a letter to his address, from H. Chamier, Esq., dated Madras, 6th September, 1837, in reference to Mr. Liddell's letter of the 10th of August, read at the last meeting of this society.

Mr. Chamier says, "I have lately introduced a new plough of a simple construction without coulter and exceedingly light, so much so, as to be easily drawn by two common bullocks, remarkably handy also, and turns over a very large quantity of soil. They are made at the Porto Novo works at ten rupees, without the wood-work, for which six rupees more are demanded. Our Government seeing what an efficient implement it is, has ordered 800 for distribution in the interior, and the Bombay Government has ordered 400. They should be widely introduced in Bengal."

From Dr. Wallich, dated 26th September, annexing extract of a letter from the Hon'ble Mr. Melville, dated Berhampore, 22d September.

"I send a few mangoes just ripening from two trees in a garden here, as Mr. Laidly tells me the fact of this September crop, however well known here, is new to you. He or I will try to send you some plants in the season."

From Dr. W. Montgomerie, dated Singapore, 31st August, acknowledging the receipt of the Secretary's letter of the 25th July, and in reference to it has been kind enough to forward by the *Water Witch* one hundred canes of the same kind as those already sent by the *Guillardon*.

Dr. Montgomery has not been able to ascertain any thing satisfactory relative to the origin of the canes grown at Singapore, "they form part of the *Sea Stock* of almost all native vessels, and, as we have communication with all the East by such means, we may have got them either from Siam, Borneo, Celebes, Java, or any other neighbouring country. The natives recognize the red or purple cane as the "Tuboo Malacca," pointing out Malacca as the place of origin, but they think the three light-coloured varieties, viz. "Tuboo Leab or Local, Tuboo Tetir and Tuboo Kapur have been introduced by the Buggese trader from the Eastern Islands, and in such case they may, most probably, be a variety of the Otaheite cane modified by the Malay, which may have been cultivated by the natives."

From W. Kerr Ewart, Esq., the Report of — Elliot, Esq., head assistant to the Collector of Salem, embodying many interesting details on the subject of experiments made with American cotton seed sent out by the Hon'ble Court of Directors some years ago, as well as much valuable information on tobacco, senna, and soils—grasses and sub-soils, chaya, and other dyes to be found in the talooks of Dharmapuri and Woomulur.

From Dr. Wallich to the Secretary, dated 2nd October, giving cover to a letter to his address from Captain Jenkins, of Assam, dated 21st September, forwarding two samples of lac, (stick lac), and suggesting, that they be handed over to Professor O'Shaughnessy for his opinion as to quality, and the distinguishing character of the lac, with reference to the tree on which the insect is fed.

From Charles Deverinae, Esq., some specimens of the *Upland Georgian Cotton* grown at Calipod, Jessore. The following memo, accompanies this cotton.

* Note by the Secretary. If these pods are from Upland Georgia seed, they are the finest I have ever seen; but I cannot believe them to be so; else has the staple improved. Without careful examination, I think they are from Egyptian Seed. J. B.

Season 1836-37.

Three biggahs and eighteen cottahs of land fenced in for American cotton.

Sown with Upland Georgia and New Orleans cotton seed on the 18th, 19th, 24th, 30th and 31st May. Commenced budding and flowering in the end of July, and the fresh pods of ripe cotton were gathered on the 18th September, 1837.

Charges on the above.

23½ Ploughs, at 12 per rupee,.....	1	15	3
100 Bamboos for fences,.....	5	0	0
44½ Coolies for fencing.....	3	11	6
86 Ditto, for sowing.....	7	2	6
2 Gharries,.....	0	3	6
Land rent, at 12 per biggah, ..	2	12	6
90 Coolies, weeding ditto,.....	8	4	0

Rs.... 29 1 3

But we may dispense with the expense of bamboos and fencing, which would not be involved on a large establishment,..... } 8 15 0

Charges on 2 biggahs and 18 cottahs, rupees,..... 20 2 3

If Mr. Deverinne will follow up this interesting experiment, and give the Society the result, when the crop has been taken off he will be rendering an essential service to the cause of improvement; and, we doubt not, from Mr. L. M. Deverinne's known accuracy and experience, that the Society will obtain what is so earnestly desired.

From Charles Deverinne, Esq., a very fine specimen of the "lime" fruit, taken from a tree transplanted by Mr. Rowe, of Channerundee Factory, in the same neighbourhood into his garden from the jungle, where it was growing spontaneously and producing limes of very diminutive size. By degrees, and fostered by attention, the bush has produced abundantly fruit of equal size as the specimen now presented. Nothing can be more encouraging to demonstrate how materially all indigenous fruits may be ameliorated by judicious pruning and management.

The following correspondence, between Mr. W. Griffith, an Assistant Surgeon on the Madras Establishment, and the Secretary, which was read at the last General Meeting, is now published as accompanied to the report of the committee of enquiry called to report on the subject of Mr. Griffith's remarks or charges.

No. 1.

To JOHN BELL, Esq.

Secy. of the Agri. and Horti. Society.

Sir,—I have the honor of acknowledging the receipt of your letter, informing me of my election as an ordinary member of the Society. For payment of the requisite sum, may I beg to refer you to Messrs. Willis and Earle.

For the remainder of this communication some apology is necessary, particularly, as I believe, a committee was appointed some time ago, to superintend the experimental garden allotted to the Society in the Botanic Garden; I trust, however, that I shall be excused for trespassing on the province of the Committee alluded to, whose report, I hear, was favorable. My only wish is, that several members will go, and examine the matter for themselves, as my own visit was attended with a decidedly unfavorable impression.

The garden or nursery is really in a condition unworthy of the Botanic Garden; it may, in fact, be considered to be a mere jungle, and the experiment to be, not to

produce cotton, &c. of fine quality, but to ascertain how close plants can grow together, and to what degree of privation of free circulation of air they can submit from being closely surrounded by trees.

The cause of its bad state is, I conceive, that the committee place too much reliance on another quarter.

The remedy I would respectfully beg to suggest is, the placing the Nursery as far as may be possible, under existing circumstances, under the charge of Mr. Masters, whose merits as a theoretical and practical gardener are well known to all, and that in addition, Mr. Piddington be requested to become a member of the committee.

If, with the advantage of a Government Establishment, the Society's experimental garden fails so signally, I would respectfully beg to suggest the propriety of renting some land, where, at any rate, the society could act without any clog to its movements.

I have, &c.

(Signed) WILLIAM GRIFFITH.

Member of the Agricultural Society.

Calcutta, Aug. 24, 1837.

P. S. I anticipated the pleasure of bringing this subject to the notice of the Society personally, but I am prevented from doing so, by being obliged to leave Calcutta immediately for Assam.

No. 2.

To WILLIAM GRIFFITH, Esq.

Sir,—I have the honor to acknowledge the receipt of your letter of the 24th instant, referring me to Messrs. Willis and Earle, for the payment of your subscription to the Society, which shall be duly observed.

2. Adverting to the latter part of your communication, I beg leave to offer some explanation which may or may not remove what appears to me, the erroneous impression you have adopted of the Society's intentions in regard to its maintenance of a Nursery situated within the boundary of the Hon'ble Company's Botanical Garden. After which, should you still consider it desirable, I shall, of course, submit, at the next general meeting, your letter, with a copy of this address.

3. You are correct in your belief, that a Committee was appointed some years ago, to superintend operations in the quarter alluded to, and you are also correct in having heard, that the last report of the Committee was, (as all their reports have been) "favorable," favorable inasmuch as the direct objects of the Society are concerned.

4. But you are not correct in calling the Society's Nursery an "experimental garden," and this confusion of terms has probably led you to arrive at the conclusion, that the Committee have betrayed the trust reposed in them, by the Society; for, if it can be said, that the Nursery is in a condition unworthy of the Society, it follows, as a matter of course, that the Committee have been lax in their duty, and merit the imputation which is conveyed in your remarks of their proceedings; and I am quite sure, that my colleagues, will be as scrupulously anxious to court public opinion, as I shall be to place the question beyond the slightest doubt.

5. The creation of the Society's Nursery emanated from a suggestion of mine, communicated in a letter to the President, which was read at a General Meeting on the 9th March, 1836, which had for its object, the renting of a parcel of ground to the extent of six beegahs, to be fenced in and dug for the reception of *Ostia sugar-cane*, then expected from the Mauritius, for the purpose

of increasing the stocks before distribution to applicants throughout the interior; but the President observed, that although the necessity of having some available ground for the purpose was indisputable, some objection might be raised on the score of expense, as ground so situated (I wanted it near Calcutta) would require to be well fenced and constantly watched. This objection was met by the suggestion of several members present, who, with reference to the perfect willingness expressed by the Superintendent of the Botanical Gardens, before the departure of that gentleman for Assam, not only to spare room in the vicinity of the garden, but to give the Society the benefit of his general supervision, should they desire it. The meeting resolved, that I, as Secretary, should place myself in communication with Mr. Grant, then acting Superintendent, and solicit a portion (six beegahs) for the purpose above alluded to; and that Mr. Masters, who was present, and offered his aid on behalf of the undertaking, should be requested to point out a plot and favor the Society with an estimate of the probable cost of maintaining it in proper condition. It further appears in the proceedings of the 13th April, 1836, that I had met Mr. Masters to whom I was referred by Mr. Grant, who met the Society's wishes and pointed out a parcel of ground, which in Mr. Masters's opinion was well suited for the purpose, and which he stated, had been the site of Dr. Roxborough's experimental garden.

Having concurred in this arrangement the nucleus of the present nursery was formed by two sugarcanes, the only ones alive, out of 100 canes received from Bombay, (vide Mr. Masters's letter to me of 25th April.)

Our expected supplies of cane from the Mauritius were lost with the vicissitude the vessel in which a large assortment had been shipped, and we were equally disappointed in our expectations from Lucknow, the canes sent by Dr. Stevenson having arrived parched up, and all the eyes rubbed off.

The ground having been prepared at a considerable expense, the Committee conceived, that it might be applied to other useful purposes, and it was accordingly resolved in Committee to apply it to the reception of all seeds and plants arriving out of season, to secure, if possible, the produce, even under the disadvantage of planting out of season, which would otherwise in all probability be lost to the country.

In accordance with this resolution, three descriptions of American cotton seeds received through the agency of Dr. Hufnagle, were received about the latter end of last September. I do not know the exact dates of planting, but it must have been shortly after this that some of each was sown in the nursery. On the 10th December, when the Committee visited the nursery, this cotton seed had been planted out into rows, and with reference to the lateness of the season were reported to be most vigorous. From this plantation the Committee expected to derive "an abundant supply of seed to secure, which is now a great desideratum."

At a General Meeting of the Society on the 12th ultimo, Mr. Masters submitted ten seeds of Upland Georgia, and four seeds of New Orleans cotton seed, the produce of the Society's nursery, I believe, the produce of seeds imported through Dr. Hufnagle, for I have not data by me.

Thus, it seems, that the objects of the Society run counter with your opinion, for the Committee never dreamed of planting cotton seed with a view to experimenting on its quality, the Society having long before given to the public their report upon experiments carried on at Akra. The views of the Committee were directed to securing seed to distribute, seeing that much

disappointment had attended former attempts to introduce on a large scale the American cotton, from the difficulty experienced of procuring it in a sufficiently fresh condition, and with these facts before me, I feel that the remarks you have made are misapplied, and contain reflections upon the efforts of the Committee which I hope this explanation will tend to remove; not that I desire to blink enquiry, for the Reports of the Committee, from first to last, having been drawn up by me, I feel anxious for the most unqualified expression by other Members as to their accuracy; and, should this letter not be entirely satisfactory, I shall consider it my duty to second your proposal to invite members to judge for themselves, and I mistake the character of my colleagues, if they will not be equally anxious to wipe off the imputation which you have cast upon them.

6. The remedy you have been pleased to suggest, is, if I mistake not, now in full force; the charge of the nursery has been with Mr. Masters from the beginning, and he has had the thanks of the Committee recorded on several occasions for his exertions on bringing it to its present state, which, in my humble opinion, is not a single, but well calculated to secure the ends for which it was designed; viz. the augmentation of our sugar cane stock, and the maintenance of vitality of such seeds and plants, as arrive out of season; which are frequently lost to the country, from being kept until the proper season of sowing such seeds is supposed to have arrived.

I have, &c.,

(Signed) JOHN BELL, Secy. A. and H. Society.

Agricultural Society's Office, Calcutta, Aug. 26, 1837.

No. 3.

To JOHN BELL, Esq., Secy. A. Society.

Sir,—After reading the address with which you favored me on the 26th instant, I beg to say that my opinions remain unaltered.

It would seem, that the principal error I have committed, consists in mistaking the Society's nursery for an experimental garden.

Your remarks have not convinced me that care is not necessary in order to procure the best sorts of seeds, the quality of which will depend very considerably upon the healthy constitution of the individuals from which they are derived. Such, indeed, it is impossible to obtain, in my opinion, unless the nursery undergoes a considerable alteration for the better.

I have not the pleasure of knowing any member of the Committee appointed by the society to report upon the condition of the nursery, but if these gentlemen are not professed Agriculturists, it cannot, I presume, be construed into a reproach that they should have been mistaken in the matter; more especially, as they may have naturally conceived the situation of the plants in a Botanic Garden to be a sufficient guarantee for their proper treatment.

I have, &c.

(Signed) WM. GRIFFITH, Member.

Calcutta, 29th August, 1837.

P. S.—Should you consider it necessary to read your address to the Society at its next meeting, may I request that you will read the present communication also.

This ends the correspondence, and in accordance with a resolution passed at the September General Meeting of this society, a Committee of "enquiry" was appointed, whose reports upon the accuracy of Mr.

Griffith's charges, as read by Mr. Cracroft, is as follows :

REPORT.

Proceedings of a Committee of the Agricultural and Horticultural Society, held at the Town Hall of Calcutta, on the 29th September, 1837.

1st. The Members of this Committee delegated by the Society to examine and report a further state of their nursery, in the Honorable Company's Botanical Garden, in consequence of the management thereof having been impugned in a letter from Mr. Griffith, a member of the Society, met this day, at 12 o'clock (with the exception of Mr. Piddington and Mr. Hurry) having honourably at various times visited the nursery.

2. The Members of the Committee unanimously concurred in the following remarks :—The cotton plants had been put in the ground originally, at the distance of 3 feet and upwards, in some few places where the seed has failed, the plants are at greater distance ; but, the Committee observed, that no particular benefit had been derived by the plants, thus accidentally supplied additional space. The ground was perfectly free from weeds, &c. and in every respect well attended to, and the plants altogether in a healthy and flourishing condition. The Otaheite sugarcane was in the most flourishing state, as well as the mulberry plants from cuttings of various sorts, also the vanilla, caloo hemp, ginger, and other plants in the nursery.

A large piece of ground has also been trenched from end to end ; is in a most perfect state for the reception of future importations.

3d. The members of this Committee are of opinion, that the thriving state of the garden in general, and particularly the sugarcane and cotton plants, fully demonstrate, that Mr. Griffith must have fallen into some great error, or viewed through a distorted medium, not only the state of the garden, but also the intentions and views of those gentlemen more especially engaged in superintending it. The members of this Committee have also resolved, that instead of too great a reliance having been placed in any "particular quarter," or the exertions of the Society having been clogged (in regard to which expressions of Mr. Griffith this Committee think proper to express both their surprise, regret and disapprobation,) they, on the contrary, earnestly recommend, that the implicit confidence hitherto reposed in the Nursery Committee, be continued, if possible, more firmly than hitherto. The Committee have further ascertained, that instead of any thing like a "clog" existing, a cordial co-operation and reciprocal interchange of opinions and an uniformity of views have subsisted between those, whose immediate superintendence and management have been the cause of the present flourishing condition of the nursery.

4th. The members of this Committee feel themselves called upon to declare, that on a very close examination of the garden, nothing came under their notice to palliate, much less to warrant or justify, the imputations and insinuations contained in the letter referred to them for consideration.

5th. Finally, the members of this Committee are happy to have it in their power to state their opinion, that the Society have nothing further to wish for, than that those gentlemen who have already paid so much praiseworthy care and attention to the objects confided to them, will continue to bestow their valuable aid in forwarding the views under which this Nursery was established, viz. to raise seeds and nurse plants received at seasons unfavorable for their distribution, and to preserve the produce of the garden until proper seasons and favorable

opportunities for distributing the benefits of it may occur, and the committee on their own part, express their hope that the present members of the Nursery Committee will not permit any unpleasant feelings which may have arisen, from finding their conduct and motives thus unnecessarily impugned by a single individual to induce them to discontinue their meritorious and valuable exertions.

PRESENT.

(Signed) W. Cracroft,	(Signed) E. Sterling
" W. Ainslie.	" W. F. Gibbon.
" Alex. Colvin.	" D. Hare.
	" Robt. Watson.

The report having been read and listened to with every demonstration of satisfaction on the part of the meeting, the Hon'ble Colonel Reihling proposed, and was seconded by Dr. Jackson, that the report of the Committee of enquiry be confirmed which was carried unanimously.

2nd. Proposed by Sir E. Ryan, and unanimously resolved, that the Secretary be requested to send Mr. Griffith a copy of this report.

3rd. Proposed by Professor O'Shaughnessy, and unanimously assented to by the meeting, that the correspondence which led to the formation of the Committee of enquiry, together with the report, be published at full length.

4th. Proposed by Mr. Cracroft, seconded by Sir E. Ryan, that the society do request the members of the Nursery Committee to continue their labors, carried *unanim.*

The President here addressed the meeting at some length, observing that on the subject of Mr. Griffith's charge being brought forward, he had adopted that course which he conceived, would afford the greatest satisfaction, to both the gentlemen who had impugned the committee, and to the members who composed it. It had certainly been mentioned by several members at the last meeting that the charge appeared unworthy of so much attention, but he thought otherwise. Mr. Griffith was known to many of the Indian community as a gentleman, whose opinion might be considered deserving of every respect, and however unpleasant to the feelings of the Committee, he (the President), was anxious to place the question at rest on such grounds, as could admit of no subsequent doubt, and the issue was such as to enable him, on the report of an independent and unbiased body of gentlemen to congratulate the members of the Nursery Committee, in the assurance of the utmost confidence in their past exertions, while the only individual who might feel uncomfortable as to the result, would be Mr. Griffith himself.

Dr. Wallich rose to express on his own behalf as well as that of his colleagues in the Nursery Committee, their entire satisfaction with the report that had just been read. He begged to return their best thanks for the patient investigation that had been entered into, and which had more particularly implicated him in the charge made against the management which called for his thanks in an especial manner.

Mr. Bell expressed himself to the same effect. The President then alluded directly to the Committee's continuing their services, when Dr. Wallich observed, that after what he had expressed it was hardly necessary to assure the meeting that the Nursery Committee would continue their labors with unabated zeal, as they had the interests of the Society, and those only at heart.

Dr. Wallich's motion to offer a premium for the importation of the true cochineal insect in a living state from any part of the world, was brought forward and carried. Mr. Prinsep who had seconded the proposition, having been asked and consented to add, which to

obviate mistakes in bringing any other than the domesticated coecas (for particulars vide last month's proceedings).

Mr. E. Sterling's motion to present Major Sleeman with the Society's gold medal as a slight acknowledgment of the estimation in which the exertions of that gentleman was held, for his public spirit in introducing and distributing largely the Otaheite sugar-cane brought by him from the Mauritius, was next in the list.

Mr. Sterling adverted at some length to the zeal and disinterested motives which had prompted Major Sleeman to make such a sacrifice of his time and means, for the benefit of this country, quoting several passages from the transactions of this Society, in proof of the undeniable success of his endeavours, and after enlogizing in emphatic terms, the example so nobly set by this gentleman, hoped that his motion would meet the unanimous voice of the Society at large, (Mr. E. Sterling spoke so low, that we could not gather more of his address.)

Mr. A. Colvin, heartily seconded this motion; it was a very inadequate acknowledgement for all Major Sleeman had done, nevertheless it was a proof which could not be but gratifying to Major Sleeman, of the estimation in which he was held by this Society, as a public benefactor, and as one of its most zealous members.

Received with applause, and resolved unanimously, that Major Sleeman be presented with the gold medal accompanied by the sentiments of the Society.

The following notices of motions were read and handed to the Secretary to bring up at next meeting.

1st. Proposed by Dr. Jackson, seconded by Mr. Bell.

"That in order to afford the fullest means of information to the members of the different Committee on the subject of their various researches and matters of enquiry, that each Committee be furnished with the best standard works in their particular departments and that the members of each Committee be invited to prepare a list of such works as they may think it advisable to have access to for consultation on occasions of reference, and to submit such list for the consideration of the Society at the next meeting."

(Ordered to be submitted to the Committee of papers.)

2nd. Proposed by Captain Carter, seconded by Mr. Cracroft.

"That a reward of 500 rupees and the gold medal be awarded to any person who shall successfully domesticate in the plains, any indigenous (or wild) honey bees, or introduce the species already domesticated in the mountains to the north and north east, or import the European or any other foreign honey bee. It will be required that the claimant shall satisfy the Society that the experiment has been successfully continued for more than one year, and not less than three full hives be shown, obtained by second swarming from the domesticated or imported hives, and that he shall furnish a particular report of the method by which he arrived at the successful result.

(Referred to the Committee of - ?)

The thanks of the meeting were ordered to be given for all the foregoing papers and presentations.

JOHN BELL, Secy. Agrl. and Hortl. Socy. of India.

Town Hall, Calcutta, Oct. 3, 1837.

[Hurkaru. October 4.]

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, the 14th October, 1837.

Letters from the following gentlemen were read :

From D. S. Young, Esq., Nizam's Service ; F. Fleming, Esq., Civil Surgeon Shajehanpoor, and W. Charters, Esq., Surgeon 61st Regt. N. I., requesting that their names might be withdrawn from the Society.

From Dr. Wallich, presenting on behalf of Mr. Desjardins, the 7th Annual Report of the Natural History Society of the Mauritius.

From Dr. Morehead, presenting copies of the proceedings of the Bombay Medical Society.

From Dr. Keinnis, of Ceylon, forwarding a letter which he has published upon vaccination in that Island.

From T. H. Gardiner, requesting that the Society would afford some pecuniary assistance to the sister-in-law of the late Dr. Burlini, as she was totally dependent upon the latter for support, and had been left in very indigent circumstances by his death.

The subject was referred to the Committee of Management.

The Secretary having communicated officially the death of the late librarian, the question of appointing a successor became the subject of some debate; finally it was proposed by Dr. Ranken, seconded by Dr. Stewart,

That as in the case of the museum, the library should be transferred to the charge of the Medical College.

It was stated that the expense of a librarian would thus be saved, and that the books would be more generally useful than they are at present, whilst the professors of the College offered, in case of such an arrangement being effected, to open the extensive library of that institution to the Members of the Society. At the same time the professors undertook on behalf of the College to return the books should they at any time be called on to do so by the Society.

As Dr. Corbyn objected to this proposition, it remained to be ballotted for at the next meeting.

The subject of free postage then came under discussion, and it was proposed by Dr. Stewart, seconded by Dr. O'Shaughnessy.

That the Society request of the Medical Board, as patrons of the Society, to exercise in their favor the privilege accorded to them by the New Post Office Regulations, by franking such part of the correspondence of the Society as may appear to them essential to the interests of the profession in India.

Mr. P. B. Lord's memoir on the plains on the Indus was then read and discussed.

H. H. GOODEVS, M. D.,

Sec. Medl. and Phyl. Society,

Hurk., Oct. 19.]

MADRAS STEAM MEETINGS.

The Petitions and Memorials of the Inhabitants of Madras, were confined to the grand object of establishing a monthly communication between Britain and India, by the Red Sea, by means of Steam Vessels, and while they suggested Point de Galle as the most eligible place for the arrival and departure of the Steam Packets, they expressly submitted the details to the wisdom of Parliament, His Majesty's Ministers, and the East India Company. In the letter of instructions to their Agent, Captain Grindlay, however, it was explained, that though the Petitions had been confined for the present to this primary object, the inhabitants of Madras never would be satisfied until Steam Communication should be extended to the several Presidencies; and that they had recommended Point de Galle as the main Steam Port, chiefly in consideration of its convenience as the centre for branch communication to Calcutta, Madras, and Bombay. This ulterior object the Agent was distinctly instructed to keep in view in discussing the subject.

The late advices from home have satisfied us that the Honorable Court of Directors have, in concert with His Majesty's Ministers, taken efficient measures for accomplishing the first great object, and that a regular monthly communication between Britain and India, by the way of the Red Sea, may be considered as ensured. The chief request of the inhabitants of Madras, as expressed in their Petitions and Memorials, has thus been complied with. And we have great encouragement to hope that the ulterior measure which their Agent was instructed to advocate as necessary to render Steam Communication between Britain and India complete, will also be accomplished. For, we find, that Sir J. Hobhouse, the President of the India Board, has declared himself to be "convinced that any plan which does not embrace a communication by Steam Packets with Madras and Calcutta, as well as with Bombay, will entirely fail to give public satisfaction, and to fulfil the just expectations of the people both of England and India," and, has stated, that a project is under consideration by which he thinks "it will be very possible, and indeed very easy, to obtain all the objects which are sought for by a more extended plan of communicating with the three Presidencies by means of Steam," and which it is his "hope and conviction" "will finally receive the consent of the Court, and that within no long time the Home authorities will be able to communicate to the public and Indian Government, that it has been altogether decided upon."

The Committee have carefully examined the estimate lately prepared by the Court of Directors, of the cost of establishing Steam Communication between Suez and Bombay, to ascertain whether the plan might not be extended so as to embrace all the Presidencies without involving an expense greatly exceeding what they are prepared to lay out for that confined purpose, and they submit the following observations on the subject.

The Court of Directors, it appears, have agreed to maintain four Steamers for the purpose of keeping up a monthly communication between Bombay and Suez. Their estimate of the cost amounts to 88,000*l.* per annum. In giving in this estimate to the Select Committee of the House of Commons, Sir J. Hobhouse observed, that it was considered to be rather *over* than *under* what the cost is likely to be. It appears to the Committee that it is *under* in excess. In the first place, the estimate provides for the four Steamers as if they were all to be in actual employment; whereas, it is to be inferred, that the plan is to keep only *three* Vessels at work, and the fourth as a *spare Vessel* to be used occasionally in place of one

of the others, which may be disabled, or may require repairs.

The annual charges of one sea-going vessel, exclusive of coals, are estimated as follows:—

Interest on Capital sunk at 4 per cent.	£ 1,200
Insurance on do. at 5 per cent. per annum	1,500
Allowance for annual deterioration by wear and tear of Hull, Engines, and Boilers.....	2,317
	5,017
Repairs,	1,500
Establishment and Victualling,.....	5,000
	11,517

Now it is obvious, that a *spare vessel* will not require an establishment and victualling, on this account therefore a deduction of 5,000*l.* may be made from the estimate for the fourth vessel; and it will surely be ample to allow for deterioration and repairs of one half of the allowance for a sea-going vessel; here, then, a further deduction may be made of 1,908*l.*; reducing the estimate for the spare vessel from 11,517*l.* to 4,609*l.* Hence, it appears, that the cost of the four Steamers, three working, and one at rest, exclusive of coals, will not, upon the data assumed by the Court of Directors, be more than 39,160*l.*, instead of

46,068 <i>l.</i> the amount of their Estimate, the reduction being 6,908 £	Revised Estimate. £ 11,517 3 Working Steamers 34,551 4,609 for 1 spare Steamer 39,160	Estimate of the Court of Directors. £ 11,517 4 46,068 39,160 Reduction 6,908
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In the article of coals in the present estimate of the Court or Directors, the expense is reckoned at much less than in the former one; but it still appears to be rated far too high. It was stated in the Appendix to the Madras Memorial that from accounts of actual transactions furnished by the Mercantile Houses here, it appeared that 30*s.* per ton might be taken as a fair average price for coals in India, and it was assumed that 60*s.* would be a sufficient price in the Red Sea. Doctor Lardner estimates that the price in India in the event of Steam Navigation being permanently established would be 23*s.* per ton, and could not exceed double that price, or 50*s.* on the average, at Socotra, Camaran, and Suez. The Court of Directors however have calculated the price in India at 45*s.* and in the Red Sea at 80*s.*; and supposing 1-4th of the coal required to be supplied in India, and 3-4ths in the Red Sea, and making the large allowance of 20 per cent.

for wastage and a considerable allowance for the expense of transhipment, &c. the whole cost is estimated at £41,932 for 12 months' consumption.

For 3 voyages from Bombay to and from Suez,—40 days on each voyage, at 18 Tons a day	Tons. 2,160
Wastage at 20 per Cent.	440

2,600

Cost.	s.	£.
$\frac{1}{2}$ on 650 tons at 45	1,462	
$\frac{1}{2}$ —1,950 at... 80	7,800	
	9,262	
Expense of transhipment.....	1,931	
	10,483	
	4	
For 12 voyages to and from Suez....	41,932	

But the experience of the period which has elapsed since our former estimate was made, the Committee understand, has proved that 30s. is, as was assumed, fair average price for coal in this part of India; and they see no reason to doubt that 60s. will, when there is a certain demand, command the supply required in the Red Sea. Ac-

10,400 tons including wastage.	s.	£.
$\frac{1}{2}$ or 2,600 at 30	3,900	
$\frac{1}{2}$ or 7,800 at 60	23,400	
Cost of coals	27,300	
Expense of transhipment.....	4,884	
Total	32,184	
Estimate of the Court of Directors,	41,932	
Difference	9,748	
Add as above saving on spare vessel	6,908	
	16,656	
Cost of 3 Working and 1 spare vessel as above....	£ 39,160	
Cost of coals....	32,184	
	71,344	

It is to be observed that in the above calculations, the Committee have taken the same data as the Court of Directors, except with respect to the price of coals. But in their new estimate which the Committee have followed, the Court have made the charge for insurance and the allowance for deterioration by wear and tear, considerably higher than in their former one, with which Doctor Lardner's estimate corresponds in these particulars.

There will remain then out of the sum of 88,000*l.* which it appears the Court of Directors have agreed to appropriate to the maintenance of Steam Communication between Suez and India, a surplus of 16,656*l.* not required to keep up the communication with Bombay, which it may be safely assumed, the Honorable Court will not refuse to apply to promote the great object of extending the communication to the other Presidencies. Of this, according to the Court's estimate, 11,517*l.* will be sufficient to keep up another Steam vessel with the necessary establishment in complete working order, and there will remain 5,139*l.* for coals. Now, a Steam vessel passing between Calcutta and Point de Galle by

Madras twice a Month 1 Passage....7 days
will require for 12 months' consumption 18 tons a day
3,024 tons, the cost of which at 30s. a ton, will be £4,536. 24

24 passages 3,024 tons at 30s.
£4,536

It will remain only to provide a Steam vessel for the * Aspare steamer being already provided passage between Ceylon and Socotra to complete the comprehensive plan recommended by Dr. Lardner in his able pamphlet, embracing all the three Presidencies and the Island of Ceylon. The cost, including coals and allowing for

Coals.
Ceylon to Socotra $8\frac{1}{2}$ days.
18 tons a day.

One Passage, 153 tons.
24

24 Passages, 3,672 tons.

$\frac{1}{2}$ at 30s.... £2,754
 $\frac{1}{2}$ at 60s.... 5,508
8,262

Wastage.
Between Calcutta and Ceylon..... 907
Between Ceylon and Socotra..... 1,652

10,821

22,338

wastage on the whole quantity required for consumption between Calcutta and Socotra, will be £22,338.

The whole cost according to the above estimate for 5 working vessels and 1 spare one will be £1,09,735, viz.

Maintenance of 5 steam vessels in working order including establishment and victuallin and repairs..... £57,585
Do. of spare vessel..... 4,609

62,194
Coals 47,541

Total £1,09,735

Estimate for communication between Suez and Bombay..... 88,000

Difference.. 21,735

Thus it appears that an extended scheme of Steam Communication, embracing all the three Presidencies and the Island of Ceylon, may be carried into effect, at a cost exceeding, by only one-fourth the expense which the Court of Directors are prepared to incur for keeping up the communication with Bombay alone.

Dr. Lardner's estimate makes the whole cost of the same establishment only 92,200*l.*, or 17,535*l.* less than the estimate now framed; the difference is chiefly in the cost of fuel, the price of which, as before noticed, he estimates at 25s. per ton in India, and 50s. in the Red Sea.

If the above calculations be found correct, they will afford strong ground for inducing the Home Authorities to make the scheme of Steam Communication complete, when it can be done at so little additional cost to the State; and, it may be safely affirmed, that it will increase the returns in a degree far more than sufficient to compensate for that extra expense. Indeed, until it is extended to the comprehensive scheme contemplated, no correct

estimate can be framed of the returns. For, when a certain regular, secure, and speedy passage by Steam to and from all the Presidencies in India is provided at a cost as cheap at least, and, probably, cheaper than the tedious and comparatively hazardous passage round the Cape of Good Hope, there appears no reason to doubt that it will be generally preferred. To invalids and children who constitute the majority of passengers from India the quickest mode of transit to the climate which they are seeking for the sake of health, when it is also the easiest and safest, and, probably, the cheapest, will always be preferable; and not only is it likely that a majority of the present number of passengers to and from India will, in future, use the Steam Vessels, if the communication reaches to all the Presidencies; but, it may be expected, that the aggregate number of passengers will be augmented. India will, probably, have more visitors from Europe; and, it is not improbable, that the quickness and facility of the passage will induce even natives of India, who have hitherto scarcely ventured upon a voyage to Europe, to avail themselves of it.

The Committee recommend that a public meeting be held to consider the subject, and they would suggest that memorials be addressed to the Court of Directors and the President of the India Board, expressing the thanks of the inhabitants of Madras for what has been already done, whereby a very great benefit has been conferred on the Indian Community in the acceleration of correspondence; acknowledging the liberality with which the strong desire of the public for the extension of Steam Communication, so as to embrace all the Indian Presidencies, has been regarded at home; and, earnestly praying, that their "just expectations" in this respect, may be fulfilled.

The Committee cannot close their report without declaring their opinion, that Captain Grindlay, the Agent, appointed by the inhabitants of Madras, for promoting their views in this matter, has perfectly fulfilled his instructions, and is entitled to their best thanks for his services.

A. D. CAMPBELL, *Chairman*.
D. ELLIOTT,
P. CATOR,
C. DALRYMPLE.

Madras Steam Committee, Sept. 21, 1837.

[*Conservative, September 23.*]

A Public Meeting of the inhabitants of Madras was held at the College Hall this morning to take into consideration the Report of the *Madras Steam Committee*. The Meeting was not so fully attended as on some former occasions, but we noticed the Chief Justice, the Honorable Mr. Sullivan, Sir P. Maitland, Major Derville, Mr. McDonnell, Mr. Lane, Mr. Key, Mr. Maclean, Mr. Bruce, Capt. Dalrymple, Mr. Campbell, Mr. Barrow, Mr. Ouchterlony, Major Kitson, Capt. Justice, Mr. S. Sam, Mr. Sam, Mr. Scott, Mr. Fullerton, Mr. Smythe, Capt. Freshfield, Mr. Sewell, Mr. Ashton, Mr. J. Arbuthnot, Mr. Cator, Chocapah Chitty, Colunda Moodiler, Ragavah Charryah, Mr. A. J. Maclean, Mr. Cropley, Dr. Wight, Mr. D. Elliot, and Mr. Waddell, &c. &c.

Sir R. B. Comyn, having been requested to take the Chair,

Mr. Cator read the Report of the Steam Committee.

Proposed by the Hon. Mr. Sullivan, Seconded by Sir P. Maitland, and carried unanimously.

Resolution 1.—Resolved, that the thanks of this Meeting be given to the Committee for the report now read.

Proposed by Mr. J. Arbuthnot, seconded by Mr. W. Ashton, and carried with one dissentient voice.

Resolution 2.—That this Meeting view with surprise and disappointment the conduct of William Crawford, Esq., M. P. for the City of London, who having undertaken to present to the House of Commons a petition of the inhabitants of Madras, has neither done so, nor afforded any explanation which can lead this Meeting to view such proceedings on his part in any other light than that of a most unjustifiable neglect of the trust committed to Mr. Crawford by the inhabitants of Madras which he had accepted.

Proposed by Mr. Bruce, seconded by J. Scott, and carried unanimously.

Resolution 3.—Resolved that the Chairman of the Committee be requested to convey to the Commissioners for the affairs of India and the Court of Directors, the thanks of the inhabitants of Madras, for the establishment of a Monthly Steam Communication with Great Britain and India.

Proposed by Sir P. Maitland, seconded by Mr. A. D. Campbell, and carried unanimously.

Resolution 4.—Resolved, that the thanks of this Meeting are particularly due to the President of the India Board for his most gratifying and unqualified support of the comprehensive scheme.

Proposed by Captain Dalrymple, seconded by Mr. P. Cator, and carried unanimously.

Resolution 5.—Resolved that it is the opinion of this Meeting that as the British Government and the East India Company have actually consented to incur the expense of a Monthly Communication between England and Bombay, its extension to Madras, Ceylon and Calcutta may now be looked upon, not as an additional expense to the established plan, but as its most powerful auxiliary in a financial point of view, and this Meeting are fully convinced, that the returns from the passengers, parcels, &c. by an extension of the present plan to Ceylon, Madras and Calcutta, will not only cover the expense of such extension, but will, in all probability, leave a surplus to be applied in diminution of the present sanctioned expenditure for communication with Bombay.

The Memorial to the Court of Directors having been read by Mr. D. Elliot.

Proposed by Mr. D. Elliot, seconded by Mr. Sullivan, and carried unanimously.

Resolution 6.—Resolved, that Memorials to the Commissioners for the Affairs of India and the Court of Directors be prepared (accompanied by a copy of the Committee's Report) pressing upon these authorities in the most earnest manner the extension of their plan so as to embrace a communication by Steam with Madras and Calcutta as well as Bombay.

Proposed by Mr. A. D. Campbell, and seconded by Mr. P. Cator.

That subject to explanation respecting his publication of erroneous documents, the thanks of this Meeting are due to Captain Grindlay for his valuable services in promoting the cause of Steam Communication between

England and India, and that the Steam Committee be empowered to make to him out of the funds placed at their disposal by the inhabitants of Madras, a suitable remuneration for his services.

Moved as an Amendment by Mr. Ouchterlony, seconded by Mr. A. R. McDonnell, and carried by a majority.

Resolution 7.—Resolved, that the thanks of this Meeting are due to Capt. Grindlay for his valuable services in promoting the cause of Steam Communication between England and India, and that the Steam Committee be empowered to make to him out of the funds placed at their disposal by the inhabitants of Madras, a suitable remuneration for his services.

Proposed by Mr. P. Cator, seconded by Mr. J. Arbuthnot, and carried by a majority.

Resolution 8.—That the thanks of this meeting are due to Capt. Barber and Major Head for their great exertions in the cause of Steam Communication, and this Meeting renews the pledge given at the Meeting of the 23d of January last, to support by taking shares in any Joint Stock Company possessing a charter which shall be formed in England under the auspices of the Committee of which Major Head is Chairman, for the accomplishment of a scheme of Steam Communication which shall secure to Madras the advantage of a direct communication from the Red Sea, and that with a view to ascertain the probable amount which the Madras Community will contribute in aid of such an undertaking, the Committee be requested to circulate a subscription list, in which, parties may insert the sum to the extent of which they will take shares, subject on the part of such of the Officers of Government as are restricted from trade, to the sanction of the Government in this respect, which there can be little doubt will be granted.

Proposed by Mr. J. Ouchterlony, seconded by Mr. J. Scott, and carried unanimously.

Resolution 9.—That the Chairman of the Meeting be requested to forward the memorial to the President of the India Board, with an assurance that as Sir John Hobhouse is of opinion "that it will be very possible and indeed very easy to obtain all the objects which are sought for by a more extended plan of communicating with the three Presidencies by means of Steam", the inhabitants of Madras trust, the President of the India Board will never relax his exertions to obtain the completion of this extended plan, which will be hailed by all Her Majesty's subjects in this part of India, with the most lively satisfaction."

Proposed by Mr. D. Elliot, seconded by Mr. A. D. Campbell, and carried unanimously.

Resolution 10.—That the thanks of the Meeting be given to the Chairman for his obliging conduct in the Chair.—*Madras Herald, Oct. 7.*

The Steam Meeting on Saturday went off well. The resolution relative to Mr. Crawford was greatly modified in conformity to the general feeling, and any expression of thanks to Captain Grindlay deferred till the receipt of his explanation should allow the matter to be discussed at a more appropriate season. The only point respecting which considerable difference may remain is on the 8th resolution, and it is an additional reason for regretting that the whole of these, as originally proposed by the Committee, did not gain a much earlier publication. As it was, few, we suspect, gave themselves the trouble to examine the real drift and tendency of this resolution, which we are sorry to find is in reality a divergence from that Bengal scheme, which is now seeking the demonstrative and of an ample subscription list. There was some reason perhaps for our community being little flattered or content with the course of proceeding adopted by the Bengal people, but none sufficiently strong in our opinion not to be overcome by the consideration that action in unison will form at the present moment our strongest weapon of offence. We do not gather our notion of the feeling of many at this presidency from what transpired at the meeting on the subject for little more was there spoken than the actual resolution itself, but from what we have subsequently ascertained. The desire appears to be to have the Madras list for subscribers willing to support a Joint Stock Association towards the furtherance of a comprehensive scheme (while in that form at least) distinct from the one now being circulated at Calcutta. This wish arises from an idea (but an exaggerated if not mistaken one we humbly conceive it to be) that we shall be able to act a more independent part when the matter is brought to a decision; and from a dissatisfaction felt at the want of consideration shewn by the Bengal Steam Committee towards our community in seeking a private agency, however highly respectable as that agency is, to further their particular scheme, when there existed a public organ of that community corresponding to themselves, our Steam Committee, whose co-operation should most naturally have been the first object of their direct solicitation. It has been argued from the latter circumstance that the identity of our interests with those of Bengal promises to be made more a matter of convenience in their arrangements, than to ensure its due appreciation in reference to the claims and importance of our presidency. We are sorry that the Bengal Committee have furnished a ground for this opinion, which can only tend to retard our cordially working together, like those who feel they are in pursuit of an object in which they have a common interest. The deed is, however, completed; the rival subscription lists are now or will immediately be abroad, and we are therefore only left to regret it the more because we cannot see that the division will tend to do other than weaken Bengal without strengthening Madras.—*Madras Herald, October 11.*

AUSTRALIAN ASSOCIATION MEETING.

At a respectable and well attended Meeting of the Australian Association at the Town Hall this-morning,

Edward Stirling, Esq., in the chair.

The report of the Committee was read and adopted by the Meeting with a few verbal alterations.

It was proposed by Mr. M. Manuk and seconded by Mr. Wm. Smith,

"That a letter having been sent to the Committee to be laid before the Meeting, regarding a ship tendered to the Association, it be resolved, that the acceptance or rejection of ships rest with the committee."

Proposed by Mr. Nott and seconded by Mr. Alexander.

"That a subscription book be opened for the 'Donative Fund' and circulated first among the members of the Association, and then amongst the public."

Thanks were then voted to the Chair, and the Meeting separated.

The first Report of the Committee of the Australian Association of Bengal.

In presenting the report to the first quarterly general meeting of the Australian Association of Bengal, your committee are happy to say that the Society has met with as much support as was anticipated from Bengal, they have not to report any decided measures having yet been adopted for carrying into effect the objects of the association, as the period for active operations, has not yet arrived, they are, however, pledged to Government and the public to dispatch a vessel to the colonies in all November and another in all January next, and under any circumstances two ships will positively be dispatched with such arrangements for the comfort and accommodation of the passengers as will doubtless be found satisfactory.

The number of shares taken in the association amount to eighty-nine, and the names of the subscribers are stated in the annexed paper A. In the published list the name of one gentleman was erroneously inserted, and another has withdrawn from the association, giving it his first instalment of 50 rupees. The name of a gentleman has been communicated by one of the Committees as desirous of taking a share, but this has not yet been confirmed by the party himself.

The funds per annexed account marked B. amount to Co.'s Rs. 7,391 11 10,

Of the subscriptions Co.'s rupees 700 are in course of collection, as per list marked C. it will however be seen that several of the parties have remitted, but their remittances are not yet due, and one gentleman has paid 50 rupees in excess of his instalments.

It is proper here to remark, that your Committee having no immediate occasion for money, took upon themselves to call in only 50 rupees of the second instalment, and they hope the meeting will approve of their having done so. There is a further sum of 100 rupees in the hands of Messrs. Binny and Co., Madras, being two instalments on one share held by a subscriber of that presidency.

Your Committee are sorry that the expences of printing have been so heavy, but they were unavoidable and were in part incurred at the particular request of a gentleman whose liberality in supporting the Association has far exceeded that of any body else, and who continues to take the warmest interest in the success of the undertaking.

It is with regret your Committee have to observe that the association has not received the support that was anticipated from the Madras Presidency, an unfounded prejudice seems to have obtained ground there that we were seeking greater advantages for Bengal than the most of departure must necessarily have over an out-port. Messrs. Binny and Co. have been written to, to endeavor

to remove this impression, and an advertisement has been inserted in the Madras papers, intimating that the whole of one side of the accommodations on the gun-deck of the January ship with fifty tons of freight are reserved for engagement at Madras up to the 31st of December, and it is hoped, that you will consider this a liberal return for the solitary share subscribed at that presidency: it was a question whether our ships, as they were intended to touch at one of the ports of Western Australia, should also go into King George's Sound, but this has been settled on the understanding that the ships shall touch at King George's Sound in the event of our having either a passenger or fifty tons of freight for it. Under the erroneous impression already alluded to, it was proposed to get up a separate association at Madras, and deeming that the association here sought no monopoly, but rather that you would be rejoiced to learn of the complete success of the one contemplated at Madras, inasmuch as it would be bringing about the very end in view here, viz. an increased communication between India and Australia, your Committee immediately offered to assist the Madras association by gratuitously aiding it in chartering a ship from this place or otherwise being of all the assistance in their power. At the same time, it was suggested, that unless there was a good prospect of effecting a separate communication, it would be better cordially to assist an association already formed, instead of frittering away good money in an unsuccessful attempt, for with some further aid we might have it in our power to dispatch a third ship in May or June next.

The Governments of Bengal and Madras have so far acceded to the request of your Committee to be allowed to convey their convicts to New South Wales, that whenever conveyance may be required the association will be informed, and if it can undertake for it within one clear month from the date of such communication, the convicts will be given to the association.

Your committee would have been glad if they could have ment the subscribers with the information that they had chartered a ship, but their efforts hitherto have not been successful, though not the slightest difficulty is anticipated in securing proper ships.

Six ships were tendered to the association, and among them one for the January voyage. Some of these would have suited very well, but the terms were either higher than the Committee had reason to expect, or there were other difficulties in the way of an arrangement.

The Secretary has written to the Swan River, King George's Sound, South Australia, Van Diemen's Land, and New South Wales, that the existence of the Association may become generally known at the colonies, and like communications have been made to some of the mercantile houses in London. Captain Grundlay, the Honorary Secretary of the Colonial Society, in London, as well as to Mr. Cross, the book-seller, Holborn, who publishes most of the works relating to the colonies, and from whom copies of the best works, maps and charts connected with Australia have been ordered, it has also been suggested to him, that if he will send out a few copies of such works, as really contain information, the Secretary of the Association will sell them for him at any price he may affix.

Your Committee have further to regret, that the "Donative Fund," which it was proposed to raise to pay the passage of indigent and deserving persons, has not received any support from the public, though at one time, when there was no such fund, several contributions were tendered. This is a circumstance much to be regretted, as some good might have been effected had this fund received

ed any accession. The amount collected is stated in paper D.

The list of the passengers and freight engaged in the November ship, is stated in paper E., and that for the January ship in paper F., and though much freight does not appear to be engaged, your Committee are assured by several persons that they will be prepared to occupy tonnage on the ships of the Association.

Two medical gentlemen having been enquiring for passage in the November ship on the understanding of performing its medical duties, and a friend of another has obtained the refusal of the January ships upon the same terms.

The following scale of voting was adopted by your

Committee at the suggestion of a subscriber :—

Each shareholder.....	1 vote
3 shares.....	2 "
5 ditto and upwards.....	3 "

The rates of passage have not yet been determined, as your Committee are desirous of fixing them as low as possible, and this cannot be done, till a ship is chartered and the number of passengers ascertained. At present, we should say, that a side-cabin would cost from 8 to 9 hundred rupees, and a stern-cabin 1,000 to 1,001 rupees for a single person.

Your committee have only further to observe, that Mr. N. Alexander consented to act on the committee, in the room of Mr. J. P. Mackillegan, who was desirous of withdrawing.

Hurk., Oct. 3.]

Signed by the Committee.

MEETING TO ADDRESS THE QUEEN.

A Meeting was held yesterday at the Town Hall at five o'clock in the afternoon (to which hour it had been postponed in order that the Ladies of Bombay might be present) for the purpose of voting an address to Her most Gracious Majesty upon the occasion of her accession to the Throne of the British Empire.

The space around the Town Hall was crowded with carriages and other vehicles, and as we entered the Hall the coup d'œil was imposing from the large and respectable assemblage which was there congregated; a considerable number of ladies occupied the prominent place, and seemed gratified at their presence on an occasion when their youthful Queen was to receive an expression of the love and affection of her Indian subjects. We also observed a considerable number of native gentlemen, desirous of evincing their attachment to their new Sovereign and their adherence to that Government which throws so ample a protection around them.

The meeting commenced its proceedings by calling the Honorable James Farish, Esq., to the Chair.

The Chairman stated to the meeting, that it was convened to offer to our Queen Victoria an assurance of the loyalty and attachment of her subjects at this presidency, and a deep sense of the benefits they expect to derive from the sway of the illustrious personage who, at so tender an age, had stepped upon the Throne of her ancestors; that the advantages which Her Majesty had derived from the careful watchfulness of her illustrious mother, and the truly English education she had received, promised every thing for the glory, stability, and happiness of her reign.

The Hon'ble Sir John Awdry next addressed the meeting, and in a neat and appropriate speech, dwelt upon the high expectations which were to be entertained of a sovereign, upon whom so much care had been bestowed to qualify her to fill and adorn the lofty station which divine providence had assigned her; and proposed the first resolution which was seconded by Rear Admiral Sir Charles Malcolm.

H. Fawcett, Esq., then rose and addressed the meeting to the following effect.

I have the honour to rise to propose that the address to Her Gracious Majesty which I hold in my hand be adopted by this meeting. Before I proceed to read it I feel it due to explain the manner in which it has been prepared. Several gentlemen who signed the requisition to the Sheriff, conceiving that much delay might be avoided by having an address drawn up previously to the meeting, assembled and prepared this paper. Not wishing to trust entirely to their own judgment, they sent the rough draft to our Hon'ble Chairman and Sir J. Awdry, and having obtained their approbation, proceeded forthwith to prepare it for signature. The shortness of the time rendered it impossible to circulate it generally, but they trusted that the approbation of the gentlemen I have mentioned, would be a sufficient guarantee that the substance and form of the address were what they ought to be. If there ever was a period which called upon all classes to offer their loyal and dutiful congratulations to the monarch, the present is undoubtedly the one. A royal maiden born and bred in our native land has been called at an early age to the throne of her ancestors, to fill as it were the place of that lamented princess whose untimely loss afflicted England as a private calamity and drew from many eyes those tears which are only shed when the angel of death visits our nearest and dearest circles. But under what happy auspices does this granddaughter of George 3d ascend the throne? She has been taught to revere the institutions of her country and her education has been conducted under the ever watchful eye of an affectionate mother. May we not then look forward to a reign brilliant as any which has marked our annals? It has been observed that the reigns of our female Sovereigns have been generally the brightest in our history, and it has held good to the remotest period. When the legions of Rome, so accustomed to victory that they barely looked for resistance, first landed on the shores of Britain, they found our barbarian ancestors ready to oppose their naked breasts to these iron clad warriors, and they proved, that "he is trebly armed who has his quarrel just", for they fought for their altars and their homes; they were marshalled under the standard of

their Queen; they were led to battle by the glorious Boudica. In the days of anarchy and civil war, when the rival houses of Lancaster and York convulsed England and deluged her fields with her own sons' blood, when the imbecility of the sixth Henry had sunk the fortunes of the red rose to the lowest ebb, it was the Queen who revived the spirit of his parties, instilled fresh courage into his soldiers' hearts, shared their privations and stood foremost in battle. There is one dark spot, one infelicitous stain on the annals of our female sovereigns, but happily the night was short and we fear no return of its horrors; it was when the best blood of England was poured as water on the altar of bigotry and superstition, when the piety of her children was proved in the fire of Smithfield.

It would be trespassing too long on your time to dilate on the brilliant reign of Elizabeth or the glory of our arms under Anne. May our gracious Queen be blessed with the lengthened days of the former, and should the threatening clouds which hang on the political horizon break in tempest and war, I doubt not, a Drake and Effingham will be found to protect the coasts of the kingdom from insult, and a Marlborough to lead her armies to victory.

May heaven shower upon Her Gracious Majesty its choicest blessings and instil wisdom into her councillors, and grant that for lengthened years she may reign in the hearts of her subjects.

Mr. Fawcett then moved the second resolution which was seconded by Jamsetjee Jeejeebhoy, Esq.

Lieutenant-Colonel Wood then rose and said, he was happy to see present upon this occasion so many of the native gentlemen of Bombay, and felt highly gratified at the alacrity they evinced to testify their attachment and loyalty to the new Sovereign who had ascended the throne of the British Empire; but he was happy to observe, that they had already in anticipation of this meeting, come forward and were signing an address to express their firm adherence to the sway of Her Majesty and their sense of the blessings which the native community had derived from the just and impartial administration of the British Government.

That they had on prior occasions signed their names to addresses which had been prepared for them, and expressed in them sentiments which had been drawn up in a stiff and formal manner, but that he was happy to see that upon this occasion the address which they had signed as he had mentioned, was their own and the thoughts, language and sentiments emanated from themselves, and were dictated by their own impulses.

The Gallant Col. concluded by moving the 3rd resolution which was seconded by Jugonnathjee Sunkersett, Esq.

A. S. Le Messurier, Esq., Advocate-General, proposed the fourth resolution, which was seconded by W. C. Bruce, Esq.

All the resolutions having been carried unanimously and the address voted, Lewis Grant, Esq., moved the thanks of the meeting to the Chairman, which was seconded by Ibrahim Mackha, Esq., and carried unanimously.

The meeting which had been most numerously attended, then separated.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it Please Your Majesty,—We your Majesty's dutiful and loyal subjects, the European and native inhabitants of the Presidency of Bombay, humbly desire to present our heartfelt congratulation to your Majesty on the occasion of your accession to the Throne of the British Empire.

Enjoying, as your Majesty's subjects in this country have ever done since it came under the dominion of British Rule, the greatest security and protection in their rights and liberties, they gladly avail themselves of this happy occasion to testify to your Majesty the grateful sense they entertain of the many blessings they enjoy, and the vast benefits they have received from the wisdom and justice so conspicuously manifested in the Government of India by your illustrious ancestors.

Some of the proudest periods in the History of our Country are those in which the sceptre has been swayed by Female Sovereigns, and educated, as your Majesty has been, under the immediate and affectionate care of an illustrious parent, and in a warm attachment for the British Constitution, we may confidently expect that your Majesty's reign will be equally distinguished.

As regards your Majesty's Eastern dominions, we have abundant reason to hope, that it will ever be your Majesty's gracious desire to pursue the same wise policy, and, to the utmost of your power, to promote the welfare and happiness of all classes of your Majesty's subjects in these distant, but vast and important possessions of the British Throne.

We therefore humbly entreat that your Majesty will be graciously pleased to accept these expressions of our fidelity and allegiance, and to permit us to assure you of our steady and loyal attachment to your Majesty's Royal Person, with our earnest prayers, that the Almighty Disposer of all events may bless you with health and strength, may support you under your arduous duties, and, of his goodness, grant to your Majesty a long, a happy, and a prosperous reign.

Resolved unanimously,

1st. That a dutiful and loyal address from the Inhabitants of Bombay be presented to Her Most Gracious Majesty, congratulating her on her accession to the Throne of the British Empire.

2d. That the address now read, be adopted.

3d. That the address be placed at the Town Hall for signature until Saturday, the 21st instant.

4th. That the Chairman of this meeting be requested to hand the Address to the Right hon'ble the Governor in Council to forward by the *Hugh Lindsay* through such channel as he may deem best.

5th. That the thanks of this meeting be voted to the Hon'ble James Farish, Esq., for his conduct as Chairman on this occasion.—*Bombay Courier, October 19.*

THE MADRAS MEMORIAL—GENERAL GOVERNMENT OF INDIA.

DRAFT OF PETITION.

HUMBLY SHewETH,—That, previous to the Act III. and IV. of William 4th Chapter LXXXV. the Governors in Council of Madras and Bombay possessed the power of managing the details of the Government of these Presidencies, and of carrying into execution all measures of improvement within the same.

That by the passing of the above Act, the Governors of both these Presidencies were deprived of this power, and the same was vested in the Governor General of India in Council.

That, upwards of 4 years have now elapsed, since the said Act came into operation and full time has thus been afforded to prove whether it has been beneficial or detrimental to the local Interests of the Presidencies of Madras and Bombay.

That your Petitioners humbly represent the placing this excessive power with the Governor-General of India in Council, has been attended with effects most injurious to the interests of the Madras and Bombay Presidencies.

That, situated as the Supreme Government is, at a great distance, occupied with the details of their own Presidency, unacquainted with the local causes requiring improvement in the others, and much less interested than the Resident Governments in these improvements, it was not to be expected that the same attention would be given to their wants and necessities, as had been the case, when these Governments possessed the power at once to remedy or remove them.

That, plans of improvements, of the highest consequence to the prosperity and welfare of these Presidencies, have been submitted to the Supreme Government in Calcutta, regarding which, either from not fully understanding their importance, or unwilling to give their consent, the most protracted delay from repeated references has occurred, the plans often abandoned, often curtailed, or acceded to, when the parties, who originated them, and understood them most perfectly, were no longer in the situation to see them carried most beneficially into effect.

That, while the Governor General of all India is also Governor of Bengal, and his Residence fixed at Calcutta, the wants of that Presidency will ever first command his attention, frequently to the exclusion of the well founded claims of the other Presidencies and two recent instances may be adduced in proof of this, viz. the abolition of the Town and Transit Duties, and the declaring Calcutta a Bonded and Warehousing Port—two Acts of the Legislative Council which we more required for the relief and of greater importance to the prosperity of the Madras and Bombay Presidencies, but which, although one of them has been now in active operation for upwards of 15 months in Bengal, and the other for more than 6 months, have neither of them been yet extended to Madras and Bombay.

Your Petitioners therefore humbly represent, that it is most detrimental to the interests of the two Presidencies of Madras and Bombay, that the whole powers of Government should be vested in the Governor-General of India, who is also the Governor of Bengal;—that overwhelmed, thus, with the details of Government of the Presidencies of Madras and Bombay, in addition to those of his own Government of Bengal, he cannot give that prompt attention to their interests, nor can he understand the grounds urged for plans of improvement, so well and

so intimately as the Governors in Council of these Presidencies; and that the consequent delay in the despatch of all business, from the necessity of distant reference, is extremely prejudicial to their interests and prosperity.

That the constitution of the Council Board of the two Presidencies of Madras and Bombay being essentially the same, as before the passing of the said Act, your Petitioners therefore humbly pray, that the powers formerly exercised by their Governors in Council, may be restored to them. — *Madras Spectator*, September 16.

MINUTE.

The communication from the Bombay Chamber has brought under review a subject which I conceive to be well deserving of our consideration. The withdrawal of all power of expenditure by the subordinate Governments has long been to my mind a source of great injury to the best interests of this Presidency, an opinion which daily experience tends only to confirm, and it seems therefore of importance that our efforts should be united with those of our Bombay brethren to effect if possible a revision of this part of the existing system.

There are some evils arising from that important change introduced by the New Charter into the constitution of the Indian Government, the reduction of the powers of the subordinate Governments, which do not perhaps come within our Province to consider, but the withdrawal of all power of expenditure in works of general improvement is a practical grievance which operates more severely on the Mercantile than any other portion of the community, and is therefore, as appears to me, a perfectly fit subject for our deliberation with a view to the adopting of such measures as may be most likely to obtain relief.

That the change to which I have alluded has had, and continues to have a most injurious effect on the prosperity of the country by retarding and checking that spirit of improvement which has followed some of the other changes effected by the New Charter, we need only to come to such conclusion, contrast the present situation of Bengal and the works of general usefulness in progress there, undertaken, many of them, under the auspices of Government, with the entirely passive state of things under this Presidency either as respects the improvement of our internal communication, or the removal of restrictions which press so heavily on the commerce of the country, and I think it must be no less apparent that a change which has stripped the local Government of all responsibility and power, has virtually deprived this portion of the Empire of that direct and vigorous interference in objects of local improvement and of that superintending influence over our best interests, which can alone emanate from a Government possessing an intimate acquaintance with the wants of the community, and without which knowledge, no governing body, however well disposed, can, or ever will, prove an active instrument in directing the energies and resources of the country.

The existence of the present state of things may be traced to a few instances of lavish expenditure on the part of the subordinate Governments which were much dwelt upon in the minutes of those Members of the Supreme Government, whose opinions were sought for, and apparently acted upon, in forming the provisions of the New Charter.—The Court of Directors endeavoured, though unsuccessfully, to diminish the force of such partial arguments, by pointing out in their letter to the President of the Board of Control of the 2d July 1833, "that the

most striking instances of unauthorized expenditure and of the creation of New Establishments are to be found in the proceedings of the Supreme Government." I mention this fact because I think it affords a reasonable ground for hoping that we shall have the countenance and support of the Court of Directors in our endeavours to effect the object we are now contemplating, which I conceive to be the retransfer of the controlling power and check on improper expenditure leaving a certain discretionary power in the hands of the local Government from the Government of India to the authorities at home.

But I would hope that the result of the three year's working of the present Charter, will have been sufficient to satisfy even those who most strongly advocate the formation of the existing system of the entire failure of those views which led them to expect that a Government could be formed which would be so freed from the details of local Administration, that it would really prove, as was intended, one great superintending authority having its attention directed equally, and without favor or affection to all parts of the Empire, that the Governor-General would be surrounded by advisers selected from all the services of India, and that he would be really the Governor-General of Madras and Bombay, as he is of Bengal. In place of this fancied and comprehensive scheme, what has been the result? The Governor-General so far from having his mind, as I have already said, freed from the consideration of subjects purely local, and of the details of Government, has to conduct *singly* and unaided by a Council the whole affairs of the Government of Bengal, he will have when a new Lieutenant-Governor is appointed to Agra, the immediate control over the acts of that Public Officer, and besides these functions which of themselves constituted the duties of his predecessors, the present Governor-General has under the new system to preside over the deliberations of the Council in questions Legislative, Political and Financial relating to the empire at large, and to sit in appeal from the measures of the subordinate Governments. With such vast and multifarious duties, is it likely or possible, that the head of the Government can even consider, far less make himself master of the details or be a fit judge of the utility of measures proposed by the subordinate Governments? or is it not much more probable that the despatch will be handed over to an irresponsible Secretary who with a mind already occupied in the consideration of subjects of more immediate interest and consequently but little disposed to take a deliberate view of questions, with which he has had no previous connection, and unchecked altogether by the voice of public opinion, which on a subject devoid of all local interest he truly feels can never reach him, finds it much easier to place at once a negative on the proposition and to obtain at all events for his Government the credit of *restraining undue expenditure on the subordinate Government*.

The peculiar state of things in this country renders it of essential importance that the attention of the ruling authorities should be directed to the promotion of public works and the general improvement of the resources of the country.

In other countries much of this may be left, and is no doubt accomplished by private enterprise; but in India the Government forms in reality that influential and useful branch of the community existing in other countries. They are the landlords of the whole country and the inhabitants mere tenants possessing no capital nor the means of acquiring any.

To hope therefore that private enterprise will exercise the influence and the good it does in countries where the people are both in theory and in practice the proprietors of the soil, and have a direct interest in its improvement, must be a vain expectation.

It is the part of Government to plan and to execute those works which are to lead to a gradual approximation between the state of this and other more civilized countries and to render that interference and those exertions more effectual, a greater discretion than now exists ought to be left with the local Governments.

With these views I would propose that a letter be addressed to the Supreme Government reiterating the application of the Bombay Charter, and if that application proves unsuccessful, I think measures should be taken to get up a public meeting with a view to petition Parliament to rescind such parts of the present act as has placed the subordinate Governments in their present position.

(Signed) J. A. ARBUTHNOT.

A Memorial to the Home Authorities has been prepared at Madras, praying for a restoration of those powers to the subordinate Presidencies, of which they were deprived by the last Charter.

This New Charter is altogether a very curious piece of mechanism. Considering the mode in which it is put together; redundant in provisions which are of little interest, and defective in matters of substantive importance, and viewing the general incongruity which runs through it, one might at first sight suppose, that it was a kind of political experiment, the duration of which would be limited to three or four years. But, when we remember, that it was intended as the instrument for governing ninety millions of people for twenty entire years; that it was the supposed result of seventy years of experience in the Government of India, it appears difficult to imagine how men who had any character for wisdom to sustain, could have given it their concurrence. The really beneficial principles which it embodies, such as that of throwing open the China trade, of relieving the Government from the duties of the counting-house, and of opening situations of trust to the Natives, had already been matured in public opinion, and would have been incorporated with it, by whatever political party the Charter had been drawn up. But the defects which are so apparent in its various provisions, may justly be imputed to those to whom the formation of this instrument of Government was especially committed.

The construction of the Executive Administration in the New Charter combines the most singular anomalies. We have an Executive Council for all India which exercises an unlimited and minute control over the subordinate Presidencies. All real power has been withdrawn from them, and concentrated in the new Council. In order that a Council with such large responsibilities may be enabled to secure general confidence, and provide impartially for all interests, it appears reasonable, that it should comprise the ablest public functionaries from each division of the empire; but, instead of this, we see the vacancies filled up exclusively from the Bengal Civil Service. The nomination of Colonel Morrison, several years ago, to a seat in it, appeared to hold out to the other Presidencies the promise of a fair participation of the power which was to control the whole empire, but every subsequent selection has shown that this plan has been abandoned. The anomaly of this arrangement appears the more glaring from the union of all Legislative with all Executive powers in this Council. The laws which are to bind the territories of Madras and Bombay, are enacted without the presence of a single individual acquainted with the state and condition of those Presidencies. The Law Commission is constructed on the more reasonable plan of having the different interests of this diversified empire represented in it. Why, it may be asked, was not the same principle admitted in the formation of the Legislative Council? The subordinate Presidencies have, therefore, just reason to complain, that the Supreme Legislative

and the entire Executive authority throughout all India is entrusted to a body of men drawn from the service of only one Presidency, and that the two Councils which previously existed are deprived of every function which could justify the expense of keeping them in existence.

On the other hand the Civilians of Bengal may justly advance their claim to a seat in Council. They may argue with great reason, that if their brethren at Madras and Bombay are allowed to look forward to such posts as the reward of a long career of zeal and integrity, it would be inequitable to deprive the Bengal service, which outnumbers the aggregate service of both the other Presidencies of similar hopes. And this brings on the consideration of another anomaly of this Charter. Bombay and Madras have still their Executive Councils continued to them; they still exist, though shorn of all the attributes of power, as the most honourable and the most lucrative stations in the public service. But the Government of Bengal, as well as that of the Western Provinces, is administered without a Council. In order, therefore, that the Bengal Civil Service may not be placed in more disadvantageous circumstances than that of the minor Presidencies, the members of this service are introduced into a Council, which absorbs all the Legislative and Executive powers of all India.

But upon what principle is the plan justified of endeavouring to govern Bengal and Agra, which comprise seven-ninths of all the subjects of the Crown in India, without a Council? If the well being of the Madras and Bombay Presidencies, require that even the subordinate details of the administration should be directed by a Council, it seems strange that three-fourths of the population of British India, should require no Council whatever. Either the arrangements at Madras and Bombay, therefore, are redundant, or those of Bengal and Agra are deficient. It requires little penetration to see that the error lies on our own side, and not on theirs. If Councils are at all necessary, they are most necessary where the details are comparatively largest, the responsibility most heavy, the interests most extensive. Yet seventy millions have no council, and twenty millions have two.

But the anomaly does not end here. It has been ordained, not only that the Governor of Bengal shall superintend all the details of this large Presidency without the aid of a Council, but that he shall be one and the same individual with the Governor-General of India. As if the duties attached to the chief seat in the Executive and Legislative Government of all India were not sufficiently arduous, the weight of the entire internal administration of Bengal is superadded to it. In all the "Plans for the Government of British India," which were collected some years ago into one large quarto volume, we question whether one can be found to match the present system. It seems incredible, that it should have escaped the notice of our legislators, that at the time when so large an increase of responsibility and labour was thrown on the Governor-General, his mind ought to have been left free for the consideration of the weighty interests entrusted to him; and that to distract his attention with the anxieties of a local governorship, was to the last degree injudicious. We believe that it is only through the high talent and industry which have now been brought into operation, that there has been any mitigation of the evils which this preposterous plan is calculated to entail. We speak of systems, not of men; and shall not be misunderstood when we observe, that it is unjust to the exalted individual, placed at the head of this imperial administration, thus to double his labours, and at the same time to deprive him of the assistance which his predecessors have enjoyed. It is unjust to the people and to their interests to combine duties which are so manifestly incompatible, in the same individual. It is unwise to leave no appeal from the Governor of Bengal,

but to the same personage in a more exalted capacity. It is unjust to the individual who fills the office of sole Secretary to the Governor of Bengal, to place him in a situation, where the undivided odium of every measure by which any man may consider himself or his friends aggrieved, shall be concentrated on his head; to create a post, which though it were managed with the abilities and temper of an angel, could not fail to make more enemies than friends. In the arrangements of the Charter which relate to the Executive Government of India, there appears so much of clumsiness and incongruity, there is so anomalous a distribution of authority, that it may be said to exhibit rather the unpractised hand of an apprentice, than to indicate the finished workmanship of a master.

As it regards the immediate object of the Memorial, it ought not to be forgotten that the establishment of one Supreme Executive Government, which should direct the general affairs of the empire, in war and in peace, upon a uniform principle, and harmoniously combine all its movements towards one great end, is a measure which was required to consolidate. There have not been wanting passages in our past history, which pointed out the eminent necessity of a general government, similar, in some respects, to that which has now been constructed. And that it is calculated to benefit the empire, there can be no question. If, indeed, we needed a proof of the beneficial results of this concentration of power, we have only to point to the New Post Office Act, the benefit of which we could not have enjoyed to its fullest extent, if Madras and Bombay had continued upon their ancient footing. But it was not necessary to the advantageous working of this comprehensive system, that the subordinate governments should be denuded of all power, and to the condition of cyphers. Though it is essential to the idea of a Supreme Government, that it should possess a general control over the finances of the Empire, a certain range of authority might still have been left to Bombay and Madras, even in matters of expenditure. If governments are to be kept up, they should be furnished with the means of maintaining their own dignity; and nothing will tend so effectually to sap the foundation of their usefulness, as a feeling of absolute subserviency. The delay which has occurred in extending the abolition of the transit duties to those Presidencies, is much to be deplored; but we scarcely think that the acquisition of this boon would have been accelerated, if Madras and Bombay had been excluded from the control of the Supreme Council, and had constituted independent Presidencies. Those duties, though small in comparison with the revenues of Bengal, form an essential part of the revenues necessary to the establishments now kept up at the subordinate Presidencies, where the expenditure is generally in excess of the income. It was, therefore, only, we conceive, by regarding the revenues of India as forming but one exchequer, that it was found possible to relieve the sister Presidencies from these odious and pernicious taxes.

But how can the anomaly of the existing state of things be corrected? The Charter, which was established by Act of Parliament, can only be amended by the same authority. To obtain a New Act is a matter of no little difficulty; Parliament have laid the affairs of India on the shelf till the year 1854; and nothing, possibly, but a Russian invasion will induce that assembly to review the subject. One provision of the New Charter, that of a fourfold nomination of writers, which, in fact, nullified the privileges of the Directors, has been amended, because the Act was enabled to creep quietly, and unobserved through the House. But if the President of the Board of Control were to give notice of a motion for reconsidering the provisions of the Charter, and remodelling the executive Government, there would be no House on the appointed day. If it were possible for him to take the House by surprise when the benches were full, and to bring on the subject, the mere mention of India would be found to

operate like a dinner bell, and he would soon be left alone in his glory. And, really, considering how small is the debt of gratitude under which we have been laid to the wisdom of Parliament, when that august assembly

has condescended to legislate for us, we can scarcely consider this version to our affairs in any other light than as a Providential dispensation.—*Friend of India* Oct. 12.

ADDRESS TO DR. MILL.

THE ASIATIC SOCIETY, TO THE REVEREND W. H. MILL, D. D. PRINCIPAL OF BISHOP'S COLLEGE, THEIR VICE PRESIDENT.

The intelligence of your intention to return immediately to Europe has been received by us with feelings of deep regret, impressed, as we are, with the conviction, that India is about to sustain by your departure, a loss which cannot easily be repaired.

It will rest with higher authority than the *Asiatic Society*, to bear witness to the unwearying zeal and fervent piety, by which you have been uniformly distinguished in the discharge of the sacred duties committed to your care; but, it is peculiarly our privilege to testify, in the most public manner, our sense of the benefit we have derived from your abilities and learning, as well as to convey some parting token of our esteem and respect to a scholar, whose presence among us we have always regarded with feelings of pride and satisfaction.

It is now sixteen years since you arrived in this country. While yet a young man, you had established for yourself a literary reputation of no common order, having excelled on an arena, where excellence could have been won only by the united efforts of genius and industry. We hailed your arrival, therefore, with no ordinary feelings of satisfaction, indulging in the hope, that the classical languages and literature of the East would receive from you a share of that attention which had already been so successfully devoted to the learning and science of the West. This hope has since been amply realized.

The journals of our society contain abundant evidence of your patient research, of your correct judgment, and of your profound erudition.

Your translation from the Sanscrit of the first part of *Calidasa's Uma*, affords indisputable proof of your skill as a poet and a commentator; while your qualifications as a *Historian* and a *Philologist* have been clearly established by your restoration, with valuable critical and historical notices, of the *Allahabad Inscription*, and by your full and accurate translation of the *Shekshatee* inscription found in the temple of Hursha at Ooncha pahar, and of that discovered at Bhittiri, near Ghazepore. In your comments on the Macan manuscript of the *Alif Leila*, we trace at once the minute accuracy of an experienced critic, and the refined taste of an accomplished scholar.

In your Arabic treatise on Algebra, and in your Hebrew collection of the psalms into the same language, we have a durable monument of your learning and piety. But the most valuable of your literary undertakings is your Sanscrit poem, the *Christa Sangita*. Is that beautiful work the praises of our Redeemer have been for the first time sung in the sacred language of the *Vedas*. It is your peculiar boast, that you have caused the purest doctrines to flow in the stream of this noble language. To the whole body of the learned Hindoos you have thus rendered accessible the sublimest truths, by conveying them in a channel to which, as to their own venerated river, they ascribe the power of purifying all it touches. To a mind like yours this must be an inexhaustible source of gratifying reflection.

But, Sir, we feel that we should be doing you an injustice, were we to describe at greater length, the fruits of your studies already before the public. We feel that no conception can be formed of the stores of your capacious mind from the comparatively small samples of your labours which have been given to the world. We feel that to the unobtrusive nature of your character is owing the infrequency of your appearance as an author, and we know that you have assiduously improved your great facilities, that your scientific attainments are on the most extended scale, that as a Hebrew scholar you were

early distinguished, that your knowledge as a modern linguist may be said to be universal, that you are equally familiar with the astronomy of the *Sidhantas*, the mythology of the *Puranas*, and the mystical doctrines of the *Vedas*, while there is no department of the literature and science of Arabia, that has escaped your scrutinizing researches.

We trust that, in the leisure of dignified retirement, you will be enabled to put forth the maturer fruits of your rich and highly cultivated mind. We are confident that your well-earned reputation will be sustained by whatever you perform, and we are sanguine enough to hope that our country may now boast of possessing an Englishman, the depth and variety of whose oriental studies are not surpassed by any (numerous and distinguished as they are) of the scholars of the continent.

We cannot allow this opportunity to pass, without assuring you of the deep sense of obligation we feel towards you for your unemitting attention to the duties of your station as *Vice President* of our society, and for the alacrity with which on all occasions you have afforded us the benefit of your opinion and advice, and the aid of your learning and judgment on the difficult, and continually recurring references that have been submitted to our consideration.

We are in some degree consoled for your loss to ourselves, by reflecting that, here you have no more to learn, that though your acquirements are beyond the standard, which is ordinarily reached in the longest and most laborious life, you are yet in the vigor of manhood, and that you are about to return to a land where you will meet with the distinction, which is due to abilities so eminent, and to attainments so various.

It is our earnest desire, that you will gratify us by sitting for your portrait as soon after arrival in England as may be convenient to yourself. For the members of our society who have the happiness to know you, no token of reminiscence is requisite; but the wish is reasonable, that our hall should be decorated with the resemblance of one, who, while among us, was so useful and so distinguished a member of our society.

(Signed) EDWARD RYAN, President.

DR. MILL'S REPLY.

Mr. President,—The address which you, in the name of this society, have done me the high honour of presenting to me, is one which I cannot rise to answer without some feelings of doubt and embarrassment. For I fear to incur the imputation of affected modesty on the one hand, or on the other, what I would equally wish to avoid, the appearance of slighting in any degree the deliberate judgment of an assembly like this, were I to give expression to my actual sentiments, on hearing the terms of strong and noble eulogy with which you have dignified my scanty contributions to your learned stores, and the comparatively humble attainments from which those contributions have proceeded. But whatever may be the real value of these labours and attainments, I feel and must ever continue to feel, the great obligation which your praise imposes on me, of aiming to resemble as far as I may, that standard of excellence which your too favorable judgment has inferred from the specimens of me already before you. I must ever consider it among the strongest additional incentives to the assiduous cultivation of that knowledge, in promoting which the Asiatic Society has long held so distinguished a place, a cause which I cannot but consider as intimately connected with that of mental improvement and true religion.

I have long been impressed with the conviction that as an accurate knowledge of the intellectual state of any

people must precede and accompany all enlightened efforts for their amelioration, so to attempt that amelioration by appealing entirely to the lower principles of our nature, the love of comforts and luxuries and the like, while we disregard and despise the forms, however imperfect they may be, in which their own ideas of mental and moral elevation are embodied, is to overlook a most essential element in the problem of human improvement, to slight equally the spiritual and high nature of man, and the history of our own gradual progress to the eminence we have reached. This would be true, even if the language and literature in which these ideas were incorporated by the natives of this country were far inferior to what they are known and acknowledged to be by the most accomplished spirits of civilized Europe, the one nearly unrivalled for its powers of combination and expression, the other distinguished by a peculiar grace and tenderness of sentiment, and in the higher flights of speculation into regions, where man requires better guidance than his own reason can impart; characterized even, when most tarnished by error, by a singular acuteness and profundity, as well as grandeur of thought.

Now if it be a mistake in matter of religion particularly to avail ourselves of what is good and just in heathen theology, with a view to its rectification by revealed truth, it is a mistake certainly in which the Apostle of the Gentiles has led the way, as any one may see who observes his appeal not only to the ethical but the theological poetry of heathenism, even when most nearly treading on the verge of that same Pantheistic sentiment, which characterizes the theology of heathen India; and if any precedent could be wanted after this inspired authority, we might find it in the course taken by all the great lights of the Church, the Basil, the Chrysostom, the Augustine, when the expansive power of Christianity with much of its primitive fervour, was seen in close and more equal juxta position with the faded, yet still conspicuous splendours of Western Gentilism. These considerations (if authority were needed where the reason of the case speaks with sufficient distinctness) had I weight with me in the conception of that work which the Society has honoured with such distinguished approbation. I am sensible that to conceive and to execute are very different things, and I cannot venture to take to myself all which your kind judgment has been led, perhaps, to readily to transfer from one to the other; yet, I cannot see the manner, in which learned natives have received many portions of this work, I cannot see the unhesitating manner in which their sentiment has been adopted in this assembly, including some whom only the increased complexity of public affairs prevents from marching in equal steps with the Colebrookes and the Wilsons of former days, without satisfaction at the result of the experiment, and hope for the future.

I would not however be thought to limit my interest in the researches of the Society to matters of this high bearing, for no speculation into either the works of nature, or the monuments of man, are without their proper claim to attention, and just and reasonable as it is to enquire into the solid utility of any pursuit we undertake, it never appeared to me either wise or worthy to ask at every turn what special usefulness or bearing on present concerns may appear in each part or section of the study before us. In science, we know, that things, which were once thought to be mere food of learned and abstract mathematical speculation, have turned out in the progress of knowledge to subserve the most practical purposes; and with respect to those literary and antiquarian researches, which form the more proper object of this society, while nothing that gives us clear knowledge of the history of man and the progress of mind ought to be deemed unimportant by us; we must remember also, that we cannot exactly determine beforehand, how far any fragment or morsel of history may conduce to that clear knowledge in the end. In investigating the former

history of India, wherefrom the almost total absence of written documents, we must needs proceed by such fragments and morsels; it is very necessary to bear this in mind. With respect to my own occasional share in these researches, of which you have made such kind and flattering mention; I fear that what I have succeeded in deciphering has scarcely adequately repaid the labour bestowed; my own judgment could never admit the idea, which some even of considerable eminence in these pursuits would have led me to entertain as probable, that the classical period of Indian history had been attained; I adopted at length firmly, however reluctantly, the conviction which both internal and external evidence forced upon me, that the monuments in question belonged to a much darker as well as more recent age. A better fortune, as well as a higher merit, has characterized the efforts in the same kind of another member of the society now present; whose happy researches in other monuments, conducted under much greater disadvantages in every way than mine, have finally led to a conclusion, which I think, all but certainly established that they belong to and illustrate a most classical and important part of the history of this country. I beg my friend the Secretary's pardon for taking thus of disadvantages; for it appears almost ungracious to notice, what however, enhancing, as it does, the eminent inductive sagacity that he had displayed in his discovery, might seem also to derogate from the universality of his varied and extensive knowledge. I would not have mentioned them, had I not been convinced that he needs but the will, if he could find the leisure, to rid himself entirely of them. I know at least that if he could bend his thoughts that way he needs far less time than most men to add a critical knowledge of the learned languages of the country, so auxiliary to his successful researches in the coins and monuments of India to the many other distinguished merits which have made his journal of our society, even in his sole portion of it, the object of attention to literary Europe. Of his merits as a Secretary, I cannot possibly say more than that he has caused even the loss of the transcendent merits of Wilson to cease to be thought irreparable by us.

My business, however, as I must not forget, is not to express my sense of the merits of other officers of this society, (however incidentally forced on my notice in this instance,) but to acknowledge of your kind opinion of myself, and to accede thankfully to the proof of it contained in your parting request to me. To be associated in this manner in the remembrance of this society with its illustrious founder, and the many others whose contributions have conferred ornament and dignity on its proceedings, is what I cannot suffer even my sense of comparative unworthiness to prevent esteeming a great source of gratification. To you, Mr. President, who have so long added to the duties of your high station in this settlement, a zealous and able administration of the affairs of this society, as well as your colleague, in both these respects, of whom, being now absent, (as I regret to perceive,) from illness, I may speak with more freedom, as one whose distinguished scientific and literary attainments add lustre to his other excellent qualities. I am well pleased to leave this token of recollection of myself whose friendship with both was begun in the academic associations of a far different clime from this, in which again I hope we may yet meet. To the other very learned and able Vice-President now present, and to all, whether countrymen or natives of India, who may be led to take interest in the works you have mentioned with such marked approbation, I am glad to present, when absent, some memento of my endeavours, such as they are, to instruct or to benefit them. Once more, Gentlemen, I thank you for your kind sentiments towards me, and bid you most heartily farewell.

(Signed)

W. H. Mall.

Calcutta Courier, Oct. 5.]

MOONGHYR.

In the case of Budunchund Gomashtah and others, who were committed by Mr. Clift, an unconvenanted servant, on a charge of having made away with a quantity of opium, a number of additional witnesses were examined on the 20th and 21st September; but it is not necessary to detail their evidence. When the examination closed, the roobakaree of Mr. Clift was again read. The defendants named some witnesses who, they begged, might be called on their side, and who were directed to be subpoenaed. The Joint Magistrate observed to the pleader on the part of the defendants, that it was likely Mowjeeloll, Sherishtadar of the Collector of Bhagulpore, would be implicated in the business, with reference to the urzee which Chetoo Sing states to have been sent to him. The pleader begged leave to remark, that several of the witnesses too were plainly accessories to the fact. The Court said, that had the case come before it at once originally, without having been previously examined by Mr. Clift, it would have committed the whole of them as accessories; but as they were sent by Mr. Clift as witnesses, it should receive them as such. The pleader hereupon desired to know who were the prosecutors in the case, the Government, Chetoo Sing, or Mr. Clift. The Court said the Government. The pleader then asked in what capacity Mr. Clift's Mooktarcar appeared there, and interfered in the proceedings? The Court observed that no notice had been taken of the circumstance in the beginning. The man was employed by Mr. Clift to manage the business out of Court.

On the 23d, the case was again brought up, but Mr. Clift's Mooktarcar did not take his stand at the bar of the Court near the witnesses as was his wont. The

Dak Moonsee's report was read, stating that in the month of August 1836, a letter was brought to the dak by one Pooran Sing for Mowjeeloll, Sherishtadar of Bhagulpore, and for which half postage had been paid which proved that the communication was private, all public letters going free of postage. After this several witnesses were examined.

On the 29th the case was finally called up. The proceedings already held were laid on the table with the notable file of Mr. Clift's proceedings. Of the latter, a paper professing to be a copy of Chetoo Sing's urzee to the Collector of Bhagulpore, or to his Sheristadar, was read. Next a roobakaree from the Collector of Bhagulpore and the Kyteut of Mowjeeloll Sheristadar were read, both stating that no urzee had been received from Moonghyr on the subject of the charge on which this prosecution has been laid. The Court informed the prisoners that although in its own mind there could be no doubt as to their having taken away the opium or having been concerned in its abstraction, the want of proof of any kind rendered the prosecutor and the others on the side of the prosecutor accessories to the fact. So that it would not condemn them (the prisoners) and would therefore acquit and discharge them. The prisoners were discharged accordingly, after suffering imprisonment for some months. We are not quite certain whether we have given the sentiments of the Court accurately, for we were labouring under indisposition and had gone into Court in opposition to the advice and injunction of our medical adviser. It is remarkable that neither Chetoo Sing, the prosecuting witness, nor any of the other witnesses were in attendance.—*Hurkuru*, October 7.

CHOWRINGHEE THEATRE.

THE ROAD TO RUIN.

The Road to Ruin, by particular desire, failed, notwithstanding, to draw a good house, at which we confess ourselves somewhat surprised. The comedy is a good, bustling, lively sort of affair, the dialogue is rich in sentimental claptraps, and abounds in witty and pleasant passages; the characters of Sophia, of the widow, of old Doraton, young Doraton, Gold-finch, and Silky, are original and exceedingly well drawn; the only drawback is the preposterous improbability of some of the incidents of the piece.

With such a catalogue of attractions, we anticipated a more full and fashionable attendance, at this performance the amateurs. The troop, which has this year taken the field, consists, we believe, wholly of veterans. We had written thus far and were about to plunge headlong into the delightful and bitter sweet waters of criticism, but our career is suddenly arrested; and we are spared the expressions dictated by our own fastidiousness, by the kindness of a friend, on whose taste we of course rely implicitly, and whose critique, may prove more agreeable to the amateurs than our own: It has about it a character of verity which is irresistible and possesses, moreover, the charm of novelty, of which human nature, according to the poet, is ever greedy. We therefore print the notes of our obliging contributor verbatim et literatim.

"Old Doraton (The Secy.) went through his part in a creditable manner. I can't say more. The scene of

the reconciliation with his son called forth loud applause.

"Young Doraton in the lighter parts of the character, was all that could be wished. His easy confidence in his first interview with Silky capital. In the pathetic parts, his manner appeared forced.

"Master Modus appeared quite at home in Gold-finch. He detailed the excitements, the hopes and fears, of a race in Sportsman-like style—the character evidently suited him.

"A gentleman in Green (L'Homme vert et tranquille) performed perhaps the most difficult character of the night, Milford, the walking gentleman, and went through his part as most walking gentlemen do.

"Silky pictured well the blunt honesty of the character.

"Silky portrayed to the life the cunning old usurer who has an eye for coin and conscience on all occasions: his bye play in the last scene was excellent. This actor, I hear, is always imperfect in his parts, and has made rapid progress within the last few months.

"Mrs. Leach reminded some of the spectators of Madame Vestris in the same character. The artless, unsophisticated girl was well pictured, and stood in strong relief against the character of the amorous widow, which was taken by Mrs. Francis. The mercenary abigail was in the hands of Mrs. Chester and very well done. The house was not full, but there was a pretty good attendance.—*Hurk.*, Oct. 20.

EXAMINATION OF THE SCHOOL AT FORT GLOUCESTER.

TO THE CHIEF SECRETARY TO GOVERNMENT.

Sir,—Ist. I have the honor, by desire of the College Board, to report, for the information of the Honorable the Governor in Council, that, at the 2d private quarterly examination, held under Section XVII, Title I, of the College Rules, on the 15th and 20th instants, the gentlemen, whose names are entered in the margin, attended for examination.

TELOUGOO.

2d. Mr. Daniell has passed a very creditable examination in this language. His translations both from and into Telougoe, are very nearly correct; and, the language in which the latter exercise is expressed, is with the exception of a single phrase, strictly idiomatic. He translated off hand an easy urzee without the slightest assistance. In conversation, he understood all that was said to him; and, although he does not express himself fluently, he was able to make himself perfectly understood, by the native with whom he conversed.

HINDOOSTANEE.

3d. Mr. Daniell's translation of an English paper into Hindoostanee is intelligible throughout, and in some passages exhibits a good knowledge of idiom. In others, however, the meaning of the original has not been entirely conveyed and the structure of the sentences is not idiomatic. His translation from the language is close and accurate, and with the exception of one word, the meaning of which has been misapprehended, this exercise is entirely free from error.

4th. Mr. Daniell read off, and translated (vital voce) the urzee given to him, with fair readiness and success, requiring, however, occasional but inconsiderable assistance, both in deciphering and translating this paper. In conversation, he readily understood what was addressed to him, and succeeded in making himself intelligible to the Moonshie, with whom he conversed in reply. He requires further practice, however, to express himself with readiness and fluency.

TAMIL.

5th. Mr. Pringle has made very satisfactory progress in Tamil since the last quarterly examination. Both of his written exercises are well executed, and these papers as well as the manner in which he conversed, and read a business paper, shew him to be fully qualified to enter on the duties of the public service, though he has not yet acquired that knowledge of Hindoostanee which would justify our recommendation of the highest allowances in his favor.

6th. The examination passed by Mr. R. R. Cotton, who was admitted into the College, only on the 20th of July last, is highly creditable to him. He is well grounded

in the rudiments of the Tamil language, and there is reason to hope that perseverance in the same course of study, will enable him at an early period, to shew that he has overcome its chief difficulties.

7th. In conclusion, the Board beg leave to recommend that the highest rate of College allowances may be awarded to Mr. L. D. Daniell, and that this gentleman may be employed in the Public Service; but, as the period of his two years' residence in College has not yet expired, his wish to be permitted to remain at the Presidency, until the 2d half yearly examination, to be held in December next, may be complied with.

8th. Mr. Pringle having been reported fully qualified to transact public business in one language, and having expressed a wish to be appointed to do duty as an Assistant under the Collector of Chingleput till the 2d half yearly examination, to be held in December next, the Board, under the provision of Section X, Title II, of the College Rules, beg to recommend his appointment accordingly.

9th. Mr. R. R. Cotton, they consider, has satisfactorily established his claim to the first increased rate of College allowances, and which they accordingly recommend may be granted to him.

I have the honor to be, Sir, your most obedient servant,

M. J. ROWLANDSON, Secretary.

College, 30th September 1837.

To the President and Members of the College Board.

GENTLEMEN,—Para. 1. I am directed to acknowledge the receipt of your Secretary's letter of the 30th ultimo, reporting the result of the 2d private quarterly examination for the year 1837, of Junior Civil Servants attached to the College.

2. The Governor in Council is pleased, agreeably to your recommendation, to grant to Mr. L. D. Daniell the highest, and to Mr. R. R. Cotton the first increased rate of College allowances, and to permit the former to prosecute his studies at the Presidency for the purpose of attending the second half yearly examination.

3. The Governor in Council is further pleased to appoint Mr. Pringle to do duty as an Assistant under the Collector of Chingleput until the second half yearly examination to be held in December next.

I have the honor to be, gentlemen, your most obedient servant,

(Signed) ROBERT CLERK, Secy. to Govt.

Fort St. George, 10th October, 1837.

[Madras Fort St. George Gazette, Oct. 14.]

LECTURES.

Delivered at the College Hall, by G. Norton, Esq., Advocate General of Madras.

5th Lecture.

ON THE PRINCIPLES UPON WHICH THE ADMINISTRATION OF JUSTICE DEPENDS.

Mr. Norton proceeded in his sixth lecture, to explain the principles upon which the effectual administration of justice in settled and civilized countries depended; ob-

serving that this was the end and aim of all governments. The objects of the administration of justice were to prescribe and enforce; first, rules of conduct; and secondly, rules of property—and the two qualities which ought to characterize a perfect system of administering right and justice between man and man, so that every individual should know and enjoy his own in peace, were certain and clear laws, and method of procedure in exacting obedience to them.

Before he came to speak of these two qualities in the efficient administration of justice, he was desirous of impressing on their attention how necessarily that last and best result of good Government—over-advanced and prosperous nations depended on *prudence*—deep thought—long and repeated mental labours. It was common among simple and ill-informed people to express a desire for cheap and ready justice; but, if they would examine and reflect a little on this subject, they would easily understand how impossible it was that any real and fair justice could be administered amongst a numerous people possessing various and extensive property, and bound together by as various and extensive duties, unless many rules of right were laid down, and a well-arranged plan devised for enforcing them. To invent and draw up a body of these rules was beyond the strength of any single human intellect, or the combined talent of many wise men. It was the work of ages, and the labour of a succession of experienced ages. Accordingly, they would find that, in barbarous and despotic countries, and in such as were lowest in the scale of nations, the laws were few, and the mode of settling differences about the rights secured cheap and rapid. It was an easy and ready way to hear two disputants tell their story, and then decide, not by reference to rules, or precepts, but by mere arbitrary will. And that was the course among the poorest and worst governed countries. But such a course could not be applied, in free and civilized countries, abounding in wealth, and where security in the enjoyment of it, as well as in personal rights, was the prominent aim of the Government.

Mr. Norton proceeded at considerable length to illustrate these observations by quotations from Blackstone, and by pointing out a variety of rights and duties, as arising out of contracts, tenures of lands, relative duties between parent and children, masters and servants; which in complicated society had to be settled according to certain rules and a plan and system; and to be ascertained by those who gave themselves up to legal studies, but which could not be obvious to others by the mere force of natural reason audibly exercised on occasion called it forth. He noticed also, that the common consent of all mankind had assigned the highest fame to those who had devised or reformed the system of administration of justice in various nations.

He then referred to the necessity there was, that the laws under which justice was administered should be certain and clear. Without this quality in the laws, there might as well be none at all; for no one could prove that any judgment given under them was wrong, since the Judge would have no sure guide; and all decisions upon claims and rights were liable to be pronounced from mere caprice and feeling. In such a state of the law, no man could be safe, either in his person or property. He noticed and explained the various evils which every day's experience proved amongst the native community, from this uncertainty and contradictions in the law relative to *Hindoo wills*. He read also passages from the Hindoo laws as illustrating the obscurity and want of certainty in regard to the rights of inheritance. He remarked that this state of their laws had been a fertile source of litigation and ruin among the wealthier portion of the natives, and that it had had the effect of very materially lessening the value of their property, and their facility of dealing with it. The effect of vagueness and uncertainty in the law was, that arbitrary constructions might always be put upon it. No certain advice, in respect of their rights and claims, could be given them; and, therefore, there was no end to litigation, and no other source in many cases which ought on principles of justice to be plain. There could be but little industry, or exertion to attain wealth, where there was little security in the possession of it. The people were but mere herds, if the laws were in such a state, as that nothing could be known of the rights they professed to

possess, without reference to the commands of a superior who judged, not by plain, well-ascertained rules, but by his own sagacity and discretion. These were considerations which had induced one of the wisest of men (Bacon) to lay down the maxim, that those laws were best which left least to the breast of the Judge, that judge the best who left least to himself.

Next to that requisite characteristic in the administration of justice of clear and certain laws defining the rights and duties of the people, was the necessity of a good method of procedure. The importance of this consideration was so apparent to those who in the government of India had laboured to introduce the pure and efficient administration of justice, that the major part of the vast and numerous volumes of the Government Regulations was directed to that sole object. It must be obvious that however perfect the system of law was, in declaring what was right and prohibiting what was wrong, such laws must be nugatory and vain, if, in the mode of enforcing it through the authority of Courts of Justice, those Courts had no fixed rules to be guided by. The objects of a good method of procedure were, that the points in dispute between parties should be clearly ascertained, that each party should have the full opportunity of supporting his case by proof and argument; and that such proofs and arguments only should be admissible, which were applicable to the cases made, and calculated to show the truth. But, to accomplish these objects with any thing like certainty and fairness, a plan and method was necessary, settled and laid down beforehand, according to certain and fixed rules to be conformed to by both parties, and which required no small sagacity and experience to frame. Without such rules, all investigations and trials of rights and claims made in a Court of Justice would come to depend on the talents, or, perhaps, the dispositions of the presiding Judges. Each Judge would have a mode of his own, and it would always be in their power at least, if not in their inclination, to make the cases appear as they pleased. The parties could never know from a sure source when and how they were to assert and prove their claim or their defences; and they could never be certain, therefore, of obtaining a full and fair hearing. They must wait on the directions of the Judge at each step, and would often be in ignorance, not only of the course required of themselves, but also of that which had been adopted by their antagonist. His auditors would easily perceive what irregularity, confusion, and uncertainty would arise from such a mode of administering justice; and how open it would be for either party to mislead the Judge, and take unfair advantages of his opponent. He instanced the practice which was so commonly resorted to in India, of attempting to bias the minds of the Judges by private petitions, a practice which if successful in its objects, must necessarily poison the very sources of justice. What could be more unfair than that one party should be allowed secretly to influence the minds of the Judges by statements, which the other party had no opportunity of even knowing, much less answering? and how could a just Judge place reliance in statements so made, which might perhaps be easily disposed of? these were courses which were allowable only where the laws had not provided a regular and prescribed method of proceeding, enabling each party to be fully heard, and at the same time fully to know, and to have the opportunity of answering, what was alleged against him. But, whenever investigations and trials by Courts of Justice proceeded by the reception of the private petitions of the parties, or by any other unregulated course of bringing the subject of difference before the consideration of Judges, there must necessarily arise danger that, from want of requisite notice, or from want of preparation, or from want of means afforded, one side or the other has not been able to lay his case fairly and completely open for judgment; or, that, if both sides have in the result, been able to present their case

in all its just bearings before the Judges, it has been at a greater expenditure of time, and labour, and money, than could have arisen out of the most intricate rules of procedure which were fixed and settled.

19th Lecture.

ON THE METHOD OF PROCEDURE IN THE PROVINCIAL COURTS.

He should close this lecture with a few general observations on the quality of this system of legal procedure in the provinces. By some he might be thought to have expressed himself too freely upon the defects of it, which he had endeavoured to explain. That imputation would be just, if he should neglect altogether to ascribe such defects to the natural and almost necessary causes, or if he had no object of suggesting by his notice of them the appropriate and practicable improvements. But, while he pointed out such defects as appeared to him to be palpable, he was, for one, as free and ready to do justice as well to that wisdom and those magnificent virtues, which in the midst of war and struggles for national security first devised a scheme for the regular and peaceful administration of the law to all classes of this immense empire, as to those who, unpractised and unversed in legal learning, laboured to digest that scheme through all its details into specific regulations. A foreign band of settlers in a new country had to introduce regularity, where there existed the utmost confusion; the dominion and power of fixed rules of right, where the arbitrary authority of individuals had before been the only rule of government. They undertook to accomplish this among a people, whose whole conduct in life was guided by customs, principles, authorities, and habits, varying greatly amongst different classes; and all totally dissimilar to, and often at variance with, their own; and they had to do all this at once, and as the first fruits of this change of government, which was to be made welcome to those who were to live under it. As no combination of circumstances could present greater difficulties, so none could more forcibly urge caution, and the strictest attention to all the topics on which such new laws were to bear. If the times are favourable now for a reformed, and more exact, current, and uniform system of administering justice, those early times (not to speak of very deficient means) were far from encouraging such an effect. Indeed, one of the errors which it appeared to him that the framers of the Government Regulations had continually fallen into was, the legislating for small details and particulars in the proceedings of the Courts, which had better have been left to the gradual arrangement of the Courts themselves, by rules of their own, well deliberated upon, and suitable to the various powers and jurisdictions which they exercised, and the quality of those who lived under them. The task of legislating for the complete and sure administration of justice, was too difficult for any but the most experienced, and the most learned, and the most talented of mankind; and even the laying down of rules of legal proceedings required great reflection, as well as habitual practice in judicial pursuits. He need, therefore, say no more, as accounting for the imperfection of the present scheme of administering justice according to the Government Regulations, and its inferiority to the more exact and regular plan of the English system, or even to that which might be devised as most suitable to the people of this country; without, at the same time deprecating the credit so nobly earned by those who had already done so much.

Improvements, however, were no doubt required, and some of them appeared to him as obvious as they were practicable. One most necessary requisite in the due administration of the law was, that those who undertook that sacred duty should themselves be learned in that law, and in the method of procedure for enforcing it. Great as the evil unquestionably was, that the native

law itself was obscure and uncertain, yet each evil was perhaps overmatched by the want of an exact and known specified method of procedure. But both those evils together were, in his opinion, overbalanced by the want of learned Judges; and the necessity, there was, that those who officiated as such, should from their ignorance refer to native advisers, who had all the functions but none of the authority or responsibility of Judges; or else rely on their natural unassisted common sense (which, in other words, was only arbitrary will and discretion); or else, which was worst of all, upon the little learning in English or foreign systems of law, hastily caught up, but for want of a regular legal education ill understood. From the combination of all these causes, it must have happened, that appeals were so numerous, that so much delay, and often expense, was incurred in the Courts of the provinces; which, if any reliance was to be placed in the work he (Mr. N.) held in his hand, far exceeds any parallel to be drawn from any other Courts (Mr. Norton here read from a work called, "the judicial system of India," from which, he said, it appeared that, on reports of various averages, taken in different Courts, or causes tried in several series of years, no less than one half of the decisions were reversed, or altered, on appeal; that the time expended in the trial of suits appealed to the Sudhar Audalut occupied from three to twelve years; and that the rate of proceeding was not one-tenth, compared with the dispatch of the English Courts.) The great encouragement to appeal was of course the probability that, either from some defect in the Judges of the Court, or in the proceedings, the first decision would be overturned. There could be no such effectual check to this evil of appeals, and the consequent expensive and protracted litigation, as the supplying the Courts with learned and experienced Judges, whose judgments the people must necessarily respect. It was a mistake in principle to make the power of appeal the check on improper judgments, instead of the learning and integrity of the Judges; though, in the absence of the latter, the former might be better than none. On these grounds the people of this country were to be congratulated that the positive, declared policy, both of the Government at home, and of the Governments here, was, to open the native courts to all practitioners; and to promote those to seats on the bench, who, in that character, had made themselves most competent to the duty, and he trusted the time would come when none but those who proved themselves competent from their learning, and experience would be elevated to that important station. Other improvements, and of hardly less importance, were, the digesting a sound, plain, clear code of the laws of evidence, (which being a code of natural law, and founded on natural reason, might and ought to be the same in all civilized countries), and the opening the highest Court of the Sudhar Audalut to counsellors and practitioners of their own appointment, from whatever classes of the King's subjects were competent to conduct, and argue cases appealed to their decision. This was an amendment, which it appeared to him, was not more wanted for the sake of the Judges themselves of those courts, and their more efficient information of the matters, and the merits of the cases before them, than for the sake of the public at large, who looked to that court as the great source of the administration of justice throughout India, and the source of all the declared law of the land. There would then be at least one tribunal, where learned, and solemn, and public discussion, and an open decision, after full inquiry and full information upon all disputed topics of law and right, would be made; and the public would thereby as it appeared to him, gain the best security, not only that the law in each particular case should be correctly pronounced, but that the rules and grounds of the law should be deliberately declared for the benefit of all others.—Conservative, October 13.

CORONER'S INQUEST.

OCTOBER 23, 1837.

On Wednesday last, a jury was impanelled by the coroner to hold an investigation into the cause of the death of Hlaudee, a chokeedar attached to the Mascebe Parah Thanah; and after the body of the deceased was inspected, the inquest was adjourned till two o'clock this afternoon.

It appeared in the evidence of Maher Ally chokeedar, of the same Thanah, that on Tuesday last deceased took a quantity of the infusion of the coochela (*nux vomica*) of which witness saw him soak a large quantity in about two eggs of water two days before. About a quarter of an hour after deceased became ill and unmanageable from convulsions. Two chokeedars held him down. Kooin, the native doctor, who had recommended deceased to take the infusion, was present and desired cold water to be poured over the head of the deceased. This being done, deceased was placed in his bed. On a second attempt to bathe the deceased he expired. Witness did not know that the drug was poisonous. Deceased took it as a remedy for rheumatism. Kooin was present at the taking of the infusion and said deceased might take as much of as he could, but not too much. Kooin had said that the convulsions would continue till evening and the deceased would then recover. The medicine was taken about 8 o'clock, and the deceased expired about twelve. Two other chokeedars, had also taken of the medicine soon after deceased took it. Witness knew that Kooin was in the habit of prescribing medicines for people in the

neighbourhood, but did not take any money for his trouble. After taking the infusion, deceased complained of a great burning in his stomach, and felt excessively hot and thirsty. The convulsions were very strong.

Dr. Bain, the Police Surgeon, examined the body of the deceased, by opening the head, chest and abdomen. He found there was a considerable congestion of the brain and effusion of serum in the surface, base, and ventricles of the brain. The left lung was inflated with forthly looking matter and was easily broken up. The urinary bladder was distended with urine; but the rest of the viscera in the chest and abdomen was healthy. Professor O'Shaughnessy, who undertook to analyse the contents of the deceased's stomach informed witness that he was unable to direct any thing of a poisonous quality in it. Witness was of opinion that vegetable poison was seldom detected. Witness considered coochela as a very powerful poison, and that the quantity of the infusion of the drug taken by the deceased was more than sufficient to have caused death.

Rohin Chookkeedar, partook of the infusion, about half a wine glass full, as a remedy for pains that he had. He took it because another chokeedar of the same thanah had been cured by the same medicine previously. Witness did not know when it was mixed nor by whom.

The Coroner then summed up the evidence and the Jury returned a verdict of "Died from taking a large quantity of the infusion of coochela or *nux vomica*."—*Hurkaru*, Oct. 25.

SUPREME COURT.

OCTOBER 23 1837.

FOURTH TERM.

A gloom prevailed in the Court this morning in consequence of Sir Benjamin Malkin's death. The Chief Justice took his seat at eleven. Three were, as usual, motions taken by his Lordship, after which it was understood that there were no Common Law Causes set down on the board as yet, but there were some Equity Cases which are fixed for the 26th, or Thursday next. His Lordship, however, intimated to the Bar that he would sit to-morrow to take motions.

Sir J. P. Grant is expected to be back by the middle of next month.—*Hurkaru*, October 24.

OCTOBER 24, 1837.

In the goods of Richard Brittridge, deceased.

Mr. Advocate-General moved that a commission do issue authorizing commissioners at Nussurabad to administer the oath of an executor to Captain R. B. Brittridge, of the 13th regiment of Native Infantry.

The learned counsel stated, the deceased who was in his life time a merchant at Mirzapore, died on the 6th of November, 1836. Mr. H. H. Thomas, the Civil and Session Judge of Mirzapore, took charge of the estate and effects, and caused search to be made, if the deceased had made a will, but was unable to find one.

Mr. Thomas being subsequently informed by Captain Brittridge, the son of the deceased, that he had reason to believe his father left a will, a second search was made, and a testamentary paper in the handwriting of the deceased was found in a writing desk. The paper is as follows:—

"I, Richard Brittridge, of the town of Mirzapore, do hereby make my last will and testament, revoking all others whosoever or howsoever made. I give and bequeath all my property of every description to my son R. B. Brittridge, a captain in the service of the Honorable Company of merchants trading to the East Indies, for the following purposes: First, to pay off all my just debts; secondly, should there be any residue, to divide it equally between himself and Jane Francis, married to Charles Bransby Francis, a surgeon on the establishment of the said Company, &c. &c. I hereby appoint my son R. B. Brittridge, my sole executor of this my last will and testament. In witness whereof I have this 12th of May, 1836, fixed my hand and seal in the presence of.

Mr. Advocate-General did not contend that the deceased was prevented by the act of God from affixing his signature and having attesting witnesses to the will, but still he insisted that the will was complete. He urged that the tustion of the deceased prevented him from having legal advice, and cited a letter from the deceased to his son, in which he stated that he was preparing for the event by arranging all his worldly affairs. With this view he had made the memorandum of a will, in which he had appointed him executor. The learned counsel urged, that it was in the contemplation of death that the paper was written, and cited several cases where in probate had been granted under circumstances of the like description.

But the Chief Justice was clearly of opinion, that the piper was an unfinished testamentary document, and that the letter from the deceased to his son was strong evidence to show it was a memorandum as the deceased had called it.—*Probate refused.*—*Englishman, Oct. 26.*

OCTOBER 26, 1837.

Our Supreme Court report would have been blank this day, but for an omission of our reporter, who neglected to record on Monday, that C. T. Moreton, Esq., took the prescribed oaths and was admitted to practise at the bar.

We learn that the motion to set aside the verdict of the jury in *Rex v. Thomas Ferguson*, will not come on before the return of Sir John Peter Grant from Singapore.—*Hurkaru October 26.*

OCTOBER 26 1837.

(Before the Chief Justice.)

In the matter of Rajah Sheeb Kissen Bahadoor against his brothers, the Advocate-General moved, that the attorney for the plaintiffs show cause why he did not file

his interrogatories within three weeks from the time of the service of the notice on him. The order was granted on the 23d September, and the notice was served on the plaintiff's attorney on the 23d of that month.

Mr. Leith, for the plaintiffs, offered to put in several affidavits to show the grounds, one of which he read, which set forth that the interrogatories were not filed, because the notice had only now been made over to Mr. Leith to prepare the interrogatories, which he was doing, and the notice had been served on the plaintiff's attorney, only three days previous to the departure of Mr. C. T. Princep, his counsel, for Singapore; and as the proceeding consisted of 1,055 folios, he could not prepare and file these interrogatories within the specified period. He further contended, that the Advocate-General ought to have shown the grounds of his proceedings before issuing the notices, and laid them before his client's attorney four days previous to the service of his notices on his client.

The Chief Justice replied, that the attorney for the opposite side was bound to file his grounds four days previous to serving the notices, but he was bound to show them to the opposite party, and to serve the notice on him.

He consented to grant him further time for one month, on his paying the costs of this order.—*Hurkaru, Oct. 27.*

BOMBAY SUPREME COURT.

WEDNESDAY, 27TH SEPTEMBER, 1837.

Before the Honorable the Chief Justice.

AND

A Common Jury composed of the following gentlemen.

Messrs. William Henderson, William Macallum, Francis Leggett, Henry Ball, Rodney Royce, William Payne, John Alexander Higgs, David Heath Hodge, Richard Payne, Thomas Rigby, Edward Lawrence Bennett, and George Scales.

HINDIA VS NOWROOEE DORABJEE AND MORAB JEEFORABJEE
For the Prosecution. Messrs. Campbell and Montagu.

Attorney.—Messrs. Morgan and Armiage.

For the Defence.—Mr. Advocate-General Le Mesurier.

Attorney.—Mr. J. P. Larkins.

This was a case in which one Awaboye, the widow of Hormasjee, Shapoorjee charged the defendants with the publication of a libel to her prejudice, in a certain Gooratoon newspaper called the *Bombay Chabook*, dated 2d March 1837. The case was then opened by Mr. Campbell. His Lordship the Chief Justice remarking incidentally that it was generally usual for a Junior Counsel to open a case.

Gentlemen of the Jury, I will not trespass long upon your patience, the case being of so very simple a nature, but will proceed as briefly as possible to state the grounds upon which this indictment is laid. The Prosecutrix Awaboye, the widow of Hormasjee Shapoorjee, a respectable Parsee merchant, complains of a libel against her in a native newspaper called the *Bombay Chabook*, of which the defendants are the Editor and Proprietors. The libel of which she complains is a publication in the *Journal* on the 2d March, 1837, to the following tenor and effect.

"Now on the other hand, during the last year, a respectable Parsee (meaning the said Hormasjee Shapoorjee deceased) departed this life, leaving behind him 3 sons and 1 daughter making 4 children, one widow (meaning the said Awaboye) and a property to the value of about four or five lakhs of rupees; and notwithstanding he (meaning the said Hormasjee Shapoorjee deceased) was a man of much experience and wisdom, yet in his last will which he made, he made many mistakes, and amongst others he appointed one Soortee (literally a Surat man) to be his Executor. At the same time his death was announced in your paper, on the perusal thereof it was printed, that the property of the defunct could with difficulty be taken care of, and accordingly I now see and hear in the town such things about the Surat Vakeel, and the widow of the defunct (meaning the said Awaboye) that if it be the fact it must be considered to be a great crime and a very shameful thing and exceedingly scandalous, and fully tending to a breach of confidence. I am not willing truly or falsely to defame the character of any man or woman, therefore I do not enter into any long discussion of the subject; but he is a brother by day and a husband by night (meaning a brother by day and a husband by night to the said Awaboye) who all day and all night continues lying in the house of his late friend, and who, sending away all the other executors, friends or relations, clerks and moonshies, himself is managing all the business. Certainly such conduct is not becoming the character either of himself or the widow."

"In our paper of this day a correspondent's letter signed by a person opposite to the *Temple of Alanoctone* Sheet is published. We do recommend all our countrymen to peruse it. The subject which our clever correspondent has treated upon, is one of very great importance, and it is a very shameful affair, and though we were not ignorant of the case of this Soortee Executor, and the shameless widow (meaning the said Awaboye) yet we had no authentic grounds in hand hitherto, to enable

we are obliged to such an important affair, consequently we were obliged to be silent thereon." To the great damage, scandal and disgrace of the said Awaboye, and of her reputation and character and to the evil example of all others in the like case offending and against the peace of our Lord the King, his Crown and dignity.

The law has defined a libel to be any thing either by writing, printing, or pictures, which may provoke another to a breach of peace. I may here anticipate the defence which I understand will be set up on the part of the defendants, that there was no intention on their part to say any thing injurious to the character of this prosecutrix, but from the purpose of the matter laid as libellous that will remain for your consideration. To establish the fact of publication by defendants, I shall put in the declaration made by one of them in conformity to the Act of the Legislative Council passed for the Regulation of Newspapers and Periodicals. This having been put in and read, it appeared to set forth that SONARAJEE DONARAJEE declared himself the printer and publisher of a newspaper in the Goojrattee language called the MOMMAINA CHABOOK, upon which the Chief Justice remarked that there was a variance between this and the specification in the indictment of the paper, in which the matter alleged to be libellous was described as the SOMRAY CHABOOK.

JACKERSON NANABAY sworn. I am a Banian in the service of Byramjee Fuckerjee. I know Awaboye the widow of the late Horinarjee Shapoorjee (a paper of the 19th January, 1837, is here put into the witness's hand marked A). I have not seen this paper before (two copies of the CHABOOK of 2nd March, 1837, are now put into his hands.) I have seen these papers, marked D & C (paper marked D is put into his hand.) I have seen these papers before (and E put into his hand;) I have seen all these papers before. I saw them all five months ago at Awaboye's house. I was sent by her to bring them from the CHABOOK office. They were delivered to me by a Parssee. I took them to Awaboye. The CHABOOK office is situated in the market near the Gun Bow-well.

Cross-examined by Mr. Advocate General.—I know Awaboye well and have done so for the last ten months, during which time I have been in her employ as a clerk upon 12 rupees a month. I keep her accounts (requested by the Jury to speak up) I have said that I am in the service of Byramjee Fuckerjee. Mr. Advocate-General.—Are you in the service of both him and the Proxixutrix? No, I only go occasionally to the proxixutrix when I am sent for. Byramjee Fuckerjee is not employed by Awaboye but his wife is her sister. I do not know how old Awaboye is, but she is much older than I am. I am 21; she is, perhaps, about 30 years of age. She is not an active gay woman. She does not live alone, but has her family consisting of three sons and one daughter in the house with her. The eldest son, who is the oldest of the family, may be about 17 or 18 years old. I do not know how long her husband has been dead. He died before I entered her employment. She has the same servants now as she had all the time that I have been with her, but I do not know if they are those who were in her husband's service. I have never heard any thing regarding this from them. I do not know if the prosecutrix understands Goojrattee. (All witnesses concerned in this case are ordered out of the Court.) I purchased four papers at the CHABOOK office. I read Goojrattee. I never read any of these papers to Awaboye, but merely delivered them to her. I don't recollect exactly, but I paid half a rupee for each newspaper.

Re-examined.—I am not in Awaboye's employ but only go occasionally when she sends for me. I remain in Byramjee's house, and he pays me my 12 rupees per month.

By the Jury.—Do Byramjee and Awaboye live in the same house? No, they live separate. Upon what occasion were you sent for by the prosecutrix? How often in the course of a month or week? Are you sent for upon business, or very frequently? I am only sent for when there is business. By the Chief Justice.—When is there business? Not frequently but only occasionally. By the Jury.—What business are you sent for; mercantile business, or business connected with the family? When she wishes her accounts to be settled, she sends for me. When I went for the papers by her order she told me to bring four. She mentioned their dates. By the Chief Justice.—Of each? Yes. When I carried the papers to her she did not read in my presence, but merely took them from me. She did not look at them but kept them by. I know that the papers shown to me to-day, are the same as I took her, from their dates and from no other reason. I put no marks or memorandum upon them by which I could identify them again. By the Jury.—Did you take any memorandum of the dates? No. How do you recollect them if you did not, or were you desired by any person to take notice of the dates? I remember the dates but can assign no reason for doing so; nor was I told by any person to take notice of them. I remember them from my mistress having told me what dates to ask for. I brought them all upon the same day, but read nothing of them but their dates. I was sent for them in April last, but I don't know upon what day.

Cowarjee Hormazjee, sworn. (Mr. Advocate-General endeavoured to discredit his testimony).—I know the defendants. They carry on the business of a newspaper called the *Bombay Chabook*. The name by which it commonly goes is the *Chabook* newspaper. Both defendants work at that press. They each write articles for the *Chabook* newspaper. (Mr. Campbell here requested that the witness would give his evidence in English, which, in reply, he stated that he understood very imperfectly; he was however desired to try and did so.) It is known among Europeans by the name of the *Chabook* or the *Chabook Press*. It has no other name. What do you mean by writing articles for that paper? They both conduct that paper. (The Chief Justice objects to this mode of examination, as the witness should be required to speak to facts only, and not be suffered to draw inferences.) It appears in public in the name of Sorabjee. I know it to be his property. Cross examined by Mr. Advocate-General.—Sorabjee Dorahjee is printer of the *Courier* newspaper. I don't know any thing about his monthly salary, whether he gets 40 rupees or not. I am a merchant on this Island and also Editor of the *Bombay Sammachar*. I know that the defendants write articles for the *Chabook* by their style, having been formerly acquainted with them. Their place being opposite to mine, I see them both frequently at the office. I have never had any connexion with them in business. I have plenty of reasons for knowing that they are connected with the *Chabook*, all Bombay knows that (From the tone in which this was delivered His Lordship informed the witness that he was upon his oath, any further indulgence in a similar strain of levity would meet with the reprehension of the Court.) My reasons for knowing this is because Sorabjee's name is generally upon the paper as printed in his office. I know that they carry on that office and, why I know is because Nowrojee has written me many letters stating himself to be the editor. There is also a declaration at the Magistrate's office to that effect. I have none of the letters with me which Nowrojee wrote to me in the character of an editor. I have never been in the *Chabook* office. It appears at the bottom of the *Chabook* at what office it is printed. I have never seen any of their writings in manuscript which afterwards appeared in print in their paper, but I have seen advertisements in their writing. I am not the proprietor, but editor of the *Samachar*. No one assists me in editing my paper.

I never received any articles from either of the defendants for publication in my paper. I had an acquaintance but not an intimacy with them. Neither of them ever mentioned to me that he was editor of the *Chabook* news paper. In conversations which I may have had with Nowrojee I do not remember whether he said he was editor or not.

Ardaseer Hormasjee, sworn.—I am a warehouse keeper at Mr. Nicol's. I have known Awaboye for the last five years. I know the defendants. I remember having a conversation with Nowrojee in March last. I have been a subscriber to the *Chabook* for some time; my conversation with Nowrojee to which I now allude, took place one evening on the Esplanade road as I was in my buggy going to my garden. Nowrojee was walking on the Esplanade. I asked him "what news." He said have you read my *Chabook*? I replied, "Yes, I have." I asked him who was the writer of that paper regarding the particulars from a person appointed to Manackjee Sheti's Agiary, and he replied "who do you think?" I do not remember the date of the paper, but it was in March last. I said, I thought it referred to the family of Hormasjee Sapoorjee. He said, you are right. Nothing more was said; I read the article in question, and am in the daily habit of reading the *Chabook*, and when I read this, it was somewhere in the beginning of March between the 5th and 10th. If the paper was shown to me, I could know from the date if it was the same as I read. I do not exactly remember, but think there were two or three papers in March in continuation of the same subject. I do not recollect the date of this conversation with Nowrojee, but it was about four or five days after the publication of the paper, a friend was in my buggy, but no one with Nowrojee; the person with me was Ardaseer Framjee. During the period of my acquaintance with Awaboye, I never heard any imputations against her character. I know Cursetjee Eduljee. —Cross examined by Mr. Advocate-General. —I am not related to Awaboye nor connected with her by marriage. Ardaseer Framjee bears the name of Darwar. I take this to be a title of respectability. I never knew him to go by the name of Chore or Turkatia. By the jury. —I never went to Awaboye's house, I have no business which would lead me there; I have seen her in the streets, and used to see her at her house once or twice about five years ago. I have no further knowledge of her than this. I know several others of the same name as Awaboye; I know that she is the widow of Hormasjee Sapoorjee; I am acquainted with Nowrojee. The paper bears the name of Sorabjee but I have no personal knowledge of his being connected with it. I know that Nowrojee has some business in connection with Sorabjee's paper; I heard from others not from Nowrojee himself, that he is the Editor of that paper. He has told me frequently what was published in the paper. (The *Chabook* newspapers are put in on the part of the prosecution as evidence of the libellous matter to which Mr. Advocate-General objects, on the grounds that although the matter contained in them may be libellous, there is no evidence that either of the defendants was editor or proprietor, or concerned in their publication.)

Pestonjee Hormasjee, sworn.—I am a Broker, and I procure China paper for printing, I know both the traversers, and am in the habit of going to their office to sell them China paper, suitable for printing. I procure it from other places and sell it to them. Sorabjee has the newspaper office, where the *Bombay Chabook* is published. I collect their bills and outstanding debts from their subscribers, sometimes I take advertisements to be printed. I sell them printing paper and receive these bills as payment. They are signed by Sorabjee and given to me by him and no other person. Sorabjee now carries on the business, but Nowrojee was formerly in the office and used to write something for Sorabjee who was the proprietor. The business has been entirely

managed by Sorabjee for the last 18 months. Nowrojee used to write about 7 or 8 months ago, but I only say this by guess. Cross examined by Mr. Advocate-General. —I was always told to go to particular persons with the bills, and the money which I got I placed as a set off for the payment of the paper which I furnished. The bills were written papers signed by Sorabjee. I do not know what Nowrojee and Sorabjee had to do with the paper.

Manackjee Pestonjee, sworn.—I am a compositor in the *Chabook* Press and I am employed by Sorabjee Dorabjee; my business is to compose with types from manuscripts in the Gazeratte language. I know the defendant Nowrojee Dorabjee. When the press was first established by him in 1835, he carried it on till September of that year when he went to Poona for two months. During his absence Sorabjee carried it on, but when he returned he began to carry it on again, and contained to do so till January 1837. I don't know if he has written any articles since January last I know his hand writing; I used always to compose from it, as well from letters received from other places. I have composed since January last from Nowrojee's hand writing, and used to do so every day up to the time that he went to jail. When he went I don't know as I was away at Panwell about that time for five days. When I returned I heard he had gone to jail. This was at least four or five months after January. Up to the time that I went to Panwell, I used to compose constantly from Nowrojee's hand writing. The *Chabook* office is in the Bazar within the Fort, near the Ganbow Well, in a house belonging to Sorabjee, Wadia. Cross-examined by Mr. Advocate-General. I composed from other letters during January and from that time up to my going to Panwell.

By a Jurymen.—Do you read Guzeratte or do you only know the letters? I read it. I am in the habit of reading the articles which I compose. I compose every thing whether news, translations, editorial remarks or advertisements. I do know the distinction between Editorial remarks and other things such as letters or news. I composed from manuscripts by Nowrojee who used to write every thing for the paper except the letters. He left off the paper in January last and took to it again in February and continued to carry it on till he went to jail. There are two compositors in the *Chabook* office besides me. I am not foreman over the others. (Mr. Campbell tenders the newspaper marked B. dated 2nd March 1837 to be read, to which, Mr. Advocate-General objects, as it has not proved to the Court how they have come there. His Lordship decides that the paper should be read, which is done, and Mr. Vaupell reads the heading of the paper, as *Shree Momboyne Chabook*. Mr. Advocate-General argued, that upon this evidence they could go no further; the description of the paper, in the indictment, in which the paper is alleged to have been published, being at variance with the name of the paper now produced; it being laid in the indictment that it had been published in a paper called the *Bombay Chabook*, whereas the paper produced in support of the evidence of publication is one intitled *Shree Momboyne Chabook*. Moreover, no writing or publishing by the defendants had been proved, although the indictment states that it has been written and published by them. In support of these objections the learned Counsel quoted the case of Cartwright vs. Wright (5 Barnwell and Anderson) and that of Bell vs. Byrne (12 East Page 554). To this his Lordship observed that although the evidence was by no means so satisfactory as he could wish it to be, still he thought that there was enough to send before a jury. The Court now adjourned at a few minutes past 7, till the following morning. His Lordship reminding the Jurors that being on their oath there should be no communication between them and others on the subject of this trial. —*Gazette*, Sept. 30.

THURSDAY MORNING, 28TH SEPT. 1837

On opening the Court this morning, the Chief Justice said, "Mr Advocate-General, with regard to certain objections that you made yesterday I have a very strong opinion, but I do not think it sufficient to authorize me to put a stop to the proceedings, as in the event of a conviction you will be able to urge them either in mitigation of punishment or in moving for a new trial when I shall be able to hear them with the assistance of another Judge, but in the meantime I think it best to allow the matter to go before the Jury."

Ardaseer Framjee sworn. I am Manackjee Wadia's manager. I know the Prosecutrix in this case to be the widow of Hormayjee Sapoorjee. I also know the two travellers, Nowrojee and Sapoorjee, to be engaged in the business of the *Chabook* newspaper. Ardaseer Hormayjee is a friend of mine and I remember dining in a buggy with him in the month of March last. On that occasion, as we were going out of the Fort, we met Nowrojee on the Esplanade. Ardaseer stopped the conveyance and called Nowrojee to him. He came and stood on the right side of the buggy and asked him "what news?" He asked Ardaseer "have you read my paper, the *Chabook*?"—These are the exact words as far as I recollect, but I only speak by guess. They had a long conversation together but I only recollect a little of it more or less—(proceeds to state what he recollects.) Ardaseer asked him who does that refer to that you have written in your paper? Nowrojee replied "Who do you think it refers to?" Ardaseer answered, "I think to Hormayjee Sapoorjee Pastagia's (dry fruit-seller) Widow—Nowrojee said 'Yes, it is published with reference to her'—a good deal more conversation took place in the course of which Nowrojee spoke against Awaboye and said that he would prove what he had asserted. He said "what I have written and printed I will prove." The conversation was against Awaboye and what he had printed was against her, but as I did not like the conversation I did not listen to it but remained quite. He said that Courtjee Soortee met him on the road and was cross with him and threatened to beat him—he added I gave him no answer and went away. Nowrojee said also, Awaboye is a very bad woman and acts very improperly. I recollect being in a garden with Ardaseer Hormayjee, where all we friends generally meet together. Ardaseer being a subscriber to the *Chabook* newspaper brings it there and reads it to us sometimes.

He brought it there on the 2nd or 3rd of March. When we were all seated together he commenced reading the newspaper and read all the particulars regarding Awaboye from the beginning to the end. Some of the rest also read it and we began to converse regarding it. The paper was dated the 2nd or 3rd of March. I also read the paper and took it to refer to Awaboye. The substance of what I took to refer to her is what is written in the *Chabook* regarding Soortee being "a brother by day and a husband by night." This was signed "a person opposite to Manackjee Sheet's Agency." Cross examined by Mr. Advocate-General. My reasons for thinking that this paper related to her are because she lives in that street. I have known Awaboye for the last 6 or 7 years by sight, and that she is the widow of the late Hormayjee Sapoorjee,—for the last two years also I have visited at her house. The conversation which we had in the garden regarding this business was before we met Nowrojee. I first mentioned in the garden to the others who were there to whom I thought it referred, and they all agreed with my opinion—no one had spoken to me about it before this. This was the first time I had seen the paper—Ardaseer Hormayjee produced the paper and said all that Nowrojee said when we met him in the garden, for it was he who spoke to him. I have not seen Awaboye for the last six or seven months. I do not recollect whether I have seen her since I went to the garden. Ardaseer and my other friends, I have been

once since that at her house, where I went with her sister's son, either Pestoojee or Ardaseer, I do not recollect who of them. This was 8 or 10 days after we had read the paper. I went because she sent for me. When I got there I saw her sitting with her sister. She said "this bad man (meaning Nowrojee,) has printed such bad things against me—it hurts my character and puts me to great shame without any fault of mine—I will kill myself". She sent for me as a friend of her nephew. I assisted my friends and relations with my advice in law suits when I am asked to do so, but I never receive a price for this. I expect no remuneration from Awaboye. I advised her not to go to Court with so bad a man. Ardaseer Byramjee, her nephew, manages this prosecution, he has told me that he was going to file indictments against Nowrojee by desire of Awaboye, by the Jury I met Nowrojee on the Esplanade when I was with Ardaseer Hormayjee in the buggy, about the 7th or 8th March. It was after the conversation in the garden that we had in the buggy. It continued for about 8 or 10 minutes, but I took no part in the conversation. I would never speak to such a person as Nowrojee. I heard that part of the conversation which I have related but I paid no attention to the remainder. I have stated all that I remember. If I am asked further I will answer. I paid attention to the part that I have stated and not to the other, because Nowrojee he is a bad man I did not wish to hear what he said and told myself not to do so. Nowrojee did not say that he had written the article, but that he had printed it and would prove it. Nowrojee used the Gozratee chaploo which in English means I have printed it. Ardaseer Hormayjee recalled I said yesterday that I had read something in the *Chabook* newspaper regarding Awaboye and also related a conversation that I had with Nowrojee upon the subject. If the paper was put into my hands I would say if it was the paper I alluded to (the paper being handed to the witness, he marks the article that he means.)

By the Jury I did not state yesterday all that passed between Nowrojee and me in our conversation on the Esplanade; what I kept back I was not asked about. (He is reminded by his Lordship that he was sworn to speak the whole truth.) I have mentioned all that I said to Nowrojee, but I did not mention any thing about reading in the garden.

By Mr. Advocate-General—I have not been in Court during the examination of the last witness by the Jury, I stated yesterday all the conversation that took place between Nowrojee and me. I did not ask Nowrojee who was the author of the article, I only alluded to the printing.

Jeejeebhoy Dadabhai called and objected to by the Chief Justice as he had not been sworn and his name was not in the list of witnesses. His Lordship felt himself compelled to state that there had been a strange mode adopted in getting up this prosecution, whoever was concerned, but it was not that which he had been accustomed to see practised in the Courts, particularly where the proceedings had been adjourned to suit their convenience. Mr. Campbell did not see how the other side could object with a good grace to his being examined as he was a witness for the defence. Mr. Advocate-General said that his learned friends were certainly proceeding in an unusual way; being driven from their attempts to prove their case by Sorabjee's declaration, they were feeling way and shaping their course accordingly. The Chief Justice being of opinion that notwithstanding his name not being on the list, he should be called, the learned gentleman consented to his being put into the box and sworn. His Lordship, however, showed the urgent necessity of gentlemen when drawing up proceedings to consider the number of their witnesses, and upon whom they wished to call so as to afford some sort of guidance to the Court. Jeejeebhoy Dadabhai, sworn. I am a broker. I know the Defendants (Some

of the Jury requested that this witness should give his evidence in English from his personal knowledge that he could speak English, and adducing as a proof that he could do so, that he was a member of the Grand Jury. His Lordship observed that was no proof as he had known a man stand behind him who was quite deaf and was still a member of the Jury, though the fact of his being on the Jury did not prove that he could hear; as the witness now on the floor preferred to give his evidence in his own language it was not in the power of the Court to force him to speak English. I had a conversation with Nawrojee Dorabjee before he went to jail. It is a long time since he went there; he used to come to converse with me almost every two or three days. I never went to any place at his request, he never asked me to go any where. I sent my servant to Awaboye after a conversation that I had had with Nawrojee, stating that this was a bad matter and had better be amicably settled. I sent this message by my servant as from myself, I sent because I thought it improper for the Parsee community, as this related to a female, to bring it into Court. Nawrojee did not come to me particularly about this matter but used to come to converse with me upon different topics. He used to come frequently sometime two or three times a week. I advised him to settle this matter amicably, the best way he could. He said if you think proper to settle it, I am ready to do so, I accordingly sent my servant to the prosecutrix and she refused to do it. I neither sent nor went to any other person. I have spoken with many persons upon this subject, but don't recollect I advised the nephews of Awaboye to settle the matter and only as it was bad. I did this because it was a bad matter concerning my caste. Cross examined by Mr. Advocate-General. I never saw the prosecutrix.

Corretjee Eduljee Soortee, sworn.—I knew Hormasjee Sapoorjee in his life time and I know his widow. A few days before his death he recommended his children to my care and asked me to take care of his estate. I know Nawrojee Dorabjee. I made an application to Awaboye on his account from the following circumstance. As I was going along the road I met Nawrojee near the King's Baracks. He called me by name and said raise 1000 or 1200 Rs. at interest from Hormasjee's widow for me. I asked him if he had an estate as without that security the widow would not lend any money. He replied, "my estate is news, which I will show you." Nothing further passed, and I went away. He showed me nothing then. On the 2nd March he printed and showed me. On reading that news I knew what he meant. Our first conversation took place in February last after 12 o'clock in the day, five or seven days before he printed this. I mentioned to Awaboye what Nawrojee had spoken to me. I said Nawrojee Halkaru wants 1000 or 1200 Rs. at interest. She said she could not lend money to a person who had no estate, she said nothing more. I saw him again on the 4th March at the Gunbow-wall about one o'clock. I told him that he neither feared God nor the justice of this world. You will be summoned before the Justice. He said I have written and printed it and you may ask me wherever you like. Cross examined by Mr. Advocate-General.—I have lived upwards of twenty years in Bombay and am called Soortee from being a native of Surat. I am about 40 years old and the prosecutrix about 35. I knew her first about a month before her husband's death, when I used to attend upon him. He died about 20 months ago. My attendance upon him, consisted in my going to him, because from our friendship of 20 years he insisted that I should do so. I went to him merely as a friend and used to go to his home or garden to sit with him. I did not know Awaboye till about a month before her husband's death although I was acquainted with him for 20 years because it is not customary with us to sit down with women. The month preceding his death I became acquainted with her

from being for a month constantly at their house day and night, as he would take no medicine except in my presence. On these occasions Awaboye and her sister used to come frequently to his bed and sit down. He was bed-ridden then.

Previous to his death Hormasjee recommended me to take care of his children and his estate, which I promised to do. When Awaboye's children are sick I am obliged to go to her house at all times, but 20 others have gone in a similar way. I would not go otherwise. I am the manager of her husband's estate. I act under her orders, but give her my advice when necessary. I am not an executor by Hormasjee's last will, but in a former will which he made, there were four executors appointed of whom I was one. The widow was appointed the sole executrix by the last will. Hormasjee took out the names of all the executors of the first will by my suggestion, in consequence of having had a conversation with me whether it would be better to make a will in favour of his wife solely or other persons. These other three persons who were executors in the first will, interfere and give their advice the same as I do when Awaboye asks them. None of them take any money belonging to the estate. I do not consider myself empowered by the Testator's recommendation to take any money. Awaboye manages the estate by my advice. I sold her China goods for her and took the advice of the other persons who had been appointed executors in the first will.

All the writers and clerks that were in the service of the deceased are now in that of Awaboye except one muttah and servant, who were discharged because there was no business for them. I remember a cause in this Court in which one of the parties was named Joze Maria de Souza. Myself and another Parsee had lent him a sum of money and were the plaintiffs in that case. We lost the suit. The Court said on that occasion that the suit was illegal and false. We then wanted to file a bill in equity but the party died. My attorney explained to me that the Court was very angry with me and therefore I must produce all my former accounts. I wished to file a bill in equity and make Lima de Souza a party to the suit, but he died. I don't recollect that the Court said anything at that time about the criminal side of the Court. This was about 3 years ago. I have been in Bombay all that time since. I went to Tarapur on the occasion of Viccajee Meysjee's marriage. Shortly after the result of this action I left Bombay, but not sooner than two months after. I was absent about a month and then returned. The deceased and I, and two or three other persons, after the case was settled, went to the hot wells. During my stay in Bombay after the action I appeared in public. I did not file my bill in equity, because Lima de Souza died the day after I lost my suit. It was my misfortune that I lost my good cause, but his death prevented me from filing my Bill, as I wanted to make him a party to the suit, having had dealings with him. I had frequent conversations with Awaboye since this prosecution commenced. She told me that she was prosecuting Nawrojee. I am not the manager of this prosecution, but her nephew is. She pays the money, which will pass through his hands, not mine. The day that I read this publication, my feelings were very much hurt and so were hers, so much so, that she and I intended to kill ourselves. I do not know why she did not adopt a mode of prosecution to prove her innocence; that is only known to the manager. I was not aware that in this form of proceeding the truth would not be allowed to be entered upon, nor was she; but I was in hopes that the truth of the whole matter would be acquired in it. What Nawrojee has printed is publicly known to all the world, but any amicable arrangement that we could enter into who would know it.

This is a public Court and the result of this suit will be publicly known. Re-examined by Mr. Mehtien.

Awaboye does not live alone, her two sisters and her children live with her and did so at the time when I was in the habit of going constantly to her house. I never see her alone. Her sisters, the metahs and her children are all present. By the Jury.—When I met Nowrojee the second time in the month of March last, he said I have written and published. If you want to ask me any more about it you must do so in a Court of Justice. I read the *Chabook* of the 2nd March, which was sent to me by a friend. I am no relation of Awaboye's; she is not my sister-in-law. My children go to her house and her's come to mine. A Banneah was in my employment in March last, called Nasrendasa. My metah is named Keeran. I used to send messages by him to the prosecutrix, sometimes she sent her men to me. She has many servants, and she did not always send the same one, but whoever was a hand.

When Hormajee was about cancelling his former will, he consulted all the other executors. He beat and drove them out after the consultation. I also was present and assisted him to beat them. I conceived that the article in the *Chabook* applied to me and Awaboye because any one that read it would see that it did, from the particular manner in which it described three sons and one daughter of a man who died about a year ago, leaving property to the amount of four or five lakhs of rupees, and a Soortee or Surat man being the manager of the business, and whoever met us on the road said that it referred to us. On reading it, it is self-evident that it reflects upon us and upon no one else. Mr. Montrieux observed, that as the Jury had gone so far in questioning the witness about the cancelling the will and the beating of the co-executors, he thought that something more should be known about it, and he left it to His Lordship to say if it should not be so. The witness being re-examined, states the co-executors had been beaten by the deceased because when he had employed them to draw up a will they left two blank lines which led him and myself to suspect that they intended fraud. By the Chief Justice. I know that Mr. Morgan is the attorney for this prosecution. I also know that Mr. Armitage, whom I see in Court, belongs to the same office, and is concerned also. By desire of the prosecutrix, I called upon these two gentlemen to inform who were the witnesses in the case. I declare upon my oath that I did not know from either of these gentlemen that in a criminal proceeding the truth of the matter could not be entered into. Nor did I know from any of their Purvoes. The Jury having retired for refreshment, Mr. Advocate-General moved on behalf of Mr. Hilberry, who had been a witness in the case of Willcox, who was tried last Tuesday, that he should have his expences for the time he had been detained in Bombay on account of this trial. His wages on board the *Great Harwood* had been 6 guineas a month, and he had been obliged to refuse several situations equally good in point of emolument while he was waiting here as a witness. There were 1,500 Rs. in the hands of the Accountant-General applicable to such purposes and the Advocate-General moved that the Master might be directed to examine what was stated in the affidavit and tax the amount that should be given to Mr. Hilberry for his expences. His Lordship replied that as the Court had sometimes ago made a decision on a similar application, the exact nature of which he did not then remember, he thought it would be better to enquire into that and make the present in accordance with that precedent; at present, however, he had no objection to its being given to the Clerk of the Crown to examine and report his opinion upon the matter. Upon the return of the Jury to the Court, Mr. Campbell called Curstjee Manajee, who being sworn states, I saw the *Chabook* newspaper and I read it. I have been a subscriber to it for more than two years. In the beginning of March last I saw a paper containing a charge

against a Parsee woman (identifies the *Chabook* of the 2nd March as the paper he means) In my opinion the Parsee woman referred to is Awaboye, because it mentions her having three sons and a daughter and a Soortee being her manager. She is the widow of Hormajee Shapoorjee. Mr. Gadder, the Marshall of the Jail, deposes that to the best of his recollection was imprisoned about the 20th April last and still is in his custody. Mr. Vaupeil translates the heading of the paper to be the Whip of the happy and prosperous Bombay. The word Shree he said did not mean sacred, when placed before the name of Town except it be a holy place which Bombay is not. In answer to Mr. Campbell.—The word Shree is very seldom translated. I never translate it when connected as it now is. If it is not translated the heading is the Bombay Whip; if translated it is this happy and prosperous Bombay Whip. With reference to what was said about the heading not being properly described in the indictment he had to say that he was not told, to translate the heading but that portion of the paper which is charged in the indictment as libellous.

Four other papers marked B. C. D. E. were put in and read to prove that allusions had been made upon the subsequent occasions to the original libel, whereof the animus of the writer would be shewn.

By request of the Advocate-General the latter end articles, part of which are laid as libellous in the indictment, were read at full length by the officer of the Court, after which the learned gentleman proceeded to address the jury, as follows, on behalf of the traversers.

GENTLEMEN OF THE JURY.—The whole charge against the Defendant being now entirely in your hands, it is for you to say whether they are guilty or not guilty. My learned friend who leads upon the other side, informed you that the case was very simple; but notwithstanding this assumed simplicity it has nearly occupied two whole days. It is so simple that without imputing claims to any person, I am satisfied that their case could have been proved had they been allowed to avail themselves of the declaration, alleged to have been made by one of the Defendants, according to an act of the Legislative Council, that he was the printer and publisher of the *Chabook* newspaper; but being unfortunately driven from that point they have been obliged to enter into evidence the value and weight of which you will, I am sure, have the benefit of learning from his Lordship's comments when he draws your attention to the whole evidence in summing up. With respect to the variances in the indictment and the evidence, although it would be more proper that you should hear an opinion upon them from his Lordship, it is still within your province to decide whether a charge resting upon illegal evidence can be supported. Certain newspapers have been put in evidence, but the only proof adduced regarding them is, that they were bought at a certain office; but still we are left in the dark as to how they came here, or if they are the same papers as the witness says he bought by the orders of the prosecutrix. Two kinds of evidence have been employed, to establish the connexion of the Defendants with the *Chabook* newspaper, both of which I consider have ended in a total failure. Nowrojee's conversations with different individuals implying or acknowledging his connexion, and the evidence of certain persons as to their belief from what they heard publicly and seeing him at the office in which the paper was printed. If the papers themselves are not proper evidence, what the witnesses may advance is only to be viewed as collateral support, and it remains then with you, gentlemen of the Jury, to judge, whether they are correct or not. The paragraphs in the *Chabook* of the 2nd March were considered in the opening address as applicable to the case of the prosecutrix and Soortee, sufficient for a case, and although I felt myself bound to make the objections which I did, I am glad now that

nothing whatever has been kept behind, but that all have been placed before you.

I must here express my surprise that in this case the course of proceeding by an indictment has been adopted, when it is evident to every one, that the truth of the allegation cannot be enquired into. I say, that it is a most oppressive course. Nowrojee, if we are to believe the evidence, has always challenged an investigation, he has invariably said that he is ready to prove the truth of what he may have published and written, whenever an opportunity would be afforded him. There were two modes which the prosecutrix might have taken, and if she and the Soortee were so much distressed and had their feelings so much hurt as to lead them to entertain the idea of destroying themselves, they would gladly have embraced the opportunity of wiping away the slander thus attached to their name, and of establishing their innocence, but as they have now done so, they stamp as true the names which have been applied to them. She, if innocent, might have cleared herself, for by bringing an action in which the defendants would have been allowed to plead in justification, and if damages had been awarded it could never have been supposed that a rich woman like the prosecutrix would have proceeded in that manner from the hope of recovering them exorbitantly from two poor individuals in the condition of the defendants, one a printer in the Courier office upon a salary of 40 Rs a month, and the other a man in jail for debt. But allowing them to adduce proof she could have proved her innocence, or if what the defendants are charged with having printed and published was true, there would have been an end to the case, for the law holds that no one can complain of an injury sustained by his own bad conduct or dishonesty. In the shape of a criminal information the fullest enquiry would have been afforded, every possible circumstance would have been sifted from top to bottom, and in the weighing of serious charges her own oath would have been received in denial of it, which it would not in action for damages, but on the other hand, if the defendants had brought forward not only positive proofs of their assertions but a reasonable suspicion of the correctness of their inserting in a public journal what they have done, the information would not have been granted, as the law rejects all such applications on the part of those who do not come into court with clean hands. Whereas by this course the law is shut against every investigation of that sort and the truth is not allowed to be enquired into.

The law of libel in this view is not intended for the gratification of one individual by the punishment of another, but for the preservation of the tranquility of society which any slander or written defamation is apt to produce, wherefore it will not suffer an enquiry into the truth of the matter laid in the libel, but merely whether it is libellous and thereby calculated to create a disturbance. An opinion however, that its truth should in every case be allowable in justification, seems to be gaining ground in England, and you may no doubt have seen in the late English newspapers that have come out to this country, that Mr. O'Connell, has introduced a Bill to permit the truth to be admitted as evidence, which has been lost by a very small majority. One word more, gentlemen. The Soortee who has said that neither he nor the prosecutrix knew that the truth would not be admitted in this case, represents an impossibility, for if she were so distressed as he says, she would naturally ask her solicitor which was the best way to clear her reputation. When she knew that the prosecution was getting up did it not strike her as something strange that they did not require her? It is impossible to believe that she did not know this.

I repeat, that the course adopted has been most oppressive to the defendants, a criminal information is what they should have sought. What is the form of this libel?

You cannot suppose that an Editor of a public newspaper in his capacity of catering for the public taste, can from his position have the same malignity of mind in publishing what he does, as if a private person circulating his opinions even in a form which should ensure to them the greatest publicity. He gains his livelihood by contributing to the amusement or instruction of the public, and cannot have the same *malus animus* as if he were influenced by private motives, and in all probability had reasonable grounds for what he did. The letter of a correspondent charged as libellous, is one sent to him at his office in the ordinary course of business for publication, upon which he remarks, and is not the same as if it had come from himself, as expressing his own sentiments. It is therefore not so heinous nor so aggravated as if it had been the production of a private individual (when you look at the difference between insertion and mere publication), the malice which would prompt the latter so to do, being in this case entirely absent. The law admits of free discussion, and in the freedom of writing the strict legitimate bounds are in some measure overstepped, so nothing is allowed where the heart does not appeal to be concerned.

In Nowrojee's editorial there seems to be no *malus animus* whatever, he supposes a case, argues upon it fairly and temperately, and the terms used in this exposition are general and reflect upon no particular person. I am aware that there is a great distinction between what the law holds to be *legal malice* and the malice or *malus animus* which is in the heart, but you will see that he has viewed the matter very soberly, and appears to have got up legal precedents which advising his correspondent and his readers generally in a way that show him to be a bit of a lawyer as well as an editor. Now, gentlemen, after having read through the whole of these papers I am at a loss to discover the slightest libel, chargeable to either of these defendants, if you except the editorial remarks, which you must consider whether it be libellous or not, but for my part I declare if you do think so, it is really more than I can see. His Lordship is permitted and required by the law to give his opinion upon it, and you will hear and see from what he says, if you are expected to gratify the vindictive feelings of the prosecutrix. I have already stated that the defendants have been hardly dealt with in general, and if you consider Soortee's admission of his having had a seat in this Court and his non-recollection of the Court having said any thing to him upon that occasion of his liability in a criminal proceeding, you will be able to pronounce how far his character is free from imputation. I have said before that their proper course would have been by a criminal information had they wished as speedily as possible to clear their character, or had entertained any anxiety upon that point, whereas the matter charged as libellous has been published in March, and they do nothing before the July Session, when by a criminal information the truth or falsehood of the assertions would have been sifted upon the first day of the then ensuing term. I do not wish to detain you, gentlemen of the Jury, by remarks upon the contradictions and deficiencies in the evidence, particularly in that of Ardaseer Framjee, I would wish to state that this is the first case in which the paper has been brought before a Petit Jury, and to impress upon your minds that all which you have to find, is, that the papers put in today libellous, and if so—are the defendants proved to be connected with that paper so far as to show that they were concerned in their publication.

The Chief Justice—Gentlemen of the Jury, I am satisfied now, as I dare say you are, that we have approached very near to the conclusion of this case, and although I thought it prudent last night to recommend our adjournment, I could not predict how long we might be detained, yet I foresaw from the state then, and the facts which seemed likely to take, that it would run on a great length.

I am not able just now to enter upon this subject very fully, but it will perhaps be sufficient if I confine your attention to the necessity of your considering how far the evidence that has been advanced in support of the prosecution affects one or other of the defendants.—His Lordship's summing up, although delivered briefly and

with his usual perspicuity, we regret being obliged to curtail, from having already devoted so much space to the report of this trial, that giving it in full would impose an extraordinary degree of labour upon our establishment. The Jury retired and returned about a quarter past four with a verdict of Not Guilty.—*Gazette, Sept. 30.*

INSOLVENT COURT.

October 14, 1837.

(Before Sir E. Ryan, Kt.)

We were happy to see the bench occupied to-day by our worthy Chief Justice. He appeared to be benefited by the trip he took to the Sand Heads.

The following applicants were sworn to the correctness of their schedules to-day.

1st. Laus Magniac, Esq., of the Civil Service.

Mr. Sanders, the attorney for the Insolvent's Assignee, J. W. Alexander, Esq., addressed the Commissioner, and said that he was directed by the Assignee to move the Court to grant, if possible, a larger deduction than 1-3rd of the applicant's pay and allowances. Mr. Magniac, in reply to the bench, stated that his present allowances were only 320 rupees per month; but he expected shortly to be in the receipt of a much larger income as soon as he could obtain a situation on the effective strength of the service. The Chief Justice directed the insolvent, under present circumstances, to be put under stoppages of a sum not exceeding 1-3rd of his present allowances; but observed, that as soon as this applicant would be in the receipt of the increased rate of salary, which he has said he expected, he must then inform the Assignee of this increase to his income, when the Court would, on the Assignee bringing it before its notice, issue an order for a larger amount of deduction from his pay in proportion to the emoluments the Insolvent may then receive. The Chief Justice then observed, that he in general did not order a larger deduction than 1-3rd from the allowances of military insolvents; but as the Civil Service were much better paid, he considered that perhaps they could well afford a larger deduction in proportion to their salary. After this, this Insolvent was discharged.

2nd. Mrs. Mary Anne Haycock, late milliner and habut maker, of Esplanade Row, was then brought up and sworn. The Commissioner observed, that it appeared three of the creditors mentioned in this insolvent's schedule, had not been served with the notices of this insolvent's present application to this Court.

Mr. Strathell, the attorney for the insolvent, replied, that an affidavit had been filed by the applicant in this case, setting forth that she, the applicant, had used her best endeavours to search and find out the aforesaid three creditors, in order to serve their notices on them, but had failed to do so; she therefore now moved the Court that it would be graciously pleased to pass an order for her release, with the exception of the claims of those three creditors, whose names were Modoo Rearer, 20 rupees; Mesh Jan Bhatia, 7 rupees; and Jackur Sweeper, 12 rupees. The prayer of her affidavit was granted, and she was ordered to be released.

3d. On Shuk Maheroolah being called, Mr. Nathaniel Hudson said, that he was authorised on behalf

of the opposing creditor to bring to the notice of this Court that this insolvent, as he had been released by the detaining creditor previous to his having obtained his discharge from this Court, could not obtain his discharge now, and he further cited the case of Mr. Hair, in which the then presiding Commissioner, Sir John Franks maintained this opinion. The Chief Justice, in reply said, that the Insolvent Court as constituted in this country, differed widely from its construction in England. There, by the 38th clause of the Insolvent Act, which expressly provided for a case of this kind, a debtor had been discharged under similar circumstances; but it does not appear that there is any similar clause in the Insolvent Act, as passed in this country. The question he admitted was one of great difficulty, and it was not his intention to express an opinion on it in the present instance, as Sir B. Malkin, before whom this case had been originally heard, maintained, that the applicant, in his judgment, was entitled to his release. He therefore would now uphold that opinion and order his discharge. But it certainly was a question which involved much intricacy, and if the opposing creditor wished, he could enter his appeal in the Supreme Court, against this order, when the question would be taken up; and the judgment of that Court given upon it. After this, this insolvent was discharged.

No persons appearing to oppose the discharge of the undermentioned applicants, they were sworn to the truth of their schedule, and discharged.

Oboychurn Mookerjee, Govindhunder Kerr, Radha-mohun Ghossamy and Khetormohun Ghossamy.

An application was made by, we believe, Mr. Wm. Jackson, on behalf a creditor of Mr. Kiernan, of the Provost's Service, to know what order the Court would be pleased to pass on that Insolvent's application, in which he had prayed this Court to be exempted, on account of his being obliged to maintain a large extra establishment, from paying any deduction from his present allowances, and offering to pay one-half of his salary as soon as he is appointed to a higher grade of the service. In conclusion, Mr. Jackson observed, that this insolvent had offered previously to his applying for the benefit of the act, to pay one half of his salary to his client if he would reduce his debt to half the amount: he argued, that if he could then afford to give up one half of his salary, why not one-third now. The attorney on behalf of this Insolvent stated to the Commissioner, that his client had been ordered by Sir B. Malkin to specify the particulars of the increased establishment he was obliged to keep. Expecting the rehearing would come on before Sir B. Malkin he had not as yet prepared this statement. The Chief Justice remarked, that the Insolvent had no ground to entertain such an idea and postponed final rehearing of this case to the 5th of November, when he said, this Insolvent must be prepared with the required statement.—*Harkara, October 16.*

SUDDER DEWANNY ADWLUT.

Sept. 18, 1837.

President—J. F. M. REID, Esq., *Officiating Judge*.Chukooram Sing, appellant, *versus* Musammatt Sookse and Durgha Dasee, respondents.

For the appellant, Mr. A. A. Savestre, Baboo Raum Praun Roy and Bungehe Budun.

For the respondent—Baboo Gooropursaud Chowdry.

This was a suit instituted by plaintiffs in the Hooghly Zilla Court in the year 1835, against defendant, to recover the sum of 13,470, stated to be the principal of mesne profits realized from lands situated in Purgunnah Melcuddee, Hooghly, together with interest thereupon.

The plaint set forth, that the plaintiff purchased Mouza Raum Nuggur annexed to lot Durrumpoor from Deebnauth Sing, Chowdry, father of Chukooram Sing, and obtained possession thereof; that after the death of plaintiff's father they retained possession of these Mouzas through their agents, who were legally constituted as such by power of attorney as they were at that period minors; that Chukooram Sing then instituted a suit under provisions of Regulation VII. 1799, against Praunkissen Holder for the recovery of arrears of rent, which had, through the negligence of their agents, become due; that Chukooram by clause 7, section 15 of that Regulation, having taken measures for the payment of future rents, annulled the lease, and made a new settlement with other farmers, viz. Dola Chukurbutty and Mahomed Hossain, and that in 1225, he disposed plaintiff's and their agents. By a subsequent action in the Zillah Court by Praunkissen Shoor, one of the agents, against Chukooram Sing, this new settlement was set aside accordingly. In 1235 Fs., plaintiff recovered possession and brought the present action for the realization of mesne profits for 10 years, amounting as stated above.

The defendant, Chukooram Sing, stated in answer, that Dola Chukurbutty and Mahomed Hussain were in possession of the above-named Muhals; that Baboo Bijnath had purchased the same from them in the name of Bhowanee Churn Mullick; that he, defendant, had received only the Malgoozares from them, and that, therefore, he was not answerable nor liable for the payment of the profits appropriated by the holders of these Muhals. On the 30th May, 1835, the acting judge of Zillah Hooghly passed a decree in favor of the plaintiffs directing the defendant to pay the amount of 3,957-9-2-3 cowries, being principal of mesne profits, and providing that the plaintiffs should receive interest, therefore, from the date when they instituted their suit to the date of his decree, viz. 5,801-6-17-2, amounting to the total 9,759-1 cowrie; and likewise interest on the whole amount till payment should be made to plaintiffs. The appellant being dissatisfied with the above decision, appealed to this Court through his legally constituted

pleaders on the 17th September 1835. The petition a regular appeal proceeded to state, that there was no evidence by which it could be proved, that the above Muhals were in the possession of the appellant; that there was sufficient proof that possession was retained by Dola Chukurbutty, who held the farm and paid the stipulated rents to appellant, who duly discharged the malgoozares to Government; that, therefore, appellant was not responsible by any rules of equity and good conscience, for the misappropriation of mesne collections, which had been made by the holders of the Muhals; that the mesne profits ought to be paid by Dola Chukurbutty, and his representatives after death, who also appropriated the Mofussil collections; that the Aumeen appointed by the Zillah Court, had, from wrongheadedness, included several customary fees, viz. Matoolit and Magun, under the head of mesne collections, which was contrary to every principle of justice; that he had also included unlimited charges for rents due by cultivators, who were said to have absconded without their being due proof thereof, and had thus raised the collections to an amount highly improbable; that the Acting Zillah Judge had passed a decree for mesne collections, the interest of which had greatly exceeded the amount of the principal, and that by Regulation XV. of 1793, the Courts are not in any case whatever to decree a greater sum for interest than the amount of the principal. The appellant, therefore, prayed for a revision of the order of the Zillah Court.

The appeal having been duly admitted and the requisites of an appeal having been performed by the appellant, through his pleaders, the case came to a hearing this-day.

The papers of the case having been read and considered, the presiding Judge recorded his judgment in the following terms:—That the decision of the Zillah Judge was correct, so far as regards the payment of the wasalaat due by the appellant, and awarded to plaintiffs, because it was proved that they were dispossessed by an action brought by the appellant for arrears of rent; and that the house was cancelled by the provisions of Regulation 7, 1799, and that the new settlement was made by appellant with Dola Chukurbutty and others, which settlement was subsequently set aside by the late Provincial Court, at the instance of one of the agents of the plaintiff. Under this circumstance, appellant has the option of bringing a suit in the Civil Court, for the profits of the lands, should appellant think himself injured and be able to do so. With reference to the fees, and interest exceeding the principal, these are not allowable in wasalaat accounts, because the fees are a kind of *ubwaba* and the interest is at an usurious rate, contrary to the existing Regulations; ordered, therefore, that the decree of the Zillah Court, dated 31st May, 1835, be amended, that plaintiff's (respondent) recover 3,615-11-1 cowrie principal of mesne collection, and the like sum as interest thereupon amounting to 7,230; that interest be also charged on the whole sum now due, till payment should be made from the date of this day's decree of the Sudder Court; and that this case be sent up for a further hearing to a second Judge of this Court with a view to obtain a final order thereupon.—*Hurkara, October 12.*

REVENUE BOARD.

CIRCULARS.

No. 75.—The Committee of statements having prepared, under the orders of Government, a set of forms and statements for the officers of the land revenue department, and submitted the same to the Sudder Board, Mr. Secretary Trevelyan under the directions of the Members has forwarded copies of the forms to the several Revenue Commissioners, requesting that all forms and statements shall until further orders be prepared strictly according to the prescribed specimens of the Statement Committee.

No. 76.—Inconvenience having been experienced by the Strand in consequence of the various kinds of land measurement according to which Mehals under settlement are measured and of the absence of any authentic record of the land measure of the different Zillahs and Pargunnahs, the Revenue Commissioners have been requested to furnish to the Board, with all convenient expedition, tables of the land measure in use in the Zillahs and Pargunnahs under their jurisdiction, drawn up according to a form the heads of which are as follow:

Zillah.

Pargunnah.

Land measure in use, shewing the number of the lowest denomination of area in use in one of the next denomination, and so on to the highest denomination, as in the English tables of land measure.

Length in feet and inches of the rope, chain, *hauth* or *null* employed.

Number of square rope chains, *hauths* or *nulls* (as the case may be) in the highest denomination of area in use, as in a beegah, a kuttah, a door, a bees and so forth as the case may be.

Number of English acres in the highest denomination of area in use.

Remarks.

[Hurkaru, October 18.]

We publish, with great gratification, the following correspondence between Mr. Halliday and the assistants in the Revenue Board. Such an understanding between the head and the subordinates of an office is extremely creditable to both parties:

To F. J. HALLIDAY, Esq., &c. &c. &c.

Sir,—Your separation from us for a period of two years at least, if not for a much longer time, induces us to approach you on this occasion with mingled feelings of pain and pleasure, pain at the prospect of losing a kind superior, and pleasure at the happiness we experience, and shall always feel in your advancement in the service.

We do not presume to offer any opinion on the great good and advantages which have resulted in the office of the Sudder Board of Revenue, during the period you administered to its many exigencies; but we would fain ask your acceptance of our warmest expressions of gratitude for the uniformly considerate treatment, which all our agents and failings have received at your hands. Your

characteristic kind demeanour to your subordinates without compromising your duties in the strictest sense, has not failed, as indeed it could not have done, to demand our admiration, and we can only hope that in pursuing the praiseworthy treatment you have bestowed on your subordinates, you have found from experience that kindness and condescension are the readiest methods of securing respect, good will, and cheerful attention in the transactions of public business.

With this feeble expression of our sentiments, we conclude by offering you our humble and sincere congratulations on your recent promotion, assuring you, that you will ever be remembered by us with feelings of the highest respect and esteem.

We have the honor to be, Sir, your faithful servants,

Signed by G. H. POOLE, —and 40 other assistants.

To Messrs. G. H. POOLE, G. T. F. SPEED, R. KING, J. TOTTIE, C. GARDNER, A. A. OGG, J. AUGUSTIN, T. HAMPTON, S. M. REBEIRO, J. THOMAS, RAMCHUND SEAL, W. GOULD, BRINDRABUN DUTT, GOURUNG DASS MOKERJEE, CAUSSINAUT PAULIT, &c. &c.

Gentlemen,—I have received with much satisfaction your address of this date.

In endeavouring to discharge efficiently my public duties, I have always sought to promote the comfort and to conciliate the judicious regards of my official subordinates. I am therefore highly gratified by this expression of your esteem, and accept it as a testimony of my success.

Yet I cannot but feel that your kindness has attributed to me in this respect, a merit which chiefly belongs to yourselves. Where a body of officers are as zealous, intelligent, industrious, and public spirited, as I have found the assistants in the Sudder Board of Revenue, their immediate head can hardly deserve much credit, if while he directs and encourages their labors in the public service, he secures their private esteem by those natural tokens of consideration, respect, and good will, which necessarily result from an appreciation of their characters and exertions.

I thank you cordially for your congratulations. I beg to assure you of my strong interest in your prosperity, and I trust to be considered by you always,

Gentlemen, with sincere esteem, your faithful friend,

(Signed) FRED. JAS. HALLIDAY.

Calcutta, Oct. 21, 1837.

APPOINTMENT.

Mr. G. T. F. Speed, we understand, is appointed head uncovenanted assistant to the Superintendent of Police in the Lower Provinces, at a salary of 500 rupees per mensem, with an additional allowance of 200 rupees per month, when out on a tour of inspection with the Superintendent.—*Englishman*, October 26.

MISCELLANEOUS.

CALCUTTA.

THE PICE.—The pice humbug continues, and there is very little chance of a sufficient supply of pice being issued to relieve the distress of the poor. The government still keep up its pice-vending establishments, for which no one but the shroffs feels thankful, as no one else experiences relief from them. Few men will wait for two hours to get a rupee exchanged, and seldom can any body get change at these shops without waiting during that time. It would be better for government to close these shops at once, and let the other shroffs have their own way. They cannot charge much more than three pice for changing a rupee, and they now demand that amount.

TUR CROPS.—The change in the weather and the plentiful fall of rain, have very much improved the condition of the crops, which are now represented to have a very promising appearance.

INDIGO CROPS.—The indigo crop is expected to range between ninety-five and a hundred thousand maunds.

THE NEW STEAM PROSPECTUS.—The comprehensive Steam Prospectus has now upwards of 1,400 shares subscribed for.

The New Post Office Regulations came into force on the 1st instant, and henceforth newspapers may go, bearing postage, all over British India. To stations within 400 miles the postage will be two annas, and to all more distant stations the postage will be three annas on each cover not exceeding 3½ tolas.

DEATH OF THE KING OF DELHI.—A private letter from the imperial city, announces the death of the King of Delhi on the 28th ultimo, at 3 p. m. Meerza Abboozaffer has succeeded to the throne, and the Resident and his Assistant have presented nuzzers to, and received khilats from, the new King.

DEATHS BY DROWNING.—A young gentleman of the name of Wall, of the Pilot Service, was unhappily drowned on the 20th instant, at Sulkea. The melancholy accident occurred at Walker's Docks, and at about half past 5 o'clock. The body of the unfortunate young man was brought up after a search of twenty minutes, and medical assistance procured as early as possible; but all attempts to restore life failed. An apprentice attached to the ship *Arabian*, was also drowned in the river on the 21st instant.

SUPPOSED SUICIDE.—A European soldier, met a watery grave in a tank in the suburbs, behind the General Hospital. The deceased, who was deranged in intellect, was a patient in the Hospital, and was missed on the morning of Monday last. In the course of the day, the body was discovered in the tank. The deceased, is supposed to have got out of the Hospital during the night, or early in the morning, before day-break, for the purpose of committing self-destruction.

SUICIDES.—Several unfortunate natives have perpetrated suicides during the month. The practice is getting very common among the native population.

MURDER OF ENSIGN BLINKINSOP.—The following is an extract of a letter, dated Chybaasa in Singbloom, 29th September, 1837:—

"Another instance of the truth of the saying that 'in the midst of life we are in death,' happened at this place this morning. Ensign Blinkinsop, of the 34th Regiment N. I., who was in temporary charge of the detachment in Singbloom, during the absence on leave of Captain Armstrong, was cruelly and inhumanly murdered at day-break by a suwar of the 5th Local Horse, whom he had with justice ordered to drill for most impudent and insubordinate conduct. About 5 o'clock, a. m. the suwar presented himself at Ensign Blinkinsop's quarters, informing his bearer that

he came as orderly of the day. The bearer went out to a short distance, and returning after a few minutes, found his master lying in a corner of the bungalow bathed in his blood. The doctor was immediately sent for, and on arrival found him in the pangs of death, occasioned by 4 wounds on the head of great length, two of them penetrating the brain to the depth of 2½ inches. A punctured wound was also observed on the neck, but not of a dangerous description: three of the fingers of the left hand had been cut off, the same hand almost separated at the wrist, and the head of the arm bone of the right side was exposed by a large wound at the upper part of the arm. A long sharp knife and a sword were found belonging to the suwar. It is supposed that he first attempted to murder his officer while asleep, by stabbing him in the neck with the knife; that Ensign Blinkinsop had started out of his bed, that while defending his head, his hands had been disabled, and then the other wounds had been inflicted, which deprived him of life.

"The murderer fled after committing the sanguinary deed, but was observed by the European corporal in charge of the guns, who at the same time heard the alarm of the murder. He pursued him, calling out in passing the bazaar guard, but finding that he was unable to gain upon him, he ordered a sepoy to fire, who shot him through the abdomen. He unfortunately died before his evidence could be taken."

SERIOUS ACCIDENTS.—On the morning of the 14th inst. a dinghy containing three men, was caught by the boar while close to the north end of the Sumatra Sand, and being kept by the stupid steersman with her broadside to the impetuous tide, was capized. The steersman and one man perished in the waves.

A poor native woman was crushed on the 16th instant, by the falling in of the arch over Baboo Mooranauth Mullick's gate, at Seebpore, and expired the next day.

BRUTAL ASSAULT.—About 10 a. m. of the 11th inst., a Mussulman, a kite manufacturer by profession, named Goohee, had a quarrel with his wife about a dhoobe, also a fellow-villager, and after quarrelling all night, they came to blows, and about the time mentioned Goohee armed himself with a sharp chopper with which he laid his wife and mother-in-law almost lifeless, having inflicted three deep wounds on each of their heads, and as many on their arms. He then sat himself down in his house, until the Manuktullah darogah came up with his people, arrested the ruffian and had him bound. Goohee said he was exasperated at the conduct of his wife she having reduced him to poverty by her extravagance, and having made arrangements to leave him for the Dhoobe, with whom she had been carrying on an illicit intercourse. The unfortunate man has a family of three grown-up children.

FUNERAL SERMON.—On the 12th instant, the Revd. Kishnah Mahaba Bonerjee, preached from the following text a funeral sermon on the death of his friend Mohi Chunder Ghose, to a large audience in the Old Church of Calcutta.—"Write, blessed are the dead which die in the Lord from henceforth."

THE VICTORIA BALL.—At a meeting of the Stewards of the Victoria Ball, Major-General McGibbon, in the Chair.

Resolved,—That the Ball take place on Monday, the 13th November.

Resolved,—That it be a fancy dress ball.

Resolved,—That all who are included in the Government House list, on public occasions, be eligible to subscribe.

Resolved,—That the invitations be strictly confined to the Foreign settlements, and Foreigners who are strangers.

Resolved,—That the price of a family ticket be 16 rupees, and a single person's ticket 10 rupees; and that no tickets be procurable at those rates after the 1st November next.

Resolved,—That the Stewards form Committee among themselves for the purpose of carrying into effect all the requisite arrangements for this entertainment.

Resolved,—That the thanks of the Meeting be given to the Chairman.

At another meeting of originators of the Victoria Ball, held at the Town Hall on the 23d instant, the following resolutions were proposed and adopted:

"That instead of having the Victoria Ball, as at present proposed, with tickets at fixed prices, it is desirable to have the ball as on former occasions, dividing the expense amongst the subscribers generally.

That the books be re-circulated for the purpose of ascertaining whether present subscribers will permit their names to remain with reference to the above resolution, and that when a hundred subscribers are declared they be called upon to meet and elect Stewards.

That the ball be held on Friday, the 20th December next."

Messrs. D. Wilson and Co., the Confectioners, have determined to set up a rival *Victoria Ball* at Mr. Dupuis' Rooms, in Durrumtollah. None but those on the *Consistollah List*, will be admitted.

CAPT. CHAMPNEYS.—It is said that Capt. Champneys, A. D. C. to the Governor-General, is to be appointed Pay Master at Necrut, vice Lord George Gordon.

MILITARY ITEMS.—Kynuk Phyou has been abolished as a military station, and the remnant of the 67th ordered to Sandoway. Orders have been sent to Bombay for the dispatch of a Company's cruiser to cruise for six months on the Tenasserim coast, and bring away sick officers and troops when necessary.

MILITARY ORPHAN INSTITUTION.—The three questions, some months ago, were circulated by the Directors of the Military Fund for the decision of the subscribers, have all been determined in accordance with the views of the former body.

The first question relating to a claim by Surgeon N. Maxwell to be exempted from subscribing to the Fund in the rank which corresponded with his standing on the Medical List, or in other words continue his subscription as Captain, while his contemporaries were contributing as Majors, has been decided by a rejection of the appeal.

The second, suggesting an alteration in rule 25, which regulated the grant of passage money to widows, has been carried in the affirmative. The nature of the change is as follows: "if the money possessed by a widow exceed the sum of 12,000 Rs., the same being available for immediate expenditure and entirely at her disposal, she shall not be admitted to the benefit of passage money. In like manner, although not immediately available nor at her sole disposal, if the yearly interest of such money exceed the sum of £68-8-9, the claim to passage money will be disallowed."

The third, which respected the correctness of the Directors' practice under the rule passed in 1835, (that increased donations should be claimable from married subscribers whose ages exceeded by certain stated differences the ages of their wives) viz., whether the said rule was applicable only to future marriages, or also to those now existing on the husband's entrance into a superior grade, has been decided in favor of the latter interpretation.

CAPT. BOCAWEN AND McNAGHTEN.—A rather curious correspondence has passed during the month between Captains Bocawen and McNaghten, arising out of some remark, made by a writer in the *Englishman*, supposed to be Capt. McNaghten, under the signature of *W. W. W.*, on the letters written ament the Military Orphan School, by Capt. Bocawen, under

the *nom de guerre* of *RAYARD*. A duel had nearly taken place between the parties in consequence.

THE GOVERNOR-GENERAL.—The Governor-General will hold a levee on Thursday next, at 4 p. m., preparatory to his Lordship's departure for the Upper Provinces.

The Governor-General and suite, embarked on the morning of the 21st instant, and proceeded via the Sunderbund route, to the Upper Provinces.

GOVERNMENT COURTESY.—The Uncovenanted Service Pension Committee, recently humbly solicited the Government to permit the letters connected with their fund to pass free of postage, in like manner as the letters of the Military and Civil Funds are allowed to be sent. With this request, the Government most magnanimously—most generously complied, but complied with the humiliating condition that these letters should be sent *unsealed*! Need more be said?

A WHIRLWIND AND WATER-SPOUT.—A few days ago, in the evening, after a shower of rain, a whirlwind and water-spout were observed to cross the road a little on this side of Hastings' Bridge, throwing down the puckah piers and railing of the Government Stores for about a hundred feet in length, and causing a violent agitation in the water as the column passed over the river. The *Emily* and another vessel were sufficiently in the track of it to be in some danger, and healed over very much.

THE MEERUT OBSERVER.—The *Meerut Observer*, has deceased.

A NEW PAPER.—A religious newspaper has been published in the Hindustani language, both in the Roman and Persian character, the price in either character two annas. The orthography of the Roman character is that of Mr. Trevelyan—the new system. The title of the journal is *Khur-Khwahi i Hind*; the motto, "*Khuds ko aaman par tarif am zamin par salmati, aur admion se razmandi*." The paper is printed at the Baptist Mission Press.

A NEW SOCIETY.—It is said, that a society has been established by Dewan Ramcomul Sein, for the purpose of preparing and sending a petition to England on behalf of the owners of rent-free lands, and for the improvement of the Bengally language.

CIVIL APPOINTMENTS.—Mr. F. C. Smith, of the Sudder Court, is to be appointed Superintendent of Police in Bengal, under the act recently passed. It is thought desirable to select an officer of high standing and character for the first re-organization of this important appointment.

The arrangements in the Secretaries' Departments are now completed. Mr. H. T. Prinsep, in addition to his duties as Secretary in the General Department, is to assume charge of the duties of the Secret and Political Department at the Presidency in the absence of Mr. McNaghten, and Mr. Mangles is to act for Mr. Macnaghten in the Legislative, Judicial and Revenue Departments. Mr. Halliday is to act for Mr. Mangles as Judicial and Revenue Secretary to the Government of Bengal.

CIVIL FUND MEETING.—A special general meeting of the subscribers to the Civil Fund was held at the Town Hall on the 30th ultimo. There were twenty-three members present, Mr. H. T. Prinsep in the chair. After a discussion which lasted about two hours, it was proposed by Mr. D. C. Smyth, and seconded by Mr. Bradton, that as it appeared that not above 150 subscribers had voted on the subject of the new rules, it was not necessary to come to any resolution on the changes. It was therefore resolved, that the Secretary should be instructed to call on each of the remaining subscribers to forward their votes to the chairman or to authorize some friends in the service, at the presidency, to vote on their behalf, and in the mean time the meeting was adjourned.

THE STEAM DESPATCH.—The Steam despatch of the present month, consisted of fewer letters than the last

namely, 35 public and free letters, 876 paid Calcutta and 85 Mofussil letters, in all 996 letters and 101 newspapers.

NEW STEAMER.—The new steamer ordered to be built to receive the *Enterprise's* engines, is to be constructed by the Calcutta Docking Company for one lakh and forty thousand rupees, being about fifteen thousand rupees less than she would have cost at Bombay.

NEW PILOT VESSELS.—Orders have passed Council for the building of two pilot vessels for the Bengal Marine, at the Company's dock yard at Bombay.

VESSEL FOR ARRACAN.—The circumstance of very many surplus pilot vessels being now attached to Calcutta, we suppose, has induced the Government to despatch the *Kishna* for service on the Arracan coast, a duty for which she is unfitted.

CAUTION—LEPERS.—There are several native lepers in Calcutta, who follow the occupation of confectioners. The public should therefore be cautious in purchasing sweetmeats, or they will be apt to bring this loathsome distemper on themselves.

EXTENSION OF THE CUSTOMS ACT.—It is said, that the last act of the Governor-General before his departure was to sanction the extension of the Bengal Customs Act of last year to Bombay. This has been done with the knowledge that its application to that presidency will involve a considerable sacrifice of revenue, and after already sacrificing a very large sum by the abolition of the Transit Duties. The present state of the opium revenue has happily enabled the Government to make these sacrifices.

CUSTOMS COMMISSION.—The Customs Commission is to be abolished on the 1st of December next, and Captain T. J. Taylor, the Secretary of the Commission, will remain in charge of the records.

RIPE MANGOES IN OCTOBER.—The extraordinary hot weather experienced during the whole of this year—the shortness of the rains and other causes, have acted in a most strange way on all sorts of garden or vegetable cultivation in Bengal. Some articles have been retarded, others advanced considerably in their growth, more than usual in this time of the year; and ripe and sweet mangoes are now sold in the streets of Calcutta at the cheap rate of *eight for the rupee*; and a green mango, about half the size of a full grown one, was picked from a tree in a garden about two miles from Calcutta, and which, no doubt, had it been allowed to remain on the tree some time longer, would have been ripe *in the end of November* next.

SABBATH BREAKING.—To observe the 4th commandment and keep the Sabbath, we would inculcate on all. Observe the Sabbath by all means. But we can not for the life of us understand what clause of the 4th commandment justifies the authorities in issuing an order causing cattle to starve on the Sabbath. It is said that the authorities have interdicted cattle from eating grass on the Esplanade on Sundays! Why?

MR. WILBERFORCE BIRD.—It is said, that Mr. Wilberforce Bird is to be added to the Board of Customs, Salt and Opium, as a *third* Member, in consequence of the infirm state of Sir Charles D'Oyly's health.

MR. SPEED.—Mr. G. T. F. Speed, is appointed head uncovenanted assistant to the Superintendent of Police in the lower provinces, at a salary of 500 rupees per mensem, with an additional allowance of 200 rupees per month, when out on a tour of inspection with the Superintendent.

THE BISHOP.—The Lord Bishop of Calcutta, in consequence of severe indisposition, was about to return to the presidency; but his Lordship's health being much improved, he gave up the intention of embarking in the steamer at Benares, and instead thereof proceeded in a pinnace as far as Patna, intending to spend the Sundays of 23d and 29th instant at Ghazepore, and the two following Sundays at Dinapore and Patna, where he hoped

to find a steamer ready to receive him on the 13th November, to bring him down to Dacca and Calcutta.

RE-SALE OF OPIUM.—It turned out on the 19th instant, that all the lots of March Opium on the 1st for re-sale on that day, had been duly paid up, and consequently no sale took place.

COUNTERFEIT STAMPS.—About thirty-five counterfeit stamped papers, some for four others for two annas, have been discovered in the possession of two individuals residing at Burra Bazar; who, with the papers in question, are now in custody of the Police.

THE HERCULEAN.—The *Seetakoond*, steamer, was despatched lately to bring in the distressed ship *Herculean*, with the officer who had left her off Pipeley Sand; but not finding her there, the steamer was obliged to return to Calcutta, whence she proceeded again on the 16th instant in search of the distressed vessel, but her second search proved as ineffectual as the first, and it was conjectured that the vessel must have run aground on the rocks and stood out to sea again. The pilot despatch vessel was then sent to search for her; but in the interim the vessel was brought in to the floating light, taken in tow of the *Seetakoond*, and anchored safely off Colvin's Ghat.

CONTRABAND OPIUM.—Between six and seven o'clock on the morning of the 16th instant, Mr. McCann, the Deputy Superintendent of Police, proceeded to a house in Paunchee Dhubany's Gully, having previously received information that a quantity of Contraband Opium was concealed in it. The inmates pretended that the deputy was misinformed by people who had spite against them; but he searched the female apartments, and in the cook-room found several small bags, in four baskets, containing in all about five maunds of opium. The master of the house keeps a shop in Machua Bazar, which was searched, and a bag of opium was found there also, apparently of the same batch. The drug found in both places was secured and six men taken into custody.

DISUNION OF MADRAS AND BOMBAY.—The inhabitants of Madras and Bombay are about to address the Supreme Government of India, praying for a repeal of the Union; or in other words that the "Sixty Presidencies," may be emancipated from their dependency upon the chief presidency.

THE KIDDERPORE DOCK YARD.—The Government has at last settled with the Dock Company for the purchase of a part of Kidderpore Dock Yard. The long delay that has taken place has been occasioned by the title deeds, which the Government lawyers are still dissatisfied with; but Government has resolved to take the property upon a guarantee. The price to be paid for the ground taken, is about 65,000 or 70,000 rupees.

THE BORING EXPERIMENT.—The boring experiment in the fort has now been carried to a depth of 427½ feet, without having yet passed through the alluvial strata. The augur is still working in sand and more fossil specimens are occasionally brought up.

THE BOOK SELLERS' PETITION.—It is said some of the booksellers are about to petition not only for a law of copyright; but for the prohibition of all the American reprints.

MILITARY PASSAGE MONEY.—The Supreme Government have recommended to the favourable consideration of the Honourable Court, the prayer of the Directors of the Bengal Military Fund, that the benefits of the recent General Order, granting passage money to Regimental Captains of H. M. S. proceeding to England, and Regimental Captains and Subalterns returning to India, on medical certificate, should be extended to officers of the same rank in the Company's service.

THE TEMPLE OF DEOGUR.—The connection of Government with the shrine of Deogur, the most renowned in Bengal, has ceased for ever. The third of the profits of the temple which we inherited from our predecessors, the Mahomedans, was relinquished many years ago;

but the appointment of High Priest was still considered as a part of the prerogative of Government. A vacancy in the office having now occurred, the public authorities have embraced the occasion of cutting the only link which bound them to any participation in the rites, by declaring that they would not interfere in the nomination of his successor.

A SHARK.—A shark, about six feet long, was on the 12th instant captured and killed by the fisherman, on Seelhpore beach.

MOFUSSIL.

DELHI.—Generals Torrens, Churchill and Lumley, and Colonel Dunlop of the Commissariat, have recently and conferred upon them a star and a ribbon! being the insignia of the Sikh order, instituted by Runjeet Singh, and called the "Bright Star of the Punjab." Sir Henry Fane, to whom the investiture was conferred, indulged in some very eloquent and complimentary language and very considerably mystified his audience, his subject, and, though last not least, himself.

At Delhi hot westerly winds continue to blow, and they are parching up every thing in the shape of vegetation. The continued drought has blighted the hope which was indulged of saving the kharreef crop; the little verdure which had hitherto been visible on the scanty stalks of the jowar and bajrah, is at length fast acquiring sea and yellow tints.

The cattle have already been sent to the banks of the Ganges, Jumna, Ghogur and Sutledge, and the inhabitants are emigrating in crowds.

The district of Rohituc has, as yet, suffered most severely; the residents of the largest villages have abandoned their homes *en masse*, and proceeded to seek a living and occupation elsewhere.

The pergunnahs of Pulwal, Horul, and Hutheen in Goorgan are said to be affected to almost as great an extent as Rohituc.

The Panniput division has also suffered very severely, but from the extent of its *khadir* lands and canal irrigation, there is a likelihood that its crops will not altogether fail.

All the other districts have, more or less, severely suffered.

On the 6th instant, a disorderly crowd assembled at one of the ghats about 12 o'clock, and commenced plundering some boats laden with grain previous to its exportation towards Agra. The Cotwal of the city immediately proceeded to the spot, accompanied by a many of his myrmidons as he could safely draw from the different thanahs, and vainly endeavoured to prevent the robbery; and when his efforts were found to be futile, the Commissioner called for the assistance of the troops; and, at night, three companies of the Sappers were ordered out. Unfortunately several Goojurs joined the mob and made a second attempt on the boats, in which the Mahajimns had placed some of their armed dependants, consequently an opposition was offered, tulwars were drawn from their sheaths, and some shots fired; one of the boat people was drowned, other wounded, and two of the attacking party were killed, after which they dispersed, not however before they had succeeded in appropriating grain to the value of some thousands of rupees.

It is said, that the Governor-General has positively refused to give the Brigadiership at Meerut to General Churchill.

It is asserted, that the Agent to the Lieutenant-Governor at Delhi, has recently issued a circular to all the Magistrates of the Delhi Territory, directing them to hear and investigate all complaints made by inhabitants of the British territories, of aggressions or injustice, perpetrated against them in foreign and independent states, and to report to him their opinion concerning them. The system is to supersede the old practice of complaining to

the Agent, and confining the Magistrates to the business of their own districts.

The bridges of boats across the Jumna were finished on the third of October.

AGRA.—The poor inhabitants are nearly famished. The greatest distress prevails in consequence.

The weather continues dry and sultry, which may account for the cholera that exists among the artillery. It is also rife in the city, and jail. By a fatal coincidence the two first victims to it were the school-masters of the European Regiment and of the Artillery. Several hundreds of starving people from the Mynpooree district have arrived and have taken up their wretched abodes in the old ruins on the opposite side of the river. The Relief Society affords them a small assistance.

It is said that several boats laden with grain, which had been dispatched from Agra to the Allahabad and Mirzapoor markets, have returned; the high prices fixed by the owners being above the market rates at these places.

The Commander-in-Chief was to commence his tour on the 27th instant. He will visit in succession Delhi, Nasceerabad, Neemuch, Mhow, and Gwalior, and will arrive at Agra by the end of February. A squadron of the 3rd Cavalry, and a wing of a Regiment of Native Infantry, accompany His Excellency.

General Brown, it is said, is determined on terminating his gallant public career and returning to Europe in company with his old and esteemed friend, Sir Charles Metcalfe.

The festival of the Ram Leela was celebrated with great pomp and great expense by the Native officers and men of the 37th regiment Native Infantry, who must have expended nearly 3,000 rupees on this mummery. The figure of the demon monster Rawun was on a very large and hideous scale, and did ample justice to the horrors and absurdity of Hindoo mythology. The fire works were numerous and brilliant, but their uninterrupted play for more than a week, on so public a thoroughfare as the parade, was little short of a perfect nuisance.

Sooleeman Shukoo, brother of the deceased King of Dehlee, has returned to cautionments with his disorderly suit.

COTW.—Grain has risen to sixteen ~~seers~~ of eighty to-lahs per rupee in this town, and even at this price the holders are reluctant to sell. Cholera has made its appearance.

MEERUT.—On the night of the 12th instant, Meerut was visited by a tremendous hurricane and a considerable quantity of rain fell to the northward. In the course of that day numerous flights of locusts were observed. Grain is falling in price—wheat is selling at 18 seers per rupee.

MAZARRE.—The Court of Inquiry on a gallant Field Officer has terminated its labours, and the proceedings have been forwarded to the Commander-in-Chief. The subject of inquiry was, the conduct of the gallant Field Officer in regard to some pecuniary matters connected with the estate of a deceased Subadar. It is conjectured, that there will be soon some work for the Deputy Judge Advocate of the division. Rain has fallen in great abundance. The planters complain of having too much of it.

On the 5th and 6th instant, a tremendous gale of wind, accompanied and followed by very heavy rain, was experienced in this district. The kharreef crops have sustained considerable damage. Part of the rice had been gathered in; but what remained uncut, and the jowaree and bujeree crops, were generally beaten down by the violence of the gale, as if an army had marched over them.

The native River Insurance Companies of this place have come to a resolution to refuse all risks on goods belonging to Europeans. This hasty determination is

owing to a decision lately given in the Court of Dewannee Adawlat against some of the fraternity.

A liberal, intelligent, enterprising and wealthy Hindoo merchant, of the name of Bunsidur, has placed in the hands of the Magistrate the sum of 12,000 rupees for the purpose of building a bridge over the Oojlah bundee, between the town of Mirzapoor and the celebrated place of Tung worship—Bindachul, on the old Allahabad road. Government have last sanctioned the construction of a new road between Mirzapoor and Chunar.

LOODERNAH.—Two sepoy of the 20th N. I. lately went to visit a nautch in the city, when one of them attacked the other and inflicted three wounds, one of them mortal. The murderer escaped, but warrants for his apprehension to all the district police, as well as Runjeet Singh's, have been issued.

The Reverend Mr. Newton has issued an address to the natives of this town and adjacent country, calling on them to bring in such children as were left destitute through the death or poverty of their parents. This proceeding reflects much credit on the Reverend Gentleman, whose charity is not defrayed from a large and lazily earned salary.

MUSKERABAD.—Great scarcity prevails all over the country in and about Muskerabad, with very little prospect of relief.

OUR REGIMENTS.—The two stations in Oude, Sultanpore and Setapore, have been quietly abolished, and the regiments now there have been ordered, one to Shajehanpore and the other to Alhwa. Some of the officers of the 48th at present stationed at Delhi, lose their bungalows, others more fortunate, share the loss with the officers of the regiment that relieved them at Setapore.

FUNNUCKABAD.—The rain which fell on the 12th has made the prospects of the districts a little brighter. This part of the country had previously suffered from drought, more perhaps than any other. The khureef crops are almost a failure, but another fall of rain would make the rubber crop a plentiful one. The most profitable crop of all will be the indigo seed.

SHAJEHANPORE.—Another system of spoliation has succeeded to the anarchy lately prevalent here. The thanadars, having, of necessity, been extensively supported by the Magistrate in quelling the insurrection, organized a most daring and sweeping system of intimidation, and by false accusations have extorted incredible sums of money from their victims. The Magistrate has fortunately taken decided measures to remedy the evil, and three of the villains are now in custody. The khureef crops are plentiful, and another fall of rain would tend to make the rubber more abundant than for many years.

MOORADABAD.—Grain maintains its high price in this and the Shajehanpore districts, though the prospects of an abundant rubber crop are very favourable. Numbers of people are supported by the charity of the civil functionaries both European and native. Mr. Okeden is foremost in this work, and his example has called into life the torpid humanity of many others.

NATIVE STATES.

SEEKUR.—Major Forster, and the Shekawattie Brigade, have recently had a brush with the adherents of the Majee at Seekur. These worthies, dissatisfied with the arrangements the British authorities had made with the Jeypore state, to check their depredations, got the Majee to head them, and collecting in great numbers, garrisoned the Fort, with 400 match-locks, relying upon her resources and strength, which had always before defied the Jeypore power. Under these circumstances, Major Forster received orders on the 2d instant to proceed from Jeypore with a part of his Brigade to Seekur, and endeavour to settle the existing differences. When he arrived there, he found the gates of the town shut, and every preparation made for a defence. He sought an interview of the Majee, which after two days' demur was granted, but without the desired effect, although he was

six hours in darbar; at length, when Major F. got up to take his leave, and warned the Chiefs of the consequences that awaited them, the Majee reluctantly agreed to the wholesome advice offered to her. Major Forster demanded, that the armed men should be all turned out of the fort, excepting the old, usual personal guards. After much ado, she complied with this requisition also; however, when this intimation was made known to the parties, they instantly became clamorous for immediate payment of their dues, and as it was impossible to be given then, and they would listen to no reason, Major F. was compelled to draw up his company and prepare to drive them out *et ex armis*. At this moment, a four-pounder gun, with half a company, and some sowars, very opportunely arrived; this decided the business, and the fort was evacuated forthwith. Major Forster then took leave of the Majee, placing a strong guard of his men at the principal gateways. In the middle of the night, however, it was reported to the Major, that nearly the whole of the armed men, who had been ejected during the previous day, had found their way back into the fort, through some secret passages; this, the two principal disaffected vagabonds, Hunwant Ram and Dakoo, had effected. Major Forster forthwith turned out the line, sending detachments to the different gates of the town; where guns were, to seize them, whilst himself, with two companies, and a gun and some Sowars, proceeded direct to the Mahal in the fort, the gateway of which had been secured the day before. On his arrival he found every thing indicating a determination for a fight, the doors barricaded, match-locks at all the loop-holes, and the top of the Palace covered with armed men, well protected by parapets, whilst the troops below, with him, could find but little shelter. Having summoned the people to surrender, and after two hours' parley getting nothing but gross abuse and defiance, Major Forster directed a fire to be opened on the principal group, and in a moment its effects became obvious, though the match-locks were discharged at the party below very sharply, yet it being quite dark, the injury done by the enemy was comparatively slight. The Major then prepared to blow open the principal barricade, and enter the Palace. The Majee's party seeing his proceedings and having already suffered considerably in killed and wounded, called for quarter; and agreed to deliver up the two instigators, Hunwant Ram and Dakoo, and surrender the Palace to Major Forster, which was forthwith done, and thus tranquility was once more established. The several detachments, both horse and foot, of the Shekawattie Brigade, behaved in the steadiest manner; the simultaneous movements to seize the guns and to secure a party of fifty horse, placed by the disaffected clan to aid them, were gallantly performed, the latter were all surprized and taken whilst repairing to join the Majee's party in the fort, with the loss of only seven men of the Shekawattie Brigade. All is tranquil now: the fort and town in the occupation of Major Forster's troops.

LUCKNOW.—His Majesty the King of Oude, sent Capt McNease, together with the state horses, elephants and guards to the banks of the Ganges to escort His Highness Nawab Mountazimwood Dowlat Mundy Ally Khan to Lucknow. The party arrived at Lucknow on the 24th of September last, and proceeded to the Palace, where the King received the Nawab with great joy, and conferred on him a khilat of 21 articles in number, consisting of elephants, horses, palankeens, swords, ornaments and other valuables. The Nawab, after paying his respects to His Majesty, proceeded to the House of the British Resident to pay his respects to Colonel Low, who received him with every attention and kindness. When the Nawab was formerly Minister to the King of Oude, the subjects lived in comfort and ease; he discharged his duty to rich and poor with every care and such rigorous justice that none had to complain of him.

A report has been revived here, and is generally received, that the late King was poisoned, and that the

crime was perpetrated by a party in disgrace with His Majesty. A favorite female of the King was the person, according to report, who had administered the poison. Grain is still very dear, and consequently much distress prevails throughout the city.

DEPRESSION.—The price of grain in this town is very high. Wheat sells at twelve seers. The Dhoulpoor district has been more fortunate, and has not yet been suffering from high grain prices.

This country is in a most deplorable condition, not a drop of rain having fallen since the 12th ultimo, and then but a shower. The wells are nearly dry, and it is supposed the Maharajah's camp (2,000,000 souls) and the Residency must by and bye go into Malwa.

Grain is here selling at the enormously dear rate of 7 seers per rupee, in consequence of which Scindia and nearly 200,000 persons are about to migrate to the southward, where grain is in greater plenty. The northern and western parts of this district are in a most deplorable state. The Maharajah's ministers, it is said, attempted to force the prices of grain with the bunnias, but they would not be bamboozled. In fact the traders "shut up shop."

JUERPOOR.—The sepoys in the pay of this state recently rose on the bunderah, and by the persuasive powers of blows and stripes forced them to dispose of their grain at a "reasonable price," i. e. thirty seers per rupee. Complaints being made against this violence to the Rawul Berre Sal, he agreed to protect the complainants, if they bound themselves to supply the city with grain at the rate of twenty-five seers of wheat and thirty-five of barley for a rupee, terms they closed with having no better. A moiety of the advalorem duty of 3 per cent. levied on grain imported into this state, has been taken off for the present.

RAMPPOOR.—The Nuwab has imprisoned his Dewan, who, in a moment of hurry or forgetfulness, had extended his rapacity from the unprotected ryot, to a Syud of some property. This to one of the privileged order was immediately pronounced an act of gross injustice; a party assembled and demanded the Dewan of the Rajah, who only appeased these redressers of wrong by imprisoning the culprit and promising to strip him of every rupee he possessed, the booty to be divided between the Raja and the complainants.

MUHUTPOOR.—The Rajah has, to prevent the rapid emigration of his poor subjects into other places, ordered rations of grain to be distributed wherever necessary, at his own expence. Wheat is now selling at sixteen seers per rupee.

ABRUNDABAD.—Rain fell for the first time this season on the 10th inst., and continued to fall for three days. This providential fall immediately reduced the price of grain.

KANDUHAR.—The Nazim of this province has commenced hostilities against his brother, Doost Mochumud, which are likely to cast the honest Afghan into fresh troubles.

MADRAS.

WARLIKE DEMONSTRATIONS.—The arrangements which have been long pending in Bengal for increasing the force in Arracan, have been brought to a rapid conclusion by the present state of things in Ava, and the Moulmein force will be strengthened by supplies of troops, &c. from this Presidency. Large preparations have been going on for some time past in the Commissariat Department, and in the Arsenal, and eight Native and two European corps are ordered to be in readiness to embark should their services be required.

THE CHOLERA.—Cholera continues with unabated violence in Madras: very many fatal cases have recently occurred in Vepery and its environs.

THE CROPS.—The state of the crops is now represented as less promising than a short time since.

RAIN.—A private letter from Bangalore states, that rain has fallen in considerable quantities, and that the crops are expected to do well.

CULTIVATION OF COFFEE.—The Mysore Commissioner is adopting a system likely to produce a considerable extension of the cultivation of coffee throughout that country. The only revenue to be derived in future from that article, will be a custom duty of one rupee per maund, payable at the first choice only. All other duties including the land tax are to be abolished.

THE CANARA INSURRECTION.—It is reported, on the authority of letters from Bangalore, that disclosures, it is expected, will be elicited by the Canara Commissioners, that will go far towards establishing a charge against certain Native Chiefs, of hitherto unsuspected integrity, of having been aiding and abetting in the late insurrection.

DEATH BY THE BITE OF A SEA SNAKE.—On the 9th instant, Mr. Hayman, of H. M. Brig *Algerine*, was bitten by a sea snake, and in about an hour and a half afterwards complained of faintness, sickness at stomach, and giddiness of head. He received prompt assistance from the Medical officers of the *Reptus* and *Minerva*, but the violent spasms from which he suffered rendered their efforts unavailing, and he died four hours after he was bitten. The only visible marks were some slight punctures, as if from a pin, between his thumb and the forefinger, and his hand was swelled as far as the wrist. Many of the ship's company had touched the snake with impunity, and the reptile is generally supposed to be poisonous.

THE INDIAN NAVY.—A spirit of discontent nearly amounting to insubordination, has recently been manifested in the Indian Navy, arising out of the change which is about to take place by its conversion into a Steam Flotilla for the general service of India, including the Steam Communication between Suez and India. One of the Lieutenants appointed to the *Berenice* has refused to serve and is ordered to be tried by a court-martial.

THE GOVERNOR.—The Governor proposed quitting Ootacamund on the 6th of October, and to return via Trichinopoly to Madras on the 12th Oct.

MURDER.—A horrid occurrence took place in the Artificers' lines outside the fort on the 19th September. An Artificer, named Mackenzie, employed in the Arsenal, suddenly left his work on that morning saying that he was required at home, proceeded to the house of another Artificer, named Johnson, where he seized a sword and cut Johnson's wife dreadfully over the head and arms. The screams of the woman attracted his own wife to the spot, whom he instantly brought to the ground by a severe cut over the head, he then rushed out of the house and ran into his own, where he murdered two of his own children, a boy four years of age and an infant, whose heads were completely severed from their bodies. By this time the alarm had been given at the Arsenal, and some of the Artificers on arriving found the unfortunate man cutting at some goats in his yard: he was luckily overpowered and seized without further accident. The women were immediately conveyed to the Garrison Hospital, where their wounds were dressed and found to be of a very dangerous nature. Mackenzie's wife is not expected to recover; but he himself appears perfectly unconcerned.

BOMBAY.

THE BERENICE.—The *Berenice* did not receive the slightest damage in her hull or any other part of her works excepting the engine shaft, in her late attempt to make the Red Sea in the monsoon. The *Atalanta*, in her trip to and from the Gulf, got considerably damaged, although she had not an equal force of the monsoon to contend against.

THE PACKETS BY THE ATALANTA.—The *Atalanta* started on the 25th ultimo, on her voyage to the Red Sea. The

number of letters forwarded by her was 4,929, and of newspapers 40. This exceeds the August mail by some hundred letters.

PRESENT TO THE ASSISTANT ENGINEER OF THE BERENICE.—Three gentlemen who were passengers on board the *Berenice*, when she was obliged to return from the breaking of her intermediate shaft, Messrs. Grey, Burne and Captain Grant, have subscribed the sum of 80 rupees; the two former 30 rupees each, and the latter 20 rupees, and presented the same to Mr. John Brown, the Assistant Engineer, who was on watch at the time, as a mark of their sense of the presence of mind which he displayed upon the occasion of the accident.

THE ENGINES OF THE TIGRIS.—It is in contemplation to form an expedition for the purpose of proceeding to the *Euphrates* to try if the engines of the steamer *Tigris*, which was upset in a squall, can be rendered serviceable, the vessel having been made over by Her Majesty to the Indian Government.

TRANSIT DUTIES.—The Transit Duties, have at length been abolished and the Bonding System substituted.

PLANTING TIMBER IN THE DECKAN.—Government have sanctioned a proposal made by Dr. Leuah, to plant the acacia arabica, or babool, in the Deckan for timber, whereby the country is likely to be much benefited.

CHOLERA.—Cholera is now extending its ravages through the districts round Sholapoor, and is advancing westward in the direction of Poonah with slow but certain steps. It has already found its way to Punderdoor, in which place it is said to have numbered *one thousand* victims within eight days. Its progress along the greater road is, as usual, rapid.

ROBBERIES.—Midnight robberies have become extremely rare in Bombay.

VENERAM, THE LATE GUICOWAR MINISTER.—Veneram, who lately left Baroda on a mission to Calcutta, has promised to return within three months to his master; and his successful return is anxiously looked for by His Highness, who has kept the minister's post open till that time. It is said that there were some other reasons besides the service of his master that rendered the minister desirous of quitting Baroda.

NEW STEAMER.—Orders have been received from the Bengal Government to lay down the keel of a steamer of 800 tons to receive the engines of the *Enterprise*. Two pilot schooners are also to be built.

BURMAH.

MAULMAIN.—The H. C. schooner *George Swinton*, has returned from Rangoon to Maulmain bringing over the escort of Bengal sepoy attached to the residency for the purpose of being sent on to Calcutta. The Resident himself remains at Rangoon, though it was at one time supposed he would have come over in the *George Swinton*, in order to avail himself of some of the opportunities which have offered for Calcutta. There appears to be nothing stirring at Rangoon. A second Ye-won arrived there on the 10th by name Moun Ngau. His character is not described as being of the best; on the contrary he is charged by the Burmese as being the most prying inquisitive, meddling officer that ever lived. They say that no one at Rangoon can lay an egg but he finds it out. He is said to have paid 2,000 ticals to some of the king's followers for his appointment. All reports from the capital describe the king as openly expressing his determination not to abide by the treaties entered into with the late Government. He has refused to confer with any but crowned heads, and, it is said, waits only until he has collected a sufficient force, to commence hostilities against the English.

Dr. Richardson returned on the 25th of August to Maulmain, having been delayed a considerable time at Rangoon from want of a favorable opportunity of crossing over. He has thus completed a most interesting journey, and, no doubt, brings back with him a mass of

information on hitherto unknown countries. He left all quiet at Rangoon. The Resident, Colonel Burney, had some idea of taking an early departure to Calcutta, on account of the state of his health. There was a report that the old governor of Bassen, Moun-theo-gale, who was being conveyed to Ava in irons, had effected his escape to Arracan.

AKYAB.—Letters from Akyab to the 7th instant state, that weather had become much more favourable, and the healthiness of the climate was duly improving. Great exertions were making by the acting Commandant and the other Officers on the spot, to render the Local Corps in all respects an efficient force; and it is said to be a great object with the Government, and this corps should, if possible, be made so effective as to be sufficient for the defence of Arracan, and thus to do away with the necessity of exposing their Indian troops to a climate so inimical to the health of the sepoy.

RA COON.—Advices had been received from Ava at Rangoon that both the Woundocks were to remain there; but on the 5th of August, an order came from the King, directing him to go and take charge of Bassen as Governor, and appointing the Woundock Moungh Shoy Meng, sole chief and governor of Rangoon. An order was also received, directing the former Ray-woon of Rangoon, a Tsa-re-do-gyee, Moungh byo, and the governor of Bassen to be sent up to the King in irons. The last mentioned, Moungh-Thoo-gale by name, is an excellent man, very popular with the people, but he once had the hardihood to go to law with the present King on some disputed account, which was decided in his favor.

MYEOW.—The want of rain and the lateness of its setting in this year, have caused much sickness in this place and greatly retarded the grain cultivation. The people are still at work in the fields, sowing their seed. Upwards of a hundred and fifty people have been carried off by the small-pox since it first broke out in March or April last. The demand for sapan wood this year, appears to exceed the supply. About 38 boats have gone up the river to collect it at 6. G. and though 7 is now offered, men are not to be obtained.

PENANG.

Penang papers to the 30th of September have been received during the month and deserve the attention of the Board of Opium, and of all interested in the opium trade. The grant of the Opium bonus is likely to involve the authorities here in some difficulties they did not contemplate when they decided on granting it, although their mode of proceeding was well calculated to produce such a result. With respect to the Opium in the Straits, for example, the Board have in excluding the Straits' opium dealers, acted on the information of a gentleman from China, Mr. Braine, who stated, that on the 1st of June there was no Opium of the first three sales in the Straits being fully persuaded of the accuracy of that statement; but Mr. Braine having been quite mistaken as respects Penang, the Chamber of Commerce of that Island, have held a meeting, at which it was resolved, that the Chairman should forward an address to Government, appealing to be placed on the same footing as purchasers for the China market have been, on the ground that Mr. Braine's information was incorrect as to Penang, and that the protest proposed by Messrs. Ferguson and Cockerell, is particularly applicable to the importers of Opium into Penang.

Another attempt was to be made for the recovery of Mrs. Bresley, an European detained by the Rajah of Soankraa. The latest paper records the very unusual occurrence of an earthquake, the second shock of which is described as having been a very smart one.

The Rajah Mooda of Pedier, had been committing depredations on the Malays again, to the detriment of the trade of the coast, and had had a vessel of his burned.

SINGAPORE

Singapore papers to the 31st of August also state that the Rajah Mouda of Pedier, was again committing depredations on the Pedier Coast and illegally extorting tribute from the inhabitants, and that in consequence of his proceedings the trade was at a stand. The Singapore Commission and Sir J. P. and Lady Grant, had safely arrived at Singapore.

CHINA.

Canton papers to the 19th of August, have been received during the month. The tone of the local authorities of Canton, as exhibited in the correspondence relative to the matter of the Hing-tao Hong, appears to be increasing in insolence, but there is nothing in that which ought to surprise us. A specimen of Chinese humanity is afforded in the account of the melancholy fate of Mr. Everard, who was drowned by the upsetting of a pleasure boat. A Chinese man-of-war boat was close at hand when the accident happened, but laughed at the appeals

for assistance of the people struggling in the water, and suffered Mr. Everard to drown. Such are the civilized people of the celestial empire, who boast of their mercies towards "distant foreigners."

The state of the trade remained unsettled.

The survivors of the *Fanny's* crew had reached Canton. The whole of these men were to be sent to Nankin for trial. There is a letter from Capt. Biden on the subject of these mutineers. A new edict had been promulgated against opium, and the measures adopted to put down the trade are increasing in rigour. The trade was very dull. The English in China had got up a neat little Amateur Theatre, at which they had performed Sheridan's *Rivals*. The veteran artist (hitherto, played *Mrs. Malaprop* to Captain Biden's *Captain Absolute*. Mr. Chinnery's acting seems to be regarded as the *Chef d'œuvre* of the evening. Several other gentlemen known in this community also sustained parts. The Honble Mr. Drummond, Mr. Dalrymple, Mr. Hume, Mr. Rawson, and several others. The play appears to have gone off with great spirit.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, 28th November, 1837)

INDIGO—We have nothing particular to add to our report of last week. We have more estimates drawn up with great care by three different individuals much interested in the trade, and all agree in making the probable output 90 000 maunds.

RAW SILK—Considerable shipments going forward, and no good silk to be had in the bazar.

SILK & SICE GOODS.—A purchase of 1 000 pieces *Consumbarai corahs* is the only transaction reported with the occurrence of the week.

The prices of the assortments show a slight reduction on *Consumbarai Corahs*.

COTTON—Accounts from China, per the *Compass Family*, state the market firm for finer qualities their being very little imported. Of Bengal and Madras there is none in the first hands. The quotations on the 19th August were,

Bengal, ... old or inferior } 7 5 a 11 nominal
superior and fine }
Bombay, ... ditto, } 7 0 a 11 "

SALTPETER—Has engaged attention during the week for the English, French and American Markets, but we have no change in prices to notice.

SUGAR—The business in this article continues on a limited scale, and the prices have slightly given way since our last.

SMALL LAC.—A purchase for the American Market is the only transaction reported.

LAC DYE.—A few purchases are reported.

DRY GINGER.—Is quoted at a reduction in price. We have heard of no transaction during the week.

HINDI, BORN, AND SAFFLOWER—Without report of purchase.

GRAIN—Operations in this branch of the trade consist chiefly in Moonghy Rice and Wheat for the Mauritius.

OPPIUM.—The transactions reported during the week are for immediate shipments per the *Ann* for China. She is engaged to start on the 1st September, with about 500 chests. The quantity in the Company's Warehouse last evening consisted of

Paina, ... 3 595 Chests. } Total 3 916 Chests.
Bewares, ... 1 330 Ditto.

Accounts from China to the 15th August, per the *Compass Family*, are very gloomy, they state that the trade at Lisua had been almost completely stopped. The Government having taken more rigorous measures than heretofore for the purpose of effectually putting down smuggling, and the only out-let of the drug was the East Coast, it is also reported that the proprietors had burnt some of the boats, from apprehension of rigid measures on the part of the Mandarins. The deliveries to the 15th consisted of

Patna Old 17 New 3. — Benares Old 11 New 8 —
Mylwa 1018 } total 1230 chests. The prices are as
and are quoted

Patna	old	...	Sp	Dira	790	} Nominal
	n w	.....			670	
Benares	old	...			740	
	new	...			660	
Mylwa	old	...			520	
	new	...				

STRETCH OUT—A sale has been effected.

Accounts to the 15th ultimo, from Singapore, state that this article has been in good enquiry for the market, and a lot consisting of 800 peculs had been purchased at Sp Dirs 1 90 for shipment to this place per *Bingind*.

MACE AND NUTMEGS.—A few sales have been effected.

PEPPER—A few sales of black Pepper are reported at a slight reduction in prices. Accounts from Singapore quote black Pepper at 5½ a 6 Sp Dirs per picul. About 500 Peculs Long Pepper are stated to be on board the *Nederlander* which vessel was to sail from Singapore on the 26th ultimo for this place.

BLOCK TIN—The Metal is reported to be in great demand at Singapore, chiefly for the Bombay Market, and considerable purchases were made at Sp Dirs 1½ a 15½ per Picul. The accounts from China are also stated to be favorable, Straits being in demand at Sp Dirs 18 per picul, and there is no immediate prospect of the price being below Sp Dirs 15 per picul at Singapore.

CHINTZES—The Market continues dull for all descriptions of Colored Goods, from the absence of demand from the Upper Provinces.

WHITE COTTONS, of lighter fabrics viz *Jaconets*, *Lap-pets* and *Malis* have improved about 2 a 5 per cent. on last month's prices.

WOOLLENS—Of coarser descriptions continue only to be enquired for, but the sales during the week show a shade of decline in prices.

MULTIPLY—A sale of 60 bales averaging No. 40, is the only transaction in this article reported since our last.

TURKEY RED AND OTHER DYEY YARNS.—Sales of a few bales Orange Yarn have been effected during the week, at a slight improvement on the price.

COPPER—Sales to a fair extent principally in 14lb. Tins have been effected since our last.

IRON.—The transactions during the week in this metal, shew the market to have improved in a slight degree both as to demand and prices.

SALTETTER—A sale has been effected.

TIN PLATES AND QUICK SILVER.—Without sale. The latter is in very good enquiry.

ADDRESS TO LIEUT. COL BURNEY

We have much pleasure in publishing the following address presented to Lieut. Col. Burney, on his quitting Rangoon, together with the reply returned by that officer.

Rangoon, 10th October, 1837.

To COLONEL H. BURNEY,

Resident at the Court of Ava, &c. &c. &c.

SIR,—Having heard that it is your intention to proceed to Calcutta, where doubtless your opinion will be demanded as to the best mode of re-establishing our relations with the Burman Court on the most solid and durable foundation, the undersigned merchants, traders, and residents at Rangoon, therefore, avail themselves of this opportunity not merely to express their warmest thanks for the repeated beneficial effects which they have experienced individually and collectively through the judicious exercise of your influence at Ava, and at Rangoon, but to express their feelings of gratitude for the protection which you readily afforded to their property, and to many of them in person, during the recent revolution at Ava, on which trying occasion the value of your public and private character was tested and proved. In this order you were seen bleeding foresight with humanity, coolness of temper with a just sense of national dignity, and spirit with judgment, regardless of danger to your health or person or popularity, conduct that at once commands our respect, and we submit, must afford the best guarantee to every reflecting, unprejudiced individual in both countries, that you possess the requisite experience and necessary qualifications to enable you to suggest to the government of either country the best mode and means through which the political and commercial relations, that heretofore happily existed, may be improved and secured on the most permanent foundation, to the mutual advantage of both countries.

In conclusion, we beg leave to offer our best wishes for your health and prosperity, and speedy return, and to remain,

Your most obedient servants,

Signed by 109 English, Armenian, Parsee, and Mogul merchants, traders and other persons residing at Rangoon, including the American Baptist and Italian Catholic Missionaries.

REPLY.

To the Merchants and other Gentlemen residing at Rangoon, who have signed an Address to Lieut-Col. Burney, Resident at Ava.

GENTLEMEN,—I receive, with undisssembled pleasure, this public expression of your good opinion and acknowledgment of the services which I have had the good fortune to perform.

Having never, during my residence in this country of nearly eight years, been actuated by any other desire than how best to aid every class of my fellow creatures, to promote good feeling between the English and Burmese nations and to improve wherever practicable, the political and commercial relations subsisting between them, your present address, inasmuch as it assures me, that my exertions to accomplish these objects of my desire have been well directed and sometimes successful, must afford me very high gratification. Many of you have long resided in this country and possess an intimate acquaintance with the language and character of the Burmese, and several of you, also, were with me at Ava and witnessed my proceedings there during the late troubled times. I must consider you then eminently qualified to form a correct judgment whether the manner in which I have, on all occasions, performed my public duty, deserved this honorable tribute of your approbation.

Be assured that I shall always cherish the most lively interest in the welfare of every one of you, and neglect no means or opportunity which I may ever possess, of promoting your comfort and prosperity, and keeping the English and Burmese on terms of peace and friendship, satisfactory and profitable to both nations.

I have the honor to remain, gentlemen, your very faithful servant,

Rangoon, 10th Oct., 1837. (Signed) H. BURNEY.

[Maulmain Chronicle, Oct. 21]

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA

A General Meeting of this Society was held at the Town Hall, on Wednesday morning, the 8th November, 1837, at ½ past 9 o'clock.

PRESENT.

The Hon'ble Sir E. Ryan, President of the Chair.

The Hon'ble Col. Rahling, W. Craicraft, W. Storm, Esq., A. Colvin, Esq., W. Anshu, Esq., Dr. A. R. Jackson, R. Watson, Esq., John Allan, Esq., Dr. Hunnagie, E. Sterling, Esq., A. Grant, Esq., J. Colishona, Esq., Dr. Strong, D. N. H. Speed, Esq., D. B. Syers, Esq., Dewan Ramcomul Sen, W. Jackson, Esq., R. Walker, Esq., D. F. McLeod, Esq., N. B. E. Hadlie, Esq., D. Hux, Esq., W. F. Gibben, Esq., A. Beattie, Esq., G. A. Pinnep, Esq., L. Preston, Esq., J. Leach, Esq., G. E. Speed, Esq., M. A. Bignell, Esq., W. K. Dwait, Esq., M. M. Manuk, Esq., J. Jukin, Esq., C. Trebeck, Esq., John Bell, Esq.

Visitors.—Mirza Mahomed Mehdi Meski, introduced by Dewan Ramcomul Sen, James Davenport, Esq. introduced by Dr. Strong, Capt. St. Drummond, introduced by W. Craicraft, Esq.

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at last meeting, were duly elected members of the society

Mr. C. Tucker, Esq. C. S. James Ferguson, Esq. J. A. Dudge, Esq. Thomas Holroyd, Esq. Charles Bury, Esq. C. S. Captain R. B. Pemberton, Baboo Chandra Nath Bose, J. H. D'Gilly, Esq., C. S. W. Lake, C. S. Manickjee Rustomjee Esq., A. H. Sam, Esq., Lieut. W. Abercrombie, C. A. Dyce, Esq.

The following gentlemen were proposed, viz.

Meer Abbas Ali Khawn, proposed by H. Walters, Esq.; C. G. Millman, Esq. proposed by D. B. Syers, Esq., E. &

Blundell, Esq., proposed by Sir E. Ryan, Muza Mahomed Medhi Meaki, proposed by Dewan Ramcomul Sen, and J. S. Torrens, Esq., C. S., proposed by R. H. Cockwell, seconded by the Secretary.

C. Garstin Esq., C. S., proposed by James Colquhoun, Esq., seconded by T. Maddock, Esq.

Captain W. M. Stewart (Chunar) proposed by A. Bentue, Esq., and Captain H. Drummond, proposed by W. Craicraft, Esq., seconded by Dr. Strong.

W. G. Maxwell, M. D., and Lieut. W. C. Sibly, R. M. 20th Regt., proposed by the Secretary, seconded by W. Storm, Esq.

REPORTS.

1. On Dr. Jackson's motion made at last meeting to allow each Committee to procure such standard books, as might be useful in coming to an opinion on questions submitted to their consideration.

The committee recommended the adoption of Dr. Jackson's motion, and it now resolved,

That Members of Committees will send in the names of books required to the Secretary, who will procure them on the authority of the Committee of papers.

Resolved,—That the Committee's report be adopted in regard to other points therein referred to.

2. On the motion of Captain Carter, touching a premium for the domestication of bees in the plains.

The Agricultural Committee, to whom this question was referred, recommend that the proposal be allowed to lay over until they shall have collected more specific data.

Resolved,—That the Committee's recommendation be adopted.

3. The Secretary read the report of the Nursery Committee, which described the Nursery to be in a promising condition, the sugar-cane plantation progressing both in vigor and extent from multiplying the plants by cuttings, &c. The Committee express a desire to have the number of members increased both on the Nursery Committee and Committee of papers.

Resolved,—That the Nursery Committee's report be adopted, and with reference to the request of the present Committee, that the following gentlemen be solicited to give their assistance.

The President proposed the following.

Dr. Hufnagle, W. F. Gibbon, Esq., and Captain Leach, additional Members of the Nursery Committee, and

W. Craicraft, Esq., M. A. Bignell, Esq., and W. K. Ewart, Esq., additional Members of the Committee of Papers.

4. Report upon specimens of *Caoutchouc* forwarded by Dr. Heller and by Captain Jenkins, the latter made under the directions of Lieutenant Vetch.

Resolved,—That the Committee's report be adopted and printed forthwith in the transactions.

5. Report upon the tea plant of Assam, by W. Griffith, Esq., accompanied by drawings and maps.

Resolved,—That Mr. Griffith's report be published in the transactions.

6. Report upon silk worms' cocoons sent by Captain Jenkins, and forwarded by Messrs. Cantor and Co.

The Committee had submitted some of these through R. Watson, Esq., and the following extract from Mr. J. E. Wainwright, to Mr. Watson, dated Duntail, 5th November, 1837, will exhibit the result.

"I am sorry to say that although three or four of my best cattanias tried to reel off the Assam cocoons they were unable to succeed. It appears to me that Captain Jenkins sent them in a cutch state, as the chrysalis have eaten their way out of some of the cocoons, and in those they have remained, the cocoons not being properly dried the fibres have rotted. When I failed in the filature reel, I tried to wind them off on the *latta* (on which the *gootee-mal* is made) but with no better success."

Motions submitted to the meeting.

Proposed by the President, in reference to increasing correspondence and labors generally of the Secretary, that a salary be awarded to Mr. Bell of 300 rupees per month.

The President read a letter to his address dated 30th October, 1837, from Mr. W. Anderson, Wallisley Street, Calcutta, forwarding some printed copies of Scott's Compendium, and suggesting with reference thereto, the formation of a "Joint Stock Association for the promotion of agriculture."

The following communications were read.

From Captain Bogle, of Arracan (without date) received October 3d, speaking most favorably of the soil of Arracan, as well adapted for producing all the staples of India, and desiring a supply of seeds for experiment. Alludes to specimens of wood, sent up by the *H. C. M. Mermaid* which have been received.

Note.—As nothing is said by Captain Bogle, as to whether these specimens were designed for this Society, being sent from the vessel without advice, the Secretary addressed a note to Mr. Seppings, who in reply supposes they are intended for this Society, but there is no paper of reference.

From J. Little, Esq., Secretary to the Bombay Society, dated 30th September, advising the dispatch per *Scobion* of a box commissioned by Mr. Bell, containing 4 vine plants and four dozen cuttings of the same.

From Major J. A. Moore, of Hyderabad, dated 21st September, advising the despatch of six grafts of the *Nonpareil* apple tree, and from S. Jameson, Esq., Masulipatam, dated 23d October, intimating the shipment of these grafts per *Barque Scobion*.

From T. O. Crane, Esq., Secretary to the Agricultural Society at Singapore, dated 26th September, advising the despatch per "*Empty Jane*" of 16 mangosteen plants commissioned by Mr. Bell, which have been received and are submitted for the inspection of members. The plants have arrived in excellent preservation. Mr. Crane reports favorably of the sea-land and Bourbon cuttings, and promises in due course to forward a report of experiments made in that island by Mr. Almeida and himself.

From Messrs. Cantor and Co. dated 20th October, forwarding a quantity of area silk and cocoons, just then received from Captain Jenkins of Assam.

Memorandum.—The specimens have been submitted to the silk committee, and in accordance with a resolution, Mr. R. Watson has taken a small portion of the cocoons to see if they can be wound off.

From E. Bantall, Esq., of Dinagore, dated 16th October, presenting a piece of cloth, made of silk, spun by the worm which feeds on the castor oil plant.

From Dr. Wallich, as follows:

No. 1. Dated 14th October, enclosing 2 letters to his address from Captain Jenkins, the first under date Sept. 25th, forwarding another specimen of Assam caoutchouc; the second, dated Sept. 26th, handing over several rolls of specimens of the bark of the "Jugger-gach" both in a prepared and unprepared state.

No. 2. Dated 14th October, enclosing a memorandum of plants and cuttings that can be supplied from the Society's Nursery:

Memo.—These have been adventured, and many applications have been met.

No. 3. Dated 14th October, forwarding specimens of thread and cloth, and a small quantity of seed, the produce of hankin cotton shrubs grown at Mr. Manby's garden at Keerpooy, from seed originally received from the Botanical garden.

No. 4. Dated 16th October, forwarding for the purpose of being laid before the Society, a report by Mr. W. Griffith, on the tea plant of Assam.

No. 5. Dated 24th October, forwarding with reference to the above communication, 2 drawings and 3 maps belonging to Mr. Griffith's report.

No. 6. Dated 2nd November, forwarding for presentation 3 specimens of caoutchouc, prepared under the guidance of Assistant Surgeon Scott, of Gowhatti.

From Dr. A. Campbell, of Nepal, dated 3rd October, transmitting for comparison, four samples of maize, viz. two, the produce of American seed of the Canadian and Bostonian species received from the society, and two of the white and yellow maize of Nipaul, and giving some information regarding them.

From the same dated 6th October regretting his inability to send the promised plants of the "Frangass," owing to the whole of the plantation having through inadvertence been destroyed. Forwarding to the name of Mr. Hodgson a small supply of red clover seed.

Stating that in his opinion the climate of Nipaul is well suited for acclimating European seeds before establishing them in Bengal.

From Dr. Huffleagle, dated 23rd October, giving cover to a note from Colonel L. R. Stacy, to the address of the Secretary, forwarding two packets containing several varieties of melon seeds.

From Lieut. H. Bigge, of Bissanath, Assam, dated 6th October, intimating the favorable progress of their branch Society, and soliciting a supply of seeds.

From His Excellency, Monsieur Berteer, Governor of Chandernagore, intimating his intention of shortly quitting that settlement for the Isle of Bourbon, and offering his services to this Society during his residence there. Expressing regret at not having been able to devote more time to the objects of an institution in the welfare of which he feels the deepest interest; enclose a printed circular and regulations of an Agricultural Society which was established by him at Bourbon some time ago.

From Major Sleeman, dated Simlah, 17th October, enclosing copies of a correspondence between Lieutenants Charles Brown and himself, on the subject of exchange to be made to applicants for the Otahite cane from his Jubbulpore plantation, and requesting that the same may be brought to the notice of the Society.

Memorandum.—The Secretary had anticipated the concurrence of the Society, and had written to Major Sleeman, stating that, in as far as the Society's demands upon the plantation were concerned, there could not be the slightest objection to the moderate charge of four pice per cane, the rate at which it had been already sold, to keep up the stock of one of the most useful establishments in India.

From G. M. Adam, Esq., dated 30th October, on the subject of two bags of Tinnevely cotton seeds received since, through the kindness of this gentleman and of which a considerable portion has been already distributed, to Captain Jenkins, Assam, to Mr. Blundell, Maulmain, and various parts of the interior of Bengal.

From E. A. Blundell, Esq., dated Maulmain 19th October, acknowledging receipt of the Secretary's letter of the 19th September, and of the cotton seeds therein referred to.

From Dr. Campbell of Nipaul, dated 22nd October, promising to forward with reference to the Secretary's request, a sufficient quantity of the different Agricultural productions common to the valley, sufficient to sow five cottahs of each variety.

From W. Cracroft, Esq., dated 31st October, forwarding three samples of caoutchouc. One in its original state produced at Penang, the other two prepared in England from South American produce.

From Lieutenant Hanyngton, dated Puralia, 12th October, acknowledging Secretary's letter of the 18th September, offering to send an assortment of seeds, suggests the translation of such circulars to offer premia, into the vernacular languages.

Note.—This has been already done through the suggestion of Mr. Walters, at least in Bengalee, and the Hindee translation is now in press.

From Capt. Harkness, Secretary to the Committee of Agriculture and Commerce of the Royal Asiatic Society of Great Britain and Ireland, dated 11th May 1837, intimating in reply to Mr. Bell's Circular Letter of the 4th April 1836, a mutual wish on the part of the Committee to correspond with this Society.

Stating that the Committee have forwarded to the Government of Bengal, specimens of the lichens used in Europe for dyeing, and requesting the assistance of the Society in transmitting specimens of the same description of article employed in India or any other of the products of this country which may appear adapted to the same object, for the purpose of being submitted to experiment.

From Jas. Prinsep, Esq., Secretary to the Asiatic Society of Bengal, dated November 2nd, giving cover, for the information of this Society, to copy of a letter addressed to the Right Hon'ble Lord Auckland, by the Secretary of the Royal Asiatic Society of Great Britain, in the part of the committee of Agriculture and commerce, transmitting several specimens of lichens above alluded to, and stating that the specimens of this kind with chemical tests, have been deposited in the Asiatic Society's Museum for the inspection of Members. Forwards for the use of this Society five copies of the 1st part of proceedings of the committee, which contains some information regarding the lichens.

Memorandum.—The Secretary has opened a correspondence with the committee by transmitting samples of the products of the valley of Nipaul recently received from Dr. Campbell.

From Mr. Veterinary Surgeon, H. C. Hulse, of Mauritius, dated 25th September, suggesting the offer of a premium by the Society for the heaviest and fattest country sheep. Offering to forward the plan of an establishment for the breeding, &c. of horses.

Mr. Marshman presented in the name of the author a copy of Review of the Doctrines of the Ricardo, or new School of Political Economy by Major W. H. Steeman.

Some copies of proceedings of the Committee of Agriculture and Commerce, have been received through Messrs. Thacker and Co.

From Dr. Wallich, dated November 7th, forwarding an interesting extract of a letter to his address, received from Dr. Wight of Madras, bearing dates the 20th and 23d October.

Dr. Wight, speaks very favorably of his experimental plantations of cotton from American seed and promises to favor the Society, when he shall have perfected his different modes of treatment, &c. "The sea-island grows well and luxuriantly, but produces little or no cotton, owing to almost every pod being perforated by some insect, and rendered the nidus for its young to the certain destruction of the produce." Again, "I may however mention, that so far as my experiments have yet extended the Uplands promise to prove by far the most productive soil, the grey, loamy and clay soils, such as are found about Madras, and along extensive plains bordering the sea coast, between the sandy coast soils and the ferruginous and kunker soils which prevail in the more hilly districts whether near the coast, or in the interior."

Dr. Wight regards the Upland Georgia grown in such soils, as promising to be more productive than the Bourbon, adding that for one corp of Bourbon cotton two corps of Upland Georgia are obtainable.

Dr. Wight puts a startling question to Dr. Wallich "Have you any genuine Egyptia? What I got as such raised, it was said, from genuine seed in Madras, has grown and prospered, but is evidently a mixture, I should say, of Sea Islands and Uplands, and upon this supposition Dr. Wight pronounces the one to be Sea Island and the other Upland Georgia, from the circumstance of which he suspects by the latter producing enormous pods and the few that have blown, according with his Uplands.

It would be interesting if Dr. Wight would point out what he considers "Genuine Egyptia," for we seek in vain for historical accuracy to enable us to determine whether the cotton plant is a native of Egypt. Herodotus informs us that cotton cloth was in use in India in his days, but makes no allusion to its existence in Egypt, from which it may be inferred that the seed was originally carried from Persia, where cottons were manufactured upon the authority of Strabo. We learn from Pliny that cotton was grown in Upper Egypt in his time, but it does not appear to have been an article of any commercial importance until 1821, when the enterprising Pasha began to cultivate it extensively. After various experiments, it produced cotton inferior only to the sea-islands. In 1827 or 1828, the Pasha procured and planted a large quantity of seed from the Sea-Island cotton in Bourbous and produced cotton superior to any save the Sea-Island. We are left to conjecture, upon what seed the Pasha made his experiments in 1821, but it seems more than probable that it was Sea-Island, and that from the success obtained in the first years, the Pasha was ambitious to extend his resources by importing seeds from America. The character of the genuine Egyptian cotton may therefore be truly said to be between Sea-Island and Uplands—by trans-plantation

to a soil congenial to a medium staple superior to the one, from the influence of the soil and climate, and inferior to the other from being deprived of sea air.

Dr. Hufnagle presented specimens of the second crop of Upland Georgia Cotton seeds, and some pods from acclimated seeds. The cotton was considered of very superior quality.

Mr. Ewart submitted a memo. on experiments made by him at Leeds on a cask of American Upland Georgia cotton seed weighing 1 cwt. 1 qr. 14 lbs. net which produced.

	cwt. qr. lb.
Of Oil....	0 3 20
Cake.....	0 1 4
	1 0 24
	18 loss.
Cwt.	1 1 14

1. The production of oil is not more than half of what the same quantity of rape seed would have produced

2. The loss is considerable, owing it is supposed, in part to the seed being in an unusually soft state

3. This seed would not yield its oil at all without warming, or so little as to be of no practical use.

4. The heat applied was about the same as is used in crushing rape seed.

5. The seed yields its oil more tardily than rape.

6. The oil is more glutinous than rape oil.

7. It is more difficult to combine it with soap.

8. For these reasons it is thought not to be applicable to the uses of the mechanics or manufactures. It is thought it could not be refined.

In the event of its proving a drying oil, its colour would prevent its being used except for the most common purposes.

The cake has a different appearance from rape cake, but cannot say how far it would be equally valuable as a food, or a manure.

Some specimens of Maize were presented by W. Martin, Esq., the produce of Kishnaghur, grown by A. Macarthur, Esq., of Bamundee Factory, of Candian seed sent from this Society.

Two plants of the Fungus Tribe were presented by D. Mac-Kelaine, Esq., some time ago, and omitted to be recorded before. They are more generally known by the name of Neptune's cup.

Mr. Bell will be happy to supply any member who takes an interest in the propagation of fruit trees with a plant of the Mirogostean of which he has received several as a present from Mr. Crane of Singapore.

A notice was put in by Mr. Bell, as competitor for the silver medal and premium for a cultivation of ten beegahs of Guinea grass which question was left to the decision of the Society, on a report from a committee consisting of Dr. Jackson, Captain Leach and W. F. Gibbon, Esq., who agreed to meet and visit the cultivation.

Mr. Bell is also a competitor for the highest premium, on the production of one maund of guinea grass seed.

The quantity sent into the Society by Mr. Bell, already amounts to one maund and twenty-one seers of well dried seed silted from all stalks and impurities, which he presented to the Society, whether a successful competitor or not, and this quantity is sufficient to introduce this superior grass throughout all India, if the sample rules laid down by Mr. Bell for sowing and planting be observed.

Applicants are invited therefore to lose no time in sending for what quantity they require.

The thanks of the meeting were ordered to be offered for all these communications and presentations.

JOHN BAZZ.

Agricultural Society's Office,
Town Hall, Nov. 8, 1837.

Soc. A. H. Socy.

NURSERY COMMITTEE'S PROCEEDINGS

A Meeting of this Committee took place at the Botanical Garden on Friday evening, 20th October, 1837, at 5 o'clock.

Present, Dr. Wallich, Mr. Storm, Mr. Bell.

The Committee proceeded to visit the Nursery which continues in a thriving condition.

The Otaheite sugar cane is doing well, and with reference to its having been planted out of season, and at different periods as received, is throwing out vigorous and numerous suckers. These the Committee would have ordered to be cut out had the quality and size of cane been a desideratum, but as the object of the society is to have abundant plant in distribution, the Committee have deemed it expedient, to cut down some of the largest cane in order to extend the cultivation, and these cuttings have been planted out in square holes, after the West India method.

The original beds are still susceptible of pruning and the Committee have resolved to extend the cane piece as far as there is space on the same plot without encroaching on the Upland Georgia and New Orleans cotton beds, when, if there still remains a surplus, the Committee have resolved to appropriate two plots now ready dug adjacent to the tank for the greater facility of irrigation. Before going further, your Committee are happy in being able to record the favorable opinion of a gentleman, whose practical experience in the West Indies, and his observations in the Mauritius, is the best guarantee for the accuracy of his judgment.

Mr. Guildings, who has been an active practical planter in the West Indies upwards of 20 years, has visited the Society's Nursery, and pronounces the Otaheite sugar-cane, to be looking very healthy, in with reference to the disadvantages under which the canes (not plants) were received, that the produce is very satisfactory. Mr. Guilding is, at present, absent on a tour of observation, but your Committee doubt not, he will on his return to Calcutta, corroborate what he has expressed verbally, in writing.

Next to the Otaheite cane stand in importance the canes received from Dr. Montgomerie, of Singapore.

It is hardly possible to form any opinion of the comparative size and quality of this cane, with that of Otaheite, until they attain maturity; but your committee have seen sufficient to convince them, that they are superior to the former. The plants received some months ago, having grown up most luxuriantly, the Committee have resolved to extend the cuttings as soon as the largest canes are fit to put into plants, leaving a few in their original condition to see the effect upon the size of the cane by thinning. The character of this cane is, in its present stage, difficult to determine. It appears to your Committee to be a link between the China and Otaheite species, partaking of the former as regards the number and closeness of shoots and of the latter in the graceful bend of the leaf, in the centre of which is a broad white rib which gives it, in Mr. Guilding's opinion, much the appearance of "Guinea cane."

The last importation of this cane is still in the hopper and the cuttings have sent forth numerous roots, but no appearance of the eyes germinating is yet perceptible.

The China cane is exceedingly luxuriant, and the numerous shoots from plant, admit of it being well thinned in order to extend the cultivation for distribution to those who wish to try it in contrast with other kinds.

Before taking leave of this subject, the Committee beg leave to record their obligation to Dr. Montgomerie, of Singapore, for the prompt measures he has adopted in meeting the wishes of the Society, as expressed to that gentleman by the Secretary, and it must be gratifying to Dr. Montgomerie to be assured, that his attentions are duly appreciated.

COTTON.—In conformity with a Resolution of the Committee passed at the last meeting in the Nursery, the New Orleans and Upland Georgia Cotton plants in Plot No. 1, had been cut down, and it is now resolved not to disturb the roots, unless the premiums offered for sugar-cane, should put the Society in possession of large supplies, and circumstances render it necessary to devote all the land dug up, to the reception of canes. The roots are left with a view to ascertain the proportion of seed which the shoots will produce.

Resolved, that the Egyptian Cotton, which is still flowering and fruiting, be allowed for the present to remain, and with reference to what Mr. McCulloch, the English Gardener, to the Pasha of Egypt, has stated to the committee this evening, as to the method observed in Egypt, that every alternate plant be cut down so soon as the present crop of seed is gleaned.

The Tinnevely cotton, from seed received from Dr. Wight, has sprung up but sparingly; the beds were ordered to be well weeded, and the soil loosened about the roots of the plants.

Since the last committee Meeting, it has been deemed expedient to advertise.* Several kinds of plants and cutting for distribution, and they are happy to observe, that several applications have been already made, and complied with.

Mr. Bell reported that in consequence of many Members having neglected to send for their quotas of vegetable seeds in due course, and the number of mallies who were supplied being greater this year, he had felt himself called upon to purchase a small consignment per *Perfett*, from Messrs. Boyd and Co., amounting to 260 rupees. These seeds were shipped by and on account of Messrs. Tredgold of the Cape.

The committee approve of the steps taken by the Secretary, as necessary, to prevent disappointment, and recommend, that in order to guard against the like contingency in future, the Secretary be directed to fix by advertisement a period of six weeks from the arrival of seeds being publicly announced, within which if not applied for by members, the surplus shall be sold.

The Secretary informed the committee, that he had sent his annual indent on Mr. Villet, at the Cape, for supplies of vegetable and flower seeds, and with reference to the increasing number of members he had ordered a greater quantity and variety.

The committee, before closing their report upon the Nursery, think proper to observe, that from the date on which Mr. Griffin's last letter was received by the Secretary until the special Committee's report was read, and presented by the last General Meeting of the Society, not a blade of weed was touched or removed with

* For a copy of their advertizement see the papers of the present month.

their sanction or knowledge, or by their orders, either individually or collectively, on the contrary, the Committee continued their visits to the garden, but on each occasion, strict orders were given not to touch any thing in the Nursery, though several suggestions were made, as usual, for its improvement, when they should feel themselves at liberty to carry them into effect.

Your committee are desirous, since the charge brought forward by Mr. Griffith, has now been set at rest, that

the number of members, both on the Nursery Committee and Committee of papers, be increased, and your Committee being anxious that the utmost publicity be given to their proceedings, have resolved, that their Reports be published monthly in the Journals of the Presidency along with the Secretary's report, if it be not too long, and the Editors will kindly afford space.

(Signed) N. WATLICH.

" Wm. STORM.

" JOHN BELL.

Huikaru, Nov. 9.]

THE MEDICAL RETIRING FUND.

Proceedings of the Fourth Quarterly General Meeting for 1837 of Subscribers to the Bengal Medical Retiring Fund.

At a Quarterly General Meeting of Subscribers to the "Bengal Medical Retiring Fund," held at the Town Hall, Calcutta, at 4 o'clock P.M., on Monday the 30th October 1837, agreeably to the Section XIX of the Fund Deed.

PRESENT.

W. FINDOW, Esq. Superintending Surgeon Presidency Division, in the Chair.

James Ranken, M.D., Offg. Secy. Medl. Board; Frederick Corbyn, Garrison Surg., Fort William, Alexander Garden, M.D., Prescy. Surgeon, H. S. Mercer, Marine Ditto, Peter Carruthers, Surgeon, 9th N.I.; Alex. Russell Jackson, M.D., Offg. Apothecary to E.I.C., James Innes, M.D., Surgeon 15th N.I., Colin Macdonald, Asst. Surg. 29th N.I., L. Walter Raleigh, Asst. Surg., Prescy. General Hospital, Duncan Stewart, M.D., Asst. Surg. Supdt. Vaccine, John McCosh, Asst. Surg., Prescy. General Hospital, Henry H. Goodove, M.D., Asst. Surg. Professor Medical College, J. Gregory Ays, M.D., Asst. Surg. Dy. Apv. to E.I.C., Alex. Ir. Bryce, M.D., Asst. Surgeon Artillery, and Manby Nightingale, Esq., Asst. Surgeon General Hospital.

The Secretary read the proceedings of the last Quarterly Meeting and the following Report.

COMMITTEE'S REPORT.

Owing to the intervention of the Doorgah Poojah holidays, the present Quarterly General Meeting has been convened on the last instead of the 2d Monday as prescribed by the Fund rules.

The Committee report that Mr. Superintending Surgeon Thomas Tweedie, now on furlough, has intimated,

through his constituted attorney Mr. George Hill, his intention to retire on one of the Annuities declared this year, and that he having furnished the prescribed affidavit of age, Mr. Tweedie will be admitted an Annuitant on the usual terms.

Lieut.-Colonel Thomas Hall, of Her Majesty's 49th Foot, has also applied for an annuity to his brother Mr. James Hall, a retired Surgeon of this Establishment, but the Affidavit of age from Mr. Hall not having been furnished, the same has been called for, preparatory to his being admitted as an Annuitant upon the usual terms and under the penalties laid down in the Regulations.

Mr. Surgeon F. E. Baker, of the 10th Light Cavalry, at Kurnaul, likewise applied for one of the declared Annuities, but as he specifies certain conditions of acceptance he has been informed that his conditional application cannot be entertained.

The circular offering the Annuities declared this year to subscribers of upwards of 17 years' service in India, fixes the date for receipt of their answers by the committee agreeably to Section XXVII to-morrow the 31st instant.

Assistant Surgeons Augustus William Steat and John Ranford having applied to be admitted Subscribers to the Fund, since last Quarterly General Meeting, and having assigned satisfactory reasons for the delay in making their application for admission, the Committee have conditionally admitted them and will submit their names, conformably to the proviso of Section III of the Fund Deed, for the votes of the Subscribers, together with the undermentioned names of those admitted since the 31st day of October 1836, the time limited by the above Section.

List of Members admitted since 31st of October, 1836, by the Committee of Management, requiring confirmation of the Subscribers conformably to the Proviso of Section III. of the Fund Deed.

Surnames.	Christian Names.	Rank.	Date of Letter desiring to join.	Quarterly Meeting at which conditionally admitted.	Remarks.
Voe, M.D.,	Jas. Gregory,	Assistant Surgeon,	Jaunpore, Nov 14, 1836	1st 2ly Meeting of 1837,...	This gentleman went home from Feroz where he was on duty, he is therefore to be considered to have joined before Oct 31, 1836.
Ronald,	James,	Surg. 24th N.I.,	Midnapore, Jan 12, 1837	2d ditto ditto.	
Buchanan, M.D.	W. M.,	Asst. Surg. 21st N.I.	Calcutta, 13, ditto ditto	2d ditto ditto.	
Sill,	Henry,	Ditto Civil,	Bandah, 20, ditto ditto.	2d ditto ditto.	
McCosh,	John,	Ditto,	Fort William, 28, do. do.	2d ditto ditto.	
Smith,	John C.,	Ditto,	Buckergang, 30, do. do.	2d ditto ditto.	
Farnell,	Frederick,	Ditto,	Calcutta, Feb. 4, ditto.	2d ditto ditto.	
Griffith,	Samuel M.,	Ditto,	{ 25, Daks Street, London, Westminster, Mar. 13, 1837 }	.....
Wagh, M.D.	John H. W.,	Ditto,	Calcutta, 15, ditto ditto	2d ditto ditto.	
Clarke,	Edward W.,	Ditto,	No letter,	2d ditto ditto.	
Campbell,	Donah,	Surg. 36th N.I.,	Mirzapore, Mar 30, 1837	3d ditto ditto.	
Carte,	Wm. Edward,	Ditto,	Simla, May 5, ditto,	3d ditto ditto.	
Westman,	Ewd. Jordan,	Ditto,	Allyghar, 17, do do	3d ditto ditto.	
Steat,	A. William,	Assistant Surgeon,	Mundlaire, July 31, do	4th ditto.	
Ranford,	John,	Ditto,	Calcutta, Aug. 11, do.	4th ditto.	

The Committee announce the undermentioned casualties reported since the last Quarterly General Meeting :

List of Casualties among Members ascertained since last Quarterly General Meeting held on the 10th of July, 1837					
Date of Casualty.	Surname.	Christian Name.	Rank.	Where.	Remarks.
21st March, 1837,.....	Priestson,.....	John James,.....	Surgeon,.....	Europe.	* This Gentleman did not join the
29th May, ditto,.....	Brown,.....	David,.....	Assistant-Surgeon,.....	Ditto.	Fund, but as he was appointed since the
18th July, ditto,.....	Renon,.....	David,.....	Superintendent-Surgeon,.....	Benares.	Court of Directors resolving to insert a
21st Aug., ditto,.....	Fullerton, M. A.,.....	Robert,.....	Assistant-Surgeon,.....	Cawnpore.	clause in covenant of Assistant Surgeons,
19th Aug., ditto,.....	Cughton, M. A.,.....	A.	Ditto,	Saugor Roads.	making it compulsory on them to become
23d ditto, ditto,.....	Rat,.....	William,.....	Ditto,	Nu-seerahad.	subscribers, the managers have referred the
28th ditto, ditto,.....	Sibbald,.....	Thomas,.....	Ditto,	Arracan.	question as to whether, or not, Mr. Sibbald
11th Sept., ditto,.....	Russell,.....	David,.....	Ditto,	Meerut.	comes under this rule, for the determina-
23d October, ditto,.....	Forbes, M. D.,.....	George,.....	Ditto,	Himjee.	tion of the home authorities.

The Committee report the following access of Members by new arrivals from England since last Quarterly General Meeting.

List of Assistant Surgeons who are subscribers to the Fund agreeably to condition of their appointment to the service and have reported their arrival in India since last Quarterly General Meeting, held on the 10th July, 1837.

Date of Arrival.	Surname.	Christian Name.	Rank.	Remarks.
8th July, 1837,.....	Wilson, V. D.,.....	T. Atin,.....	Assistant Surgeon,....	
8th Ditto, ".....	Rae,.....	George,.....	Ditto.	
8th Ditto, ".....	Guse,.....	Rachel Chas.,.....	Ditto.	
24th Ditto, ".....	Donaldson,.....	James,....	Ditto.	
29th Ditto, ".....	Morrison,.....	Alex. Cushman,.....	Ditto.	
14th Sept., ".....	Nightingale,.....	Manby,.....	Ditto.	
7th Oct., ".....	Donaldson,.....	A.	Ditto.	

The Committee announce that Mr. George Hill has been elected by a majority of votes of more than half the numbers of Subscribers in India, Secretary to the Fund in the room of Assistant Surgeon John T. Pearson, resigned in consequence of obtaining an appointment in the North Western provinces.

No regular sets of Books of Accounts having been at any time kept in the office of the Secretary to the Fund, the present Secretary has been directed to open the necessary Books, and to furnish each Subscriber with an Account Current of the state of his Accounts with the Fund brought up to hand. The Committee anticipate that the arrears of Accounts at all have been brought up before the next Quarterly General Meeting, and every Subscriber furnished with his Accounts, in which will be exhibited the interest accruing on his payments.

The Committee beg to notice that under the New Post Office Act their Secretary is permitted to send and receive communications on the "Fund Service" free of postage, all future communications therefore to that Officer may be addressed direct to the Secretary instead of under cover, as heretofore, to the Secretary to the Medical Board.

The Committee report that on the 3rd instant they requested the Accountant General to favour them with an Abstract Account of Assets of the Fund on the Government Books, with the interest accruing on the monthly subscriptions and yearly balances, not only with the view of ascertaining the precise amount at credit of the Fund but to have the same inserted in Treasury Notes, together with subsequent realization. Mr. Accountant General Morley has obligingly acceded to their wishes and expects to furnish the required statement in a couple of months. When the balance at credit of the fund on the 30th April last shall have been invested, and the Fund Books brought up, the precise Assets of the Fund can be ascertainable to the day.

Statement exhibiting Receipts in Government Treasuries to credit of Bengal Medical Retiring Fund, from its commencement on the 1st of January 1833 to 30th October 1837 inclusive, as far as ascertainable.

	In 1832-33	In 1833-34.	In 1834-35.	In 1835-36.	In 1836-37.	Total.
General Treasury.....	4,071 0 6	986 15 2	2,144 13 0	14,554 4 3	51,747 1 11	
Reverend Treasurers in Bengal.....	4,067 2 11	3,333 0 8	628 8 3	4,226 2 1	12,294 13 11	
Units in the N. W. Provinces before separation of the two Governments.....	2,628 0 1				2,628 0 1	
Military Paymasters.....	1,083 7 9	31,291 0 7	26,412 11 5	5,555 8 11	1,20,170 2 8	
Political Officers.....	422 2 9	940 12 7	655 15 3	112 0 0	2,642 14 0	
Malacca.....			80 0 0	80 0 0	160 0 0	
Singapore.....				71 4 0	71 4 0	
Marine Department.....				951 7 2	951 7 2	
Artillery Department.....				756 0 3	756 0 3	
Salt Department.....				567 15 7	567 15 7	
General Treasury.....	1,506 10 6	42,998 1 8	31,468 10 6	8,520 14 2	2,00,989 12 0	
Reverend Treasurers in Bengal.....				86,533 4 4	86,533 4 4	
Military Paymasters.....				418 2 0	483 15 10	
Political Officers.....				4,388 1 10	10,331 1 4	
Malacca.....					295 12 11	
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Political Officers.....						
Malacca.....						
Singapore.....						
Marine Department.....						
Artillery Department.....						
Salt Department.....						
General Treasury.....						
Reverend Treasurers in Bengal.....						
Military Paymasters.....						
Political Officers.....						
Malacca.....						
Singapore.....						
Marine Department.....						
Artillery Department.....						
Salt Department.....						
General Treasury.....						
Reverend Treasurers in Bengal.....						
Military Paymasters.....						
Political Officers.....						
Malacca.....						
Singapore.....						
Marine Department.....						
Artillery Department.....						
Salt Department.....						
General Treasury.....						
Reverend Treasurers in Bengal.....						
Military Paymasters.....						
Political Officers.....						
Malacca.....						
Singapore.....						
Marine Department.....						

Amount of Drafts credited to the Fund at the General Treasury, to be invested in 6 per cent. Treasury Notes.

In May 1837, Co.'s Rs. 13,022 13 10	.....
" June.....	13,328 4 11
" July.....	8,693 6 1
" August.....	10,937 2 10
" September.....	11,986 10 4
Cash payments at the General Treasury, during the above months,.....	67,908 6 0
Drafts received by the Secretary to the Fund during the current month, viz., October.....	13,710 8 8
Amount at credit of the Fund on the Books of the Accountant to the North Western Provinces, as under.	13,159 11 6
In 1834-35, Co.'s Rs. 1,905 2 4	.....
" 1835-36,.....	612 5 9
" 1836-37,.....	4,605 8 2
Co.'s Rs. 2,01,295 15 3	.....
8,002 6 0	.....
Co.'s Rs. 1,93,293 9 8	.....

Expenditure of Secretary's Office, printing and advertising from 1st May to 31st Oct. 1837, inclusive, including Rs. 6,274-3-5 paid in July, 1837, to ex-Governor, Mr. H. S. Mercer, for arrears of salary,.....

Residue of unappropriated fund on 31st October, 1837,.....

This item includes the sum of seven rupees 86,340 transferred this year from unappropriated to appropriated funds.

Amount transferred 1836-77 "to appropriated Fund," value of two Annuities taken including Rs. Rs- 30 000 laid aside conformably to Section V. of Fund Deed, Rs. Rs- 86,340 0 0

With reference to the rejection by the last Quarterly General Meeting of the two Propositions submitted by Mr. Superintending Surgeon Ludlow and other Subscribers at the station of Agra, the Committee of Management beg to Notice that the second of the above Propositions has been resubmitted in a letter dated the 7th September ultimo, from Mr. Ludlow and seven other Subscribers, with a request that, in conformity to Section XX. of the Fund Deed, it be submitted to the judgment and decision of the Subscribers at large. The Committee annex the letter and proposition.

Dr W. B. O'SHAUGHNESSY,

Officiating Secretary of the Medical Retiring Fund.

Sir,—In reply to Mr. Pearson's letter of the 20th ult., the undersigned Subscribers to the Medical Retiring Fund, stationed at Agra, beg you, without delay, to submit this letter to the Committee of Management.

The force of several of the objections brought against our 2d proposition we must readily admit; and though still of opinion that its advantages would, in all probability, be more than sufficient to outweigh them, yet in deference to the sentiments of the Committee and general quarterly meeting, and from a desire to avoid causing unnecessary expence, we shall cease to urge its further consideration.

To our first proposition, we cannot, however, permit so unmerited a fate. Against it a rash and groundless condemnation, we apprehend, has been passed. No cause whatever, of the emphatic "disapproval" so peremptorily pronounced upon it, would seem to have been adduced; nor alter the faintest reconsideration can we imagine the possibility of disavowing or devising any that shall prove sound, when applicability to the general service is kept in view.

We enclose, therefore, a copy of that proposition with our original remarks, verbatim, disencumbered merely of such allusion as is necessarily contained to the other, with which it was in the first instance associated, and request, in conformity with provision 20th of the Fund Deed, that it may be forthwith submitted in the form now forwarded, and of course with the appended remarks, for their judgment and decision to the subscribers at large.

Without any indication of the dissent or mark of the displeasure of the meeting, we regret to perceive that Mr. Raleigh has thought fit to bring himself to your notice by an implied vindication of our motives, as groundless as it is absurd. It behoved him rather we should think he has aimed at establishing the disinterested propriety of his own, in the eager and indiscreet hostility which he permitted his opposition to assume. To him, indeed, promotion may be no object of desire: to nineteen twentieths of the service it is of first rate importance.

A reference to the names of the proposers, or even a moment's consideration might have enabled that gentleman to perceive that they could have no interest apart from those their professional brethren not resident in Calcutta. Any proposition therefore originating with them, must have aimed at furthering the interests of the whole

Medical subscribers. In so doing they could not be otherwise than conscientiously correct, however faulty in application or erroneous in judgment their suggestions might have subsequently appeared.

The interests of every member of our service, and the pale of Calcutta, are clearly identical. Our feelings and perceptions, then, would alone have been sufficient for misleading us. But in order to correct those impressions (if any they had committed) the speakers themselves, without vouching any proof, specimens of which does not appear to us the sensible, the judicious, or the prudent course of procedure.

In bringing forward these propositions, we exercised not the privilege which the Fund deed confers upon us; nor, in any way, did we stretch the strict bounds of decorum. Our tone, temper and purpose were altogether unexceptionable. Was the reception of our propositions by Messrs. Raleigh and Garden, we would ask, in the same spirit?—We shall only take occasion further to observe that when a proposition is respectfully laid before the managing committee, common sense, and a regard for the general good, to say nothing of courtesy, require we humbly conceive, that the reason or reasons of the disapproval passed upon it should be carefully assigned.

We have the honor to be, Sir,

Your obedient Servants,

S. LUDLOW, Superintending Surgeon.

R. M. M. THOMSON, Surgeon, European Regt.

JAMES DUNCAN, Surgeon, 47th Regiment, N. I.

R. BARCLAY DUNCAN, Asst. Surg. Civil Surg. Agra.

WILLIAM SPENCER, Asst. Surg. 14th Regt. N. I.

J. SPENCE LOGIE, M. D., Assistant Surgeon.

ALEXANDER GRISON, Asst. Surg. European Regt.

T. C. KENTON, Assistant Surgeon, 10th Cavalry.

PROPOSITION.

Proposed that Reg. XXIII of the Fund Deed be thus modified, viz. to exchange the concluding clause, "nor to accept double such annuity as the sum of his subscriptions and other sums of money which he may have paid into the said fund, together with compound interest thereon as aforesaid may be sufficient to procure, according to the rate contained in the table of rates hereinbefore contained," and to substitute the following words:

"Or to accept an annuity of £150, together with such additional annuity as the sum of his subscriptions and other sums of money which he has paid or may pay into the said fund, together with compound interest thereon as aforesaid may be sufficient to procure, according to the rate contained in the table of rates hereinbefore contained. Provided always the aggregate amount of such annuity do not exceed the aforesaid sum of £300, and provided also that no sum or sums of money once paid into the said fund be afterwards withdrawn therefrom."

The following remarks are submitted in support of the above proposed modification of Reg. XXIII. The year the Medical Retiring Fund has commenced its operations by declaring three annuities out of a large number

as a result of the numerous subscribers who have manifested seventeen years' service, and only a few are found able or willing to accept the fund pension on the terms offered.

That this unexpected result is in some measure owing to an expectation of obtaining the bonus is certain; but it is equally certain that there are many who would gladly accept the annuity were they not prevented by their inability to fulfil the required conditions.

It would therefore appear that the Medical Retiring Fund, even presently constituted, does not entirely suit the requirements of the persons for whose benefit it was designed.

The fund offers yearly 6 annuities of £150 each; provided that members pay into the fund a sum sufficient to secure an additional annuity of an equal amount. This is an undoubted privilege to all who possess the means and are willing to invest the requisite sum in a life annuity; for our fund receiving from Government 5 per cent. interest (the whole benefit of which goes or ought to go to the annuitant) is thereby enabled to grant annuities on much more favourable terms than any insurance office at home. But if the retiring member be either unable or unwilling to avail himself of this privilege in purchasing an additional annuity of £150, why should we refuse to give him the full amount of the pension which we are prepared gratuitously to bestow on other members, and by so doing reject steps that might otherwise be obtained at the usual price? The step of the one class of men is equal in value to that of the other, and ought in justice and policy to be purchased at an equal price unless it can be satisfactorily shown that to do so would involve a serious loss to the fund.

If a Subscriber relying on the diminished annuity here proposed, live a shorter time than the estimated number of years, the fund will gain less by his death, than it would have done had he been forced to buy up the full annuity; and on the other hand if he live longer than the expected time, the fund will lose proportionately less. For example A, an annuitant on £200, lives 4 years less than the expected time the fund gains by his death £800 or £400 less than it would have done if A had taken the full annuity B, an annuitant on £200, lives 4 years longer than the estimated time, the fund loses by him £800 or £400 as much as would have been gained had B taken the full pension. If therefore an equal number of "good and bad lives" were to retire on the diminished annuity, it appears to be a matter of indifference to the interest of the fund, whether they do, or prefer purchasing the full annuity; for suppose 20 "good" and 20 "bad lives" were to take the diminished annuities then the average losses on the long lives, would be counterbalanced by the average gains on the short lives; and if they die early, then the fund would pay gratuitously pensions of £150 to the whole 40 annuitants, for periods equal to the average duration of their lives, and the sum set aside for the additional pensions, would on the average serve for the purpose for which they were deposited, and this is precisely the expected result of the full annuities.

But it may be argued that bad lives will generally prefer the diminished, and "good lives" the full pension, and that this will deprive the fund of a portion of the money required to meet losses in another quarter. For example C, an annuitant on £200, dies 4 years sooner than the expected time, the fund gains by his death £800 or £400 as much as would have been lost had C taken the full annuity. D, an annuitant on £200, lives 4 years longer than the calculated time, the fund loses by him £800 or £400 than it would have done had D taken the full annuity. If therefore an equal number of "good and bad lives" were to retire on the diminished annuity, the result will be reversed;

thus E, a full annuitant, dies 4 years sooner than the expected time, the fund gains by his death £1200. — F, an annuitant on £200, lives 4 years longer than the calculated time, the fund loses by him only £800 or £400 less than it gained on E. Now in all these cases the society out of its own funds, deposits precisely the same amount on account of premium to the retiring officer.

As the fear that a greater proportion of "bad" than of "good lives" will prefer the diminished annuity seems to be the only objection of weight which can be made to the proposed alteration, it is necessary to consider it at some length.

That a subscriber in bad health would generally prefer a bonus is probable, the temptation to do so being greater to all who doubt the value of their own lives. Such persons would at once carry off a large portion of the society's funds, no part of which could ever return to it. But he who has only the power of taking the diminished annuity is in a different situation, he can carry away none of the funds, and has consequently much less inducement to follow this course on the single ground of presumed bad health. It is seldom that any one is disposed cordially to agree with his friends or Medical advisers in the opinion that he has only a few years to live, unless indeed this opinion be backed by the prospect of some immediate gain. A dying man resigning the service to secure a bonus, would gain a considerable advantage for his heirs, an incalculable loss to the fund, — but what object could such a person propose to himself by declaring for the diminished annuity? For the same reasons therefore we are of opinion that other motives than a consciousness of being a "bad life" would generally influence subscribers in their determination to accept the reduced pension such is want of funds, a desire to settle in some of the colonies, where a certain command of ready cash is so necessary to insure success, a laudible disinclination on the part of fathers of families to sink their whole capital in a life annuity, &c. &c. But admitting that some undue proportion of "bad lives" were to take the diminished annuity, and so cause some loss or more correctly speaking some diminished gain to the fund, it is contended that this disadvantage would be more than counterbalanced by the accelerated promotion caused by enabling many to leave the service who under the operation of the existing regulations are precluded from doing so. If we were a common Insurance Company calculating on deriving a certain profit to ourselves on the result of our transactions, it would then be inadvisable to permit any member to take the proposed reduced annuity, but as we profess to serve no gain, our only concern should be to guard ourselves against a loss, or we may insure a certain extent of risk of loss, to obtain a greater benefit in the shape of accelerated promotion.

Government which pays the 6 per cent interest might reasonably object, if we were to propose to allow all members to lodge money to procure higher annuities than £300, but it cannot object to their being satisfied with smaller pensions.

It is especially to be kept in view, that the proposed alteration cannot of necessity continue to have effect more than a limited number of years, because in the course of time, members will have paid up their minimum subscriptions, before getting the offer of the fund pension; its effect must therefore decrease in extent year by year, until, at last, it dies a natural death.

Our present experience clearly proves that something must be done fairly to compensate the operations of the fund, as a scheme intended to accelerate promotions &c.

it can hardly be doubted, that out of about fifty subscribers at this moment, having the offer of the pension, there are many, who would willingly recur to their native country in a consolidated annuity of about £350 (namely, the fund premium, annuity and Company's retiring pension) but who find themselves forced to remain in India from want of means to purchase the remainder of the fund. This is a condition, which, if not proved to be necessary to prevent serious loss to the fund, must be admitted to be crucial to the individuals so situated, as it is impolitic with regard to the general interests of the members.

Agra, 15th May, 1837.

The Committee will submit the preceding proposition to the subscribers with the proceedings of this meeting, but the Committee adhere to the grounds of the objections stated at length at the last quarterly meeting held on the 10th July last, and they recommend that no alteration be attempted to be made in the fundamental rules, until the capacity of the fund treasury, and applicability or otherwise of the rules as at present established, have been ascertained from the experience of its working.

The Committee beg to submit to this meeting certain tables of calculations as to the resources of the fund submitted by their Secretary consequent on their call upon him to report on the practicability or otherwise of the preceding Agra proposition, with a short summary drawn by that officer explanation of them. Deputy Military Auditor General Captain Henderson and Colonel Tennant's opinions on the same subjects are also submitted, together with their colleague Dr. Jackson's minute.

The Committee notice that although the present rate of subscription is not sufficient to meet the payment of the respective annuities, and to keep up the engagement of the fund of providing for each year's six annuities, yet as the fund has sufficient capital to pay all probable demands on the institution, the Committee with reference to Section V of the Fund Deed recommend, that the rate of subscription shall continue unchanged until such time as a further capital may be requisite for current purposes.

By order of the Committee of Management,

GEORGE HILL, Secretary, Medical Fund.

Resolved,—That the report of the Committee of Management just read, be confirmed and adopted by this meeting, and that the same be printed, and a copy thereof with the several documents referred to in the said minute para, be sent to each subscriber conformable to Section XXI. of the Fund Deed.

Resolved,—That as it is highly desirable to place the "Bengal Medical Retiring Fund" on a sure and sound foundation, it appears advisable to this meeting that a professional Actuary of a London Assurance Office should be consulted, and that as Dr. A. R. Jackson is about to proceed on furlough, this meeting recommend it to the general body of subscribers to authorize that gentleman to take the necessary steps on his arrival in London to carry the object of this resolution into effect, and that he report the results to the Committee of Management."

Resolved,—That the remarks of the Agra subscribers respecting the conduct of Messrs. Gordon and Raleigh appear to this meeting uncorrected and confirmed by any thing said by those gentlemen at the last quarterly general meeting.

Resolved,—That the thanks of this meeting be voted to William Henderson, Esq., for his conduct as Chairman of his colleagues.

(Signed)

W. Fraser, Chairman.

The Secretary has the honor to circulate for the consideration of the Committee of Management, Captain H. B. Henderson's opinion of the fund generally, as stated in the Agra proposition, together with a tabular statement drawn out by himself after Captain Henderson's suggestion. This table supposes that 100 subscribers join the fund on admission into the service at the average age of 24 years, that in the fourth year the survivors attain the second, and in the eighth year the third grade of Assistant Surgeons assigned for regulating amount of subscription by Section IV. of the Fund Deed; and that with 13th year they become Full Surgeons. The period of service is taken at 20 years to allow for 3 years furlough.

In Volume XX of the Asiatic Researches certain tables of mortality for British India are given, which have been compiled from statistical results obtained by the Committee of the once proposed Government Life Insurance Office. Table XXV of these published tables gives the decrement and expectation of life deduced from average mortality of Officers of the Madras Army for a period of 20 years, viz from 1814 to 1833; and from this table the Secretary has calculated the average of decrement as exhibited in the third column of the accompanying table. Of 100 subscribers joining, at the end of the 20th or commencement of 21st year 4317 are supposed to survive, vide column 2nd. The accumulated amount of subscriptions and donations at 6 per cent compound interest during the period embraced in the table is Rs. 4,92,563 28 (vide column 6th) giving to each of the survivors Rs. 10,225 41 (vide column 7th) of this accumulation, but of such survivors each of them has only contributed in actual cash payments, as per margin, Rs. 2,456, which is further increased by the operation of compound interest at 6 per cent. to Rs. 7,256.87, (vide column 8 of accompanying table.)

After 20 years' service the average age to which the preceding survivors attain is 44. An annuity of Rs. 300 or £300 per annum at that age, according to the Northampton average of life, is valued at Rs. 30,705.

By existing rules of the Fund, one moiety of this valuation minus accumulated subscriptions and donations at 6 per cent, compound interest is payable by the annuitant, and the remaining moiety, viz Rs. 15,352 5 is borne by the Fund, hence it appears that although the income derivable to the fund in 20 years out of 100 subscribers

Rate of monthly contributions.	Months.	Annual contribution.	Years.	Total paid in cash.
6	12	72	3	Rs. 216
10	12	120	4	Rs. 480
12	12	144	5	Rs. 720
25	12	300	6	Rs. 1800

Since Rs. 4,344

Donation..... 112

Since Rs. 4,456

Compound Interest..... 3,799 72

Since Rs. 7,256 87

Hark, Nov. 14]

joining, provides only Rs. 2,980 64 to each survivor, the fund is able to make up 15,352.5 to him, besides returning him his contributions with compound interest by deducting their aggregate from the purchase money for the full value of the annuity. Its means of fulfilling this obligation would appear to be derivable from income alone; a deficit therefore in each individual annuity is quite of its kind. 12,182 86 appears to result against the fund in the computation exhibited in my tabular statement.

From the preceding explication it will be seen, that the present means of the fund are not equal, on sound principles, to its engagements; and by consequence less equal to the increased liabilities the adoption of the *Agia* proposition would inevitably cause.

The Secretary begs leave to attract attention to two other signed statements that he has the honor to submit herewith, marked A and B. The one marked A exhibits the appropriation of the annual assessments and other income of the fund in annually granting its promised six annuities, and meeting its other expenses, and the result exhibited by this process at the end of the 6th year is, that the fund falls short in its income by Rs. 1,940 to answer its liabilities. Statement B supposes that 6 annuities are taken up every year, and exhibits at the end of each year for a period of 6 years the amount that is required to be withdrawn annually, agreeably to provisions of Section XXXVII. of the Rules, from unappropriated to "Appropriated Fund," to maintain an equilibrium between the amount of the latter, and the annual valuation of the several annuities according to the increasing age of each annuitant. This, therefore, is an additional drain on the current funds, not taken to account in statement A. As the Secretary has confined his calculations in Statement B to the number of annuitants coming on the fund in six years only, he has made no allowance for the per centum decrement with reference to the shortness of the period, and the small number of annuitants taking the fund in that time.

As then the only source of permanent income to the fund is derived from lapses, to improve its revenue in that particular, it would appear advisable to raise the amount of monthly assessment, but this is a question for your Committee to decide with reference to its practicability.

If the fund is to be considered as founded on *Tontine* principles, the amount of each annuitant's contributions with compound interest, and his average share of profits resulting from lapses, should be allowed to accumulate till they reach the value computed at his age for the annuity the fund is to grant him before he is declared an annuitant. Had this rule prevailed the *Agia* proposition could be granted without incurring risk. The only sure course of proceeding is what has just been stated; but as profits are not desired beyond covering liabilities of the fund, so as to obviate taxing the pockets of the members beyond their fixed contributions, a professional actuary's experience of years would enable him to suggest a middle course, by adopting which the fund may be able with safety to relax its strictly *annuity* principles in admitting its annuitants to the benefit it holds out.

Before Mr. Hill's election to the office of Secretary to the fund, he never had occasion to turn his attention to his annuity calculations; he is therefore, he need scarcely say, a mere tyro. But as it is highly important, with the view to ensure confidence and to dispel any doubts that may be lingering in the minds of some of the subscribers, that the basis of the fund calculations should be founded by an experienced professional person, he would accordingly beg respectfully to suggest the expediency of your delegating to your colleague Dr. A. R. Jackson,

who purposes to proceed on furlough this season, and who will, no doubt, cheerfully undertake the trouble, the duty of consulting an actuary of any London assurance office. The expense will not, the Secretary imagines, exceed £50.

(Signed) GEORGE HILL,

Secretary M. R. F.

Calcutta, 17th October, 1837.

GEORGE HILL, Esq.,

Secretary Bengal Medical Retiring Fund.

My dear Sir,—I do myself the pleasure to send you my opinion on the question you have submitted to me respecting the proposition from *Agia*. But I need scarcely assure you that I am by no means competent to decide on such questions. When employed in the Audit Office to report upon the different Retiring Funds, and when subsequently the Secretary of the Government Life Assurance Committee, I was obliged to turn my attention to the subject of assurance and annuities, but beyond the consideration of them necessary for the occasion, I have never particularly made a study of such matters, and offer my present opinion with some doubt and reluctance.

But I can have no hesitation in endeavouring to be useful, as far as my little information goes, and I shall be happy to afford it whenever you find it necessary to refer to me.

Yours faithfully,

H B HENDERSON.

9th October, 1837.

It must be contemplated, I presume, that a subscriber's contributions, at compound interest should, after a given term of years, accumulate to a certain amount, which amount increased by its share of lapses among his brother contributors should altogether reach the value of an annuity of £300

2d. In other words his own subscriptions at interest should amount to half the value of the annuity (say 15,000 Rs.) while the fund from the lapsed contributions of deceased subscribers should be able to give the remainder, or 15,000 Rs. more

3d. All the present contributions of a surviving subscriber are engrossed therefore for his own benefit, and so to make up the 15,000 Rs. which he is called upon to make good.

4th. Further, it is evident, that the funds for meeting its share, or 15,000 Rs. can be derived only from the lapses of others, and the compound interest on the same, accumulating during the period that the surviving subscribers' contributions have been reaching also 15,000 Rs. The required sum can come from no other source except possibly a few contingencies such as early withdrawal from the service, dismissals, fines for arrears, &c. As for benefit from individuals not taking the annuity when entitled, the fund has not yet reached that point.

If the above view is correct, the *Agia* proposition is asking for a benefit which the fund has not present capital to give, and cannot grant without forestalling the means for future annuities.

N.B. It will be seen the above opinion denies the existence of any present spare annuities at all, and involves an important question for the consideration of the fund.

(Signed) H. B. HENDERSON.

9th October, 1837.

Table showing the value of each survivor's subscriptions and contributions, out of one hundred subscribers increased at six per cent Compound interest for any year during twenty years of service in India, averaging the age at which Assistant-Surgeons come out at twenty-four years, and promotion to a full Surgeoncy in the thirtieth year of service.

Year of service.	Number alive at the beginning of each year commencing with 100.	Number of lapses during the year	Rate of subscription per month through the 3 months of standing as Assistant-Surgeons to a full Surgeon.	Donation payable on joining the land and going through the 3 grades of Asst. Surgeons and on promotion.	Total subscribed improved at interest at six per cent	Value of each individual's subscription at the end of every year	Value of subscription and donation of subscriber at the end of the year improved at compound interest.
1	100	2 08	Rs. 6	2,32 08	9 415 20	97 14	49 78
2	96 92	2 98	"	"	16,851 07	174 38	180 1068
3	93 94	2 89	"	"	24,521 77	269 32	265 2532
4	91 05	2 80	10	1,456 80	38,277 87	432 95	422 0284
5	88 25	3	"	"	51,940 34	587 18	571 2501
6	85 25	2 89	"	"	64,021 56	777 33	729 4251
7	82 36	2 80	"	"	77,578 0	97 08	897 0906
8	79 56	2 70	16	1,929 44	99,158 49	1,290 11	1,174,5960
9	76 86	2 61	"	"	1,19,614 55	1 610 97	1,443 3108
10	74 25	2 70	"	"	1,40,788 22	1,967 69	1,728 1505
11	71 55	2 60	"	"	1 62,723 51	2,360 02	2 030 0795
12	68 95	2 51	"	"	1 85,484 86	2 790 25	2 255 1242
13	66 44	2 41	28	3,189 12	2,21,721 50	3,462 77	2 888 9117
14	64 03	2 33	"	"	2,56,147 43	4 151 50	3,409 1876
15	61 70	2 46	"	"	2 91,834 19	4,927 99	3 960 6539
16	59 21	2 36	"	"	3,28 853 40	5 781 51	4 545 2184
17	56 88	2 27	"	"	3 67 313 86	6 726 12	5 164 8515
18	54 61	2 18	"	"	4 07 355 41	7 769 15	5 821 6626
19	52 43	2 09	"	"	4,49 040 89	8 920 16	6 517 8823
20	50 34	2 17	"	"	4,92 563 26	10 22 51	7,255 8752
21	48 17						

Medical Fund Office,

Errors Excepted,

Calcutta, 17th October, 1837.

GEORGE HILL, Secretary, M. R. F.

STATEMENT A.

Income supposing all the Medical Service to subscribe.

	No. of each Grade.	Amount of Subscription.	Total derivable from each Rank.	Annual Income
Members of the Medical Board,.....	3	120 =	360	
Superintending Surgeons,.....	9	80 =	720	
Surgeons,	108	28 =	3,024	
Total,	120		4,104	
Senior Assistant Surgeons,	180	16 =	2,880	
Junior ditto,	50	10 =	500	
			3,380	
		Monthly income,	7,484	7,484 × 12 = 89,808

DONATION.

Members of the Medical Board,.....	120	4 =	Sa. Rs. 480	3 =	1 440
Superintending Surgeons,.....	80	4 =	"	320	9 = 2,880
Surgeons,	28	4 =	"	112	108 = 12 096
Senior Assistant Surgeons,.....	12	4 =	"	64	180 = 11,520
Second Grade ditto,.....	10	4 =	"	40	50 = 2,000

26,936

Add first year's interest at 6 per cent,..... 1,19,444

7,186

1,26,619

Deduct charge of management, advertising and printing charges for Circulars, say 6,000

1,20,619

Fines received from 6 annuitants of ages 45, being maturity value of their respective annuities,	90,990
"	2,11,990
Deduct value of annuities of ages of 45 transferred to "Appropriated Fund,"	1,81,980
Balance of 1st taken to 2d year,	29,821
Add second year's interest at 6 per cent.	1,777
Regular income from Subscribers,	89,508
Fines received from 6 annuitants of ages of 45 going on the Fund the 2d year,	90,990
.....	2,11,895
Deduct value of preceding 6 annuities transferred to "Appropriated Fund,"	1,81,980
.....	29,915
Deduct charge of management, advertising and printing charges for Circulars say,	6,000
Balance of 2nd taken to 3rd year, ..	23,915
Add 3rd year's interest at 6 per cent.	1,434
Regular income from Subscribers,	89,508
Fines received from 6 annuitants of, ges of 45 going on the Fund the 3rd year,	90,990
.....	2,05,847
Deduct charges of management, &c, say,	6,000
Deduct value of preceding 6 annuities transferred to "Appropriated Fund,"	1,81,980
.....	187,980
Balance of 3rd taken to 4th year, ..	17,866
Add fourth year's interest at 6 per cent ...	1,072
Regular income from Subscribers,	89,508
Fines received from 6 annuitants of ages of 45 going on the Fund the fourth year,	90,990
.....	1,89,437
Deduct charges of management, advertising and printing charges for Circulars, say,	6,000
Value of 6 annuities transferred to "Appropriated Fund,"	1,87,980

Balance of 4th taken to 5th year, ..	11,457
Add 5th year's interest at 6 per cent.	687
Regular income from subscribers,	89,508
Fines received from 6 annuitants of ages of 45 going on the Fund the 5th year,	90,990
.....	1,92,642
Deduct charges of management, advertising and printing charges for Circulars, say,	6,000
Value of 6 annuities transferred to "Appropriated Fund,"	1,81,980
.....	1,87,980
Balance of 5th taken to 6th year, ..	4,662
Add sixth year's interest at 6 per cent.	880
Regular income from Subscribers,	89,508
Fines received from 6 annuitants of ages of 45 going on the Fund, the 6th year,	90,990
.....	1,86,040
Deduct charges of management, advertising and printing charges for Circulars, say,	6,000
Value of 6 annuities transferred to "Appropriated Fund,"	1,87,980
.....	1,87,980
Failure of the current subscription in the 6th year, the expenditure being in excess of the Receipts of that year by Rs.	1,940

Errors Excepted,

Geo. Hill, Secretary.

MEDICAL FUND OFFICE, Calcutta 17th October, 1887.

N. B.— This Statement supposes that the full annual number of Annuities are regularly taken up, and is not prepared with reference to expense of actual annuitants now on the Fund. It is therefore imtant to shew that at your present rate of monthly assessment you cannot fulfil the purpose of the Fund of granting six annuities each year.

STATEMENT E.

Liabilities for six Annuitants on ages varying forty-seven to fifty-two years.

Statement exhibiting result of each year for six years between the value of six annuities of different ages, according to the probabilities of the duration of human life at Northampton, placed to credit of "Appropriated Fund," and actual balance at credit of that account taken each year, conformably to Section XXXVII. of Bengal Reverting Fund Deed.

Age.	Expectations of life by the Northampton Table of observations.	Value of annuity at six per cent. of sicca rupees three thousand or 3000 per annum	Amount at credit of "Appropriated Fund."
		Sicca Rupees	
1st Year.			
47	19 51	29,538	Amount set aside by being placed at credit of "Appropriated Fund, being value of six annuities of sicca rupees 3,000, or £300 per annum each granted this year, as per contra, 3a Rs. Add interest on above for first year at six per cent.,
48	19	29,121	
49	18 49	28,689	
50	17 99	28,251	
51	17 50	27,819	
52	17 03	27,387	
		1,70,805	1,70,805
Deficiency first year between value of six annuities of sicca rupees 3,000 per annum, and actual balance at credit of "Appropriated Fund," on Fund Books, to be made up from unappropriated or Current Fund agreeably to provision of Section XXXVII. of the Rules,		7,751.70	1,81,033.30
2d Year.			
48	19.	29,121	Add interest on above for 2d year at 6 per cent.,
49	18 49	28,689	
50	17 99	28,251	
51	17 50	27,819	
52	17 03	27,387	
53	16 54	26,940	
		1,68,307	1,72,836 4980
Deficiency second year between value of six annuities of sicca rupees 3,000 per annum, and actual balance at credit of "Appropriated Fund," on Fund Book, to be made up from unappropriated or Current Fund agreeably to provision of Section XXXVII. of the Rules,		13,870.6020	18,000
3d Year.			
49	18 49	28,689	Add interest on above for 3d year at 6 per cent.,
50	17 99	28,251	
51	17 50	27,819	
52	17 03	27,387	
53	16 54	26,940	
54	16 05	26,481	
		1,65,567	1,64,728.6875
Deficiency third year between value of six annuities of sicca rupees 3,000 per annum, and actual balance at credit of "Appropriated Fund," on Fund Book, to be made up from unappropriated or Current Fund agreeably to provision of Section XXXVII. of the Rules,			15,000
			Balance at close of 3d year, 1,46,100.0000

Liabilities for six Annuities on ages varying thirty-seven to fifty-two years.

Statement tabulating result of each year for six years between the value of six Annuities of different ages according to the probabilities of the duration of human life at Northampton, placed to credit of "Appropriated Fund," and actual balance at credit of that account taken each year, conformably to Section XXXVII. of Bengal Insurance Fund Dec.

Age.	Expectations of life by the Northampton Table of Observation.	Value of Annuity at six per cent of sicca rupees three thousand or 3000 per annum.		Amount at credit of "Appropriated Fund."
		Sicca Rupees		
Deficiency third year between value of six annuities of sicca rupees 3,000 per annum, and actual balance at credit of "Appropriated Fund," on Fund Books, to be made up from an appropriate lot of Current Funds agreeably to provision of Section XXXVII. of the Rules, ..				
	19,440 3120		
4th Year.				
50	17 99	28,251	Add interest on above for fourth year at six per cent.,
51	17 50	27 819	
52	17 02	27 387	Deduct amount paid to six annuitants of £300 each, or Rs., ..
53	16 54	26 940	
54	16 06	26 481	Balance at close of 4th year,
55	15 58	26 010	
		1,62,888		
Deficiency fourth year between value of six annuities of sicca rupees 3,000, or £300 per annum, and actual balance at credit of "Appropriated Fund," on Fund Books to be made up from Unappropriated or Current Funds agreeably to provision of Section XXXVII.				
	25,993.7109		
5th Year.				
51	17 70	27 819	Add interest on above for fifth year at six per cent.,
52	17 02	27 387	
53	16 54	26 940	Deduct amount paid to six annuitants of £300 each, or Rs., ..
54	16 06	26 481	
55	15 58	26 010	Balance at close of 5th year,
56	15 10	25 527	
		1,60,164		
Deficiency fifth year as above, ..				
	...	33,056.0537		
6th Year.				
53	17 02	27 387	Add interest on above for sixth year at six per cent.,
54	16 54	26 940	
55	16 06	26 481	Deduct amount paid to six annuitants of £300 each, or Rs., ..
56	15 58	26 010	
57	15 10	25 527	Balance at close of 6th year,
		14 63	25 039	
		1,67,374		
Deficiency sixth year as above, ..				
	40,636.5779		

Medical Fund Office,

Calcutta, 17th October, 1887.

Errors Excepted,

GUORON HILL, Secretary, M. R. F.

No deduction for annual losses has been made in this statement.—*Englishman*, November 18.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, the 4th November, 1837.

Letters from the following gentlemen were read :—

From James Burt, Esq., Surgeon, Her Majesty's Service, requesting, that his name may be withdrawn from the Society as he is leaving India for Europe.

From Dr. Ranken in reply to the Secretary's notice on the subject, stating, that the Medical Board were willing to frank the Society's Communications, but they did not consider that they were entitled to extend the same privilege to the quarterly periodical.

Dr. Strong stated, that he was empowered on the part of the Calcutta Public Library to offer free room for the Society's books, in the building now occupied by them, and the services of Librarian, in case it should be determined to remove these books from the Asiatic Society's apartments.

This proposition was not approved by the Meeting, but thanks were voted to the Public Library Committee for their handsome offer.

The proposition made last Meeting of moving the Society's Library to the Medical College, was then discussed at some length, and it was finally determined to withhold the proposition.

In this discussion Dr. Goodeve and O' Shaughnessy stated, that they would take no part in the question, the proposition had been made without reference to them, and they declined voting upon it, but they said, that they should of course regard the transfer of the books to the college as a great advantage to their pupils, and should the members decide upon placing the library in

their charge, they would pledge themselves to preserve the books with the utmost care, and return them, if possible, in better order than they received them, whenever the Society called to them to do so. At the same time, Drs. Ranken and Stewart altogether denied any intention of transferring the Society's property to the Medical College, by the change they had proposed. They stated that their sole object in wishing this transfer which had been so grossly and wilfully misrepresented, was to place the library in a situation where it would be more useful, and where the expense of a librarian would be saved. They never, for an instant, intended to make a gift of the Society's property to the College, or any other institution, public or private.

Dr. Goodeve gave notice on the part of his colleague Dr. O' Shaughnessy, and himself, that they intended at the Annual Meeting for the election of office bearers, and the alteration of the Society's rules, to submit a proposition, that in future, all elections of office bearers should be referred to the Members at large.

A very interesting paper, containing the account of a curious case of fever which occurred at Howrah, was presented to the Meeting, by Mr. W. A. Green, it was subsequently read and discussed.

A series of the *Calcutta Christian Observer* was presented by the Editors in exchange for the Society's Quarterly Journal, which they had expressed a desire to receive.

H H GOODEVE, M. D.,
Secretary Medical and Physical Society.

Hurkulu, November 15]

ASIATIC SOCIETY

The monthly meeting of the Asiatic Society last night, exhibited a good indication of the growing interest of the public in the labors of this society, five new members being elected and four more proposed. Among the exhibitions of the evening were the two gold medals sent out by the London Geological Society to be presented to Captain Caulfeild and Dr. Falconer, the whole of Dr. McClelland's splendid zoological drawings and descriptions of his collection, when on the Assam expedition, and two beautiful journals presented by Lieutenant Kinnear, of his march to Goomur, illustrated with a number of admirable drawings of objects noticed on the march, a fine collection of fossil bones from the Sewalik range presented by Conductor Daw. (It is worthy of remark that several of the best contributors to research in India have been in the ranks of Sergeants and Conductors), and Dr. Custer's catalogue of fishes and snakes, a portion of the collection in the museum. The society took the opportunity of Dr. Custer's approaching departure for Europe to send duplicate sets of their collection for the Company's museum and also for some of the continental museums.

A set of specimens of lichens used as dyes in Europe was exhibited, with a communication from Lord Auckland, which stated that His Lordship had received them from the Agricultural Committee of the Asiatic Society, with a request to be supplied in return with specimens of lichens used for similar purposes in India. It was in

consequence resolved to send home immediately a portion of a large collection of Himalaya lichens presented sometime ago by Mrs. Siddons.

The Curatorship of the museum is not to be filled up at present. At least until the arrival of Mr. Coombs de Koroos who has the offer of it and is coming down to Calcutta. In the meantime the living will go to augment the funds applicable to increasing the stock of the museum.—*Calcutta Courier*, Nov. 2.

Wednesday Evening, the 1st November, 1837.

M. T. Prinsep, Esq., Vice President, in the chair.

T. H. Maddock, Esq. C. S. Dr. Theodore Cantor, C. J. Becker, Esq., and W. Kerr Stuart, Esq., proposed at this last meeting, were ballotted for, and duly elected Members of the Society.

Joseph Wylie, Esq., was proposed by the Secretary, seconded by Dr. Wallech.

Dr. Colin John Macdonald, proposed by ditto, seconded by Mr. W. Allan.

Major Irwin, Engineers; proposed by ditto, seconded by Mr. H. T. Prinsep.

Capt. H. Drummond, 3rd Cavalry, proposed by ditto, seconded by the Secretary.

Wanda Jaffer Khaw, proposed by Mr E. Surling, accepted by the chairman as an Honorary Member—referred to the Committee of Papers.

Letters from Dr. McPherson, Major Orsley, Dr. Huxbury, and Lieut. E. Conolly, acknowledged their election.

Read letters from the Secretary of the Bordeaux Académie Royale, the Geological Society, the Royal Irish Academy, the Antiquarian Society, the Royal Institution, and from Professor Frank of Munich, acknowledging receipt of the Society's publications.

Read the following letter from the Secretary to the Asiatic Society of Paris in reply to the Society's address.

Monsieur J. Princep, Secrétaire de la Société Asiatique du Bengale.

Monsieur le Secrétaire,

Le conseil me charge de vous faire connaître que la Société Asiatique de Paris a reçu la lettre que Monsieur le très honorable Président de la Société du Bengale et M. le Secrétaire ont bien voulu nous adresser en réponse à l'offre que la Société Asiatique de Paris avait fait à la Société du Bengale d'être un de ses intermédiaires pour la vente des ouvrages saisis aux quels le gouvernement avait refusé de conti nuer ses encouragements, et dont la Société du Bengale avait entrepris l'achèvement. Le conseil a été vivement touché des expressions de sympathie et d'estime dont la Société dont vous êtes le digne organe a bien voulu se servir à l'égard de la Société Asiatique de Paris, et il me charge de vous prier de vouloir bien exprimer à votre illustre compagnie nos remerciements les plus sincères. Le conseil est fier de l'impressionnement avec lequel la Société du Bengale a bien voulu recevoir ses offres, et il espère le besoin de donner à ce corps célèbre les assurances les plus vives du désir qu'il éprouve de faire pour le succès des plans arrêtés par la Société du Bengale tout ce qui est en son pouvoir. Veuillez être assez bon Monsieur le Secrétaire, pour renouveler à la Société Asiatique du Bengale l'expression de ces sentiments, et pour recevoir en même temps l'assurance des sentiments de véritable estime

avec lesquels j'ai l'honneur d'être

Votre très humble et très obéissant Secrétaire,

LUIGI BURNOUR.

Paris, le 12 Juin, 1837.

The Secretary read a reply from M. Cooma de Koron to the announcement of the Society's desire to confer upon him the office of librarian.

M. Cooma expresses his sense of the high honor done him, and states his intention of immediately proceeding to Calcutta, where he will give a definitive answer.

Read extract of a letter from Dr Royle Secretary to the Geological Society, transmitting under charge of Captain H Drummond, the gold Wollaston medals awarded to Dr. Hugh Falconer and Captain P. G. Cautley for their fossil discoveries in the Sandak range.

Dr. Royle quoted the following extract from Mr. Lyell's address delivered at the Anniversary meeting of the Geological Society on the 17th February, 1837.

ORGANIC REMAINS.

"Gentlemen, you have been already informed that the Council have this year awarded two Wollaston medals, one to Captain Proby Cautley of the Bengal Artillery, and the other to Dr. Hugh Falconer, Superintendent of the Botanic Garden at Saharunpore, for their researches in the geology of India, and more particularly their discovery of many fossil remains of extinct quadrupeds at the southern foot of the Himalaya mountains. At our last Anniversary I took an opportunity to acknowledge the present, consisting of duplicates of these fossils, which

the Society had received from Captain Cautley, and since that time other donations of great value have been transmitted by him to our museum. These Indian fossil bones belong to extinct species of herbivorous and carnivorous mammals, and to reptiles of the genera crocodile, gaval emys, and trionyx, and to several species of fish with which shells of fresh-water genera are associated, the whole being entombed in a formation of sandstone, conglomerate marl, and clay, in inclined stratification, comprising a range of hills called the Siwalik, between the rivers Sutledge and Ganges. These hills rise to the height of from 500 to 1,000 feet above the adjacent plains, some of the loftiest peaks being 3,000 feet above the level of the sea.

"When Captain Cautley and Dr. Falconer first discovered these remarkable remains, their curiosity was awakened, and they felt convinced of their great scientific value, but they were not versed in fossil osteology, and being stationed on the remote confines of our Indian possessions, they were far distant from any living authorities or books on comparative anatomy to which they could refer. The manner in which they overcame these disadvantages and the enthusiasm with which they continued for years to prosecute their researches when thus isolated from the scientific world, is truly admirable. Dr. Royle has permitted me to read a part of their correspondence with him when they were exploring the Siwalik mountains and I can bear witness to their extraordinary energy and perseverance. From time to time they earnestly requested that Cautley's works on osteology might be sent out to them and expressed their disappointment when, from various accidents, three volumes failed to arrive. The delay perhaps, was fortuitous for being thrown entirely upon their own resources, they soon found a museum of comparative anatomy in the surrounding plains, hills, and jungles, where they slew the wild tigers, buffaloes, antelopes, and other Indian quadrupeds, of which they preserved the skeletons, besides obtaining specimens of all the genera of reptiles which inhabited that region. They were compelled to see and think for themselves while comparing and discriminating the different recent and fossil bones, and reasoning on the laws of comparative osteology, till at length they were fully prepared to appreciate the lessons which they were taught by the works of Cuvier. In the course of the labours they have ascertained the existence of the elephant, mastodon, rhinoceros, hippopotamus, ox, buffalo, elk, antelope, deer, and other herbivorous genera besides several canines and felino carnivora. On some of these Dr. Falconer and Captain Cautley have each written separate and independent memoirs, Captain Cautley, for example, is the author of an article in the Journal of the Asiatic Society, in which he shews, that two of the species of mastodon described by Mr. Cuvier, in fact, one, the supposed difference in character having been drawn from the teeth of the young and adult of the same species. I ought to remind you that this same gentleman was the discoverer in 1833, of the Indian Herculeanum or buried town near Behat, north of Saharunpore, which he found seven feet below the surface of the country when directing the excavation of the Doab Canal."

"But I ought more particularly to invite your attention to the joint paper by Dr. Falconer and Captain Cautley on the Sivatherrium, a new and extraordinary species of mammalia, which they have minutely described and figured, offering at the same time many profound speculations on its probable anatomical relations. The characters of this genus are drawn from a head almost complete, found at first enveloped in a mass of hard stone, which had lain as a boulder in a water-course, but after much labour the covering of stone was successfully removed, and the huge head now stands out with its two horns in

"Journal of Asiatic Society. Nov. xxv and xxix, 1834 Principles of Geology, 4th and subsequent editions See India, Behat.

relief, the nasal bones be projected in a free arch, and the molars on both sides of the jaw being singularly perfect. This in itself must have approached the elephant in size. The genus *Sivatherium*, say the authors, is the more interesting as helping to fill up the important blank which has always intervened between the ruminant and pachydermatous quadrupeds, for it combines the teeth and horns of a ruminant, with the hip, face, and probably proboscis of a pachyderm. They also observe, that the extinct mammoth-like genera of Cuvier were all confined to the Pachydermata and no remarkable deviation from existing types had been noticed by him among fossil ruminants where the *Sivatherium* holds a perfectly isolated position like the giraffe and the camels, being widely remote from any other type."

Resolved, that due acknowledgments be addressed to the Geological Society for their courtesy in entrusting the Asiatic Society with the honorary medals awarded to two of their associates, and that they be immediately forwarded with appropriate congratulations to Spharupai.

Report of the Committee of Papers on the Museum reference of the 6th Sept. 1837.

The questions submitted to our consideration on the present occasion is simply, how we may best dispose of the Government grant of 200 rupees per mensem (which it has been resolved to accept) towards the maintenance and improvement of the Society's museum? Whether a successor to Dr Pearson shall be appointed, or any other mode of superintendence adopted?

The following considerations have induced us to recommend that the curatorship shall not be filled up for the present.

The object that had accumulated in the museum prior to Dr Pearson's nomination having been once arrived at by him, there will evidently be little to employ success or, unless additions could be made on an enlarged scale through purchase or otherwise, for which sufficient funds do not exist.

On the other hand, by employing the money now granted us in purchasing and collecting specimens for the preservation of which our present establishment is sufficient, we shall in a year or two have amassed material to give full occupation to a professional superintendent, whom we may then appoint on our former scale should not the Government at home in the mean time place the museum on a more comprehensive footing. We therefore propose that the 200 rupees be carried to the general account, and that in consideration of this accession to our resources, opportunities be sought of adding to our museum by purchase, and of promoting physical or antiquarian research by such other means as may present themselves from time to time. We would in the mean time place the museum under a special committee of three annual members subject to re-election, as in the committee of Papers, and three ex-officio members, viz the vice president, the secretary and the librarian. We would further suggest—

That this committee should hold meetings at their rooms not less than once in the week; that their orders should be carried into effect, and their proceedings recorded by the Secretary as in the committee of Papers; and that all expenditure should require audit from the latter committee with exception of the ordinary contingent, which may be fixed at 100 rupees per mensem.

That this committee should give in an annual report of the progress of the museum, at the anniversary meeting in January, and that they should be entrusted with a

general discretion for the disposal and exchange of duplicate specimens for the benefit of the museum.

For the committee of committee.

Asiatic Society's Rooms, 20th Sept. 1837. J. FARRER, Secretary.

Proposed by the Chairman, seconded by Mr. Craicraft and resolved,

That the Report be adopted in all its provisions; and that three gentlemen be elected to act with the Secretary and Librarian as a Committee for superintending the museum.

Dr. Corbys spoke at some length in favor of renewing the curator's appointment. He concluded by moving the postponement of the question until a better meeting could be assembled, which was negatived.

It was then moved by the Secretary, seconded by Mr. Hare, and resolved, that Mr. William Craicraft, Dr. G. Evans, and Dr. McClelland, be requested to act as the museum committee.

Dr. Evans and Mr. Craicraft being present, signified their acceptance of the office.

Antiquities, Literature.

Major Pew forwarded the promised facsimile of the inscription on the broken *Dathi Idol*, now in Mr. Fraser's grounds.

Manaton Ommunney, Esq., C.S. forwarded a copy of a Sanskrit inscription on three plates deposited in a temple at *Multaye*, near the source of the *Tapti* river.

Dr. Alexander Burn, transmitted facsimiles of the contents of two copper-plates found in the town of *Karna* (*Gujarat*) in the same character as those deciphered by Mr. Wathen in 1835.

Boboo Conoyal Tagore sent for exhibition to the Society, a copper-plate in excellent preservation, lately dug up in the chur land of a Zemindaree belonging to him in *pergunnah Idilpore* within *Bahergumy*.

A letter was read from F. Church, Esq., dated Singapore, 15th August, 1837, presenting to the Society specimens of some ancient tin coins discovered up at that place.

Dr. T. Cantor presented some Scandinavian antiquities of copper and brass, a knife, an arrow head, pincers and a key.

The Rev. Dr. Mill presented two stone alabs for the museum, which had been last year brought to him from the west of India and the Red Sea by Captain Roche.

Mr. W. H. Wathen forwarded, on the part of Lieut. Potans, an account of the fine temple at *Badranr*, and the ruins of *Badranagar* in the province of *Cutch*, with a drawing of the image and plan of the temple.

Mr. T. Wilkinson brought to the Society's notice a translation of the elements of Euclid into Sanskrit in the time of Raja Siwat Jaya Singh, of *Jaspur*, in 1780, called the *Rishia ganita*.

Colonel Stacey drew attention to a calisthety presented by him from the Panjab, naming the type of the Indo-Syathic across with that of the Indo-Mussalmanic of *Kashabad*.

Mr. D. Liston transmitted two servitude bonds, obtained by cultivators in the *Gorakhpur* district, showing personal bondage to be there practiced openly at the present day.

Received from Lieutenant Kintee, 6th Regt., 1st Bengal, a manuscript journal kept by himself on a journey with his regiment to Kustuck, and then to the Road to the interior country.

Parasitæ

Mr. Secretary Mangels presented on the part of the Right Honorable the Governor of Bengal, a copy of Dr. Richardson's journal of his last visit to the Snow Mountain in Mountmain, in two parts.

Mr. Jules Des Jârdins presented 7th Report and Resume of Meteorological observation made by the Natural History Society of the Mauritius.

Dr. W. Bland gave a note on Mr. Hodgson's description of the Nipal woodpeckers.

Colonel McLeod brought to the meeting several more fragments of fossil bone from the fort boring now at 423 feet. One a small caudal vertebra of a lacerta animal, the other testudine. The tanker pebbles and quartz and felspar gravel accompanying them are increasing in size and bear the appearance of having been rolled.

Mr. C. B. Greenlaw presented on the part Mr. Alford Bond, Master Attendant at Balesore, a series of tide registers at Bichamghara in full, for the year, 1834.

Read a letter from Dr. T. Cantor, presenting a catalogue of serpents and fish in the Society's museum.

Resolved, that especial thanks be returned to Dr. Cantor for the valuable service he has rendered to the Society in arranging and classifying these objects.

The Secretary obtained sanction for purchase of 31 objects of natural history prepared by Mr. Monteiro and varnish, at 81 rupees.

Mr Shaw, 3rd officer of the *Ernaad*, presented a tetradon, remora, and some insects from the Persian Gulf.

Dr. McCosh presented the skeleton of a Tapir, which he had commissioned from Malacca.

The skeleton had unfortunately been ruined by an unskillful hand, the whole animal having been chopped up butcher-wise to be packed in a cask, in spirits, but the head and some bones were uninjured.

Read the following letter from Lieut. Thomas Hutton, 25th N. I. dated Simla, 27th August and 4th September.

Simla, 27th August, 1837

Sir,—At a time when the attention of the scientific bodies of Europe, is turned to the valuable discoveries of our fossilists in the Sub-Himalayan ranges, it may not be thought impertinent in me, to suggest that the discovery made some years since by the late Dr. Gerard in the Spiti valley, and other places in the interior of these mountains might advantageously be followed up, by farther and more complete research.

Little, save the existence of these fossil beds, has hitherto been noted, and the rigorous climates which they are found in, renders it more than probable that few, if any subsequent travellers will be inclined to venture into these inaccessible regions, when the thermometer, in the month of October, stood in the morning, (as noted in the Dr.'s memoranda), at 10°, 15°, and even 10°.

Through the liberality of Captain P. Gerard residing at Simla, I have had an opportunity of perusing the Dr.'s memoranda, and am of opinion that research in the localities he alludes to, would give to science some valuable additional information on the subject of these interesting deposits of the antediluvian world.

Subsequent to Dr. Gerard's discovery, and wholly dependent on that gentleman for his information, M. Jacquemont, I believe, visited the valley of the Spiti, but whether he succeeded in penetrating to the fossil locality, or was deterred by the rigours of the climate, is unknown.

I shall we, however, allow the riches of our dominion to be brought to light and raised by foreign Societies.

They send out travellers to glean in the cause of science through every clime, while we alone, the richest nation of them all, sit idly by and watch their progress.

I had contemplated an expedition to Spiti, this year, but, straitened circumstances and family affairs, have obliged me with reluctance to relinquish the undertaking.

Should the society deem the Dr.'s discovery worthy of being followed up, I would humbly offer, under their patronage, to undertake the trip, the expenses of which if necessary, I would gladly share.

In those climates, the best, and I may say only, season for successful research would be during the summer months, i. e. from May until the end of September or October, and I should calculate the monthly cost at about one hundred and fifty rupees (150 Rs.)

Dr. Gerard notes the bed of marine fossils, or solid shell rock to be no less than one mile in depth, while loose fossils of various species were lying about on the summits of the ridges at an altitude of 10,000 feet above the sea.

He had, at the time of this discovery, no leisure to prosecute research, as the season was too far advanced, and his health too much impaired to admit of his exposing himself longer to the bitter cold which was fast settling in, nor did the Dr.'s pursuits or knowledge of the subject permit his making the most of the discovery.

Other branches of the Natural History of these Hills, might at the same time be pursued with advantages, and according to the Dr.'s memoranda, there are many objects of value and interest in this department to be met with.

Should the society be inclined to lend a favorable ear to my suggestion, nothing would be requisite but the permission of the Governor-General for my being appointed to the undertaking, and from the anxiety His Lordship has ever shown, to forward scientific research, little doubt need be entertained as to the result, if solicited in that effect by the Asiatic Society.

I have broached the subject thus early in order that every preparation may be made for the successful accomplishment of the undertaking.

I have the honor to be, &c. &c.

THOMAS HUTTON, Lt. 37th Regt. N. I.

To JAMES PRINSEP, Esq., Sec. As. Sec.

Resolved, that the society feels much indebted to Lieut. Hutton for his disinterested proposal and will derive great pleasure in furthering him for the thorough explanation of the Spiti valley, and the neighbouring regions of the Himalaya, by placing one thousand rupees at his disposal for this object, provided he is enabled to prosecute the journey; and on the conditions suggested by himself, that the objects of natural history, recent and fossil, collected in the trip, shall be deposited in the society's museum.

Monsieur Fontanier, French Consul at Buxtehde, forwarded under charge of Capt. Esler, Ship John Adam, various objects of natural history, from the Persian Gulf.

1. Mineral specimens from the island of Orma, consisting of gneiss, granite, ferruginous and calcareous sandstone and marlstones.

2. Zoophytes and sponges of several species, from *Bussora*, also a curious *Didymopora* (*Didymopora tiketika*) with a note descriptive of them.

Mr. D. MacLeod presented a series of rock specimens from the *Sutpara* range commencing with *Sooty Chert*; the specimens are numbered with reference to a map of the district accompanying.

Dr. MacClelland exhibited a descriptive catalogue of the zoological specimens collected by himself in the late tour in Assam, together with copies of his anthropological drawings, of which the original about 180 in number, have been transmitted through Government to the Hon'ble Court of Directors.

The fossils presented by Mr. W. D. D. of the *North Canal Establishment*, had arrived and were much admired. — *Calcutta Courier*, November 25.

CIVIL FUND MEETING.

At a Quarterly General Meeting of the Subscribers to the Civil Fund, holden at the Town Hall, on Monday, the 30th day of October, 1837.

Present—Messrs. H. T. Prinsep, W. Braddon, Crockett, Walters, McFarlan, Millett, McClintock, French, F. J. Harvey, Tucker, J. P. Grant, W. W. Bird, and J. T. M. Reid.

Read the Proceedings of the last Quarterly Meeting.

Resolved,—That the Proceedings be confirmed.

The Secretary laid before the Meeting the Quarterly Statement of Receipts and Disbursements of the Civil Fund.

Read an application from Miss Tilghman on behalf of the five children of her brother the late Mr. R. M. Tilghman, also a statement of the case by Mr. W. W. Bird, one of the Executors to the Estate of the late Mr. Tilghman.

Proposed by Mr. W. W. Bird, that the Estate of Mr. Tilghman be computed for the purpose of estimating whether the children are entitled to assistance from the Fund, at the rate of income derived from it at present as invested by the Executor in the Funds of England and India, Rule 46 not being applicable to the case of children.

Seconded by Mr. Walters.

Amended by Mr. Millett, seconded by Mr. Grant.

That the income of the Children derivable from the Estate of the late Mr. Tilghman be calculated on the principle laid down in Article 46 of the Rules for the calculation of the income of widows, there being no

other rule for the calculation of income derivable from capital.

This Amendment being put to the vote,—the Ayes were four. Noes six.

A second Amendment was then proposed by Mr. Grant, seconded by Mr. Tucker—

That the income of the children be computed upon the invested funds of the Estate at the rate yielded by them at the time of Mr. Tilghman's decease.

Ayes seven.—Noes four.

A third Amendment proposed by Mr. T. J. Harvey, viz.

That the income be computed at the rate which the funds would at this moment yield if invested in the public funds in India, the amount at the date of decease being continued on by re-investment of stock of loans discharged, instead of allowing a lower rate of interest for the portion of the Estate remitted to England, was not seconded.

Resolved,—That as there are not nine concurrent votes on any of the above propositions, the questions be submitted to the next quarterly meeting.—Mr. Bird's Statement of Mr. Tilghman's case being included in the proceedings.

Resolved,—That as the case of the family of the Hon'ble Mr. F. J. Shore, on the same precise point, viz. the mode of computing the assets of a deceased subscriber, the determination of it be suspended until the decision of the above questions be known.

H. T. PRINSEP, Chairman.

Calcutta Courier, Nov. 2.]

MADRAS CHAMBER OF COMMERCE.

Second Half Yearly Report of the Committee of the Madras Chamber of Commerce read at a General Quarterly Meeting of the Chamber on Monday, the 18th October, 1837.

The Committee follow up their proceedings from the date of their last report which was laid before an all-journed Quarterly Meeting on the 13th April.

The progress of the several questions that formed the subjects of that report and were at that time pending is briefly as follows.

Sugar Duties bill.—On this subject the Committee have received a letter from the Secretary to the London East

India and China Association, stating, that, copy of the petition of the Chamber had been forwarded to the Chancellor of the Exchequer with a letter from the association and that the petition had been placed in the hands of Mr. Grote, Member of Parliament for the City of London, for presentation. The Committee observe by the public papers that the petition was presented to the House of Commons by that gentleman on the 27th May; they learn also from the same source, that in a Committee of ways and means about the end of June, the Chancellor of the Exchequer advanced to the House some entertained by the Madras and Bombay Associations that the provisions of the Sugar Bill should be extended

to them, in proposing a resolution for the continuance of the existing Sugar Duties for the ensuing years, which was agreed to. This need not, however, preclude the just claim of the presidency being taken into consideration and the prayer of the petition complied with in the ensuing session, if the subject is kept alive, as the Committee trust it may be, through the exertions of the East India Association, whose attention has been called to the petition in a late letter.

Opium.—The Chamber will remember the position in which this subject was left at the last half yearly Meeting, that the Government of India had declined to comply with the application of the Committee for an extension to this presidency of the privileges enjoyed by Bengal and Bombay, and that the Committee were instructed to take such further measures as they might think advisable and best calculated to carry their point. The only course open to the Committee to pursue was, to endeavour to place the matter before the Honorable the Court of Directors in as forcible a light as possible, and they saw no means of doing this more effectually than by respectfully requesting the Government to bring their former application with such of the correspondence as might be necessary, prominently to the notice of the Court; and by placing the whole of the correspondence in the hands of the East India and China Association, with the request that they would give the weight of their influence and exertions to the claim in such manner as they might deem expedient.

Warehousing Act.—It will not be necessary to remind the Chamber that previously to the date of their last Report, the Committee had addressed the Collector of Sea Customs on this subject, expressing their opinion that the introduction of the act with the clause providing for a reserved duty, or on any other footing than that of a free bonding system, would be nugatory. They have not received an official reply to this communication, but they are aware that the Collector, concurring in the views of the Committee, represented the subject to Government and recommended that the wishes of the Committee should be complied with, by exempting from duty all foreign goods imported in bond on re-exportation. In this form the subject, as the Committee understand, was referred to the Supreme Government. The introduction of the act in its original form, only a few weeks since, is the only intimation they have had of the result of that reference. It is to be apprehended, therefore, that the Committee's request for an extension of the operation of the act and the establishment of a free system, has for the present at least been set aside, and an instance brought to the notice of the Committee of its practical operation, shews that their reasonable request supported by the recommendation of the local authorities, has been altogether unheeded. It will therefore be incumbent on the Committee you may this day appoint to take up the subject again and endeavour with vigour to effect an object so obviously desirable for the interests of the port and Government of Madras.

Post Office.—The Committee have to congratulate the Chamber on the passing of the new Post Office Act, since the period of their last report, and on the manner in which the convenience of the public and especially of the mercantile community is met by that act.

Among the matters referred to in the Committee's last report, it will be remembered, was a recommendation to the Post Office Committee that ship letters on export should be charged two annas instead of four, and that all letters of moderate weight should be charged at that rate. The Committee have much satisfaction in finding that a provision to this effect has been introduced into the act; all letters up to three tolas weight being charged at two annas each.

Another subject referred to in the Committee's report, was the means of expediting the dak between Madras and Calcutta. Such general suggestions as the want of specific information on a variety of points, enabled the Committee to afford, were offered to Government; and more detailed information requested at their hands. The Committee were informed in reply, that the subject had frequently had the attention of the local Government, and was then under the consideration of the Post Office Committee; and also that the Government had in contemplation a practical experiment on the western road, which would determine the rate and expense at which the mails might be conveyed by horses or carts, and thus the Committee's suggestions have for the present been disposed of.

The Currency.—The assimilation of the Currency at the three presidencies formed an early subject of the Committee's deliberations, and the course they had adopted for this object, was mentioned in their last Report. They subsequently addressed a letter to the Government of India, submitting for their consideration the expediency of recalling the promissory notes of Government now outstanding, and expressed in sicca rupees. In reply they were informed, that objection existed having reference to the original terms of the different loans which precluded the adoption of the course suggested by the Committee. The Accountant-General in Bengal made no difficulty in acceding to the Committee's request that the fee for renewal of bonds should be changed from one sicca to one Company's rupee, and the change is now in operation. The Government were addressed in May last respecting the inconvenience arising from the want of small coins and the absence of the new Company's rupee. Their reply stated that the mint had been prepared for the execution of a copper coinage (which has since been abundantly issued) and that a remittance in Company's new rupees had lately been received from Calcutta. The latter coin, however, is not yet in that free circulation that the commercial interests require, and the Committee recommended that the subject may be prosecuted until a further supply and free circulation of that coinage as well of the smaller silver coins is attained.

Transit Duties.—The Chamber are aware, from the last report, that the Committee left this important subject in abeyance, (although disposed to take it up with their best exertions) in consequence of the representation that the Board of Revenue had the matter under consideration and intended to communicate with the Committee when they had fully considered the subject. No communication has been received from that Board, or from Government, and the Chamber are aware that a partial measure has been adopted, by which some few articles have been relieved from the duty, but which leaves the impost on the most important articles of commerce, and which is therefore by no means such a measure of relief as to satisfy the wants, and as it will now conclusively appear, the just rights of this presidency; for Bombay has lately obtained the same relief that has been granted to the provinces of Bengal and Agra; and thus to leave the burthen exclusively on this presidency. The petition of the Bombay Chamber to the Supreme Government, which the Committee were instructed to support by every means in their power at the General Meeting in April last, contained a reference to the town and transit duties and prayed for their abolition, and was supported by the Committee in a letter to the Supreme Government bearing date the 14th April. A copy of the reply to that petition was furnished to the Committee, and that reply admitted in general terms the vexatious nature of the duties, the advantage to the population that would be derived from their repeal, and the probability that the loss of public revenue

would eventually be more than replaced by improvements in the general resources of the country. It admitted, moreover, that the Madras presidency must have felt the burthen to a more vexatious and oppressive extent than either Bengal or Bombay. There was, not, however, the smallest intimation of any specific intentions on the part of the Government for the repeal of the duties, although it was stated that the views of the Government of India, and the report of the Committee of Customs, had been referred to the Government of Madras; with what effect the Committee have not learnt, unless the late imperfect measure of repeal can be taken as the result of that reference. Under all circumstances the Committee have thought it right to make these duties the subject of a formal representation to the Court of Directors in a memorial, which it will be necessary to refer to at more length in another place.

Steam Communication.

The Committee were in frequent communication with the Bombay and Bengal Chambers on the subject of the arrangements under this head, during the period that the communication was irregular; but it is unnecessary to detail the particulars of their correspondence since the establishment of a regular monthly communication has been recently ordered, and will, it is hoped, henceforward continue in active operation. There is one point, however, connected with the steam question, which has occupied their attention and has only become the more important in consequence of the establishment of a regular communication, and the confinement of that communication to the port of Bombay. The Committee allude to the subject of expresses. They some time since wrote to the Bombay Chamber, requesting the favour of their assistance for the purpose of putting a stop to the inconvenience experienced by all classes, in consequence of a portion only of the overland mails received at Bombay for transmission to Madras, being forwarded by express, the remainder being left to come on by the regular dak; and this without reference, as it appeared to the Committee, to any fixed principle of arrangement. The Committee requested the Bombay Chamber to use their influence to get the whole of the Madras packets forwarded by express, additional runners being laid for the purpose; their reply stated, that a set of runners for expresses was constantly kept up, and that additional runners could not be employed without great expense; which, during the uncertainty that then existed in the arrival of overland mails, the Government did not think it right to incur; at the same time, it was stated, that when a regular plan was laid arrangements would be made to meet the wishes of the Committee, and they trust, that such will be found to be in operation on the arrival of the next mail. On the other hand the establishment of a regular communication made the Committee alive to the advantage that would result from that communication being at all times open to the last hour, and they addressed the Madras Government with the request, that arrangements might be made that would give the community an opportunity of sending their letters by express, which should be dispatched to Bombay at the latest possible period; mentioning at the same time, the express that is usually forwarded with the dispatches of Government, and which, it was presumed, might under certain arrangements be opened to the public. The Government declined to comply with the Committee's request, on the ground that the express mail could only carry a limited number of letters and that the public would have cause to complain if a portion only of the community enjoyed the accommodation.

The Committee respectfully repeated their solicitation and suggested that if Government were unable to make arrangements by which the whole of the community might have the benefit of expresses, although such a plan appeared to them both practicable and free from any great expense, the merchantile community at least

(their correspondence being of a peculiar and usually urgent nature) might be permitted to enjoy that advantage; and finally requested, that if the local Government could do nothing to meet their wishes, the subject might be submitted to the Government of India, and to the latter it has been accordingly referred. The Committee have requested the Bengal Chamber to use every exertion to carry this point, and their reply is shortly expected.

Roads.—The Committee beg to recall to the Chamber's recollection, a resolution passed at their Quarterly Meeting in April last upon a letter from the chairman of the Bombay Chamber of Commerce, enclosing resolutions of that Chamber, to the effect that a petition should be forwarded to the Supreme Government, praying for the abolition of the transit duties in that presidency, and that a fixed sum might be annually set aside from the revenues of the country for the purpose of improvements in the roads.

The Committee were authorized to support the Bombay petition in the strongest manner and the Chamber pledged themselves in the event of the application proving unsuccessful to use every means in their power to obtain the fulfilment of their wishes by an appeal to the proper authorities at home.

The petition of the Bombay Chamber was strongly supported in a letter to the Supreme Government referred to above under the head of transit duties. The reply given to the application respecting the appropriation of a part of the revenues to the purpose of improvements, was simply that the subject must be referred to the Court of Directors, and that it had been so referred.

The result of this reply was, the proposal by the Bombay Chamber of a petition to be addressed to the House of Commons, praying that those provisions of the late charter act which took away from the Governments of Madras and Bombay the independent powers exercised by them previously to the passing of that act, might be repealed. This petition has been adopted by the Chamber and forwarded to the Bombay Chamber for transmission overland in company with their own petition to the same effect. A memorial has also been drawn up by the Committee addressed to the Court of Directors, in which, besides a prayer for the entire abolition of the transit duties, the above proposal for the application of a fixed annual sum for the construction of roads, is strongly recommended to their notice, and the restoration of their former powers to the Governments of Madras and Bombay earnestly prayed for. This memorial, which will now be read to you the Committee strongly recommend for your adoption in pursuance of the course resolved upon at the General Meeting above referred to. In the event of your adopting this memorial, it should be forwarded to the Government of Madras with the request that they will be pleased to transmit it to the Court of Directors with their favorable recommendation.

Experimental Farm.—The Committee have been in communication with Doctor Wight of the Madras Establishment, who has been appointed by Government to enquire into and report upon the capabilities of the country for the production of several objects of commercial importance, on the subject of an Experimental Farm, to be established in some convenient locality, where the capabilities of the soil for agricultural purposes, under efficient management and with the advantages of European skill and tools, might be practically tested. The Committee have not yet been able to come to any conclusive measure in respect to this question, but they beg to draw the particular attention of the Chamber to the able communications of Doctor Wight, which are now upon the table and which it is proposed to publish, together with such other documents as may be worth printing in an appendix to the report.

J. A. Anstetter, Chairman.

Madras Spectator, Oct 26.]

GOSPEL SOCIETY—DIOCESAN COMMITTEE.

At a special General Meeting of the Madras D. C. of the Incorporated Society for the Propagation of the Gospel on 6th Oct. 1837:

The Archdeacon of Madras, V. P., in the chair.

It was resolved,—

1. That this meeting, before proceeding to any other business, feel themselves called on to record with deep sorrow the sudden and untimely death of their late esteemed Secretary, the Reverend F. J. Darrah, M. A.

At a moment when he was on the eve of retiring from an office, the duties of which he had discharged with great zeal, ability, and faithfulness, the Committee have been deprived by the Divine dispensation, of the pleasure they would have felt in rendering him that tribute of respect and gratitude, which, in accordance with a notice on the books, it was their intention to have offered. They can now only have the melancholy satisfaction of thus recording their sense of the many and valuable services rendered to the S. P. G. F. P. by their late much lamented Secretary.

2. That the foregoing expression of the Committee's sentiments be communicated to the family of the deceased with the Committee's sincere condolence on the calamity, and that it be also brought to the especial notice of the Parent Society.

The Venerable the Vice President having requested the Reverend A. C. Thomson to assume charge of the Secretaryship in compliance with the vote of 25th July last, it was resolved—

3. That a Select Committee, consisting of the Bishop, the Archdeacon, all Chaplains of the Church of England at the presidency being Subscribing Members of the Committee, and four other Members, be appointed to transact the business of the Committee, who shall meet the Secretary for that purpose on the last Tuesday in every month, and as often as they may be convened by the President, Vice President, or Secretary.

4. That any three of the said Committee together with the Secretary, so assembled, shall be competent to act, that they shall pass all accounts, and that all orders up on the Treasurers shall be signed by the Secretary, and countersigned by two Members of the Select Committee.

5. That the foregoing law shall be without prejudice to the existing members of the said Committee.

6. (Moved by the Rev. G. Trevor, seconded by P. Cator, Esq., and carried unanimously.)

That, with a view of securing to the poor of the Vepery Mission congregations the full extent of the benefits now derivable to them from the bequests of the late Mr. Genicke and Mr. Falcke, this Committee do recommend to the Christian Knowledge Committee, that a number not exceeding 17 of poor boys under the age of 14, to be nominated by the Select Committee of the M. D. C. S. P. G. F. P. on the recommendation of the missionaries, be maintained and educated in the school gratis, the expence consequent on such arrangement to be borne by this Committee.—*Madras, Thursday Budget, October 19.*

ST. ANDREW'S DAY.

About a hundred and fifty Scotch and other gentlemen, assembled at the Town Hall, on the 30th ultimo, to celebrate the anniversary of St. Andrew's Day by a festival. His Royal Highness, Prince William Frederick Hendrick, of Holland, and the Officers of the *Bellona*, graced the assembly with their presence. The following gentlemen were Chairman, Croupier and Stewards on the occasion:—

Chairman.—W. P. Grant, Esq. Croupier.—Col. D. McLeod.

Stewards.—J. F. Leith, Esq.; J. P. Grant Esq.; Col. D. McLeod; Col. Jas. Young; W. P. Grant, Esq.; Wm. Storm, Esq.; R. S. Thomson, Esq.; Capt. W. N. Forbes; Capt. Jas. Thomson; H. M. Low, Esq.; John Allan, Esq.; Alexr. Colvin, Esq.; Robt. Davidson, Esq.; Edwd. Whyte, Esq.; and A. H. Sim, Esq.

The wines and viands did credit to Messrs Spence and Co., and whiskey and haggies, were plentifully provided. At half past seven P. M. the party sat down to dinner and on the cloth being removed, the Chairman said,

Gentlemen,—the first duty we owe to our country, is to express our gratitude to the Government under which we live, and to our sovereign, who especially commands our respect and veneration. This is the first occasion of this kind in this part of her dominions, since the accession of her Majesty to the throne, on which we have met to express our feelings of respect and loyalty. Esteem and

reverence, and all that can be said of our attachment to her, are terms by far too cold for the expression of our feelings, in wishing long life to Queen Victoria. These feelings, which we inherit from our Saxon ancestors, we should exhibit with more than usual warmth on the present occasion. It is not only a feeling of respect and loyalty, but a chivalrous feeling, which pervades us while drinking to our young and amiable Queen, who has been suddenly launched in a glorious and not undangerous career. Gentlemen, long life and happiness to our amiable and youthful Queen, whom we will unite to protect to our last hour. Deafening cheers. Air—"God save the Queen."

Chairman.—Gentlemen—I have now to call your attention to another toast, which on the present day, most concerns you, and which has been observed among us from the earliest times to the present day: I mean the pious memory of St. Andrew, who came to Scotland, from a distant land, when our country was in a state of barbarism, and the whole world nearly sunk in ignorance and darkness, to instruct and enlighten our ancestors, in religion and morality, by his own bright example. I have, gentlemen, to propose to you the pious memory of St. Andrew. Drink in solemn silence. Air—"Caledonia."

Chairman.—Gentlemen,—I have to give you another toast, in which all who have done us the honor to be our guests on the present occasion, will, I feel certain, most cordially join and drink with as great enthusiasm as ourselves—the land of cakes. (Cheers.) To explain this

to Scotchmen would be supererogatory; to attempt to explain it to Englishmen, who do not enter into our peculiar national feelings, would be useless: I therefore, gentlemen, without further preface, give you the land of cakes. Drank with much cheering. Air, "Auld Lang Syne."

Chairman.—Gentlemen,—the toast I am now about to give you, I am sure will be drank with all the honors. It is the worthy head of this government—the Governor-General of India. Cheers. Air, "Over the hills and far away."

Chairman.—Gentlemen,—I beg to give you next that, without the aid of which we would have had no Government here. Gentlemen, I propose the Navy of England, with all the honors. Drank with deafening cheers. Air—"Rule Britannia."

Captain Blake, of her Majesty's ship *Larne*.—Gentlemen,—it is a pity, and I regret very much, that the duty of returning thanks for the Navy has not fallen into better hands than mine. I am not much of a Scotchman—indeed no body would suspect me of being one, and as a stranger here, I felt glad at being invited; and I have met with that hospitality from you, which I shall never forget. Unaccustomed as I am to public speaking, yet I feel it to be my duty to express my sentiments on this occasion of so handsome a compliment being paid to the British Navy. I assure you, Gentlemen, that I feel most strongly the honor done me and the service to which I be on; but being, as I have said, unused to speak in public, I cannot in an adequate manner give utterance to my feelings; I must, therefore, conclude, with drinking all your very good healths. Cheers.

Chairman.—Gentlemen,—I beg to give, with all the honors, the other branch of our forces, to which we owe so much,—the Army. Loud Cheers. Air, "The British Grenadiers."

Chairman.—Gentlemen,—I have now to request, that you will fill your glasses to a special bumper. Gentlemen, I propose that we should drink the health of our illustrious guest His Royal Highness, Prince William Frederick Hendrick, of Holland, who has done us the honor—attending on this occasion. (Deafening cheers.) We owe much to the family from which he is descended, and any person coming among us from the family of Holland, we have great reason to respect. As Englishmen, we must ever be proud to show our gratitude to them. I have, therefore, gentlemen, the honor to give you the health of this Royal Highness and the family from which he is descended.

The Prince, in a low tone of voice, returned thanks for himself and his family; and expressed his regret at being unable to express himself in suitable terms.

Mr. J. F. Leith next rose and said:—Gentlemen, I have been requested to propose the next toast, which is one that will carry us back in mind to the early period of our National History, so full of poetry and melancholy romance, when our country was without a king or a governor for the space of nine years, and when our brave ancestors fought and bled on many a memorable field to bequeath to their children that blessing which we are now enjoying—"For," as was then said by our lords and nobles, "it was not glory, it was not riches, neither was it honour, but it was liberty alone, that they fought and contended for—which no honest man will lose but with his life." (Cheers.) Gentlemen, among these the names of *William Wallace* and *Robert Bruce*, the subjects of our toast, stand prominently forward. Their names and their deeds of noble daring, are as familiar to us as household words; they are recorded in the page of history, they are interwoven with our legends and our ballads, and the memories of *Wallace* and *Bruce* are embalmed in the heart of every Scotchman. Our infant

lips were taught in nursery tales to lisp their names, while our minds dwell with delighted wonder on the almost super-human powers and achievements of these great men. In our maturer years we revere them in proportion as we understand and appreciate the obstacles they had to overcome—as men who asserted, fought for, and established the independence of our native land. (Cheers.) And we still wonder how they, stepping in advance of their countrymen, and the age in which they lived, could, with almost unassisted energies, keep together and lead to victory, the undisciplined and poverty-stricken, army which they had to mould, torn and distracted as it was with intestine feuds and heart-burning jealousies, against the bravery and chivalry of civilized England. Gentlemen, this proves, if proof were necessary, that "there are no true sinews of war, but the sinews of the arms of valient men." (Loud Cheers.) To our English guests, I deem no apology necessary for our dwelling so long on the part of our separate history, for they are too far removed by time from the scene of action, to experience any other feelings on this occasion, than those of wonder and admiration in common with ourselves—now happily united to them as one people—at the inborn greatness and nobleness of soul of a *Wallace* and a *Bruce*, whose memories will be revered and honored in every country and among every people, where patriotism, liberty and national independence are cherished as something more than empty names. (Cheers) Let us drink to the memories of those two, pillars of Scotland, *William Wallace* and *Robert Bruce* (Loud and repeated cheers.)

Mr. R. Scott Thomson, sang "Scots wha hae wi Wallace bled" in a very feeling manner, accompanied by the band.

Chairman.—Gentlemen,—the next toast I have to give you, is that of a gentleman who, but for severe indisposition, would have been among you to night. Indeed up to a late hour this afternoon he fully intended to be here, but was prevented by sudden illness. I have the honor to give you, gentlemen, the President in Council. Drank with cheers. Air, "Is there for honest poverty."

Chairman.—Allow me, gentlemen, to propose to you the health of a gentleman not entirely unknown in the circles of Calcutta, and whom, I regret to say, we are about soon to lose from among us. I propose long life, health and happiness to Col. Rehling, the Governor of Serampore. (Cheers.)

Col. Rehling returned thanks.

Chairman.—Gentlemen,—I am sorry to observe signs of insubordination among my colleagues to night; other wise I would not have kept you waiting so long without a glass of wine. I have now to propose to you, what I, as a Scotchman, never fail to drink with all my heart. I give you, in a bumper, the Kirk of Scotland. Cheers Air, "My ain kind dearie O."

The Croupier gave the civil Service, but we could not catch a word of his brief speech. Air—"Todin hame."

II. T. Prinsep, Esq.—I do not know whether I am the proper person to return thanks for the civil service, to which I have the honor to belong, nor indeed can I say, as from this situation I cannot command the whole table, whether there is a senior present. But rather than that no body should return thanks, I cheerfully impose that duty on myself, though I am sure there are many here more capable of doing justice to it. I know of no reason why you should love the civil service, but that you have many of the sons of St. Andrew in that service, and in it they have risen to the top and signalized themselves. I will therefore conclude, by returning you their thanks as well as my own.

Mr. Cochrane.—It falls to my lot, Mr. Chairman, to propose the memory of Walter Scott; a name deservedly most dear to us all, were it only for the honor he has done to the literature of our land. There is not, I will venture, Sir, to affirm, in any author, pages where virtue dwells more unsullied than throughout his own. He has pursued the noblest means of inculcating the principles of humanity by appealing to the predilections and the feelings of his countrymen. His works—the monuments of intellectual power—reflect not honor alone on the memory of him dead, but add lustre to the living, and cast a glory on our common country. Cheers. Who is there amidst assembled nations that would not be proud of such a man? Trophies and monuments alike decay and crumble into dust; but the productions of this man's genius will stand out from the wreck of time—immortal. Loud cheers.

The whole earth, said the noble Athenian in other days, is the sepulchre of illustrious men; and it is not the inscription or the marble on their tombs that perpetuates their memories, but the recorded recollection of all men in all countries. Such sentiments, Sir, are not only just, but in truth, prophetic, and as long as the Scottish name or nation shall exist—as long as virtue and intelligence reign in that land where freedom has fixed her throne—the sacred soil of Britain—shall the memory of this man, in common with those you have this night commemorated, live in remembrance—eternal. And with justice will it be so, for genius and public liberty flourish and die together. Indeed, were it not deemed too bold an assertion, I might venture to declare, that the last misfortune that could befall a land, would be the loss of the reverence of genius and public virtue. In such sentiments, I mean in the love of all, that is great or noble, our countrymen, and, indeed, the whole British Empire, have been ever distinguished. It is this, that has contributed to the grandeur and the glory of our land. It is this that will maintain it. Cheers. Entertaining, therefore, as I know ye do, such feelings in common with your countrymen, I now call upon you, amid the silence of all that reigns around me, to fill your glasses while in all reverence I propose what in commencing I named—*The memory of Walter Scott*. Drank in solemn silence—Air “The land of the Leal.”

Croupier.—Gentlemen,—I give you the health of Sir John Peter Grant and the Chief Justice of Calcutta.

Sir Edward Ryan.—Gentlemen, I return you my best thanks on behalf of Sir John Peter Grant, who is prevented by adverse winds and tides, over which we have no control, from being present here. I believe he greatly regrets his absence from you, and I am sure you do not regret it the less. (Cheers).

Mr. Leith rose and said.—Mr. Chairman and gentlemen,—I will not say that there has been treason, but I will say that there has been insubordination in the camp; for I have just this moment been informed that one of our worthy Stewards, and a particular friend of mine, who shall be nameless, but whom I have now in my eye (laughter), has insisted upon being relieved of the duty assigned to him of giving the next toast. This I regret for your sakes, gentlemen, as I have been compelled to become his substitute. Fortunately, however, for me, your sympathies have been long since drawn towards the subject of my toast, and it is one most appropriate for this our national festival, for none of the heroes of whom honorable mention has been made this evening, or any of our statesmen, reflect more honor upon Scotland than *Robert Burns*—the Peasant Poet, who amid

poverty, untoward fortune and cold and heartless neglect, exhibited the true nobility of nature. To describe, even had I the talent, the beauties of his poetry, or the influence which it has had and still preserves, wherever it is read, is an unnecessary task, and would be but to weaken early impressions made by the force and beauty of his poetry on your hearts and which must be ever dearly cherished. (loud cheers). I shall, without further preface, give you, the Memory of *Robert Burns* the poet of Scotland, our own poet. Drank in solemn silence. Air, “The Flowers of the Forest.”

Sir E. Ryan.—Gentlemen,—I am about to propose a toast to which I am sure you will all drink a bumper. I regret exceedingly that Sir J. P. Grant is not here to-night; but in his absence I am glad to see the chair, which he would have otherwise filled, so well accupied by his son on this occasion. I propose the health of Sir J. P. Grant.

(Here the pipers went three times round the room playing the *Rothiemurcus Rant*.)

The Chairman.—Sir Edward Ryan and Gentlemen,—I should be to blame if, after the handsome manner in which you have drank to my father, I did not return you my sincere and heartfelt thanks. The instruments that you hear may to some strangers appear as uncouth sounds; but to the ear of Scotchmen who understand them, they create a feeling beyond expression. They rouse in my heart emotions, greater than I think I may trust myself in expressing. Gentlemen, I return you and Sir Edward Ryan sincere thanks, for my father and myself, for the honor you have done us. Cheers.

Chairman.—There is, gentlemen, another toast on the list, which I am sure you will all drink with cordiality. It is a body in Calcutta whose health has not yet been drank to-night, but who are worthy of remembrance on all such occasions of conviviality—I mean the Commercial community of Calcutta. Cheers. Air, “Money in both pockets.”

The Prince of Holland at this time—half past ten o'clock, left the table, and was attended to his conveyance by the Chairman and many other gentlemen of distinction.

Croupier.—Gentlemen,—I beg to propose to you the health of our worthy Chairman during his absence. Drank with cheers.

Mr. Allen.—Gentlemen,—I return you thanks for the Commercial community of Calcutta, who, I am sure, will feel grateful for the handsome compliment paid to them, and, I hope, ever deserve the esteem of the community of Calcutta.

The Chairman.—It has been just intimated to me, that during my absence, in consequence of the duty I had to perform, you have, gentlemen, contrary to all rule, done me the honor to drink my health, and, therefore, instead of, on my return, drinking wine to wet my throat, I am obliged to try it still further by speaking. I who know so little of Calcutta, have to preside at a meeting of Calcutta gentlemen; but though I am a stranger in Calcutta, I am not so among Scotchmen, and I will say, that I can manage to keep the good fellow-feeling of Scotland among them. I am sure you all have that feeling, in which I will drink a full bumper. The best way to inform one whose health has been drank in his absence, is to fill his glass to the brim; but here the bottle even, has been so

drained, that I cannot squeeze a bumper out of it (laughter). Gentlemen, I return you my thanks for the compliment you have paid to me during my absence.

The Chairman.—There are yet, gentlemen, some toasts on the list, and the next one I have to propose, is one you would be sorry to pass over. It is that of my friend Mr. Charles Prinsep and our English guests, with all due honors. Cheers. Air, "Roast beef of old England."

Mr. Prinsep.—Gentlemen,—I am quite at a loss to know why I should have been singled out by my worthy friend as the representative of the English, when there are so many here who can better represent that nation. As the two sister kingdoms have now for ages been united in the closest bonds of friendship, it is scarcely necessary to pay us this separate compliment. We should rather drink to our foreign guests, some of whom are now seated besides me—I mean those gentlemen who came with our illustrious guest, and to whom we should shew courtesy. It was to Holland that we first looked for religious and civil liberty at a time when England was in little better than a state of slavery. I do look to that country as the one which set us the example of liberty. The kingdom of Holland, gentlemen, that kingdom from which our guests have arrived. I give you our foreign visitors from the kingdom of our ancient ally. Cheers.

Lieutenant Hope, of H. N. M. S. Bellona.—Gentlemen,—I cannot make to you a speech in your language; but I can say to you, that myself and all my brother officers, wish to England, Scotland, and Ireland united, all happiness and prosperity. Much cheering.

The chairman.—Gentlemen,—I am quite sure you will believe me when I tell you, that I singled out my friend Mr. Prinsep in order to bring him out from his lurking corner; which I did by a poke in his ribs, and I am glad to perceive it has had its full effect.

The Croupier.—Gentlemen,—I beg to propose to you the Members of the Calcutta Bar, whether English, Irish, or Scotch. Cheers.

Mr. Prinsep.—The gentlemen of our profession, you know, are men of but few words. The leader of our bar, who has the greatest command of words, and who has always been the foremost in promoting the interests of this community, is now absent from Calcutta. I wish he were here—I am sure he would have done ample justice to the duty now imposed on me, of returning thanks for the bar. Allow me, gentlemen, to drink to St. Andrew, most devoutly praying that he may keep his sons in the enjoyment of every happiness. Cheers.

The Chairman.—I have but one more toast to propose, which I am sure you will appreciate. I beg to propose the healths of Mr. Curmin and our Irish guests. That gentleman has, it is well known, at very considerable personal sacrifice, taken much trouble for the benefit not only of the army but the people of India at large. There is no man whom I love and esteem more.—I therefore give Mr. Curmin and our Irish guests.

Mr. Curmin returned thanks, hoping he would be here on many more similar occasions.

[Here the pipers again entertained the company with the national music of Scotland, and puffed away, under the statue of Lord Cornwallis, in a style that seemed highly delighting to the sons of St. Andrew.]

The Chairman.—Gentlemen,—I beg to give you the health of my worthy friend and assistant on this occasion, who is at the other end of the table—Col. McLeod. The pipers played again.

Col. McLeod returned thanks for the honor done him, and intimated that he had rewarded the pipers with a glass of whisky each.

About this time many of the company having left the room, those who remained, at the suggestion of the Chairman, drew close together. The conviviality of the evening continued unabated.

The Chairman.—Gentlemen, I have to trespass once more on your attention, and I hope to be heard in silence by all the sons of St. Andrew who are yet here. I have to give the health of one who is now, unfortunately, on the bed of sickness. I am sure every son of Caledonia will cordially join me in wishing him a speedy recovery. I mean Mr. Wilson, our former president, who, if he had not been sick, I need not tell you, gentlemen, would have been here. I beg, gentlemen, you will drink a bumper, not in silence, but with our sincere wishes for his speedy recovery, health and long life, and that he may be amongst us on the next anniversary of St. Andrew's day. Cheers.

The Chairman.—I have one more toast to propose—it is the health of the gentleman who now sits beside me, whom I feel it my duty to single out from among our countrymen—I mean my worthy friend Mr. Leith. Long life, health and happiness to him.

Mr. Leith.—Gentlemen,—I feel extremely obliged to you for the handsome compliment you have paid to me, though I feel myself unworthy of the honour you have conferred on me, who am so humble an individual. This honor, gentlemen, is wholly undeserved by me; but I am not the less grateful for your conferring it on me. I do not know of any virtue in me that should induce you to drink my health, but that of being your countryman. It is a source of gratification to me, to meet you here, and I hope it will not be the last time that I will meet you here under the auspices of my worthy friend who now presides. When I meet you here, my countrymen, (excuse me Englishmen) I cannot suppress my feelings. Ours is deemed an inhospitable soil—not an uninhospitable one, gentlemen, for we are not wanting in hospitality, I trust, to our guests; but now that we are transplanted to, though not a better yet a warmer soil, we may be expected to feel more warmly those attachments by which we were bound in our native land. (Cheers.) It is, indeed, a matter of regret that we do not meet oftener in such convivial parties, to renew the recollection of those left behind.

The Croupier proposed the health of Col. Thackwell and Her Majesty's 3d Dragoons, who have just arrived among us.

The Colonel returned thanks.

Mr. R. S. Thomson gave "the memory of James Hogg, and drew the attention of the Chairman to the debt which Auld Scotland owed to a poet gifted by nature, as the Ettrick Shepherd was, with all the wild and beautiful imaginings peculiar to his native land. At a meeting like the present, and when the memory of Burns and Scott had been given and received with so much feeling, that of Hogg ought to rank with them, side by side. Much cheering.

Several other toasts were drank, and the company separated at about one in the morning, apparently quite happy.—Herkura, December 2.

MOONGHYR.

JOINT MAGISTRATE'S COURT, OCTOBER 26, 1887.

An illegal source of Revenue.

A case was decided to-day which brings to light a wide-spread evil that requires the speedy interposition of Government, who, it may be, have been sedulously kept in ignorance of it or have been wilfully blind to it. The evil to which we allude prevails probably in all the districts comprising the British Indian empire; as the many we have personally been in, did not present a single exception to the fact. We have reason to be certain that the unwarrantable source of revenue in question is not backed by any of the Regulations of Government, but on the contrary is expressly prohibited by a resolution of the *Sudder Nizamut Adawlut*, in which authority, under the Government, the supervision of fines and pecuniary penalties is doubtless vested. We always understood that where there were no regulations guiding the *Mofussil Courts* in any matters that fell under their Jurisdiction, the orders of the *Sudder Nizamut* stood on the same footing as the Regulations of Government themselves, and its Resolutions as imperative. It is of considerable importance to ascertain in the first place, whether the following resolution recorded by that Court is known to Government; in the second place, whether the *Mofussil* authorities have been put in possession of it; and in the third place, how the sums realized have been appropriated. The abovementioned Resolution, (passed on the 28th of March 1807,) runs as follows:—

"The Court are of opinion that no fine can be levied by the Police Officers from the owners of stray cattle under the existing Regulations, but that the owner of the crop has an undoubted right of impounding stray cattle when found trespassing on cultivated fields, whether of indigo or of any other kind of cultivation; and that the expense incurred in feeding and attending the cattle whilst impounded, should be defrayed by the owner, besides making compensation for the damages (if any) previously to the cattle being released from pound."

It will appear from what we have just said, that we allude (and what we shall advance without hesitation,) to the universal practice, although unauthorized by existing laws, and positively objected to, if not expressly interdicted, by the *Sudder Nizamut Adawlut*, of levying fines on cattle trespassing in the fields of cultivators without exception; for there is no distinction made between the cultivators of indigo plant, and other classes of cultivators of the soil, but all are, by the Resolution, equally entitled to impound cattle trespassing on their fields and doing damage to their crops. The indigo planters being a superior order of cultivators of the soil, though in many of the districts ignorant of the existence of such a Resolution in their favour, as well as in the favor of cultivators in general, have been in the habit of assuming the privilege, of merely levying a small pecuniary amount (which they denominated *fine*) on each head of cattle impounded for damaging their plants, though they thereby, not only did not infringe on any of the Regulations of Government, but in reality, though unwittingly, were borne out by the fiat of the *Sudder Nizamut Adawlut*, but from ignorance, lost the benefit of exacting the full amount of expenses incurred by them in having the impounded cattle tended and damages sustained by their plants being destroyed by them. Now if the Resolution under consideration had been given publicity to, they would unquestionably have availed themselves of the means of saving themselves from losses

which their being kept in ignorance of its existence had occasioned them.

In the district of Bhugulpore, one of the former judges and magistrates, (far we refer to the times when the offices of collector and magistrate were not united) coming to a knowledge of the fact that the indigo planters were in the habit of compelling the owners of cattle doing damage to their crops to pay only a small fine of eight annas a head for bullocks and cows, and two or four annas for goats, being incidentally brought before his Court, displayed his want of information so far as to put a stop to the practice, directing the indigo planters to proceed in the Civil Court against owners of cattle against whom they had any claims to advance on the score of injury done to their fields. Mr. Lang, the Magistrate of Monghyr, also flies into an official passion on a similar occasion very recently, (only two years ago) which harries him into the indiscretion of issuing an *ishtahar* to be proclaimed in the place and spot where the heinous offence of impounding cattle, and laying damages had been perpetrated by the owner of Sisonnee factory, who has the pleasant mortification of hearing the drums beating and the crier shouting the general prohibition about his factory, and in his premises. But the satisfaction of Mr. Lang was not of long duration, for the resolution of the *Sudder Nizamut* was submitted to his astonishment, and in his turn he had the pleasurable duty of ordering a counter *ishtahar* to be made on the very spot, and restoring the privilege of exacting damages to those whom it may concern. Now what shall we say to the culpable ignorance of law and Regulation of such high officers of Government to whose custody the distribution of justice by "equity and good conscience" has been consigned?

In how many other districts such a spectacle has been exhibited it is impossible to say; but the fact that the generality of cultivators of all grades, excepting the indigo planters, not daring to exercise the privilege conceded by the Regulations under consideration, have been either compelled to bear the losses sustained by them by their crop being damaged by stray cattle, or endeavoured to procure the prevention of them by conveying them to the *Police thana*, when they could do it without fear of being subjected to personal harm from owners who happened to be powerful enough to rescue the beasts ere they reached that seat of redress. In the event of succeeding so far as to consign them to the *thana*, the owners verily had to pay a fine for the release of the cattle, (probably some hundred per cent. more than authorized) but not a pice of it ever found its way into the hands of the parties sustaining loss. It is quite plain then that redress was to be obtained only by those who had resolution enough to act independently of the interference of the police, and possessed at the same time the means of doing so; while such as were incapable of doing either, by the rules of "*Holston's choice*," necessarily submitted to the grievance.

Are Government ignorant then of the universal illegal practice of levying fines by the *Police thana* officers, who are under the authority of the Magistracy? And if Government are not aware of its existence, what have the *Mofussil* authorities to say in defence of their neglect, not to call it by a harsher name, in not making them acquainted with it? Or the *Sudder Nizamut Adawlut* no less. What has that paramount judicial authority to urge in defence, for not placing the circumstance before the Supreme Council. If we may judge from the following substance of a correspondence, however, that has a little while ago passed between it and a late magistrate of this district, it would seem that they had done it.

The magistrate informs the superior Court, that upon a reference being made to it by the senior judge of the Moorshedabad Court of Circuit, it recorded its opinion on the 28th March, 1807. What that opinion was we need not repeat; but the application of the Joint Magistrate of this district was not before the 16th April, 1828, just 2 years after the passing of that opinion; and it was doubtless made with a view to elicit instruction; but which to us appears to be unnecessary, since the superior Court had already recorded a resolution, which it was his duty to be guided by. He probably thought that the resolution of the Sudder Nizamut Adawlut was not sufficiently legal to authorize him to regulate his proceedings in a matter of such considerable importance. But by such thoughts he called in question the discretionary power vested in it to command implicit obedience to all their circulars, and Resolutions. He evidently overlooked that circumstance, and confiding in his own wisdom, he recommends a legislative enactment authorizing the Police Darogahs to levy a fine from the owners of stray cattle found trespassing in cultivation upon petition (more money in the public coffers by the sale of stamps and promotion to the zealous officer that opens a sphere for it!) being presented to them by the owner of the crops, supported by the testimony of two or more witnesses. The Nizamut Adawlut's Resolution is the very antipodes of the law suggested by the Magistrate, if he did not mean to provide at the same time that the proposed fine or whatever else it might be denominated, should not go into the pockets of Government. If he did, the equitable feature of the act, would have rendered him worthy of a *souvenir*, scarcely less conspicuous than that which celebrates the career of Sir David Ochterlony. But weak, had Government any notion of the resolution of the Sudder Nizamut Adawlut? In as much as no legislative enactment resulted from it, Government must be content to be told that there can be nothing more convincing than this, that it is much to the credit of their wisdom that a whole country has been during some 50 or 60 years labouring under a lamentable series of oppression in proof of its paternal solicitude for the welfare of the people whom providence has placed under their political sway. This observation of course will apply only if they have been applied by the Nizamut Adawlut for the enactment of some regulation on the subject. And then they must bear the imputation of winking at the illegal source of revenue laid upon, and probably occupied during more than half a century. We have reason to believe, that Government was informed of what was happening in the Mofussil, and that the Sudder Nizamut had recommended the enactment of a regulation on the subject under consideration. We have good grounds for the assertion, as the following extract of the reply of that Court to the letter of the Magistrate of Monghyr, recommending an equitable regulation will show.

"The subject of your communication is one of great difficulty and importance, and has long been under the consideration (yes, long enough to occupy 21 years) both of this Court and of the Government, and that the Court are not prepared to adopt the suggestion of vesting the Police Darogahs with such powers as those you propose, or at present to apply any other remedy (what, not after a deliberation of 21 years?!) to the evil complained of, or to promulgate any new rules with a view to its suppression, in addition to those contained in the Court's letter (a circular we suppose!) dated the 28th March 1807, to which allusion is made in the second paragraph of your reference." This letter of the Sudder Nizamut's is dated 2d May, 1828.

Government then have had the question long under their consideration, and we shall venture to believe (though we do violence to our understandings) that the resolution of the Sudder Nizamut was known to the local authorities; but we are lost in conjecture as to the object there had in view in suffering the Police Darogahs to

levy fines on stray cattle, and carry the proceeds to the account of course of Government. The Nizamut Adawlut say you shall not do so, "but we shall" is the language of the fact; and this every where. Did the Nizamut know that its orders were being set at naught by the Mofussil authorities, and that during nearly 20 years if it did not, Government could not. So then, while the necessity of enacting a regulation was acknowledged, the evil was suffered to be perpetrated by the Mofussil powers, in direct opposition to the order of the higher Court! But *n'importe*, the evil did no harm to the revenue!

It now remains to be asked, did Government know that the country had been laid under a wide system of contribution? How have the proceeds of it been appropriated? What does it amount to annually? It is due to the people who pay the fine to be made acquainted with the reasons of this unwarrantable exaction; we say unwarrantable, because it is illegal in the strictest sense of the word, and those who have been deprived of the benefits of the resolution of the Sudder Nizamut Adawlut, have an unquestionable right to demand the repayment of the fine levied from owners of cattle doing damage to their crops. But where is it? Past recall, in the coffers of the state, conveyed thereto by the Mofussil authorities, without rhyme or reason. And this we must believe the Government entirely unacquainted with? Our Paternal Government might as well open their eyes a little and see, if they cannot discover a means of applying some remedy to the evil, of pocketing the money demandable by owners of the crops and cultivations. It is enough that some lac of rupees have already flowed into the public treasury from this illegal channel. Let the poor husbandman, and other cultivators of the soil at length, obtain some remuneration for losses sustained by the hoofs and teeth of the brute creation. Is there any body prepared to question the probability, that the thanna people have taken advantage of the existing state of things, and encouraged the depredation of cattle in the fields of the husbandmen, seeing that their *returns* show a hundred or two per cent. by profit and loss more than the books of the Magistrate could boast of.

The case decided this day originated under the following circumstances: Mr. Muirhead, the proprietor of Muijpaul and other factories, impounded several heads of cattle for trespassing in his indigo plantations, and demanded damages for the loss thereby sustained by him, with the expenses he had incurred in having them taken care of. The owners refused to comply with his demands, though it was made, backed by the aforementioned resolution of the Sudder Nizamut Adawlut. A long time having elapsed since the impounding of the cattle without his legal demands being complied with, he presented a *durkhaat* to a former magistrate, praying that he would direct the daroga of the thanna to take charge of the cattle, and compel the owners to pay him the damages he claimed, or sell the cattle for that purpose. Had he retained the cattle he would not have acted contrary to the privilege granted him by the Sudder Nizamut Adawlut; but he rather wished to obtain the damages he had a right to demand, and therefore resorted to the above mode of procedure. The magistrate directed the daroga to furnish a report of the accuracy or otherwise of the purport of the *durkhaat* of Mr. Muirhead. He sends in a *kyffaat* corroborating it, of which the magistrate took no notice during several months, till it was brought to the consideration of the late Assistant to the Joint Magistrate, Mr. Ramsay, (who we understand has struck his colours in the Company's service, or is about to do so,) to whose investigation, not the complaint of Mr. Muirhead, but that of the owners of the cattle, had been referred for trial. These complain that Mr. Muirhead had caused their beasts to be driven away to his factory from waste lands, wherein they could have done no damage, and who had ever since (about eight months) detained them in his custody. Mr. Ramsay proceeds

to try the case. Mr. Muirhead's pleader takes an objection to the trial of the counter-prosecution before the application of his client had been disposed of. He quoted the resolution of the Snadder Nizamut A lawlut, and justified the right of his client of impounding cattle and levying damages for the injury sustained by him. He contended that it was incomprehensible to him, why the application of his client should have stood so long undecided; while that of the parties whose complaint was now under examination, should be proceeded on, and begged that the former might have the preference, or at least that the papers connected with it might be read and taken into consideration. The Court would not agree to the reasonable suggestion, but ordered a fresh *tatahar* to be taken from the prosecutor's mooktarkars *sine voce*, which was done accordingly. The Court then directed his witnesses to be called, and called on Mr. Muirhead's pleader to reply to the charge of the complainant. The pleader said, that although he did not think he was obliged, ere the witnesses had been heard, to answer to the complaint of the prosecutor, as he considered the proceedings irregular; but as the Court required it, he would do it, though he did it reluctantly. He then said, that he would (though the Court did not desire it) also produce his witnesses to refute the statement of the prosecutor. Here the case was postponed. Some days afterwards the witnesses of the prosecutors appeared, and corroborated his

statement. The Court decided the case against Mr. Muirhead, and fined him 30 rupees for detaining the cattle of the prosecutor.

The pleader of Mr. Muirhead presently appealed the case. The superior Court reversed the decision of Mr. Ramray this day, and remitted the fine. But what was singular, three witnesses produced by Mr. M's. pleader deposed to the fact of the cattle having been carried away from fields of indigo wherein they were doing damage. Here there are two sets of witnesses in a confident manner, with the objects of their worship in hand, contradicting each other as to the plain matter of fact. The inferior Court would not wait for Mr. M's witnesses, although no particular date had been appointed for their appearance. To decide a case on *ex parte* evidence would be no very great attribute of a child; but some sound wisdom is required to be expended in detecting a fact in the midst of a heap of conflicting testimonies to it. It is wisdom, we allow, to keep clear of such vexatious shoals, and run before the wind with the flying colours of "equity and good conscience" to beat down all troublesome law and regulation, rule, and resolution, ready at hand, especially as the Superior Court was very conveniently in the way to submit to the trouble of reviewing the decisions of its inferior. — *Hurkaru*, November 14.

SUPREME COURT.

OCTOBER 31, 1837.

In the goods of Russey Doss

The deceased died leaving no relations surviving, bequeathing her property, which is considerable, both in money and land, to one Nursing Doss, of Calcutta. Application was made for probate before the Chief Justice in chambers, but his lordship directed, that the application should be made in open court. Several witnesses were examined, one of whom, the gomasta of Nursing Doss, swore, he read the Will to the deceased, when she was alive and in her senses; other attesting witnesses were also examined, but one Rampersaud, who wrote the will, was not forthcoming, nor was his absence satisfactorily accounted for by the witnesses examined. The Chief Justice refused probate, leaving the applicant to prove the will in solemn form.

Hajah Burrodacaut Roy, v. Bissnoondary Doss.

This case came on for further directions. Postponed till to-morrow. — *Englishman*, November 1.

NOVEMBER 13, 1837.

In the goods of John Robinson, deceased.

The deceased gave instructions to one James Taylor, in October last, to draw out his will, and afterwards approved and executed the same. He died on the 12th instant, leaving him surviving a widow and three children by different mothers. Application was made to prove the will in the usual form, but at the suggestion of the registrar, it was proved in open court. Probate granted to the widow.

Mahomed Ally v. Muttylall Seal.

This was an action brought to recover the sum of Sa. Rs. 470, being the balance alleged due by the defendant, for work done by the plaintiff in rigging the barque, "Christopher Rawson."

The particulars appeared as follow:—The plaintiff is a serang or boatwain, and the defendant is a banian, and was the banian of the late Mr. W. Smithson in his life time. The "Christopher Rawson" was built by Messrs. J. and N. Thomas, of Howrah, for the late Mr. Smithson. The same parties, it appeared, agreed to build two vessels for the late Mr. Smithson, and it was arranged that they should be paid Rs. 1,100 for rigging both. The plaintiff completed the rigging of one of the vessels, and not having received from the Messrs. Thomas (who were in embarrassed circumstances) the full amount due to him, refused to commence rigging the second vessel, unless the balance due to him on account of the first was previously paid. It was sworn that defendant went over to Messrs. Thomas's dock-yard, and told the plaintiff to go on with his work, and he, the defendant, would pay him.

The action was in the first instance brought in the Court of Requests, but the proceedings were removed by certiorari to this court.

The defence set up was, that Muttylall Seal was merely the servant of Mr. Smithson; but the court gave a verdict for Rs. 470. — *Englishman*, Nov. 16.

FRIDAY, NOV. 17.

The King v. Thomas Ferguson.

The Advocate General, with reference to a notice on a former day, stated, that it was his intention to have moved this day for a new trial, but a communication that he had received since he came into court had induced him to defer moving—if he troubles the court at all—till to-morrow.

Chief Justice.—I have referred to Mr. Justice Malkin's notes, and it appears to have been his opinion that the verdict was against evidence.

The Advocate-General.—The grounds for a new trial are several. The verdict was against evidence, and against the direction of the judge.

Chief Justice.—If you move for a new trial, it must be an order nisi to be made absolute on the first day of next term.

Mr. Clarke.—I believe I can save my friend some trouble by stating, it is not my intention to oppose his rule absolute, neither do I intend to move to bring Mr. Ferguson up for judgment. My clients are perfectly satisfied with the proceedings as they stand, and do not intend to give the court any further trouble in the matter.

Chief Justice.—Then I suppose, Mr. Advocate-General will not move. However, we shall see, what course he will take to-morrow.—*Englishman* November 18,

(Before Sir Edward Ryan, Chief Justice.)

Rex on the Prosecution of Messrs. Bruce, Shand and Co. versus Thomas Ferguson.

This being the last day of term, the *Advocate-General* moved on behalf of the defendant to enter a verdict of *Not Guilty*, or for a new trial in the event of the Court being of opinion that the verdict could not be set aside.

The learned Counsel moved on the following points first as to the grounds on which he was entitled to set aside the verdict, and enter a verdict of not guilty.

1st point. That the learned judge who tried the case (Sir B. Malkin) had in his summing up, made a misdirection to the jury, there being no evidence upon the indictment to go to the jury. The jury found the defendant guilty upon three only of the counts in the indictment; upon the other eight counts, therefore, the defendant was entitled to an acquittal. Now, in all the three counts, upon which the verdict was found, the injury charged, was an intent on the part of the defendant, by the publication of a libel, to injure the prosecutors in their mercantile capacity, as partners in business. The learned judge distinctly told the jury that there was no evidence of publication of the libel to any but the parties themselves and it was for the jury to consider, whether the sending the letters in question to one partner was proof of the publication of a libel on the two others, and whether such publication, if publication they held it to be, was likely to injure the character of the prosecutors as merchants. The *Advocate-General* contended, that according to the form of the indictment, such a direction ought not to have gone from the judge to the jury, and that upon the authorities cited at the trial, the judge ought to have told the jury there was no evidence whatever of publication, and no case in fact for them to decide; because, it was impossible, that a publication of a letter to the three partners only, could, in the words of the indictment, operate as an injury to their characters as merchants, inasmuch as nobody but themselves could know whether or not such a libel had ever been written and such a publication the indictment considered was not in point of law any publication at all, and ought not therefore to have gone to the jury. Upon this first point, therefore, of a misdirection on the part of the judge, the *Advocate-General*, moved to enter a verdict of not guilty.

The *Chief Justice*, as we understood him, intimated that he thought there was a great deal in this point; and that it was very questionable, whether or not the learned Judge who tried the case, had not put too limited a construction upon the authorities which had been cited to him at the trial.

The 2nd point was, that the jury found their verdict against evidence, and that they overstepped their province, in finding a verdict on matters not left to them by the Judge, the learned judge who tried the case having distinctly told the jury, that there was no evidence of publication to any person but the parties themselves; whereas, the verdict was found, the jury being satisfied that there had been a publication of the libel to Mr. Grant, the defendants clerk and assistant; by which finding the jury constituted itself a judge of what was in point of law evidence of publication, which they had no business to do, the learned judge having charged them upon this point, that in point of law there was no evidence of a publication of the libels to a third party.

Upon these two points the learned counsel contended, that he was entitled to enter a verdict for the defendant of not guilty; and should the Court be of opinion that the verdict must stand, he then upon these two same points moved for a new trial.

On the first point, it appeared from Sir B. Malkin's note of the case, that the verdict was expressly contrary to the direction of the judge.

And, on the second point, there was no evidence whatever of any publication with the intent charged in the indictment, that is to say, to injure the prosecutors in their business as merchants.

Chief Justice.—Take a rule nisi on these grounds, the prosecutors to shew cause on the first day of next term, the defendant's recognizances, in the meantime, to be respited to that day.—*Hurkaru*, November 20.

MONDAY NOV. 20.

This was the first day of sittings after fourth term. There were ten causes down on the plea side and two on the equity side of the court.

C. W. Bastard v. M. M. Manuk.

On the motion of the *Advocate General*, referred to arbitration.

Govindhunder Bonnerjee v. C. Trower.

Struck out by plaintiff's attorney.

Doe on the demise of Behee Bachar v. Jaun Behee.

Ejectment, to recover possession of certain lands in the neighbourhood of the Circular Road. Defended *in forma pauperis*. The details are not of interest.—*Englishman* Nov. 21.

SITINGS AFTER TERM.

(Before the Chief Justice.)

Gleason versus Mortimer.

The *Advocate-General*, with whom was Mr. Clarke, stated, this was an action to recover the sum of Co.'s Rs. 1,033-12 to 12 for flour and sonjee supplied by the plaintiff to the defendant at his demand. Mr. Gleason is the keeper of the House of Correction and sells the flour and sonjee ground by the prisoners, for Government, taking a commission on the proceeds. Witnesses were called, who proved the delivery of the goods. The defendant had pleaded the general issue, by which the contract was put in issue, that is denied.

Mr. Prinsep, with whom was Mr. Leith for the defence, contended—1st. that the plaintiff was out of court, the

having failed in proving a sufficient property in the plaintiff to entitle him to maintain his action, the flour belonging to Government, and being ground by the labor of the Government prisoners.

Chief Justice.—Mr. Prinsep, I am quite satisfied on this point; the plaintiff has the charge of the flour, and a commission on its sale, and the contract besides, as proved, was made with him; according to your plea you now can only shew, that the contract made by your client with plaintiff was different from the one now set up by him.

Mr. Prinsep then stated that he would shew that the demand made was a great deal more than was due, and that the prices charged were unfair, and beyond the trade price.

Chief Justice.—Then why, Mr. Prinsep, did you not pay money into Court, and shape your plea differently; you then would have had a verdict, and the costs. As it now stands, you must have a verdict against you, and you can only shew in reduction of damages, that the rates charged, are more than agreed upon by the contract, which is proved against you, and which is the only line of defence left to you from the mode in which you have chosen to plead.

Mr. Prinsep, then called witnesses to cut down the rates charged in the plaintiff's bill of particulars; but, after some time, the defence knocked up, and the **Chief Justice** directed a verdict for the plaintiff to be recorded for Co.'s Rs. 1033-12.

Chief Justice.—This is a case, in which I will certify that execution shall issue immediately.—*Hurkaru, November 24.*

FRIDAY NOV. 24.

Bagshaw and Co. v. C. A. Cavoris.

Mr. Leith opened the pleadings.

Mr. Prinsep stated the case for the plaintiffs. The action arose out of transactions extending from 1832 to 1835, in which the firm of Bagshaw and Co. made advances on indigo to the defendant, consigned to Fletcher, Alexander and Co., of London, and various consignments by the firm to their corresponding house at Bordeaux and Havre. It turned out, when the indigo was sold, that instead of a surplus remaining, there was a considerable deficit. The learned counsel here referred to various

letters, which had passed between the plaintiff and defendant, from which it appeared, that the whole advance was about one lakh of rupees. The rates of commission to be paid to Bagshaw and Co. and Fletcher, Alexander and Co. were also set forth. It was left in the discretion of Bagshaw and Co. to send the indigo either to London or Bordeaux or Havre, the firm here or the firm in London guaranteeing the foreign house. On the final accounts arriving in July 1836, the deficit was found to be £3,768. Plaintiffs then informed defendant of the exact amount of the deficiency, and requested an adjustment. Defendant replied, he would communicate with his friends at Kishnagur who were interested in indigo; afterwards he alleged, that some of the parties were ill or dead; and, finally, the plaintiffs were compelled to employ Mr. Henderson, and bring the matter into this court.

Much correspondence was put in and read, and Mr. N. Alexander was examined as to the custom as to advances on indigo, the rates of exchange in 1836, and as to the value of government and private bills at same date. Copies of various letters admitted under order of the court were also put in. But the case was stopped by the parties agreeing to allow a verdict for the plaintiffs, with damages Rs. 80,000, and that all matters in dispute, both at law and equity, be referred to the arbitration of Petrus Johannes Sarkies, Esq., on the part of the defendant, and Benjamin Harding, Esq., on the part of the plaintiffs, with power to them if they cannot agree to refer to an umpire. Award to be made on or before the next ensuing term. All costs to be in the discretion of the arbitrators or umpire, with power to enlarge time.—*Englishman, Nov. 25.*

BOMBAY SUPREME COURT

The fourth term of the Supreme Court commenced yesterday and the amount of business to be transacted appears exceedingly light, the cause board not exhibiting on the plea side more than 6 causes, some of which were struck out soon after the sitting of the Court, and on the equity side only 4, and the questions to be discussed on the latter not being of much importance. We believe there are some cases also in the Ecclesiastical branch, but still the business of the term cannot, it is thought, occupy many days to dispose of it.—*Bombay Courier Nov. 4.*

INSOLVENT COURT.

FRIDAY, NOV. 24.

In the Insolvent Court yesterday Olliwallah Khan was brought up, heard on his petition, and declared entitled to the benefit of the act. One Lutchman Doss was opposed by the Advocate-General. The Insolvent was examined touching various debts on his schedule, which he swore were joint with his brother, but which not agreed forth, and this the learned Judge held was sufficient to remand the prisoner. But the Advocate-General proceeded, and the case was adjourned, the in-

solvent being remanded, and the opposing creditor allowed his costs.

The following dividends were declared—Estate of Joseph Savigny, Co's rupees 14, per 100 Sa. rupees, R. A. McNaghten 10 Co's rupees 12 sa. per 100 Sa. rupees, T. Philpot 10 Co's rupees per 100 Sa. rupees, and H. Heberlet 10 Co's rupees per 100 Sa. rupees.

In the matter of Captain R. A. McNaghten, the order was made for a final discharge from all liability as to the debts on his schedule.—*Oriental Observer, Nov. 2.*

SUDDER DEWANNY ADALUT.

August 22, 1834.

Present H. Shakspeare, and W. Braddon, Esqrs. Judges.

Although the following construction of law may be considered somewhat out of date, we deem the subject of sufficient interest to induce pleaders and others to warrant its insertion even now.

A difference of opinion having arisen as to what suits are now cognizable by the court under regulation XLIX. 1793, under the receipt of the circular of the 15th November last, regarding suits referable to the revenue authorities, I shall feel obliged by your obtaining for me the opinion of the court on that point.

2 The third paragraph of that circular refers cases of dispossession of ryots by landlords to the collector, and I wish to be informed whether that includes all disputes for possession, between landlord and tenant, and whether regulation 49, 1793 is hereafter to include only disputes between proprietors of different estates, and between proprietors and holders of rent free and other fixed tenures within the estate.

3 As a case in point. A jagheerdar dies, by which all tenures held from him lapse, and the government make a settlement with the proprietors of the village, who not being able to get the terms they require from the ryot, or from some private reason, perhaps, oust the ryot from the lands he held by pottah from the Jagheerdar. The question as to the right to hold the lands at all, or on what terms, may be referred to a regular suit in the civil court, but in the interim if the ryot wishes summarily to regain possession, and hold the lands on the former terms, until that point be decided, is his suit cognizable by the court under regulation 49 or referable to the collector under that circular? Rent is in this, and must in every case between the landlord and tenant, be the cause of dispute and therefore, in my opinion, it comes within the intention of the circular in question, and is referable to the collector.

4. If it were not so, a ryot might be placed in an awkward predicament, by the court upholding his possession on the former terms by regulation 49, and the revenue authorities decreeing a higher rate of rent, and ousting him or the payment of it, or giving power at the time of resumption to the proprietor, to make his own arrangements with other ryots.

5 In this district resumptions by government are constantly taking place, and cases similar to the above may frequently occur, it is therefore desirable that the parties, who are often Indigo Planters, may know to what authority they must apply for redress if they are ousted, in addition to which, it will prevent any clashing of authorities, a thing always to be avoided, if possible.

I have, &c.

(Signed) T. J. DAARWOOD, Judge.

Dewanny Adawlut,
Zillah Tirhoot, 8th May 1834. }

PROPOSED LETTER.

To the Judge of the Zillah Tirhoot.

Sir,—I am directed by the court to acknowledge the receipt of your letter of the 8th of May last, requesting to be informed what suits, since the issue of the Circular order of the 18th November last, are cognizable by the judge under regulation 49 of 1793; and in reply to inform you that as the regulation in question has not been rescinded, parties forcibly dispossessed have still the option of resorting under its provision to the civil court, any thing in the circular order notwithstanding.

I was at the same time directed to add, that as the particular case mentioned by you does not include violence, it is cognizable by the collector under the circular order of the 6th December last, regulation 49 of 1793, under the construction No. 39 of the printed construction book, being applicable only to "cases of dispossession by force, amounting to a breach of the peace."

I am, &c.

(Signed) J. F. M. REAM, Registrar.

Fort William, the 22d Aug. 1834.

To J. F. M. REAM, Esq, Register, Presidency Court, Fort William.

Sudder Dewanny Adawlut, W. P.

Present

C. F. Sealy,
H. M. Turnbull,
W. Ewer and
A. J. Calves,
Judges.

Sir,—I am directed by the court to acknowledge the receipt of your letter of the 30th May, enclosing copies of a letter from the judge of Tirhoot and of a proposed reply of the presidency court.

2. In reply I am directed to state, that the court concurs in the construction of the law laid down in the proposed letter of the presidency court, but suggest that it be pointed out to the judge that as the particular case mentioned by him does not include violence, it is cognizable by the collector under the circular order 6th December last, regulation 49, 1793, under the construction No. 39 (of the printed construction book,) being applicable only to "cases of dispossession by force amounting to a breach of the peace"

I have, &c.

(Signed) WALTER JACKSON, Registrar.

Allahabad, 25th July, 1834.

The Presidency court concurred in the addition proposed above to the letter to the judge of Tirhoot.

Englishman, Nov. 7.]

SUDDER BOARD OF REVENUE.

SEPT. 12, 1837 CIRCULAR NO. 74.

To the Commissioner of Revenue for the Division of—

Sir,—I am directed to transmit a copy of a letter from the Officiating Secretary to the law Commission, regarding

the practice of holding estates under fictitious names, and to request that you will call upon each of the collectors subordinate to you to furnish an immediate answer in as few words as possible, on each of the points stated

at the conclusion of that letter, and that after you have received their replies, you will submit them to the Board with your own sentiments, and any additional information which it may be in your power to furnish.

I have, &c.

(Signed) C. E. TAYLOR, Additional Secy.

To Secretary to the Sudder Board of Revenue at Calcutta.

Sir,—I am directed by the India Law commissioners to request that you will lay the following communications before the Board, for the consideration of the members.

2d. The India Law commissioners have had before them certain correspondence between the Calcutta and Allahabad Sudder Courts and Government on the subject of the rules which have been issued by those courts for preventing subordinate judicial officers from acquiring landed property secretly, or holding it under forged names. This correspondence was laid before the India Law commissioners by the Government of India in connection with the more general question of the expediency of rendering all land liable to forfeiture, which have been purchased under fictitious names by any parties, whether native officers of Government or others. The commissioners are fully impressed with the inconveniences, which result from the common Indian practice of purchasing and holding property in fictitious names, but they feel that it would be unsafe to make a general change in the existing law on so important a point without a fuller knowledge than they now possess of the circumstances under which the practice has sprung up in every part of India. With this object I am directed to request that you will obtain the opinions of the members on the following points:

1st. Is the practice of holding landed property under fictitious names common in the provinces under the jurisdiction of your Board?

2d. If so, when did that practice originate, and what were the circumstances that induced it?

3d. Are there any advantages in the continuance of that practice, and if there be, what are those advantages?

4th. In case of its being determined to prevent the continuance of that practice what provisions of law would most easily, and conveniently, and with least risk of injustice to individuals effect that object?

I have, &c.

(Signed) J. F. GRANT, Officiating Secretary.

Miscellaneous Dept,
June 30, 1837.

[Englishman, November 3.]

BEFORE JAMES PATTIE AND HENRY WAITERS, Esqrs.,
JUDGES.

Consultation 6th, 13th, and 16th September and 3d October, 1837.

IMPORTANT TO SOCIETIES OF PARTIES IN THE ABOVE CASE.

This case had been pending before the Board for a considerable time, and the parties concerned sustained legal advisers to conduct their respective appeals. The papers in this case are voluminous, and we shall state the principal features of it, as briefly as possible. An extensive Pergunnah named Wajumundahendpore, situated on the Harnah side, was left by the late Harnachunder Rai, an extremely wealthy zemindar, for the benefit of his two adopted children, named Jagmudhunder and Poorunchunder Rai, but being minors and

owing to some disputes between the Ranges of the late Harnachunder, the court of wards became the guardian and undertook the superintendence of the estate.

Great difficulty was experienced by Mr. Commissioner Pigon in taxing the Pergunnah, and after some time a nephew of the late Harnachunder, named Madhub Chose, came forward and claimed the estate from Government, at a Jummah of 4,44,000 rupees per annum, pledging estates yielding a Sudder Jamma of rupees 90,771.10.11.12. The owners of the pledged estates are named as follows: Sheshohunder Chowdry and others, Rajkisen Bongerjee and others, Palbhagshah Chowdry and others and Boolanath Chuckerbutty.

The former failed in his engagements, and having been in heavy arrears with the Government, Mr. Commissioner Pigon proceeded to recover the balances by the sale of the property of the estates; but the Bongerjees entertained Mr. W. A. Bignell to appeal against the proceedings of the Commissioner, and Bholanath Chuckerbutty entertained Mr. H. Dias for the same purpose. We have not seen Mr. Bignell's papers in this case, but we are enabled to give a few of the grounds of appeal from Mr. Pigon's report, in which it appears, that a suit is pending in the Supreme Court, regarding the estate of the Bongerjees, and that the 1/11 of their estates are collected by an officer of the Supreme Court, and that pending the decision on alienation of the share of any one of the sharers can be considered valid or be appropriated on account of demands so occurring. Mr. J. B. Swinhoe, the Company's Attorney, on the 7th of August last, informed the Commissioner that Radamohun Bongerjee, by his will, dated 29th March, 1815, directed that the whole of his estate, real and personal, should be divided equally amongst his eleven sons, three of whom are enemies in this case.

On the 4th of March, 1819, a bill in equity was filed in the Supreme Court by Rajkisen Bongerjee and two others, against their brothers Tarranchurn Bongerjee and others, stating that the latter claimed certain talooks in Pergunnah Mahomedshye, Zillah Jessore, under a deed of gift alleged to have been executed by the late Radamohun Bongerjee, but which deed the complainants disputed. The adult defendants by their answer stated, that they heard and believed, and therefore admitted, that Tarranchurn Bongerjee and others claimed under some instruments in writing purporting to be a deed of gift which it was alleged the late Radamohun Bongerjee in his lifetime made and executed to Tarranchurn Bongerjee, but as the complainants denied the justice of the claim and as some of the defendants were infants, issues were directed, to try the validity of such gift, the order for the issues being set aside, the rights of all the parties and sons of Radamohun Bongerjee remain for the present as given by the will, but, Mr. Swinhoe adds, that what further proceedings may be had in the suit, or what might be the ultimate decree of the Court, he cannot tell, it appeared to him, however, that each of the sons are entitled to one-eleventh share subject to the debts of Radamohun Bongerjee, and the account directed to be taken. Mr. Pigon urges, that the shares pledged by Rajkisen Bongerjee and others, though not at this moment available, will eventually prove a sufficient fund from which any portion of the demand against the farmer, which may not in the mean time be realised from the property of the other sharers, will be fully recovered.

We believe that the estates pledged by Sheshohunder Rai and others are partly sold, and the following letter addressed by Mr. Dias to the Officiating Secretary to the Government of Bengal, contains the whole of the grounds of the appeal of Bholanath Rai Chuckerbutty, and of the proceedings of Mr. Commissioner Pigon and of the Sudder Board of Revenue. It also contains several important facts which we believe, must apply to the other parties also beneficially.

Sir, - We have to request the favour of your laying this address before the Vice President in Council for consideration, and such orders as he may be pleased to pass on the case of Baboo Shibannath Chatterbatty, a Shareholder of Talooka Damannoodah, Pergunnah Imroo, Zillah Hoogly, and Talooka Bangspookereah, Pergunnah Moolgaur, Zillah Nuddah, as herein under fully detailed.

3d.—Under the above lease and the approval of the Sudder Board, the farmer was put in possession by Mr. Commissioner Pigou, that officer having (as stated in his address to the Board, No 368, of the 7th of August last) "particularly warned the collector of the 24-Perannahs on the subject of the additional security."

5th.—The lease under which the farmer obtained possession of the estate of the minors, particularly provided, that the instalments should be paid on the 15th of every ensuing month, and in the event of a failure, that the lease should be null and void. I respectfully beg leave to submit for the consideration of the Vice President in Council, that the lease was executed by the farmer on the 31st December, 1835, and that my clients' security was approved of by the commissioner on the 6th of May of the following year, five months after the execution of the lease. The farmer during that period was not able to pay up even one instalment, so that, under the provisions of the lease, it must have become null and void, five instalments having been due. I therefore presume that my client's security bond could have had no legal effect, as it provided for the fulfilment of a contract which had ceased to exist, in further proof of which, I have to add the 19th paragraph of Mr Pigeon's address, No. 368, in which he states as follows:—“From the statement B. annexed, it is evident that at the end of June, six months from the date of the lease, a balance of rupees 33,455, at the end of April, of rupees 49,185, at the end of June, rupees 65,639, existed in the 24-Paraganahah, no intimation of which was given to the effect.”

8th.—Consequent to the rejection by the Commissioner of my client's security as stated in the 6th paragraph of this address, an appeal was filed by my client before the Sudder Board of Revenue against the commissioner's order; but that appeal was never heard by the Board, nor have I been able to discover the reason of the appeal having been laid aside. My client made several ineffectual attempts before the commissioner for the confirmation of his security, and ultimately on the 10th of March, 1897, presented a petition to the Sudder Board of Revenue to be entirely released from responsibility on account of the farmer Madaband Ghose, as the commissioner would on no account confirm the security, and also prayed that his petition & appeal and five other documents filed by him with that petition, should be returned. The Board on the same date granted the prayers of the petitioner, and the documents above alluded to were returned to him.

8th—Another extraordinary fact also appears in the Commissioner's proceedings, to which I also respectfully solicit the Vice President's particular attention. In the original order of Mr Commissioner Piquo, dated the 26th of November, 1836, the following Persian words منظور داشتی همجو صامش مناس

are recorded, reporting the activity of my client, during the record of which order my client was present, but, it also appears that the Persian words above quoted, were afterwards run through with a pen or stained, and other words substituted, omitting the rejection of the severity, but demanding additional security of the father. Such an unacceptable erasure or substitution in a legal proceeding, at which it must be borne in mind client was not present, is contained in the 5th and 6th paragraphs of the commissioner's address to the Board, No. 309, of the 21st August last, in the following way: "The original version, with my autograph signature thereupon, is herewith submitted, and to the wording of that order upon it."

at the bottom of the order, I request the particular attention of the Board, as most clearly showing my intention at the time to have been that of not exonerating Bholanauth Chuckerbutty from his responsibility, for the Board will observe that the words having worded the order

منظور داشتی همچو صامشی منا. ب تصور

نکشته I at the time of signature wrote these expressions with my own hand, thereby specifically and pointedly showing that he was not exonerated from responsibility, although to preserve the minors from any eventual loss, additional security was demanded from the farmer; with that point, however, Bholanauth Chuckerbutty had no concern.

"I have a clear remembrance of having expressed my disapprobation of the person who noted down my order, for not having done so with accuracy, and consequently, I feel no hesitation in declaring, that Bholanauth Chuckerbutty is not in equity entitled to a release, and that he is not a law, the security bond not having been cancelled, the decision of the Court of Sudder Dewanny Adawlut in the case of Ramesh Kishen Monce, appellant, vs. Mr. Battrie, collector of Dacca Jelaipore, respondent (which I consider to be exactly in point) fully established."

"See Sudder Dewanny Adawlut in the case of Ramesh Kishen Monce, appellant, vs. Mr. Battrie, collector of Dacca Jelaipore, respondent (which I consider to be exactly in point) fully established." The foregoing is all the commissioner pleads in justification of an Adawlut. He writes in the record of a legal order. I respectfully leave it to the Vice-President in Council to pronounce his judgment on a proceeding, which in equity and good conscience must appear exceedingly mystified, and which I need not add, would be held to law as suspicious and unwarrantable. The commissioner makes no mention of who, worth a person were present when he held his proceeding of the 26th of November, but merely states his "having a clear remembrance of having expressed by disapprobation of the person who noted down his order;" at the expression of which disapprobation, I am authorized by my client to state, that he (my client) was not present, so that the expression of disapprobation must have been a subsequent proceeding, distinct from the proceeding of the 26th of November, of which there is nothing on record, beyond the recollection of the commissioner, secured to, after the lapse of so long a period as nine months.

91.—In the 6th paragraph of his address, No. 368, the commissioner's opinion of certain securities of the farmer is thus expressed: "and that the eleventh share pledged by Raj Kishore Bonerjee and Rameshchurn Bonerjee, respectively, though not at this moment available, will eventually prove a sufficient fund from which any portion of the demand against the farmer, which may not in the mean time be realized from the property of the other sureties, will be fully recovered." The order of the commissioner of the 26th of November, 1836, in its original state, was grounded on his belief that the security of the Bonerjees was more than sufficient to make up the amount of the arrears due by the farmer, and in submitting my humble opinion, I am fully persuaded, that the order on the collector of the 24th of November, to obtain full security from the farmer in lieu of the pledge by my client, was made under the impression that whether the security so required were given or not, there was already sufficient to answer for the balance before the conclusion therefore, that the commissioner in the order for the procurement of such security, required that of Bholanauth Chuckerbutty, which assumption is supported by the Persian words already quoted in the 5th paragraph of this letter.

100.—As to the case cited by the commissioner of Ramesh Kishen Monce, appellant, versus Mr. Battrie tried by the Sudder Dewanny Adawlut, as appears in

vol. 2, page 195 of the published reports of that Court, I have to submit that I can find no analogy between it, and the case of my client, and if anything, it admits of strong argument in support of my client's appeal. In the case of Kishen Monce, her husband was never discharged from liability, as his security was held valid, he having been the original and unrelieved security; but in the present case, the farmer was put in possession in the month of December 1834, on the security of Bholanauth Chuckerbutty and others, under a deed providing, that if an instalment remained unpaid on the 15th of the next month, the deed would become null. My client's security was received five months after the deed had expired to exist, as the farmer failed to pay every instalment that fell due from the 31st of December 1835 up to the 6th of May 1836.

11th.—In the case of Kishen Monce, the inference is clear, that her husband's security bond had been duly registered by the collector, as in the judgment of the Court of Sudder Dewanny, it appears, that it was ruled "That the appellant's husband had not been discharged by the Collector." In the present case, my client was virtually discharged by the collector, as his security bond was not registered in the collector's office, (though the bonds of all the other sureties were registered,) consequent to its rejection by the commissioner, and my client's ultimate release by the Revenue Board on the 10th of March last, as stated in the 6th paragraph of this address. If the Vice-President in Council be guided by the case of Kishen Monce, my client without doubt will be entitled to a release.

12th.—I have now respectfully to state, for the information of the Vice-President in Council, that I preferred an appeal for my client before the Sudder Board of Revenue, but though I fully detailed every fact herein referred to, Messrs James Pattle and Henry Walters were pleased to direct the case of the following order to the commissioner through their additional secretary.

"I am directed by the Sudder Board of Revenue to acknowledge the receipt of your letter No 428 of the 12th ultimo, with its enclosure, [herewith returned] stating that Bholanauth Chuckerbutty preferred a petition for release from his responsibility as surety for the latter farmer of Pergunah Mamoodanapore.

2.—I am desired to inform you, that Mr. Roger Dins, the constituted Attorney for the above surety, presented to the Board several petitions, as noted in the margin, but after the most attentive consideration they dated 24th Aug. 1837. could find no reason in the representations of the petitions, to render their interference necessary with the orders passed for the sale of the property pledged by the surety in satisfaction of the farming balances due by the late farmer, and they have accordingly rejected the petitions. You are therefore requested to carry those orders into effect, leaving any party who may be dissatisfied to apply to the civil Court for redress."

I have, &c.

(Signed) C. E. TREVILLYAN Addl. Secy.

Sudder Board of Revenue,
Fort William, Oct. 3, 1837.

In the 6th paragraph of the Board's order, the words "after due consideration" appear, but I am at a loss to discover the judgment of Messrs Pattle and Walters, as not having been expressed in the order, and I cannot therefore understand the way in which they have arrived at the conclusion to order the sale of my client's property, and I am in a similar situation to ascertain the reason for which these gentlemen "could find no

reason in the representations of the petitioner to render their interference necessary.

19th. — At the conclusion of the 2d paragraph of the plea, it is only above referred to, the following words are stated. "You are therefore requested to carry those orders into effect, leaving any party who may be disappointed to apply to a Civil Court for redress." I respectfully beg leave to submit that if my client's appeal were laid before the Civil Court of the 24th paragraph, his property would be sold by the world before him, or the Court sufficient grounds for suspending the order of sale issued by the commissioner, as in accordance with the established practice, and the provisions of Regulations IV of 1793, my client's plaint against a Revenue functionary would be transmitted by the Civil Court to the Board of Revenue for their information, and a period of several months would transpire previous to the return of the plaint to the Civil Court, as the Board would have to instruct their subordinate officers on the merits of the plaint and the grounds of defence. In order therefore to avert the inevitable damage which such a procedure would necessarily entail on my client's property, [and I may add the prospects of a large and respectable family wholly dependent upon that property] I have taken the liberty of humbly submitting as fully as possible the facts and reasons under which I conceive my client entitled to exemption from the liabilities of the farmer of Pergunnah Mahomednussapore and I trust that in the wise and mature judgment of the Vice President in Council, this appeal on behalf of my client will meet with the fullest success, and that pending its consideration, the Vice President in Council will be graciously pleased to direct the Commissioner's order for the sale of my client's property to be suspended.

I have the honor to be, Sir,
your most obedient humble servant,

(Signed) ROOPE DASS.

Constituted Attorney for Baboo Bhola Nath Chuckerbutty
Calcutta, the 6th November 1837.

Since writing the above we have been favored with the perusal of the orders of Government issued through Mr. Officiating Secretary Halliday, of the Revenue and

Judicial Department, on the representation of Mr. Thompson, constituted Attorney of Baboo Bhola Nath Chuckerbutty.

His honor the Deputy Governor has been pleased to order the Sudder Board to furnish him immediately with the whole of the original correspondence in this case, and the Board have also been desired to send up their report with the papers required and in the meanwhile to instruct the Commissioner to suspend the sale of the property of Bhola Nath Chuckerbutty. The Commissioner issued the necessary instructions on the 8th inst. *Monday, November 15.]*

22ND SEPTEMBER, 1837.

CIRCULAR No. 77.

To the Commissioner of Revenue for the division of—

Sir,—The Sudder Board having had occasion to observe that the provisions of VI and X. Regulation XIX of 1793 have been overlooked by settlement officers and commissioners, direct me to draw attention to the subject, and to point out to you that vested as you are with the powers of the late Board of Revenue, you are competent to dispose of cases of the nature therein provided for, without reference to this office.

2nd. You will readily perceive, on a careful perusal of the sections above noticed, that the government settlement officers will have to deal with such cases, only when the revenue of the lands may be payable to the state. On such occasions a separate settlement statement will not be requisite, but the jumma which may be assessed on the lands to be held as a dependent talook, will be included in the gross sum forming the basis of settlement of the estate to which they (the lands) belong whenever that settlement may be concluded and submitted for the sanction of government.

3rd. You are requested to issue appropriate instructions to all the settlement officers in your division for their future guidance.

I have, &c.,
(Sd.) D. E. INVALYAN, Additional Secretary.
Bengal, Nov. 28.

MISCELLANEOUS.

CALCUTTA

THE RICE HUMBUG.—The pice humbug continues. The Government money changers, when they give eight gundahs of old, rusty copper instead of pice on exchanging a rupee, insist, that if any shopkeepers, or other individuals, refuse to receive them at par with the new currency, in payment for their commodities, or their being brought to the change-shops, they will be summarily punished. But this attempt to pass off on the public a defaced and depreciated coin, at the same value as good money, is preposterous.

The intrinsic value of a thing,
is what it worth exactly being;

and to think of compelling people to receive a base and depreciated currency, as a forcibly enhanced value of value, is ridiculous. Nothing is easier than to evade all laws and regulations to enforce with a measure. The Government shroffs, besides, will not consent to instructions, receive any marked or punched rupees. The other shroffs, not servants of Government, aware of such circumstances, mark or punch every rupee that passes through their hands, as they know what the

public, on receiving these rupees, will be obliged to resort to their shops, in order to obtain change for them. In time the greater portion of the silver coin will have passed through the hands of the shroffs, and if they continue their present practice, of marking them, (of which there is little doubt) the Government shops, if continued, will be, what they now nearly are, perfectly useless objects of expense, for if they may not receive punched rupees, and the private shroffs mark almost all in circulation, they will, of course, be rendered utterly incapable of shielding the public from the extortions of these shroffs, as they are now professed to do. It is strange, however, that the Government will resort to such a policy, and enforce these measures, when, it is said, it has at command an immense stock of pice, which are lying dormant in the mint, and ready to be issued, and circulation of which, would tend considerably towards the mitigation of distress, so as far as the currency is concerned.

THE OTHERS.—No further change in the prospect of the crops has been anticipated during the week. The outlook in the season, is expected to be below an average season.

REPAIRS OF THE GOVERNMENT HOUSE.—It is said that it is in contemplation to give the Government House a thorough repair, the cost of which, it is estimated, in consequence of some alterations in the building, and the removal of some decayed beams, will amount to nearly fifty thousand rupees!

SIR CHARLES METCALFE.—A steamer is to be at Allahabad on the 15th January for Sir Charles Metcalfe, who may therefore be expected in Calcutta about the 1st of February.

A LADY ARTIST.—A Lady artist of very considerable talent has just arrived in India, and proposes to follow her profession here as a portrait painter. Her name is Belnos.

MILITARY BANK.—The Directors of the Military Bank have declared a further dividend of five per cent. The remaining properties will be put up at auction early next month, and it is expected the proceeds will realize sufficient to give a further dividend of twenty per cent., making a total dividend, say, of twelve annas in the rupee.

MILITARY SENIOR LIST.—Letters have been received by the *Madagascar* announcing the re-establishment of the senior or Retired List.

MILITARY ORPHAN MANAGEMENT.—Dr. Martin has declined the representation of the Saugor Division in the Management of the Orphan Society, on the ground that his professional duties will not allow of his doing justice to those of a Manager of that Institution.

Major Becher, having been elected a Manager of the Institution for the Cawnpore Division in succession to Major Hutchinson, and also for the Benares Division in succession to Dr. Corbyn, who will go out on the 31st December, has accepted the representation for Cawnpore. This places Captain Thomson among the retiring third list, and will consequently make it necessary to call on the Nussערabad Division to elect another Member.

Captain Fred. Birch, Superintendent of Police, has been elected by the Subscribers at the Presidency Station to succeed Captain Fitzgerald (who goes out of the General Management on the 31st proximo, under the new rules), but declines to sit on the ground that he dissents from these rules.

CIVIL APPOINTMENTS.—Mr. J. C. C. Sutherland, is appointed Government Pleader in the Sudder Dewanny, in the room of the late Moonshie Hossein Allee; and Mr. Bignell, is nominated Deputy to the Sudder Board of Revenue, in their capacity of Superintendent of the Legal Affairs. This latter appointment is a virtual revival of the old office of Superintendent and Remembrancer of Legal Affairs, last held by Mr. Molony, and the duties of which were transferred in 1829 to the Sudder Board of Revenue. Mr. Bignell will, it is said, still continue his private practice as a pleader in the Sudder Dewanny.

DEPARTURE OF DR. HALIDAY.—The departure of Dr. Haliday from the Presidency, having caused a vacancy in the situation of medical attendant to the Parental Academic Institution, a discussion has arisen among the members of the committee of management, as to the particular individual who should be appointed to succeed him.

TESTIMONIAL TO DR. A. R. JACKSON.—There is to be seen at Messrs. Hamilton and Co's a handsome breakfast service of silver, an intended compliment of gratitude and esteem from the Armenian community to Dr. A. R. Jackson, who is about to proceed to Europe in January.

BABOO PRAWN KISSEN MULICK.—On dit, that Baboo Prawn Kissen Mullick, the eldest son of the late Baboo Roopaul Mullick, has been honored by the Government with the title of Rajah, together with a present of twenty-two articles.

TRANSMISSION OF TREASURE.—2,20,000 rupees have been shipped on board the Company's pilot vessel *Krishna*, for Aktyab.

THE PATENT SLIP.—The Patent Slip, which has hitherto been used in hauling up vessels of about 300 tons only, has answered so well, that the proprietors, Messrs. Beauchamp and Co., have determined to sink the *inclius* lower, which will enable them to haul up vessels of a larger size than they can lift at present.

SURVEY OF THE RIVER.—Captain Lloyd, the Marine Surveyor General, in the H. C. brig *Hatras*, and Lieutenant Young, in the H. C. brig *Mermuid*, have proceeded down the river to complete the Survey of the Sandheads. It is said, that so much of the chart as has been made, is most complete and reflects great credit on the Surveyors.

THE COMPREHENSIVE STEAM PROSPECTUS.—The comprehensive steam prospectus has been honored with a subscription from Sir Henry Fane for five shares. The subscription list now shows upwards of 2,100 shares engaged in Bengal and about 100 at Madras.

THE STEAM TUG ASSOCIATION.—The Steam Tug Association determined, at their last half-yearly meeting, on the 18th of September, to double their capital in order to have the means of extending the number of their boats to five instead of two, provided the resolution to that effect, which was unanimously adopted at the meeting, should be approved by a majority of proprietors. A paper was accordingly circulated among them, and the result was, that all the shareholders assented to the proposal, and most of them availed themselves of the preference of subscription for new shares to the extent of the full number of shares they already held; so that out of the 200 shares required 150 are already filled up. The remaining 50, it has been determined to open to the public.

IRON STEAMERS.—Baboo Hurro Mohun Sen, of the Mint, has sent directions to England for two iron steamers, for river navigation, and is now casting about amongst his friends for share holders in the speculation.

DESERTION OF SEAMEN.—It appears that within a short time nineteen seamen have deserted from Her Majesty's Ship *Larne*, eight of whom have been apprehended, some at Serampore, some at Chinsurah and Chandernagore, and other places in the interior, and brought back to the Calcutta Police Office, but the other eleven, have not yet been found. Those captured in such cases, ascribe their motives for this illegal act of theirs to ill usage from one of the Lieutenants on board that ship.

NEW STEAMERS.—It is said that two more steamers are being constructed in England for the Indian Navy, and that one is expected at Bombay immediately.

THE SIR WM. WALLACE.—The *Sir Wm. Wallace*, experienced a very heavy gale of wind on the 15th and 16th of October, off the Island of St. Mathews, where she lost her top gallant masts, royal masts, jib-boom and flying jib-boom, and was after the gale becalmed for eight days.

THE RIVER POLICE.—The river police have already made two small captures of property supposed to have been stolen. The boatmen attached to the boats to

which the goods were found, jumped overboard and effected their escape.

ROBBERY.—About 12 o'clock on the night of the 6th of November, current, the family dwelling house of one Sumboochunder Mitter, at Penhatty, in the 24 Pargannas, was stormed by a gang of about thirty dacoits. The amount of property carried off is estimated at about 2,000 Rs., which is very nearly the whole of what the poor pensioner possessed. Sumboochunder seeing the business of spoliation going on, ventured to threaten the robbers with a club, and the consequence was, that both his wrists were cut with a single blow of a sword. A servant of the family was also wounded, and it is stated that the man is not likely to get over the injury. The Police of the district has not yet been able to detect the offenders.

A daring robbery has also lately been perpetrated in the godowns of Baboo Chaito Singee, at Jorasanko; the property carried off being no less than twenty-two maunds and a half of indigo, valued at about 6,000 Rs.

FIRE.—On Sunday, the 28th, of Oct. at 5³⁰ P. M., a fire occurred in the south corner of the eastern extremity of the Durrumtoollah road. Its site was occupied by the sellers of gram-sticks, bamboos, et hoc genus omni, and their commodities, and has become celebrated for almost annually exhibiting similar scenes as that presented last Sunday. The fire is stated by some to have originated in the hut of a retailer of cotton, who accidentally let a lighted wick fall upon a heap of his merthandize; and by others, it is reported, as having sprung up in a liquor shop, where some inebriated men frolic ignited a cask of spirits. However, in whatever way it might have originated, it soon seized upon the combustible materials around it, which, with some twenty huts, it soon reduced to a heap of cinders, and then, without extending its ravages further, gradually subsided until it became extinct.

A fire happened at Sham Bazar, between six and seven o'clock on the evening of the 7th instant. It broke out in the house of a straw merchant, and the property destroyed by the accident consisted of a straw golah and six thatched houses.

The unusual spectacle of fires during the cold season, has been often observed during the present week. Several fires, other than those mentioned above, have occurred in and about the city, and some lives have fallen sacrifices to the flames.

SCOTT'S COMPENDIUM—THE DAILY NEWS.—Scott's Compendium on the 1st of November, changed the name of its news-sheet to the *Daily News*.

DEATH OF THE KING OF OUPH.—Native letters from Lucknow mention that the result of investigations conducted by the Resident and Hakeem Mehdi, into the circumstances of the late King's death, is that it was occasioned by poison, a female who administered the draught having confessed the deed. It is added that Saubhaz Alee Khan, the peishcar of the former vizier, is now in prison on suspicion, and that matters will so remain until the arrival of the Governor-General.

SUPPOSED MURDER.—The body of a boy named Roopchand, was found on the plain near Cooley Bazar about seven o'clock on the night of the 7th instant, and sent to the Police Hospital. Dr. Bain, the Police Surgeon, examined the body post mortem, but there appeared no marks of violence on it. The parents of the deceased stated that he left home about ten o'clock in the morning with a pair of silver bangles on his wrists,

and four maudoolies of the same metal about his neck, and they suspect him therefore to have been murdered on account of his ornaments. A coroner's jury was impanelled on the body of the deceased and returned a verdict of found dead.

MURDER.—On the 7th instant, a goat-herd, having a quarrel with his wife, occasioned by some jealous suspicions of her conduct, stabbed her and cut her throat. The wounds were inflicted in Chowringhee, and the woman died shortly after receiving them. The criminal is in custody.

DESTITUTION.—Two instances of women being constrained to sell their children through their destitution, have been detected in Calcutta during the month.

GUNPOWDER MANUFACTORY.—Permission has been granted to Messrs. Edam and Co., to establish a gunpowder manufactory in the Twenty-four Pargunnas.

DOBAH SUGAR WORKS.—Mr. Blake, the founder of that extensive establishment, the Dobah Sugar Works, has come out, to set the mill agoing at its maximum, or, in other words, has made arrangements for manufacturing as much sugar as possibly can be made at the establishment.

BURMESE OFFICER.—An attaché of the Burmese Court, the High Steward, has come to Calcutta in the *Flora Macdonald*, with fifty thousand rupees of the royal treasure at his disposal, to make sundry purchases for the Burmese King, and amongst the rest a steamer. The King remains firm in his determination of breaking through all treaties with us; but no actual violence has been committed on our subjects or territory, though active preparations were making by the Burmese.

THE COLES.—The Coles have again rebelled; and their insurrection is attributed to starvation, the crops having been greatly retarded for want of rain.

KISHNAGUR RACES.—The subscriptions to the native gentleman's cup having amounted to sixteen hundred rupees, instead of 8, as advertised in the prospectus of the Kishnagur races, the following alterations have been made in the terms of the race, namely, "added to a sweepstakes of 25 gold-mohurs each, half forfeit, if declared the day before the race" instead of "ten," as in the original terms, and as every one seems to complain of the petty cup race from the difficulty of procuring good rats, the terms of that race have been altered also, to be for Arabs that never won before the Calcutta Meeting of 1838, 8-7 each, beats 14 mile, entrance 10 gold-mohurs.

SERIOUS AFFRAY.—A very serious affray recently took place near Chandernagore, which had nearly ended very tragically. Some officers of Her Majesty's 9th Regiment have, it seems, had a narrow escape of falling victims to the savage ferocity of an excited multitude of natives at Chandernagore. Four officers of the 9th, stationed at Chinsurah, Captain D. — Lieutenants B. H. and C., started on Friday afternoon on a shooting excursion. They proceeded along the banks of the river until they had, without being aware of it, passed the southern boundary of the Hooghly Station, and got within the French territory. They had proceeded on until they came to a large chur connected with the bank of the river, not keeping together but straggling. They were wandering about on this chur nearly opposite a temple on the bank, when some natives, of whom a great many were looking at them, pointed to some boys which were running about on the chur. The officers

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thinking that the natives meant them to fire at the pigs, did so, and shot three of them. At first no notice appeared to be taken of this proceeding, but presently a crowd of natives rushed down the bank armed with lathis and shouting "hurri bole! hurri bole!" The officers were not only taken by surprise, but being unarmed, were not in a condition to defend themselves and were unwilling to fire, their guns being loaded with ball. Lieutenant H. was saved by the fortunate interposition of some of the Police, and young Lieutenant C. by some means made his escape into the Hooghly territory, where he was safe. The crowd rushed upon Lieutenant B., knocked him down with their heavy lathis, and beat him in a most unmerciful manner, his head being cut open down to the skull, and his body covered with severe contusions. Capt. D. was knocked down by a large brick-bat, which for the time completely stunned him; the natives then fell upon him dreadfully with their lathis, stamped upon his chest, inflicted a severe wound on one of his legs, and in short seemed bent on murdering him. Being a powerful man, as soon as he recovered from the effect of the blow with the brick-bat, he struggled desperately; but the natives seized him and dragged him up the bank towards the temple, and succeeded in getting him there, although in the way he knocked several of them down. When they got him into the temple their object seemed to be to immolate him on the shrine; for a man attempted repeatedly to stab him in the heart, and in fending off the knife, Capt. D.'s fingers have been severely cut. That he would have been murdered there, had not some respectable natives come up and interfered, there can be no doubt. They prevailed upon the people to desist from their purpose; but the wretches, even in acceding to the request, manifested further brutality, for instead of carrying him, they actually dragged him by the heels with his head upon the ground, for nearly a mile towards Chandernagore, and when he was at length released by the Police and brought to that place, he was nearly suffocated with the rush of blood to his head. Capt. D. and Lieut. B., the other officer so severely injured, were brought to the house of Monsieur Thiers, where they received the kindest attention not only from that gentleman, but from the ladies of his family and some other ladies of Chandernagore, who came in and also assisted the Doctor of the station in dressing their wounds, and tied with each other in the sympathy they evinced for the sufferers. Nothing could exceed the kindness they experienced. Their depositions were taken in due form, and every effort made to arrest some of the leaders of this savage and cowardly assault, many of whom are now in custody. The two officers so severely injured, were taken into Chinsurah and are both doing well.

ROADS.—Lieut. T. H. Sale, of Engineers, is appointed Assistant to the Executive Engineer of the 18th or Dacca Division, for the purpose of aiding in the examination of the road between Sittah and Assam. Lieut. J. G. Allardice, of Engineers, is appointed to survey and improve the road through Cachar to Manipore, rejoining for this purpose the 5th company of Sappers and proceeding in command of it to Sylhet. This officer is also placed under the control of the District Engineer Officer, who, for the present, will have the general direction of this and similar local works.

NAVY REGISTRY OFFICE FOR SEAWEN.—It is said, that an attempt is about to be made to establish a Registry Office for seamen, the want of which has long been felt, the shipping interest, the necessary substitute for finding the employment of crimps, in whose hands a poor sailor often sinks his character as well as his money.

AGRA.—The Customs collections of Agra for the past half year from May to October, amount to rupees 4,30,887-13-5 against 3,97,672-14-9 in the corresponding period of last year, being an increase of rupees 33,214-15-1. The improvement is almost entirely on salt; the export of salt during the year before last having depressed the Ghazepore market in 1886-7. Prices have since rallied from the decrease of stock, and led to a corresponding increase of export in the present season. The Raja of Canada, Gungadhar Rao, is now at Agra, to prosecute his suit before the Lieutenant-Governor and the Governor-General, for a diamond sugartha or jacket valued by the family at a million and thirty thousand pounds sterling, and now in the hands of his agent of Benares. It was formerly deposited with Madhoojee Kala, a Benares Saroff, for some repairs, when Nagpore was reduced by the British Government. The Ex-Raja is said to have been the owner of a diamond jacket, valued at three millions of money, which was also at Benares at the same period, and is still, it is said, in deposit at the same place.

A most daring dacoity was perpetrated in Agra on the evening of the 30th ultimo. About 7 o'clock p. m. a party of men went to the chowkee of the Lohar ke Mundee, and represented themselves to be the "Lord sahib's moofis folk." Owing to the prevailing distress, such numbers of people being abroad caused no suspicion, and no particular notice was taken of them. Gradually the party increased in numbers, and throwing off their disguise drew their swords and wounded four of the five burkundauzes stationed at the chowkee and leaving a guard there they proceeded to the house of Beer Bhull Chowdree, broke open the inner doors, the outer not having been guarded, and it is said carried off some 3,000 or 4,000 rupees. One man, who was in the upper part of the house, came down and was immediately killed by several sword cuts, his head being nearly severed from his body. One of the Muhajun's people was also slightly wounded. On an uproar being made, after the dacoits had left the place, the Lieut.-Governor's body guard, whose picquets were close by the scene, came down, but too late to be of service, the dacoits having effected their escape. Mr. Robinson, Assistant to the Superintendent for the suppression of Thuggee, succeeded, however, in recovering some property in the pursuit.

HATRASS.—Contracts have been entered into for delivery in June next of grain at 20 seers per rupee, with 10 per cent. advance, that is about, 10 rupees for 50 maunds, the bazar rate now being 16 seers per rupee. The Furruckabad shraffs connected with Hatrass have been fined 50 rupees for keeping up the native dāk.

DELHI.—Several daring outrages have been committed on the Jumna recently. Of eighteen grain boats, thirteen are said to have been pillaged; five were protected by the Bulamghur authorities, and with little loss reached the ghaut at Shahjahanpore, where a large number of the inhabitants of the districts of Bulundshur, Bulamghur, and Pulwal, headed by their respective Zameendars attempted to plunder them, but were prevented, by the timely arrival of the Pulwal Thana-dar with a force of muzkoories. The multitude then attacked and plundered a budgerow, which was occupied by Lieutenant Waterfield, 38th N. I., and his lady. At an early hour on the 10th ultimo, whilst the boat was slowly progressing, a villager or traveller called out to the manjee and recommended him to return to a thannah, which had been left a short distance behind, and not to attempt to proceed, as five grain boats had been robbed two days previous, at a place towards,

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which the budgerow was advancing, and it was known, that, the plunderers were hovering near the spot. No attention was paid to this warning and as the budgerow was passing between Mackunpore and Sweepole on the right side of the Jumna, it was surrounded by a party of Gojurs. Lieutenant Waterfield endeavoured to make a compromise, and told them that as he had heard that they were really suffering from distress, and were in a degree forced to commit acts of depredation, he would willingly give them all the money he had in the budgerow, which he thought was the only part of his property that could be of the slightest use to them. The parley lasted for some time, till at length, the Gojurs were tired, and commenced their pillage by ripping open the manjee's pillow case, out of which divers gold-mohurs and rupees fell upon the deck; after this, they entered the front room of the budgerow by the door and windows. Lieutenant Waterfield tried to frighten them, by presenting a pistol, when one of them coolly offered his breast, and told him to fire, adding, you will kill one, but our men will afterwards kill ten of yours. The Lieutenant did not pull the trigger, and when one of the attacking party tried to wrench the pistol from his hand, he lifted the pan, and dropped the priming on the floor before he resigned it. In the mean time, about 300 persons had surrounded the budgerow, and commenced a regular revelry of mischief. They broke the legs and smashed the lid of Mr. Waterfield's piano, ripped the bedding and damask off the couches, smashed the furniture, cut open the patent spring cushions of a new buggy, completely shivered a looking glass, and after removing all the plate, jewels, and valuables they could lay hands on, effectually destroyed whatever was too cumbersome or useless to them! The property stolen or destroyed is, at the lowest estimate, valued at 11,000 rs. The local authorities are exerting themselves to apprehend the offenders, and have already succeeded in arresting many. Lieut. Waterfield's tailor left the deep impression of a club on one man's head and in another's eye, but knowing that resistance was useless, and might provoke further violence, Lieutenant Waterfield ordered his servants not to offer any. Nearly all the valuables have been recovered by the Police.

A murder, attended with shocking circumstances, was perpetrated in the Military Cantonment of Delhi, on the 22nd ultimo. A mehtar, killed a woman of the same cast by inflicting a mortal wound with a knife or sword in her abdomen and severing the jugular vein. The wretched murderer concluded the tragedy by cutting his own throat. The woman died instantly, her assailant was immediately removed to the Hospital of the 38th regiment N. I., where he expired in the course of the night.

MURNAUL.—A melancholy affair occurred at this Station, on the evening of the 15th ultimo. A slight misunderstanding took place in the morning of that day, between Captain Keating of H. M. 13th L. I., and Captain Hughes of the Artillery. All attempts at effecting a reconciliation having failed, though anxiously pressed by the friend of one of the two parties, the principals met in the evening, and at the first fire, Captain Hughes fell. His adversary's ball had entered his right side, passed through the liver, bowels and spleen, and lodged in the left side where it was found after death. The unfortunate gentleman had strength sufficient to drive home in his buggy, and lingered until 9 o'clock p. m. next day when he expired. The affair, it is said, presents some unusual features, which will necessarily lead to an investigation. Lieut. Jennings, H. M. 13th L. I., was the friend of Captain Keating, and Lieut. Timbrell, Artillery, of Captain Hughes.

USOOK-THAL.—Hostilities have begun between Sirdar Amur Sing and Sirdar Nehal Sing, sons of the late Sirdar Fateh Sing: the former in the employ of the former made an attack upon the latter of the latter, and carried off property to a large amount. On hearing this the troops of Nehal Sing hastened to retaliate, the injury, a skirmish ensued, and it was a dreadful one, as no less than fifty men were killed and as many wounded on both sides. The sowers of Amur Sing were at last signally defeated by the troops of his brother. Amur Sing was at their head, and being routed, was obliged to take refuge in the Fort of Sooltanpore; which in consequence, been besieged by Nehal Sing's troops.

EXTRAORDINARY DELIVERY.—A woman of the Koonbee caste, living in Boodhiwar Penth, was delivered of three children about fourteen days ago. She was brought to bed of two boys at first, and a few minutes after, of a daughter. The children are all doing well.

DISTRICTS OF KHANDAIS GIVEN OVER TO SCINDIA.—It is hinted that some districts of Khandeish have lately been given over to Scindia. It is said we hold them till a certain debt due to us by Scindia should be paid up, and which payment was made some seven years ago; since then we managed those districts and paid the rents to the Gwalior ruler. It is further asserted that the immediate cause which led to the surrender of those districts was, Major Sutherland's having applied to the Gwalior Court to raise a contingent of horse on the same footing as that we have in the Nizam's Army. The request could not well be refused, but a plea of poverty was thrust forward, which could only be obviated by the surrender of the Khandeish districts, and the Supreme Government, it is said, without consulting that of Bombay, gave directions for the delivering up of those districts accordingly.

SEEKUR.—Major Forster, after bringing to a successful conclusion the affairs of Seekur, received information that a party of 400 horse from the Jodepore territories, composed mostly of Kuzzaks, had plundered a caravan of camels proceeding from Bhasse towards Ajmere, just within the Shekawatee boundary. A risallah of the Shekawatee horse was sent in pursuit, which, after a long run, succeeded in tracing the plunderers into the village of Bunwassee, where they possessed a tolerably strong fortress. The horsemen could do nothing more, and Major Forster proceeded in person with six companies of Infantry, a couple of guns, and two additional risallahs, to Mawa, and sent notice to the Jodepore Illaquadar demanding redress. Of four different applications, no notice was taken; to the fifth, a reply was sent, stating, that the Illaquadar's troops were three years in arrears and not under control, and that he therefore could do nothing. Major Forster immediately invested the fort of Bunwassee, which had kept the Sawars at bay, but surrendered without resistance when the guns appeared. Here he had the good fortune to recover one of the plundered camels, and also seized about 50 Kuzzaks, including 14 relatives of the celebrated Dongjee. The fort was levelled to the ground, wells filled up, and this notorious nest of villains entirely destroyed. From thence, detachments were sent to Bererwa, Eerwa, Bapa, Shewa, and Askake-Dance, all being bands of brigands with strong defences, where traces of the Kuzzaks were discoverable. The whole of these places were forthwith destroyed, and some of the stolen property recovered. About 130 of these villains were seized at different points, together with their arms, ammunition &c. As some of these villages were within three kos of the Head Quarters

of the Jodopoh General, and his army, Dena Nath, the chief, thought proper, at last to come and wait on Major Forster and expressed his satisfaction for the punishment the Kuzzaks had received. When asked his reasons for allowing such scoundrels to congregate and commit depredations within gun shot of his forces, he replied that his authority was limited, the troops unpaid, and finally, that the last Kamdar, Jogun Sing, was in league with the Kuzzaks, and had carried off 40,000 rupees as his share of plunder.

LAHORE.—An intelligence reported that Dost. Mohammed was engaged in active military preparations; but his son Akbar Khan had made himself so unpopular, by oppressing the people of Cabul, that numbers were deserting that country.

The Maharaja enquired of Konwar Peshora Sing, whether he would oppose Konwar Cashmiera Sing. He replied, that if he were commander, he would willingly fight against foreign foes, but not against his brethren.

Rajah Dhyas Sing mentioned that the person he had appointed to attend upon Captain Barnes, had been dismissed as useless, and inattentive, and that he had despatched another person to fill the situation.

CABUL.—It is stated that the suzer or agent of the Shah of Eran has arrived near Cabul, with rich gifts and 40,000 Rs. in money for presentation to Dost Mohammed.

Captain Burnes has arrived at Cabul.

Dost Mohammed is perplexed with adverse councils some of his advisers recommending his having recourse to the British for assistance whilst other urge that he should form an alliance with the Ruler of Eran. It is said the Chief of Cabul leans more to the former recommendation.

BHURTPOR.—From this city, the inhabitants are emigrating in numbers, on account of the distressing scarcity. A large body of its residents, having applied to the Raja, for the purpose of having the bunniahs restrained in their avarice, he sent for the Konwar and desired him to settle a fair price upon the grain which belonged to bunniahs and divide, by a regular distribution amongst the distressed, a portion of the sarkar's stores.

CONCAN.—It is stated, that this small province—not of the Dekhun, but in Thibet—has revolted from the Chinese Government, to whom it was tributary.

MURDURABAD.—An attempt to assassinate the Nuwab Sooraj Ood Dowlah, an Ameer of rank and wealth, was lately attempted by a body of discontented Putans, who, to the number of fifty, forced themselves in the hall where the Nuwab was holding a durbar, and endeavoured to cut him down. A few of his Arab retainers who were present, kept the foe at bay till the Nuwab escaped to another apartment. On assistance arriving, nine of the Putans were cut down on the spot. The Nizam on hearing of his attack, sent a detachment of his native troops to keep the peace, and protect the Nuwab.

KERAT.—Mirza Jehangheer Shah, the son of King Kamran of Herat, attended by a force composed of cavalry and infantry, went to Khorassan, and having called together the Chiefs and Zumeendars, and held a council, he mentioned that it was generally known, that Mohammed Shah, King of Eran, had neglected all other affairs of his Government, and was consolidating all his resources to enable him to affect the conquest of Herat, and asked what advice they had to offer. The Rindars of Khorassan replied, saying, "once before Mirza Shah Abbas, the father of the present King, led a large army into Khorassan, en route to Herat; we then prevented his getting there, and will now assist you."

PESHAWAR.—It appears by letters received from Peshawar, that a large gang of robbers attacked the encampment of the Sikh troops stationed at that place

while they were quite unprepared to meet them, in the dead of night, and they began to plunder it. The sepoy tried to put a stop to the progress of the robbery, but were unsuccessful. At this time the Sowars under the command of Jemadar Khosial Sing and Mr. Ventura proceeded to the assistance of the sepoy and succeeded in putting the spoilers to flight; many of whom in their retreat were wounded and some killed. Some of them were captured alive and hung from the branches of trees on the highway sides. But in spite of this the robberies on the frontiers of Peshawar, instead of decreasing, are stated to be rapidly increasing in number.

FORT JAHANGIREZ AT KUSUF-ZEAN.—It is stated by people arrived from Kusuf-zean, a place about twenty-five kos to the east of Peshawar, which has been in the possession of the Nauzeams of Peshawar for years, that it had lately been attacked by Futeh Khan, Punjettur-walla. The people in the fort made the best defence in their power; but their number being too small to cope with the enemy, the latter got the better of them. A portion of the enemy's troops got into the fort by scaling the walls; and after plundering the inmates of every thing they had, they made their escape to the mountains before they could get any assistance from Peshawar.

GWALIOR.—A large portion of Scindea's army has already proceeded to the southward, and the rest may ere long be compelled to follow; but the prices of grain have fallen a little in the Gwalior camp, eleven seers of wheat being obtainable for a rupee. The crops in the Nagpore country, in the valley of the Nerbudda and of the Betwa, are the finest ever known; so also in the Bhopal country, where grain is selling at a maund for a rupee.

MADRAS.

EXPEDITIOUS WORK.—The wife of a soldier of Her Majesty's 45th regiment, who had gone to Madras to make preparations for her approaching confinement, was suddenly taken in labour, on the 25th ultimo, in a palanquin, on her return to Poonamallee, and safely delivered of a fine girl. A Medical man happened to be close at hand, who gave the necessary assistance; and the woman proceeded on her journey, "as well as could be expected," within a quarter of an hour from the time of her delivery.

ATTEMPT TO MURDER.—On the morning of the 13th ultimo as the regimental L. C. on returning from brigade exercise was forming on its own parade, a private named Hooman Khan fired from his station in the ranks a pistol at Lieutenant Porter, the Adjutant of the regiment. At the time Lieutenant Porter was standing on the right of the line, marking the point of entry, and the regiment was in column of threes left in front. Hooman Khan was the left of the front rank Section of threes and consequently fired across two men, viz: the right hand man and centre one of the front rank. After the discharge of his pistol he instantly rushed out of the ranks, drew the other pistol, and commenced circling his horse in rear of the regiment. A party was immediately after him and he was brought back. On being questioned as to whom he fired at, he replied that the Adjutant was his enemy. When confined he grew so troublesome that they were forced to place him in irons. On an examination of the pistols it was found that the last he drew out was primed but there was nothing in the barrel; on looking however into the holster pipe from which it was taken, a ball with about a charge of power was found at the bottom. The other pistol was the one he fired at Lieutenant Porter, who felt the wind of the cartridge pass close to his face but the report was as that from a blank cartridge, and the opinion is that, owing to the riding and charging about in the

morning's exercise, the ball must have got so loosened as to have fallen out when the man removed it from the holster pipe. On examining his pouch, his cartridges were found all correct. A Medical committee assembled as soon as possible on Hussain Khan and came to the opinion that he was of unsound mind.

MORTALITY.—One of the officers, of the 63d Regt., Captain Fairclough, has died of apoplexy, and three men have fallen victims to the cholera, and a fourth man is so seriously ill, that a Surgeon has been left in charge.

CONVICTION OF A NATIVE FOR PERJURY.—On the 14th ultimo Elliah Chitty was convicted of perjury, and sentenced to seven years' transportation. Mr. Teed, his Counsel, objected to the sentence, and the Court, to give time for consideration, adjourned the Sessions till the 16th when Mr. Teed took the following objections.

1st. That as the indictment did not conclude "against the form of the Statute" or "against the Laws", the prisoner could not be transported, the Statutes only giving power to transport.

2d. That the Court have no power to transport persons convicted of perjury. That the 2d Geo. 2, c. 25., which is the first act in England making perjury a transportable offence, did not extend to this country. And that the Act of 39 and 40, Geo. 3, c. 79, was repealed by the 9th Geo. 4, c. 4, c. 74, so far as it related to the transportation of offenders, and as there is no act in existence empowering the Court to sentence persons convicted of perjury to transportation, the Court could only direct the penalty the common law inflicted.

The judges being in doubt, gave the person the benefit of that doubt, and he was then brought to the bar of the Court and sentenced to pay a fine of 100 pagodas to the Crown—to be imprisoned two years, and be further imprisoned until the fine is paid.

MURDER OF A SUBADAR BY A NAIGUE.—A shocking occurrence took place at Secunderabad on the 10th ultimo. The subidar major of the Golundauze, a native officer much respected in the artillery, and of forty-five years' exemplary service, was shot on the parade by a naigue of the same corps, while in the act of inspecting the company. The ruffian was at the same time within three feet of his unfortunate victim whose death was instantaneous. The whole inciting cause to this murderous deed appears to have been, that the subidar major had found it necessary the day preceeding to award to this naigue some slight punishment, a few hours extra duty, which occurring on the last day of the Dusserah, had necessarily prevented his participating in the amusements, and thence aroused all the evil passions of his nature.

ARRACK TASTERS.—Government have evinced a further anxiety to improve the condition of European soldiers in India, by discontinuing the practice of employing the men as tasters of arrack in the canteens.

THE WEATHER.—Accounts from Bangalore give a very unfavourable report of the weather in that neighbourhood; and similar complaints have been received from other parts of Mysore. Rain was much required, and the general appearance of the country was very different from what might be expected at this season of the year.

A NEW BOTANICAL WORK.—Dr. Wight has a new botanical work in course of preparation, to be principally directed to the illustration of the agricultural and economical branches of that interesting science, and to be illustrated with numerous coloured plates of the useful and ornamental plants of India.

SEVERE GALE.—On the 31st of August and 2nd of November, Madras was visited with a severe gale, which caused the loss of the brig *Ayr* and *Delight*, the schooner *Hebe* the grab *Dowlut Persaud*, and the ship *Thalia*, which were driven ashore. No lives were lost.

The schooner *Hebe* is expected to be got off the beach at Cavelong.

The barque *Tenasserim*, Captain Spooner, sailed from Coringa on the 30th of October for Madras, but having

met with very bad weather she has put into Pondicherry with the loss of her foremast and the main-mast sprung.

SPRIOUS ACCIDENT.—On the 1st instant, a boat containing about twenty persons, was capsize whilst crossing the Coorum river, and seven of the passengers were drowned.

SECUNDERABAD.—THE CHOLERA.—The weather at Secunderabad from the middle of Oct. to the 27th, had been very wet; but with only drizzling rain. The cholera had entirely subsided at Secunderabad, as well as the bowel complaints of that dreadful kind which baffled all the ingenuity of art and which destroyed so many men of Her Majesty's 55th Regt. Dysentery had been succeeded by fever and ague, but not of a dangerous kind. It is said that cholera still prevails at Ja-wash and Nagpore.

BOMBAY.

MR. NORRIS.—It is stated that a letter has been lately received from England, in which it is mentioned that Mr. Norris, Chief Secretary to the Government, is to be appointed a member of the Legislative Council of India, in the room of Mr. Anderson, who is expected soon to take his place at the Bombay Council Board.

BURNING OF A MAGAZINE.—On the morning of the 23rd of October, about ½ past 8 o'clock, an alarm was given that one of the government powder magazines at Mazagon had been blown up. The Police and other available force immediately repaired to the spot, and discovered that one of the charcoal magazines had been burnt to the ground. On enquiry the men there stated that the charcoal magazine was locked on the night of the 19th instant and on the 23rd, when they went to open it, it immediately took fire. Seven men are severely injured by the accident, and one or two of them are not expected to live.

RESIDENT AT BARODA.—Mr. Williams, Resident and Political Agent at Baroda for many years, recently died on his way to Bombay, on board a paltimar. Mr. Sutherland, late Member of Council, is talked of as his successor.

THE GOVERNOR.—The Governor left Bombay on the 24th instant for Poona, and now there is in that presidency only one counsellor, on whose shoulders all minor matters will fall. Mr. Ironside is at the Hills, or somewhere else away from Bombay, and the Commander-in-Chief has gone to sea.

RUNJEET SING'S TRADE.—It is said, that Runjeet Singh, is about to send about thirty-five boats, laden with the produce of the Punjab, to Bombay to try the market.

BURMAH.

Intelligence to the 8th instant, has been received from Akyah. The latest accounts received at that station from Ava stated, that the King had raised 30,000 fighting men kept in regular pay—a large force, but one portion of which is occupied in watching Moulmain, another all the passes to and from Arracan, and the third with Tharawaddie guarding the old King and his son—of the latter of whom, Tharawaddie has great apprehensions, but whom he durst not molest or injure, well aware that his subjects would highly resent such a proceeding. It would appear that the Burmese monarch is endeavouring to gain over all the independent Chiefs on the Assam territory. One of these who has some 18,000 followers, and who pays tribute to China, has agreed to join the Burmese when Tharawaddie's plans shall arrive at maturity.

MOULMAIN.—Colonel Burney, the Resident, arrived at Moulmain from Rangoon on the 15th ultimo, with his family and suite, and left for Calcutta again on the 21st. The inhabitants presented a "flattering address" to the gallant and talented Colonel on the occasion. Dr. Dayfield remains at Rangoon in charge of the Residency. There were no further indications of war, but considerable detriment to trade, resulted from the state of

uncertainty in which matters were placed. The King of Ava, it is said, continues resolved to cut all political connection with us, and for the present, it rests with the Governor-General to make the next move. If he continues to hesitate and consider, the Majesty of Ava will most probably be encouraged to go on, and see what more he can do with impunity.

Tharawaddie still continues contumacious, and refuses to acknowledge all treaties entered into by his brother; but he has somewhat altered his tone since he became aware of Military preparations being made by the British. Colonel Burney, it is said, by desire of the Government in Calcutta, is about to depart in search of the Governor-General, in order that he may communicate to him the real state of affairs in Burmah, and enable his Lordship to take decided measures touching our relations with the Burmese power.

CEYLON.

serious accident.—When the salute was firing at Galle on the occasion of the Senior Puisne Justice's leaving that station for Matara, on the Southern circuit, a gun accidentally went off in the act of charging, by which one Artillery man was killed, his side being blown away; another had an arm very seriously injured, so as, in all likelihood, to require amputation, whilst the thumb of a third, who served the vent, was shattered.

SINGAPORE.

A *Singapore Free Press* of the 5th October, received during the month, announces the demise of the *Singapore Chronicle*.

CHINA

Canton papers to the 16th of September have been received during the week. The rigorous measures instituted by the Chinese authorities against the opium trade, seem to be pursued with increasing severity. The receiving ships had been annoyed by being moved from place to place, and ultimately constrained to depart to Hong-Kong, a port about forty miles to the eastward of Cap-Sing Moon, after an application on the subject had been made to Her Majesty's Superintendent, which caused him to quit Canton for Macao. More edicts had been fulminated against the importation of the drug, and it is said, that in consequence of the Peking authorities being cognizant of the difficulty which

existed of getting the inferior Mandarin to co-operate with them in suppressing the smuggling trade, they had recommended the Emperor "to do away with the whole of the foreign trade, as the only means of preventing opium from being brought into the Empire." The Viceroy's order for the compulsory departure of the opium ships not having been complied with, and the Hong Merchants having reported to him that the vessels had gone, he threw their representation at their heads, with an observation, that his order for the departure of these vessels must be obeyed and not evaded, so it appears that nothing short of the entire disappearance of the opium ships will now satisfy the Chinese Government, and it was expected that Captain Elliott, the Superintendent, would be applied to on the subject, with a threat that the trade would be stopped, unless the orders of the Government were complied with. Chin, the Admiral, in an edict, in which he intimates that he is ordered to chase away all opium ships as well as those which do not go up to Canton to trade, threatens, on the indication of obstinateness on the part of the foreigners, to place along the boundaries of the Chinese empire, "thousands of ships of war, numerous as the stars, and disposed in array like a chess board," which formidable squadron, it is supposed, the "lion headed" foreigners will be unable to resist.

Notwithstanding the unfavourable aspect of affairs however, some transactions in the drug and taken place along the coast, principally of Malacca. The last quotations were, Patna, old, per chest 790, ditto, new, 655, a 660. Benares, old, 740, ditto, new, 650 a 655 Malacca, 500 a 510. Turkey, 520.

The Hing-tae's affairs still remained unadjusted. The foreign merchants had petitioned the Governor on the subject, and received an evasive reply. An ineffectual attempt had been made by the American ship *Morrison* to land some shipwrecked Japanese in Japan. The vessel, which was unarmed, was fired on, in a cowardly and treacherous manner, at the ports she visited, and compelled to leave them, without effecting her object.

A letter from a correspondent, dated Canton 21st September, says, "The *Maita*, Vinc, from Liverpool, was lost on the Paracels on the night of the 30th of August, the Captain, officers and crew—with the exception of one man who was drowned—came up to Canton in their boats."

REVIEW OF THE CALCUTTA MARKET.

(From the *Bengal Hurkaru Price Current*, Nov 25.)

INDIGO.—No sale has been reported during the whole of this week, and no price has yet been declared. The market is expected to open at grades, descending from Co.'s rupees 210 for best quality.

RAW SILK is enquired for, and little of good quality is in the market, but prices remain low in consequence of the little encouragement the Europe markets afford.

SILK PRICE GOODS.—In these the demand continues principally for Corahs of choice and good qualities for the English market. The prices of the day exhibit an improvement throughout the assortments.

SALTPETRE continues to be enquired for, chiefly for shipments to England and France, but the market is almost bare of qualities suitable for exportation. The prices of the day show a slight improvement on *Ghassere* and *Chappreh*.

INDIA has been in some enquiry during the week, both on native account, and for shipments to England and the prices are reported at a further advance.

Tea.—*Shell* *Loe* of ordinary quality has engaged attention during the week for the English and French markets, but we have no change in prices to notice. Nothing doing in *Loe Dye*.

GRAIN.—The favorable accounts of the crops in the interior have affected the prices of almost all descriptions of grain, and we understand a small quantity of the *Patna Rice* has already arrived in the market. The demand for the trade continues limited.

WHEATMILLION.—The market is almost bare, and the article has considerably advanced in price.

CHINTZES.—The market for these fabrics continues inactive, and the prices remain without alteration.

WHITE COTTONS.—Some activity has prevailed in this trade during the week, and sales to a fair extent have been effected chiefly in cambrics, jaconets, books and lappets, at former prices.

MIXED TWIST.—The demand has been limited this week, a sale of 20 bales No. 40 being the only transaction reported. The prices of the assortments remain without alteration.

URKEY-RED AND OTHER DYED YARNS, are also in limited enquiry.

WOOLLENS.—The market with regard to demand and prices.

COPPER.—The market is inactive, and the prices of the day exhibit a material reduction throughout the assortments.

IRON.—A few sales of English flat, bar and bolt, were reported with the occurrences of the week. The prices of the day show an improvement on Swedish flat and bar, and a slight reduction on hoop.

LEAD.—A sale of sheet is reported at a slight advance in price.

SPINSTER without sale. **QUICKSILVER** continues to advance in price, and is in very good enquiry.

DUM-DUM THEATRE.

The amateurs made a bold attempt to play Buckstone's celebrated drama of "The Wreck Ashore" on Friday evening, which met with tolerable success. The first act was hailed by peals of laughter and well deserved applause; the actors were perfect in their words, the stage business had been evidently rehearsed with care, and the new scenery very pretty and appropriate. One scene in particular, the Essex Flats by moonlight, reflects high credit on the artist; the clever arrangement of light and shade gave it a chaste reality quite surprising to our eyes so long unaccustomed to dioramic effects. We recommend this scene to be again exhibited in the next melodrama and the scene painters and machinists, amateur and professional, of the Chowringhee Dramatic Society, to condescend to the opportunity of improving by it.

As "The Wreck Ashore" was also attempted a few months past by the Chowringhee amateurs, and the plot is generally known to the old and new world of theatricals, we refrain from any remarks on its merits, merely indulging in a hint to provincial managers generally to rehearse the second act ten times at least, or from the rapid change of scenery and multiplicity of properties, hitch and fail it must.

Captain Grampus, Marmaduke Magog, and Jemmy Starling, were the favorites of the evening, though equal credit is due to the representatives of the characters less prominently thrown out to the attention of the audience.

Captain Grampus,—Price, is a melodramatic gem; his conception good, his "action to the word," but he injures the general effect of his acting by sudden and senseless transitions of voice with hysterical accompaniments; these were much in fashion at the Surrey and Coburg before reason had a seat there, since which they have reformed altogether.

If Mr. Price corrects this propensity we think him entitled to rank as king of cut-throats in these parts.

Mrs. Ely looked exceedingly pretty, and dressed the character well. She possesses many of the qualifications requisite for an actress,—good figure, pretty face,

pleasing and ingratiating stage manners. There is a small jar on the sensibilities at times, from her not asperating so bloodily as might be wished; by a little attention to correct this "défaut" she would be an acquisition of importance to any theatre in India.

Mrs. Lee, as Bella, deserves praise for her naïve and unaffected performance.

In the second act, some accident occurred to the machinery, and in consequence an apology was made for a temporary delay. This evidently disconcerted the dramatic personæ, and the business got a little confused towards the fall of the curtain.

The guns throughout the piece, (though at Dum-Dum,) refused to go off, as obstinately as at Chowringhee. This malheur rather spoilt the interest of the scene in which Alce, Mrs. Ely, intended to shoot the smuggler. She fell to a most insignificant flash in the pan, the shriek which should have followed the report was in alto relieve to the flash, and the gravity of Her Majesty's lieges disturbed at the wrong moment.

The action in the last scene was distinguished by inaptitude to the legitimate style of dramatic warfare, to wit, one 'two! three! two up, and two under." There was a large party of combatants, but they could not get their swords to click, and the excitement of the skirmish was thereby considerably diminished. We think, Captain Grampus from his swashing stage department understands this art; let him imitate his ruffians for the next melo-drama.

The pit and gallery were well filled, the boxes rather thin. We observed a sprinkling of Calcutta fashionables, who appeared by no means to regret the exertion of the evening drive, and it was settled nem. con., that melo-drama at Dum-Dum is the right thing.—*Hurkaru, December 4.*

CHOWRINGHEE THEATRE.

Of all Shakespeare's Tragedies this is undoubtedly the best. It is the master-piece of the master-poet. The character of Hamlet may be a more perfect consummation than the character of Othello; but the play of Hamlet is infinitely inferior to it. However, they are different in kind; and *Lear*, which alone of the remaining dramas is worthy to form a triad with these two, indicates still further the many-sidedness of Shakespeare's genius. "*Lear*," observes S. T. Coleridge, pre-eminently the most subtle and the most profound critic of the age," is the most tremendous effort of Shakespeare as a poet; Hamlet as a philosopher and meditator; and Othello is the union of the two. There is something gigantic and unformed in the former two; but in the latter every thing assumes its due place and proportion, and the whole mature powers of his mind are displayed in admirable equilibrium."

Perhaps there has been more criticism lavished upon Hamlet than upon Othello; but the latter has been more frequently mis-judged. Hamlet is more mysterious and

has called forth more thought; critics have probed the character of Denmark's Prince to its very depths and have at length arrived at its meaning; but Othello being more simple has been judged more superficially, and has been most grievously sinning against in the judging.

What is the scope and tendency of this tragedy? Every body who has perused it, will answer at once "to illustrate the passion of jealousy." True—but in whose character is it illustrated? "In Othello's." No; in Iago's.

Iago is the jealous man. I have heard many people affirm that the character of Iago is unnatural; it is said, that there is not sufficient motive apparent in the drama to excite him to such black villainy as therein he is made to perpetrate. Love of power, attended, as it ever is, by inordinate selfishness, is thought to be the main-spring of all his actions. He is one, in the vulgar opinion, who preferring evil to good, in the furtherance of personal grandizement, would pause at no atrocity whatever—a naturally vicious man—a stony-hearted, jesuitical character.

Hazlitt—a *nomen venerabile* in criticism—has adopted, much to my surprize and disappointment, the common erroneous creed. "Iago," he says, in his *Characters of Shakespeare's plays*, "belongs to a class of characters, whose heads are as acute and active as their hearts are hard and callous. He is quite or nearly as indifferent to his own fate as to that of others; he runs all risks for a trifling and doubtful advantage, and is himself the dupe and victim of his ruling passion, an insatiable craving after action of the most difficult and dangerous kind." He plots the ruin of his friends as an exercise for his ingenuity and stabs men in the dark to prevent *ennui*." Now this may be very fine writing, but it has no more to do with Iago than with any other of Shakespeare's creations. It is altogether an imaginary, not a descriptive sketch. In a previous sentence the writer has spoken of "the love of power" as being Iago's incentive to villany. "Shakespeare knew that the love of power, which is another name for the love of mischief, is natural to man." This is all very true, as the Wolseys, the Glosters and the Macbeths bear witness; but Shakespeare never intended to illustrate this passion in the character of "nine ancient." Jealousy and revenge are his themes: it is the wronged Iago seeking retribution.

In my humble opinion, Iago is a very ill-used personage,—not by the characters of the Drama, for he richly deserved the punishment that he brought upon himself, but by a mis-judging public at large. Othello carries with him all the sympathy; Iago is regarded with the bitterest execration, yet Othello is the original offender, and to his original offence is attributable all the villany of Iago. If Othello had been innocent he would never have been unhappy, and Iago would have been his faithful attendant and friend instead of his relentless persecutor.

I conceive that Iago was not vicious upon principle; he was the villain not of nature but of circumstance. Othello made him a villain, he was wronged and he sought retribution, and this retribution involved a multitude of crimes. "The nature of a man," says a recent writer of fiction, "is changed by much wrong." Injuries harden the heart, and the arrow which enters the flesh, rankles there and diffuses its venom ineradicably throughout the whole system. The least part of the evil which your enemy does unto you is that which he purposes to do. He who wounds you, who deprives you of a limb, of the substance of your whole house—of the "one little ewe lamb" which has lain in your bosom and been a daughter to you, of all that you must love and cherish in the world, has done as it were nothing. There is no real evil in the loss of these things. But he who fills your heart with hatred and vindictiveness, who causes you to walk in wickedness, and deprives you of your innocence and your tranquillity, does unto you an irreparable injury—an injury to your soul everlastingly"—and this was the injury Othello did unto Iago.

Let me state, without further circumlocution, what I conceive to be the argument of the play. I doubt not but that many will dissent from my opinion, for it is a hard thing, I know, to be called upon at a moment's notice to throw aside prejudices which may have abided for long years. Iago had married a woman with very secure notions, to say the least, of conjugal obligations; her morality appears to have been loose in the extreme, and her philosophy egregiously sophistical. She was contented with erring but she must defend the error committed, and endeavour with all her might to make the worse appear the better reason. Witness her conversation with Desdemona, wherein she throws a cloud of exculpation over the delinquencies of stray-going wives. She speaks in general terms, but every word

that she utters is, as it were, in her own defence. A little while before she delivers this speech, which is the essence of all casuistry, she has been questioned by the innocent and simple Desdemona:

"Dost thou in conscience think, tell me, Emilia,
That there be women, who abuse their husbands
In such gross kind?"

Emilia—There be some such, no question.

Des.—Wouldst thou do such a thing for all the world?

Em.—Why, would not you?

The truth is, that she had done so; and Iago was well aware of the fact.

Iago had been wronged by the Moor; the bitter torments of jealousy had been awakened in his bosom, and he was resolved to avenge himself on the being who had awakened them. He was not hasty in his vengeance; for the deepest hatred is ever slow and reflective; he abided his time patiently, waiting his opportunity like a skilful swordsman, and nursing up his revenge right cheerily. We perceive a slight glimmering of the resolve, which subsequently becomes clearly manifested, at the very outset of the action. In the opening dialogue Iago confesses to Roderigo

I follow him to serve my turn upon him;

that is, to use a homely phrase, to pay him back in his own coin, to make him taste those very miseries that he had himself inflicted. Iago was resolved that the nuptial state into which the Moor had just entered should be a state of anguish and not of bliss—a cap-bum-full of curses. He requires a tool to assist him and he employs the booby Roderigo, knowing that the weak fool was enamoured of Desdemona, and therefore the most ready to aid him in, as well as the least likely to see through his designs. Iago knew his man, for Roderigo had previously consulted with him as to the best mode of prosecuting his amour; and of a certainty he used his instrument with the most laudable dexterity. Iago's own words seem to declare so explicitly the exciting cause of his hatred for the Moor, that the critic need not expose himself to error by hazarding any conjecture on the subject.

— I hate the Moor;

And it is thought abroad that twixt my sheets
He has done my office; I know not if't be true,
Yet I for mere suspicion of the kind,
Will do as if for surety.

Iago no longer loved Emilia: and the bitterness of feelings he experienced resulted far less from his own knowledge of her unworthiness than from the circumstance of its being thought so abroad. He cared not much whether it were true or false in reality; the world thought it true; he was pointed at as a cuckold and a dupe, and it was this that lashed his spirit into a whirlpool of dire exasperation. Then he begins to think of "dieting his revenge."

For that I do so suspect the lusty Moor
Hath leapt into my seat, the thought whereof
Doth like a poisonous mineral gnaw my inwards.
And nothing can nor shall content my soul
Till I am even with him, wife for wife.

The temporary overshadowing of his ambitious prospects, which is generally supposed to be the prime stimulant of his hatred both towards Cassio and the Moor—for Cassio it was who supplanted him—was a very secondary feeling in his breast—a mere tributary stream poured into the Nile-like waters of his bitterness. Doubtless it "dieted his revenge"—it enhanced, but it did not generate the extreme exacerbation of his spirit. Already he hated Michael Cassio,

"For I fear Cassio with my night-cap too"—

and his revenge had already begun to assume a two-fold appearance. He had been doubly wronged and he resolved to be doubly revenged. From the very first it had been Iago's design "to serve his turn" upon the Moor; but his schemes were undefined and shadowy, they had not assumed a palpable aspect. He confesses a partiality for Desdemona, and he thinks himself of endeavouring, in his own person, to seduce her affections from the Moor. But he is a rough, unpolished soldier, with few personal attractions, and he has misgivings as to the result of his experiments. But his mind is fertile in expedients, and he prepares himself in the event of a failure to be ready with some other device.

Or failing so, yet that I put the Moor
At least into a jealousy so strong
That judgment can not cure.

He had previously thought that the booby Roderigo might possibly work out the design he had in hand; for Iago, it must be observed, had but a poor opinion of woman-kind, and judging, perhaps by his own wife, looked upon chastity as a virtue, existing only where temptation is not—thus rapidly his mind passes from Roderigo to himself as the agent of this villany and then from him self to Michael Cassio. Roderigo is a rich-fangled fool and he himself an uncourtous soldier; but Cassio is represented as "of smooth dispose" and "framed to make woman false." Cassio is therefore to be the thorn in the Moor's side. His situation near Othello's person was peculiarly adapted to further this plot, a plot which involved the ruin of them both—of the two men, who had wronged Iago, of the two men he hated to the death. Nothing could have been more admirably contrived than this scheme of retributive justice. To embitter the domestic happiness of the Moor and to cause Cassio to be turned out of his appointment with contumely and disgrace. In the execution of this design he manifested extraordinary genius. He proceeded guardedly, aiming not at despatch but a certain, though a far-off consummation. In making Cassio drunk upon guard he did not think so much of the disgrace in which it would involve the Lieutenant, as he did of the opportunity which the circumstance would afford of bringing Cassio and Desdemona together, and taking advantage of the sweet lady's kindness of heart, to awaken the suspicions of the Moor. "I tell you, what you shall do," saith the subtle Iago, "Our general's wife is now the general—confess yourself freely to her, she'll help to put you in your place; she is of so free, so kind, so apt disposition, that she holds it a vice, in her goodness not to do more than she is requested." I think that Iago, cared little about obtaining the appointment for himself, so that he could get Michael Cassio turned out of it. Revenge was stronger in him than cupidity.

Thus much for the jealousy of Iago, which I think beyond all question, is the exciting cause of the hatred which he bore against Cassio and the Moor, and the mainspring of all his atrocities. I do not believe that he had any prospective idea of the tragic catastrophe that consummated his labours. He did not contemplate the spilling of blood, nor was he in any wise the "amateur of tragedy in real life," which Hazlitt describes him to have been. Having committed himself too far to retreat, he found that it was necessary to progress and he was forced, for his own safety, to overstep the boundaries of his original design. It is ever thus with people, who abandon themselves to wickedness; they contemplate a small crime and become the unwilling perpetrators of some grievous atrocity. How many have designed a simple act of theft and found themselves hurried into murder.

With regard to the jealousy of the Moor, I am perfectly of Coleridge's opinion, that Othello was not jealous. I do not think he is reported by his nephew to have said "that there is any jealousy, properly so called, in

the character of Othello. there is no predisposition to suspicion, which I take to be an essential term in the definition of the word. Desdemona very truly told Emilia, that he was not jealous, that is of a jealous habit, and he says so as truly of himself. Iago's suggestions are quite new to him; they do not correspond with any thing of a like nature previously in his mind. I think myself that if Othello had been jealous of Cassio he would have wreaked his vengeance at once upon the Lieutenant instead of slaying Desdemona in his wrath. A jealous man is more exasperated against his rival than against his unfaithful mistress; Othello scarcely gives a thought to Cassio; he thinks only of his wife's infidelity, of his own huge desolation. It is not jealousy, I am sure; it is indignation, verging upon madness, at the thought of having discovered the impurity of one, whom he had believed to be so devoted and immaculate.

If Othello had been in the least a suspicious man, he would have suspected the honesty of Iago; but, on the contrary, he was of a frank, open and confiding disposition; he was full of honest simplicity and very easy to be played upon. And this reminds me of something, with which I shall conclude these few rough, hurried observations. I have never seen Iago represented on the stage, without observing to myself, "Othello must be wondrously short-sighted and obtuse to be imposed upon by such a bungling hypocrite, such a manifest villain, as the Iago by his side." Almost all the characters of the plays speak of him until the last act as "honest Iago," and yet his representatives always think it necessary to comport themselves in the most apparently atrocious manner, and to emulate the murderers in Macbeth. Shakespeare never intended him for a swaggering, sneering rogue, a bully in his manner and mocker in his speech; such a character could never have exercised any influence over Othello. He should be represented as a tough, honest fellow, *pausibly blunt*, the simplicity of his manner serving as a mask to the intricacies of his villany. I see no reason in the world why the actor who personates Iago should not endeavour to appear the same character to his audience as he must appear to those with whom he is conversing. When he is in soliloquy he may let out the secret of his rascality, but certainly not in the presence of his dupes.—*Calcutta Literary Gazette December 17.*

We last week, gave a very able critique upon the play of Othello in an original communication from a valued correspondent.

In the estimate there given of the character of Iago, we are, generally, inclined to agree. But from the opinion that the scope and tendency of this tragedy is to illustrate the passion of jealousy *not in Othello's*, but in Iago's character, we would differ. That Iago is jealous we admit, and that he is, in various ways, injured. But the intent of the poet in his character seems to us to have been to exhibit the passion of revenge as operating upon an envious and discontented mind; and acute and active head linked with a selfish and resolute heart pursuing its way by any and every means to the desired satisfaction of those wrongs which he felt or fancied that the world and fortune had put upon him. But that Othello is *not*, as our contributor, quoting Coleridge, contends, jealous, we are surprised to hear and little inclined to admit. We cannot agree in this new-fangled idea, though we believe it has become a favorite. It is one of those *ex cathedra* opinions which Coleridge, surrounded by admiring friends, was wont to give out so frequently and sustain so well while (though they often, we conceive, must have seen, in those startling theories and strange fancies, proofs rather of the poetry of the speaker's mind than of the correctness

of his reasoning, eloquent, impassioned and comprehensive as it usually was) his auditors were content rather to listen in acquiescent silence than to contend in doubtful dispute. Coleridge in these matters seems to have occupied much the same position in modern literary society as did Johnson with his contemporaries. Each was proudly conscious of superiority of intellect and powers of conversation, and each too much delighted to employ his ingenuity in making the worse appear the better reason, this too without any other desire to mislead, but in the heat of argumentation and the hope of victory against all odds, and unhappily without due advertance to the moral evils which undoubtedly flow from the dissemination of wrong or crude opinions under the authority of great names. This evil was perhaps less in themselves, than in their associates; the great mass of whom were little able to cope and compete with them in any intellectual warfare, and who, impressed with a blind veneration for their every saying and doing, prompted the expression of these extreme opinions for the mere gratification of their personal curiosity, drawing out the Lion by dogmatising on an admitted truism, or by hazarding a questionable sentiment, by misapprehending what was self-evident, by magnifying what was unimportant and by diminishing or denying what was essentially great and true; by, in short, looking with other eyes, hearing with other ears, and speaking with other tongues than did their literary idol as well on the common topics of the day as in the abstruser questions of philosophy or of politics. Occupied with the world, living and dying in the capital, constant opportunities were given to great numbers of eliciting these their singularities. What the ear heard the mind retained, not perhaps however fully and purely; and thus mixed up with what was intended to be separate, or to have merely an individual application, their opinions have come down to us strongly coloured, broadly stated, exhibiting, with very much of what is most valuable and certain, something of the trivial, obscure and rash, the chaff with the grain, the bitter with the sweet, fact and fancy, wisdom and weakness. Whether such opinions may not be unfairly transmitted, and whether they are consonant with reason and experience, should equally be asked. For whatever they are, or where-soever proceeding, the prestige and power of a great name may not be permitted to hide their real qualities and extent; nor lead us to pronounce as proved what is only plausible, to lose in mere splendour of expression the bulk and beauty of truth, the value of a moral in the glitter of an antithesis. Doubt indeed must be modestly exercised and respectfully expressed—for otherwise common minds may not sit in judgment on yacommun— but so often have our arms closed upon the shadow where they sought to clasp the substance, so often have we found the meteor and the marshlight where we hoped the surg and steady star, that it is not the swelling phrase, the pomp of words, the parade of authorities which now suffice to secure our uninquiring acceptance of a new creed or our abandonment of an old opinion. Coleridge says Othello is not jealous and that he should not be so considered. What says Shakespeare? What intends he in Othello? And how is Othello thought of by the other persons of the play?

Neither the possibility of making Othello suspicious of his wife nor the endeavour to make him so would have occurred to Iago except that he believed, from his previous knowledge of Othello's character, that evil doubts might easily be instilled and would probably take root. His object was revenge, to ensure which he naturally chose the plan which he deemed would most conduce to his success. His hate of the general is of old standing and he watched an opportunity to satisfy it. He cogitates on his ways and means. He determines

"To abuse Othello's ear
That Cassio's too familiar with his wife ;"

and from what does he derive his hope of success? from the credulous, pliant, impressible nature of his intended victim, who would

*"As tenderly be led by the nose
As asses are."*

This plan he pursues, confident that his very lowest success will be

*"To put the Moor
At least into a jealousy so strong
That judgment cannot cure ;"*

and that thus having displaced or destroyed Cassio he would

*"Make the Moor thank him, love him and reward him
For making him egregiously an ass."*

Would he, we ask, have entertained these hopes, have formed this plan, but that he knew it to be at once the easiest and surest of accomplishment. The opportunity of bringing it into efficient execution does not however immediately occur. The preliminaries to success are not even established. But these are readily got together, and shew Iago's great knowledge of mankind as derived from his observation of the habits and manners of those among whom he is placed. His leading of Rodrigo where he will; his knowledge of Cassio; his practising upon the facility of the one and the infirmity of the other, at the very time and place where they might most serve his purpose, amid the quick bloods of Cyprus, the noble swelling spirits of a warlike colony, whom also he had already flustered with flowing cups; the pre-arrangement of the contemporaneous watch in surety of that soldierly conviviality which a little art and exertion would so push into excess, that amongst the flock of drunkenards he might then with ease put Cassio in some action that would offend the isle; all these prove, at this early stage of the play, what its whole sequel affirms, his intimacy with the heart of man, that, as Othello describes, he did indeed know all qualities of human dealings with a learned spirit. No one denies this penetration and management in Iago. The inference we would draw from this general admission of his great tact is that it is not possible that he, who was every where else so skilled in choosing his tools and in working out his designs, should here select one whose nature, instead of affording him assistance in their prosecution, was positively the *antipodes* of that which he would have sought out. Iago knew his man much better: he knew that his master's disposition was to jealousy inclined; not in itself, not without external cause, but easily to be acted on, and if that way wrought then "perplexed in the extreme." Othello himself confesses almost as much, and that he does not admit the whole is because he did not know himself rightly, nor so well as did Iago. The beauty whom each of her rivals acknowledges as next in attraction to herself, as the second belle of the night, may safely be set down by others as entitled to the crown. With armies and with nations, or wherever individual competitors allow the claim of some one of their body to the second rank, depend upon it he deserves the first. So is it with the evidence to be deduced from personal confessions; the much that is admitted takes with it the little that is not directly acknowledged, or that is but indirectly denied. A next-to-all avowal justifies the belief of what is behind. And thus Othello's dying words prove, to us at least satisfactorily, the correctness of Iago's estimate of his character, and that but for the conviction, of being enabled to pursue his revenge to a full and sure end, which that character held out, it would never have been so practised on by him.

Cassio, being ensnared and deposed from his office, at Iago's advice interests Desdemona in his behalf, in order

to obtain his restoration to the general's favour. Iago's intention is,

"While she for Cassio strongly pleads the Moor,
To pour this pestilence into his ear.
That she repeals him for her love of him."

With this view he labours

"To draw the Moor apart
And bring him jump when he may Cassio find
Soliciting his wife."

But up to the scene when they are so found together, not a word is uttered by Iago expressive of any doubt entertained by him of either Desdemona or of Cassio. The first inoculation now takes place, and the disease induced in its mildest form, is suppressed by Othello, for a while, and not yet detected by Iago: In the brief commencing dialogue which occurs, so far as the latter is concerned nothing is advanced against the wife or the friend who are so soon to be victimized. The sole symptoms of infection are in Othello himself, and these are but faint. The whole passage

Iago. "Ha! I like not that
Oth. What dost thou say?
Iago. Nothing, my lord: or if—I know not what.
Oth. Was not that Cassio which parted from my wife?
Iago. Cassio, my lord? No sure, I cannot think it, That he would steal away so guilty-like Seeing you coming.
Oth. I do believe 'twas he."

contains only one shade illustrative of the character of the Moor. It is not that Cassio avoids him, or steals away as if himself guilty. This is not cared for. It was natural. It was expected. Cassio was still in disgrace. Cassio had offended, was guilty: that he should wear the pale look of sorrow or the blush of shame rather than the bold brow of ingratitude or the callous air of impenitence was all in his favour. But observe, as Othello observed; he noted and set down what none but a jealous man would, that Cassio "parted from his wife," and Iago "liked not that." It was this circumstance, alone which to his eyes gave any significance to Cassio's departure, any weight to the doubtful words which Iago first muttered or to his subsequent slow replies. It dwells, however, in Othello's memory for he shortly refers to it as the first suspicion which he had imbibed and as warranting him to demand from Iago the meaning of what followed.

"I heard thee say but now thou lik'dst not that
When Cassio left my wife: What did'st not like?"

Iago had not previously whispered any accusations against the one or the other. In their meeting, in its termination there was nothing to excite displeasure or distrust; and no such feelings were so excited. It was Iago's interjectional remark upon their separation which first kindles the sleeping fire. His suspicious nature exasperates him to self-reproach, not because there was any ground of objection, not because he himself fancied any such, but because another, a mere stander-by, had observed or so pretended, something which he liked not, which he deemed objectionable. The whole affair is a trifle, on which to build his own conclusions of any wrong inflicted upon or intended against his honour, would rightly stamp a man as jealous—but, in Othello's case, his earliest suspicions are founded upon the conclusions of another! conclusions which never occurred to himself!

Let any one read this scene, the third of Act 3, from the exit of Desdemona to her return, and then, be he husband or bachelor, ask himself whether it be possible from what there occurs, to have so lighted the flames of

jealousy in any breast where the fuel had not been previously stored. The most common questions are asked; the very asking them creates suspicion: the answers which are given are always fuller than necessary, inducing fresh inquiry: and when this apparently against Othello's wish terminates, the parts are changed: the questioner becomes the questioned; it is now no cautious fathoming, no shallow curiosity, no superficial conjecture, but direct frequent leading questions, which however draw forth nothing confirmatory of the growing suspicion they indicate, until the very impossibility of satisfying them, the difficulty even of understanding them causes a repetition, an echoing, a hesitation which bursts the last bounds within which Othello had till now suppressed the struggling torrent of his dark and terrible imaginings. As yet Cassio alone mentioned: and what even he is suspected of, or with whom, has not appeared: even wherein the parley concerns him Othello himself thinks he is honest, and Iago dare be sworn he is so, beseeching his master not to depend too much upon his conjectures as true;

"I do beseech you—
Though I, perchance, am vicious in my guess,
As, I confess, it is my nature's plague
To spy into abuses: and oft, my jealousy
Shapes faults that are not—I entreat you then,
From one that so imperfectly conjects,
You'd take no notice: nor build yourself a trouble
Out of his scattering and unsure observance:"

In the face of this entreaty and advice which, coming from the very quarter whence the suspicion has originated, throws, and is intended—for it was not Iago's design to stir the Moor into any quick and extreme jealousy, on conjectures and about trifles, which would easily be dissipated to the disgrace of the schemer—to throw a restraining doubt upon the probability of the tale, Othello persists in pressing an explanation, in demanding knowledge of the meaning, the thought of his ancient, who now, in a direct personal speech which shows how well he knew that jealousy had already planted itself in his heart, warns him against the passion. Othello's brief reply, those two anguished words "O misery!" prove at once the truth of Iago's suspicion and the correctness of his picture. True, he presently denies it, but how faintly! while his very denial shadows forth the final fatal measures which he may pursue should it not prove false,

"Why? why is this?
Think'st thou, I'd make a life of jealousy
To follow still the changes of the moon
With fresh suspicions? No to be once in doubt
Is — once to be resolv'd —
— No, Iago;
I'll see before I doubt: when I doubt, prove
And, on the proof, there is no more but this,
Away at once with love or jealousy."

Up to this period of the play Iago had hinted no suspicion of Desdemona's loyalty, had made no question of her love; all that has gone before is—except to the suspicious nature of Othello—directed solely against Cassio. Yet how evident the predisposition to jealousy has for some time been in the eagerness to suspect, and the ease with which evil surmises and dark suggestions are insinuated! It has indeed spread so far that, to direct the storm he has so easily raised, Iago's care, during the rest of the scene, is rather to diminish than to aggravate his suspicions.

"I am to pray you not to strain my speech
To grosser issues, nor to longer reach
Than to suspicion. Should you do so, my lord,
My speech should fall into such vile success
As my thoughts aim not at."

"My Lord, I would, I might entreat your honour: Desd.
To scan this thing no further: leave it to time

In the meanwhile
Let me be thought too busy in my fears,
(As worthy cause I have to fear I am)

And hold her free, I do beseech your honour."

How does Othello receive this parting counsel?
Listen to him even while Iago is yet present.

"This honest creature, doubtless
Sees and knows more, much more, than he unfolds."

And soon as he is alone what says, he—try him out of
his own mouth.

He has not seen before doubting: when he doubts, he
does not wait for proof; but running rapidly to the worst
conclusion, fulfils part at least of his previous promise,
that he would at once away with love

"She's gone: I am abus'd: and my relief
Must be to loath her."

Desdemona enters: the first effect of her appearance
was such as to force from Othello the words

"If she be false,
O! then heaven mocks itself! I'll not believe it;"

but though they retire together and in the interval
nothing more transpires to confirm the suspicion of
Othello, yet when he next appears how is it? Full of
that horrible conceit, tossed by that jealous frenzy, doubting
his wife's falsehood, yet scarce believing her truth—
miserable that he knows so much and that he knows nothing
more—his heart already changed by the poison—his
mind thrown from its balance—his occupation gone—
doating, despairing, melancholy, maddened—how little,
in that agitated state, needs there to complete Iago's
conquest. And what is that little? A fabricated dream,
a purloined handkerchief. Yet enough, quite enough—

"Trifles, light as air,
Are to the jealous confirmations strong
As proofs of holy writ."

These do the work: and now his rage boils over, his
fond love is turned to tyrannous hate, blown to the
winds; black vengeance tears his heart. His breast
heaves, his eyes roll, his tongue half-groans, half-screams

"Blood, Iago blood!"
O that the slave had forty thousand lives:
One is too poor, too weak for my revenge!
I would have him nine years a killing."

Heav'n is invoked, and Hell. The villain and his victim
unite, The parts are allotted. Cassio is sentenced!
Swift means of death are sought out for the fair devil!
Iago is Lieutenant!

What is Desdemona's opinion and what Emilia's as
to Othello's temper. The loving wife, even while she
denies that he is jealous, doubts whether he is not so.

"And, but my noble Moor
Is true of mind, and made of no such baseness
As jealous creatures are, it were enough
To put him to ill thinking."

Emilia. Is he not jealous?

Again asks

Emilia. Is not this man jealous?

Desd. I ne'er saw thus before.

—Sure, there's some wonder in this handkerchief.

Then as to its cause,

Emilia. Pray heav'n it be state matters

And no conception nor no jealous toy
Concerning you.

Alas the day! I never gave him cause.

Emil. But jealous souls will not be answered so—
They are not ever jealous for the cause
But jealous for they are jealous: 'tis a monster
Begot upon itself, born on itself.

Desd. Heaven keep that monster from Othello's mind.
Emil. Lady, amen!

Emilia.—Is not this man jealous?

Othello.

As the article on *Othello* in our last number, was left
unfinished, we feel ourselves pledged to return to the
subject, though we have already extended our remarks
to so great a length that rather than run the risk of
wearying our readers with too much of one thing, we
shall hurry as rapidly as we can to a conclusion. We
have shown, we think, pretty clearly, that the old and
general notion of the character of *Othello* being intended
by Shakespeare as an illustration of the evil effects of
jealousy, is the true one. Critics are often unable to
resist the temptation of standing in opposition to the
great mass of mankind. It gives them an air of origi-
nality. They thus also advance a claim to the reputa-
tion of superior sagacity and refinement. There are
some critics who can no more forego the pride of a pa-
radox, than a wit the pleasure of a pun. Lord Byron,
for example, in his thirst for notoriety and excitement,
resolved to startle the world by the singularity of his
opinions as a critic. To show that he did not judge like
ordinary men he asserted that Pope was a greater poet
than Shakespeare because he wrote professedly on ethics.
If this kind of criticism is to hold good even Sir Richard
Blackmore, if he had written an *Essay on Man*, ought to
have been awarded a higher rank than the Prince of
Dramatic Poets. In fact if we are to give our critical
decisions after the manner of Byron, we ought on
Dryden's authority to pronounce Blackmore, even
taken as he was, as a writer of a superior grade to
Shakespeare; for has not Dryden asserted that an Epic
Poem is the greatest work of human genius, and did not
Blackmore write one of no ordinary length, while
Shakespeare confined his labours to the Drama and a few
brief miscellaneous Poems? It is the quantity and qua-
lity of the genius that an author puts into his work, and
not the subject or the form of it, that fixes his intellectual
rank. There is fifty times more poetical genius in the
Rape of the Lock than in the *Essay on Man*. There are
a few splendid passages in the latter, but as a whole it is
sufficiently prosaic, though exquisitely smart and clever.
Of its philosophy, taken at second hand from Boling-
broke, it requires no great acuteness to discover the
shallowness and inconsistency. In his *Rape of the Lock*,
his *Elegy on an Unfortunate Lady* and his *Abelard and
Eloisa*, Pope has shown himself a true poet, but it must
be a strange perversity of will or obliquity of under-
standing that could make any one place him higher than
the gigantic and myriad-minded Shakespeare, who, take
him for all in all, was the greatest poet that the world
has ever seen or perhaps ever will see. "He was not
for an age," says Ben Jonson, "but for all time," and,
we might add, for all countries too. Augustus Schlegel
has most successfully introduced our matchless poet to
his countrymen, who seem to appreciate his beauties in
a more ardent and philosophical spirit than we do our-
selves. There can be little doubt that even the French,
if they could but translate Shakespeare in the style that
Schlegel has done, would open their eyes to his incompe-
rable merit. They would soon cease to echo Voltaire's
insolent and vulgar abuse of a writer who was as much
above him as the stars are above the earth, if they could
but catch his genuine spirit unchanged and undulated.
But Mrs. Montague, in her excellent and able work, has
shown how grossly and ludicrously false were Voltaire's
own versions of our immortal poet, and how utterly

unable he was from his ignorance of our language to understand the meaning of the most simple passages in the original. The most felicitous and potent words were probably amongst those that struck him as the most absurd and feeble. We have met, however, with many intelligent Frenchmen, having a thorough knowledge of our language, that were among the idolaters of Shakespeare. How can it be otherwise? Truth and nature when illustrated by a mighty genius, must at last find an easy entrance into all human hearts, when there is no artificial or accidental obstruction in the way.

But to return to our more immediate theme - the jealousy of *Othello*. Coleridge's paradox on this subject is in the same spirit as Morgan's ingenious essay on *Falstaff*, in which he has tried very hard to prove that the fat old knight was one of the bravest of the brave. As a mere practise with the foils on criticism, a kind of sham fight, or as a playful display of critical subtlety and acuteness, a paradox of this kind may be allowed to pass without much severity of censure, or it may even afford us a harmless, and indeed not uninteresting amusement. But it is time to rescue criticism from the contempt of sober people when we find such freaks of fancy supported with gravity and earnestness by those who profess to guide and correct the public taste. We cannot conceive a more unhappy compliment to the genius of Shakespeare than that which the serious seconds of Morgan and Coleridge indirectly pay him. If Shakespeare meant, as they would fain persuade us, that he did to convey an impression that *Falstaff* was not a cowardly nor *Othello* a jealous man, never was a dramatic artist disgraced by a more notorious failure. Until Morgan wrote his clever essay and Coleridge uttered his oracular criticism all the world agreed that the cowardice of *Falstaff* was a prominent, and most amusing feature in his character, and that the portraiture of *Othello* was a most powerful and striking illustration that trifles light as air, are to the jealous confirmation strong, as proofs of holy writ. And even now, after all that Morgan has written and that Coleridge has spoken, the great mass of the people continue as blind as ever to the intention of the poet. Of one thousand auditors of the plays of *Othello* and *Henry the Fourth* nine hundred and ninety-nine remain of the old opinion, and do not trouble their heads with these subtle speculations. What does all this prove? That Shakespeare is at fault, or are those two or three critics more adventurous than successful, who attempt to prove that his countless admirers for some hundred years have cherished an egregious error? The question is easily decided. Schlegel has shown that Shakespeare was not a wild and ignorant and irregular genius who scattered his barbaric pearls at random, but a profound artist whose designs were conceived with felicity and executed with care. Nothing can be more directly at variance with this fact than the supposition that he intended to produce an impression so contrary to that which has always, or at least with such rare exceptions, followed the exhibition of *Falstaff* and *Othello* on the stage or the perusal of the plays to which they belong in the closet.

One of our correspondents, in an ingeniously written notice of the play of *Othello*, contends that *Iago*, is the person in whom Shakespeare intended to exhibit the passion of jealousy. If our correspondent is in earnest he must expect little countenance and support from the rest of the world. He stands quite alone. If he be right, he is the only person upon whose mind Shakespeare has produced the designed impression. That *Iago's* malice and revenge were in some degree whetted or increased by certain jealous suspicions both of *Othello* and of *Cassio* must be readily admitted, but his wife was so loose a character, and had so slight a share of his respect and love, and he himself had so little refinement of mind and such small pretensions to a delicate nicety in points of honor, that his jealousy on *Amilia's* account is very far

from being a prominent or leading trait in his conduct or indisposition. In the progress of the play it is hardly ever thought of by the audience or the reader.

Some critics have considered the character of *Iago* as in one respect unnatural, inasmuch as there does not seem sufficient motive for his fierce and inveterate revenge. Perhaps Shakespeare anticipated this objection, and on this very account added the provocation of jealousy to that of the disappointment and irritation occasioned by *Cassio's* supersession of him in professional preferment. *Iago's* allusion to *Othello's* intimacy with *Amilia* is like a kind of after-thought or interpolation, and not a very happy one either. It looks as if some critic had persuaded him to give this additional excitement to *Iago's* conduct against his own conviction, for it has little or no effect in the play, and is scarcely consistent with *Othello's* proud, yet open, generous and high-minded nature. He was not the person either to profess a jealous friendship towards the man whom he had so grossly injured, or to injure him still further by a mortifying supersession. Neither does Shakespeare any where intimate that he was of a licentious disposition. Nothing can be purer and more delicate than his love for *Desdemona*. It is evident, we think, that *Iago* was of that malicious, designing and restless temperament that it was quite as like he should be led to "diet his revenge" from the most trivial provocation, as that the jealousy of the proud and fiery Moor should require but a single spark to kindle it into a roaring flame that nothing could extinguish or abate. — *Ibid*, Dec. 31.

To see a fine tragedy finely acted is one of the highest of intellectual delights. When the dramatist is unworthy of the players, or the players of the dramatist, the result is preeminently painful; for the excellence of the one, instead of palliating, exhibits more glaringly the imperfections of the other, and the sense of discord thus engendered in the mind of the spectator, is even more distressing than the feelings, with which he contemplates what is congruously bad. We would rather see a company of strolling barn-ranters performing one of Fitz-ball's melo-dramas, than we would see them profaning Shakespeare, or Macready condescending to Fitz-ball. We esteem it, therefore, an offence of the gravest aspect, for any one, who is not endowed with a high order of intelligence to personate; or, we should say, endeavour to personate, one of Shakespeare's consummate creations. It is, doubtless, the first qualification of an actor, that he should comprehend, fully comprehend the character that he undertakes to perform, that he should trace the inmost meanings of the dramatist, and be thoroughly acquainted with motives as well as with effects, not only in relation to the character he himself enacts, but to every character that has an influence upon it. Therefore, to a certain degree, must every tragedian be a philosopher, or it is little likely that he will meet with success; he must be possessed of considerable psychological knowledge and acute powers of observation; he must "know all qualities with a learned spirit" and penetrate the inner chambers of humanity's moral edifice. He must look upon mankind with the same eye, with which a painter regards inanimate nature, and garner up what he has seen in the store-house of his memory, that he may call forth the gathered treasures at will. Many of Kean's most striking stage effects were the results of his own observations. We well remember how, in the character of Sir Giles Overreach, when baffled and detected in his villainy, he seemed well nigh bursting with choler, as though it were to relieve the fever of passion that was preying upon him, he tore away the clothes from his neck and his breast, with a frantic energy appalling to witness. Kean used to relate that this lesson was

taught him by a countryman, he happened to see, who had been worsted in a pugilistic engagement.

These observations, which have grown beneath our pen to a far greater length than we originally contemplated, are illustrative of our reasons for anticipating in most cases, infinitely more intellectual gratification from amateur, than from professional stage-representations. When we hear that a number of educated gentlemen, endowed with unquestionable talents, are about to enact the different characters of a tragedy, we are led to expect great things from the announcement. We did expect great things, when we heard that the tragedy of *Othello* was to be played at the Chowringhee Theatre, and knew who were to be the players. We expected great things, and of a certainty we were not disappointed.

The great drawback to the effect of amateur representations is, that we generally know the actors; we are perhaps in the habit of seeing them daily, we know their histories, their characters, and we can not abstract the player from his part. We see a well-known face, and we hear a well-known voice; there is no illusion,—we do not see *Othello* but we see Mr. —; and we think of the last time we met him, and all the circumstances attending the meeting, and it is in vain that we try to disentangle our thoughts, and to get away from Chowringhee to Cyprus. It is still Mr. — and Mr. —, not *Othello* and *Cassio* we see before us. For example, we saw *Iago* last night precisely in the same attitude, and with the same expression of face in which we beheld him a Sunday or two ago, on one of the pages of a weekly journal.

The tragedy of *Othello*, of which on Monday night we were one of a multitude of delighted spectators, was altogether admirably cast. The principal characters were sustained by the old and deserved favorites of our dramatic community—*Othello* and *Iago* and *Cassio*, and *Roderigo* and *Brabantio*, each found an able representative; and the female parts were excellently filled by Mrs. Leach and Mrs. Frances, in the characters of *Desdemona* and *Emilia*. *Othello* was the rough, honest, “rude in speech” soldier throughout—perhaps a little too rude and turgid in his delivery—a little too rough in his manners. This may be a prejudice on our part; and it is a question whether our actors have not always thrown too much refinement into the character of *Othello*. But, it must be remembered, that *Othello* was a man of superior genius, or he could never, in spite of many antagonist circumstances, have risen to the high station that he held in the Venetian army; he would never have been advanced by the senate, respected by his followers, and admired and beloved by *Desdemona*. *Ludovico* speaks of him as,

—The noble Moor, whom our full senate
Call all in all sufficient—the noble nature
Whom passion could not shake, whose solid virtue
The shot of accident nor dart of chance
Could neither graze nor pierce.

He must have been in reality a great-minded man, and a superior intelligence, in spite of contending circumstances, produces a corresponding elevation of manner, which forbids any thing approaching to coarseness. We must not receive, without some qualification, *Othello*'s own account of himself. If he had told his history to *Desdemona*, as a private soldier would have done, she would never have fallen in love with him; and if he had been coarse in his manner and uncorfeous in his address, *Cassio*, who was a polished gentleman, would never have loved and respected him. We think, therefore, that much dignity and a certain degree of refinement, not the conventional refinement of a *petit-maitre*, but the spontaneous refinement of a highly intelligent being, should be thrown into this character.

War brutalizes a little mind; but nothing will brutalize a great one.

In almost every other respect, and even in this we may probably be mistaken, the character of the Moor was admirably portrayed. Nothing could have been better than the delivery of and the action accompanying several passages of the play. In the third act, where the intensity of the action increases so as to be almost appalling, and *Othello* is first fully convinced that he has been wronged by the being, whom he most delighted in, and arguing that “Ignorance is bliss,” he reproaches *Iago* with having opened his eyes, and exclaiming,

What sense had I of her stolen hours of lust?
I saw't not, thought it not, it harmed not me;
I slept the next night well, was free and merry;
I found not *Cassio*'s kisses on her lips:
He that is robbed, not wanting what is stolen,
Let him not know't and he's not robbed at all.

Nothing could possibly have been better than the delivery of this speech, especially of the line in italics, which was uttered, as though his whole soul revolved at the hideous thought, and as though it was agony to him to embody it in words. Another speech, which has struck us as being remarkably well delivered was that to *Lodovico*, beginning

Ay, you did wish that I would make her turn,
Sir, she can turn, and turn, and yet go on,
And turn again, &c. &c. &c. Act 4., Scene I.

The bitter irony of this speech was beautifully portrayed throughout. The first meeting too with *Desdemona* in Cyprus was excellent, as was also the speech to the senate. We missed however a point, which we have often missed, even in our greatest tragedians. Mr. Forrest, the American actor, is almost the only one we remember to have seized upon it. *Othello* says, speaking of the greediness with which *Desdemona* devoured up his discourse,

—which I observing,
Took once a pliant hour and found good means
To draw from her a prayer of earnest heart, &c. &c.

The allusion here to the “drugs and charms and mighty magic,” must be evident to all. In the third act, we think that the pourtrayer of *Othello* did not make quite as much as he might have done of two little speeches, with which Kean used to electrify the house. The one is in answer to *Iago*, who says,

I see this hath a little dashed your spirit.
Othel. Not a jot, not a jot.

We shall never forget Kean's articulation of these words, nor subsequently of,

O! blood, *Iago*, blood;

as he uttered these last words, he used to stride across the stage, clutching his extended hand as he went, as though he were grasping at the dread image he described. We likewise missed a well-remembered line

On horrors head horrors accumulate,
which somehow or other was left out of the speech beginning

If thou dost slander her and torture me, &c. &c.

But these are spots in the sun; and “we are nothing if not critical.”

We must now proceed to the character of *Iago*, and fain would we bestow upon it and its representative more space than we can afford to bestow on it. It was good throughout. It was the *Iago* Shakespeare intended to draw, not the sneering, sarcastic, manifest villain, which

most performers in their ignorance have represented. Iago, on Monday night, was always plausible and never discovered the cloven hoof, except *when he was speaking to his wife*. Now this distinction was particularly just, and we appreciated it as it ought to be appreciated. Iago hated his wife; he never scrupled to speak of her with disrespect even in the presence of Othello and Desdemona. It was Emilia, whose infidelity had filled his bosom with bitterness; she was the cause of all his misery, all his wickedness, all his hatred. He had no particular object in view in duping her, and as he was always exacerbated in her presence he scrupled not to display his exacerbation. This we think a very nice discrimination on the part of Iago's representative. We could point out a number of passages for special laudation, but as we have already written so much, we must content ourselves with the general praise, which we feel happy in bestowing on Iago.

But the best piece of acting in the whole play was, that of *Cassio* in the drunken scene. We may say, with a safe conscience, that we have never seen it better represented. Charles Kemble himself, and this is one of his best parts, never played the Lieutenant in his cups with more admirable fidelity. Oh! it was a rare piece of acting! The part itself is comparatively insignificant, but it has always been found necessary to appropriate it to a first-rate actor on account of the difficulties of this particular scene, which is the only one throughout the tragedy in which Cassio is brought prominently forward; with this exception he is always more passive than active in the play. It struck us, too, as a merit in the representative of Cassio, that after the intervention of Othello, and which in some measure

restores the Lieutenant to the proper use of his faculties, that he did not suddenly re-assume his sobriety, as some actors appear to do, nor even, to the very end of the scene exhibit his wonted temperance of deportment. It is impossible, that any man, who is very drunk, should get sober in five minutes; but a great occasion may have the effect of calling a man's powers of thinking into action so much that to a certain degree, he may overcome the effects of the liquor. A man who is getting sober talks a great deal of maudlin sentimentality; this is just what Shakespeare meant Cassio to talk after the appearance of Othello.

Roderigo was well-played by the Secretary. But he was scarcely enough the "brach of Venice," not quite a booby enough, in the former scenes especially, where he seemed more the bully than the bullied. In some of the latter scenes he was nevertheless exceeding good, as was Brabantio throughout. We have seldom seen the part in better hands than it was on Monday night.

Mrs. Leach, as she always does, looked very pretty, and played very well. We shall experience a heavy loss when she leaves us, and find it difficult to fill the vacancy she will leave in our *corps dramatique*. Nothing could have excelled her delivery of the three words "I have none," where having asked Emilia "Who is thy lord," and being answered "He that is yours, sweet lady," she rejoins in those words. We never saw Mrs. Frances to greater advantage. Some of her vituperations of her wicked husband were uttered with great force and energy, and called down deserved applause. The house was exceedingly well filled, and every one seemed perfectly delighted.—*Bengal Hurkaru, December 20.*

MOONGHYR.

COLLECTOR'S COURT, NOVEMBER 17, 1837.

In the progress of the sale of Government *muhals*, according to the *luthundee*, the singular estate called *Bhuwanundpoor* or *Ramdearee*, in *Purgunah Mulkee*, was this-day put up for sale. The crier vociferated loud and long, ere a bidder would step forward to offer any thing for it. The cause of this indifference, however, was soon apparent.

This *muhul* is recorded to comprise 18 *mouzas* professing to pay a suttler *jumma* of 1001 *Rs.* which, had this been really the case, and considering the number of *mouzas* supposed to be comprehended in it, would have formed a rather respectable estate. But lo and behold! the fact turns out to be, that, though the *jumma* is regularly demanded, and for aught we can say otherwise, exacted by the usual method of advertising for arrears of revenue, and hammering for the benefit of Government, the whole estate at the present moment, does not occupy a larger area of land than 35 *beeghas*; and that ascertained by actual *Mofussil* survey! The question is, what has become of 18 *mouzas*,—the thousands of *beeghas* of lands which doubtless at some time or another comprised their recorded actual *rukhs*? Where are the inhabitants of those villages with their husbandmen and their cattle, their farmer and their *kucharris*, their *gomsahtas*, *putwaris*, *peadas*, *chowkedars*, &c. gone to? All gone, nobody can say where! But, it is stated, that *Gunga* or *Gunduk*, has, by her rapid and ruinous encroachments, swept away the whole of the lands, with the exception of the miserable remnant above-mentioned, into her insatiable depths; but the demand of Government has not been abated; not a farthing remitted of the thousand and one *rupees* that used to be paid ere disruption of the ter-

portion of land out of which the revenue was once paid, and on which alone, we could have imagined it to be levied. It would, to a superficial enquirer, appear, that both the proprietor and the Government were total losers by the grasp of the river. This however is not the case. The lost lands could not have tumbled into the river at once, but its inroads must have been gradual and progressive, during which the proprietor was a progressive loser, whereas Government continued to levy and exact by terror of hammer, the recorded *jumma*, and enforced the payment of it. Representations in such cases are usually waste of words; and submission under such ruinous losses, is regarded as a token of fidelity to the state. Keep quiet. Pay on the demandable *jumma* from your own coffers. Sell your "*joroo janta*" (as the natives say, *thap, wife and mill*) and when you can no longer do so, go plunge after your *mouzas* into the bosom of *Gunga*, and good luck to you for your bravery! But, it turns out, to increase the joke, that certain extensive parts of the river, till then covered by water, not far from the place where the 18 *mouzas* once had a "local habitation," but now have a name without any locality at all, were found to become shallower and shallower; and ere long threw up good durable lands, which were occupied by any person that chose to claim a proprietary right to their possession,—brought into cultivation with returns of golden harvests, (which new alluvial lands invariably are wont to yield) and in the progress of the operation and execution of the law of resumption came into the hands of Government under entirely new names, or such as were extended to the new *mouzas* from the adjacent villages, of which it was, by hook or by crook, made out to be part and parcel! But the fresh accession of lands thrown up by the river, could not have possibly been

included in the decennial settlement, therefore the Government have an unquestionable right to take possession of them! All this was easily done, and nothing could be more consolatory than the certainty that, what had been rendered fit to be struck off from the public accounts, as it respects the jumma, demandable from Bhuvanundpoor, had been disgorged by the river under the other names, yielding enough to cover the loss and more too. But what has become of the proprietors of Bhuvanundpoor? They are undone. The profit, and no loss of Government has sealed the utter loss and no profit of the proprietors, and yet thousand and one rupees have, with undeviating regularity, year after year, continued to be demanded, exacted, and realized; as the Mouza after Mouza and beeghas and beeghas of land were rolling piecemeal unredeemably into the rapids of the Ganges, carrying away the property of the unquestionable owners, and with it reducing (supposing this to be his only property) him and his family to ruin, wretchedness, and beggary. Thirty-five beeghas of land are, however, saved; but only set against them the stupendous assessment 1001 Rs.! There is something monstrously absurd in the picture before us. A respectable landholder is reduced to destitution by whom? Who answers that question? By the Ganges? Yes, by the Ganges, who robs the subject, and bestows the fruits of her iniquity on the sovereign. We should like to see a court of conscience held for the decision of this intricate case according to the criminal code of our paternal Government—*Mistress Gunga* to be placed at the bar of the court as principal in the fact, and Government and its local resumption functionaries as *participes criminis* after it. What would or ought the verdict to be, the proprietor of Mohal Bhawanundpoor standing as prosecutor? The lot was knocked down for 102 Rs. An estate of 35 beeghas, paying 1001 Rs. sold to a man in his senses for 102 Rs? Beardsmore's establishment stands in need of lodgers.

NOVEMBER 16, 1837.

A regiment of troops on its march towards Bengal, encamped here this day, and, as usual on such occasions, had to be supplied with articles of all kinds. Carts and bullocks, of course, came abundantly into requisition, and the question is, how these latter were supplied? The Regulations of Government provide, that the Zameendars (in the route of the march of troops) are to be prepared to furnish the requisite supplies; a measure founded, we presume, on the assumption that they are not procurable at the staying places at which the marching troops usually encamp,—and to a very great extent, this is true. What cannot be got in the bazar must be provided by the zameendars, or the troops must have no supplies. But in large towns, where provisions are procurable in abundance, the commissariat being sent in advance, could without the aid of the zameendars, furnish ample supplies by purchasing them in the bazars. If it be asked, what objection can there be to the zameendars being required to furnish the military supplies? We answer, ask them where they procure them, and how much of the money which is paid them by the troops goes into the pockets of the owners of the articles, and the answer would be at once quite satisfactory. It frequently happens, that as the zameendars cannot or do not choose to be present in the camp with the supplies, they appoint *choudharees* for that purpose. At Bhagulpoor this arrangement used to be in vogue. We understand that there is a *choudharee* here likewise, who calls himself, and others call him so, or the *Kumboo Bazar*, but we do not see that he is deputy of any of the zameendars. He professes to have *purwanas* of the Collectors in his possession authorizing him to act as *choudharee*, and furnish at least carts and bullocks for the transport of military baggage, &c. We are not aware how far this comports with the provision of the Regulations; but we

know that the *choudharee* receives no wages for his trouble. The zameendars do not recognize him as their deputy, and therefore pay him nothing. How then does he provide for himself? If the resources of this unpaid officer of Government (for such he must be regarded with the *purwanah* in his possession) were enquired into, it would be found, that he is supported by a wide series of contributions (it is said to be paid voluntarily) laid on vendors of all articles of consumption probably required for Military supplies, and on carts and bullocks. All these are divided into *fircos* of classes, from each individual of which he exacts a certain rate of contribution, according to the value of articles to be furnished; and he is aided by the Police thanna.

We should like know why the Commissariat, who have the duty of procuring the supplies, are not required to make arrangements with the carters and bullock-drivers of the towns and villages, where they are readily procurable for hire? Why should the *choudharee* do it. It would appear reasonable that those who have carts and bullocks to let out, would be glad to obtain fare, and the ready demand by marching troops would be hailed with joy. They would have nothing more to do than to make their appearance at the camp, and offer their services, leaving the Commissariat Officers to pick and choose. If it could be supposed that they are not paid readily, and that the *choudharee* is answerable to them for their fare, there could be no difficulty to see why he is made or makes himself a go-between; but, we are certain, that the Commissariat pays without hesitation, and therefore affords ample encouragement to those whose goods they require for the public service. Would they not pay if the *choudharee* was not in the way? They would, they do. Who then is the *choudharee*? Nothing to any purpose to any body but himself. Why do the carters and bullock-drivers pay him a fee to get their carts and bullocks let? They need not, for they have nothing more to do than offer them in the camp themselves, and they would be presently taken up. But the fact is, that they pay the *choudharee* for the purpose of saving their carts and cattle from being furnished to the troops. There is a sovereign reluctance exhibited to letting out carts and bullocks to marching troops for reasons which we cannot enquire into at present. Well, the *choudharee* is paid for saving the carts and cattle of the owners. This is a fact—a positive fact. Now imagine only what a *choudharee* might do (in many instances, we are assured, has done,) by just holding out a threat that he will take away the cart or bullock of an individual allowing him to be wont to let out his cart, &c.) if he is not paid for his forbearance, and suppose him backed by the Police *burkundazes* at least. The *salvage* money is paid to the *choudharee*, but the Police must also have a picking at the home calculate what the earning of the former would be (bearing the latter out of the calculation) if he seized 100 carts when only 20 were required to be furnished, and received 5 rupees for each of the 80 he liberates. It would be 400 rupees, and he gets this for doing what? Not supplying the best bullocks but inferior ones, for the superior are got off by the fees!

The collector is required to have carts and bullocks taken up in the first instance from among those which are purposely kept for hire, and if not sufficient, then to seize any that he could. At this place carts and bullocks for hire are procurable by hundreds, but is he sure that none but these are taken up by the *choudharee* and public people? Let him but enquire and he would find that it is not always the case. Why do not the aggrieved complain? Answer. The *choudharee* says, he is authorized to furnish the supplies, and the thanna people are ordered to do as much. They shew their *purwanahs*, and that is an effectual silence.—*Hurkaru*, Dec. 6.

JOINT MAGISTRATE'S COURT, 21ST NOVEMBER.

The Khuruckpore Putneedars.

We noticed a few days ago, that the putneedaree tenure is a novelty in this province, so much so, that when the Rajah of Khuruckpore was advised to dispose of some portions of his zemindaree in that way, he applied to Government for permission to do so. That permission was readily granted. The next step was to procure purchasers. These too were not wanting. About 140 lots were disposed of, and 118 registered in the Collector's office; possession was given, and the putneedars, at the particular request of the Rajah, paid their respective *jummas* into the Collector's treasury. Nothing could possibly have been conducted with more regularity than these arrangements; all was fair and legal. The putneedaree tenure is recognized by the regulations, and is as much an hereditary property as a zemindaree, paying revenue to Government. Like a zemindaree, the putneedaree tenure can never be cancelled or forfeited, so long as the putneedar pays his rents with regularity. In case of default on the part of the putneedar, the zemindar cannot seize the putnee, but is obliged to apply to the public authorities to sell the tenure with a view to recover the arrears due to him; and whatever sum is realized by such sale in excess of the arrears, is delivered to the defaulting putneedar, in the same manner as the surplus proceeds of a zemindar is paid to a Government defaulter. The zemindar may purchase the tenures when exposed for sale by the public officers, just as a zemindaree may be bought on account of Government; but by no other means can the zemindar ever get or claim the possession of a putneedaree tenure.

The Rajah of Khuruckpore, however, thought it very hard that he could not both eat his cake and have it. He had disposed of a portion of his estates by converting them into putnee talooks, and had realized a large sum to clear off his heavy incumbrances; but, after getting all the money he could, he thought he might as well get back the putnee talooks also. Hence his proceedings to get possession of the putnee talooks *vi et armis*.

A *durkhast* was therefore presented in the Joint Magistrate's Court, on the part of the putneedars, (but in the name of one of the number,) whom the Rajah was seeking to oppress by means of his armed followers. The pleader in his petition stated, that Bluwanees Jha, putneedar of Mouza Surowna, purchased that Mouza from Maharajah Rulmut Allee Khan, of Khuruckpore, on a putnee tenure, for the sum specified in the pottah, and obtained the title-deed or pottah of putneedaree, certified by the seal and signature of the Rajah, and registered in the office of the register of Jeds at Bhagulpore, from the beginning of 1244 Fuslee, to be held by him and his heirs for ever, subject to the payment of an annual *jumma*. That his client obtained possession, and paid the stipulated *jumma* at the particular instance of the Rajah into the public treasury, and held receipts attested by the Collector. That the Rajah had since, in violation of his engagement, taken it upon himself to attempt to disannul the putnee tenure by forcible means, aided by a large armed body of followers, which has been put beyond his competency by Regulation VIII. of 1819. That he has been committing much *subrudustee*, with a view to carry off the harvest of the season, and is endeavouring thus to effect his object to the serious detriment of his client; and he begged the Court to take into its consideration, that the Rajah has no manner of right to interfere in his client's putneedaree, beyond demanding the real rent or *jumma*. But since the Rajah does not abstain from such unwarrantable acts, numerous instances of which have been brought in other cases to the notice of the Court; he therefore prays, that the documents

bearing on the validity of the putnee tenure, may be examined, and the circumstances of the case investigated by the Court, and orders passed prohibiting the Rajah to interfere in the concerns of the estate, and prevent his exacting rent from the ryots. The mookhtarkar of the Rajah represented that the estate in question was in the *dukhal* of the Rajah, and therefore the case was not cognizable in this Court. The Court overruled the objection, stating, that the prosecutor had produced documentary proofs of the validity of the putnee tenure, and receipts of the payment of *jumma* by him; and, therefore, ordered, that the Rajah be ordered to obtain from interfering in the putnee property, and that a *purwannah* be sent to the Police thanna, directing it to apprehend any of the Raja's people who might attempt to collect rent from the agents, on proofs being obtained of the same.

This day a *durkhast* was presented by the Rajah's mookhtarkar, of a very lengthy form, endeavouring to show that the Rajah was the injured party, and had a right to interfere in the affairs of the putnee estates; that the putneedars were a parcel of ungrateful knaves; and that the Court ought to reject their complaints. These arguments the Court overruled; and directed, that the orders passed yesterday be maintained. It would appear by this, that the Court had deliberated well on the question to be decided, and the orders passed two consecutive days are confirmatory of the conclusion. But not so. A moment after the passing of the second day's order, the Court seemed to awake as from a dream. The putneedars, it had no doubt, a moment before, were in legal and actual possession of their estates, and had ordered them to be maintained in their rights; but the next moment it was satisfied, that its first two decisions were perfectly illegal, and at variance with the dictates of "equity and good conscience." The former decisions were reversed; and the putneedars left to the tender mercies of the Rajah.

The pleader of the putneedars remonstrated; employed a variety of arguments to procure, if possible, a reversal of the sudden turn the conscience of the Court had taken; but it was too late. About 140 putneedars have thus in one moment been placed in jeopardy. The Rajah of Khuruckpore has been allowed to have a right to question the possession of the putneedars of their estates—estates created for the express purpose of rescuing him from his pecuniary embarrassments and saving his zemindaree from being brought to the hammer for the realization of the Government revenue, estates for which the stipulated *punbha* had been duly exacted and paid, and the respective *jummas* paid into the public treasury at the request of the Rajah. And this unprincipled landlord has been left at liberty to use his own unwarrantable measures in order to expel those from their irrefragable rights, who have rescued him, by the payment of the *punbha* relating to their respective putneedaries, from unavoidable difficulties; and his zemindaree from the grasp of Government. The rule of "equity and good conscience" upholds an unprincipled oppressor; and dashes the indisputable rights of the hapless oppressed.

The Court remarked, that the complaints of the putneedars could be redressed only by the civil Court. That is, the Rajah is at liberty to take possession of the putnee talooks, about 40 in number, and is to be upheld in such an act of aggression; whereas the putneedars (hereditary landholders) are to appear in a body and deluge the Dewanees Udait with civil suits about what? There is the stumbling question. To obtain possession? Give it first up to the Rajah, let him have his own way in the business, but let the putneedars go into the civil Court. Can the Rajah ever have any right to the possession of these estates? Never.

Why then should he be suffered to have it now?
Hurkaru, December 22.

MOONGHYR, JOINT MAGISTRATE'S COURT.

NOVEMBER 21, 1837.

Murder.—Soobso, who represents herself to be the mother of Kewul, prosecutes Nohunroy and 9 or 10 other persons for the murder of her son. A lengthy report of the darogah of Shekhpoura was read, detailing very particularly the circumstances of the case, as brought to his notice, and ascertained in the course of the usual *sooruthhals*. Having thus sat in judgment on it in the Moofussil, with culprit, prosecutor, and witnesses before his august ear, this petty Judge, (what else in the name of propriety is he?) tries and decides the merits of the highest crime, (next to suicide) man can perpetrate, and refers the case for the final decision of the Magistrate; and here they are “impleading one another” for life, or the gibbet. The witnesses examined to-day are divided into 3 sets, i. e., such as swear “*point blank*” to the fact—such as don’t swear *thus*—and such as swear to nothing at all.

Soobso, the mother, and the rest of the first class, deposed that Kewul, her son, was, without any provocation offered by him, furiously assaulted by the prisoners in a spot of ground, the right of cultivating which he claimed, and the prisoners refusing him admittance thereto. No other weapons of destruction were used by the murderers, besides what nature had supplied them, namely, hands and feet—kicks and cuffs, gave the deceased the external quietus. And this he got for his pains in acting up to the rules of the law of the land (and other better lands to boot,) that “possession is 9 points” thereof; but whether it means possession by right, or *de facto*, or by law, nobody has ever been able to discover; but, every body knows, is too frequently illustrated by bloodshed and murder—and the present case adds a page to the practical commentary. Having deprived him of all hope of recovery, from the effects of the violence they had done, Kewul, the prisoners, most unaccountably, had feeling enough to convey him home and consign him to the care of his aunt-to-be mother; no doctor being procurable in those barbarous regions of India. At home he lingered a few short hours, and gave up the ghost. Being dead, some of the prisoners took him away with or without her consent, (which of the two it does not appear clearly) to some unobserved place, and there consumed his remains by fire; for which collective deeds, she appears to seek redress; but she did not do this before five or six days had elapsed after the fact. Among other matters, she (and nobody else) deposes, that the prisoner Mohun offered her 10 *maunds* of grain on the condition that she would hush up the matter, by holding her peace (a hard condition as it respects the last part of it.) This she would not do—and she rejected the offer with great indignation and abhorrence. The chief points of her allegations were corroborated by her class of the witnesses.

Of the other set, some saw with their own eyes, but could not recognize the features of the perpetrators at the time. They saw the kicking and beating, and passed on, or stood aloof. These cannot swear to the identity of the prisoners. What could possibly be the use of such witnesses? For, if they could not distinguish the features of the murderers, neither could they swear to the identity of the murdered. Others swear, there was no cause of quarrel between the prisoners, and the deceased could not say whether the blows inflicted were *hardly* or rapidly bestowed. Some of these said, that Soobso was not the mother but the aunt of the deceased.

The wife of the deceased had formerly deposed to her not having seen the fact; but now changes her mind, and swears positively that she of course saw the prisoners killing her “good man”—she did not say before (N. B. What is said by witnesses and no less by persecutors and prosecuted at the thanna, is in numerous instances flatly denied before the Magistrate. And this fact is known by daily proofs; and no remedy proposed for the practice of such shameful instances of indisputable perjury;) that she had intreated the people not to beat her husband, but now said that she did it; but, at the same time added, that she was at a distance from the spot. Her husband was not labouring under any indisposition from the effects of which he could possibly have died, without the addition of hard beating. But several of her class of the deponents swear that he was very sick, some, that he had the diarrhea; some the dysentery; some the liver, and all of them (as we heard) that he also had tumours or dropsical legs. Being asked why she did not go to the thanna and give notice of the murder of her husband, she replied, “I sent my mother-in-law” her aunt-in-law, she meant, of course. Question. “You are asked, why you did not go?” Answer. “I sent my mother.” The why or wherefore remains to be conjectured; she was not forcibly prevented from going to the thanna, but words were employed in persuasion, and that it seems succeeded for 5 or 6 days, after which the old woman’s tongue could no longer be curbed. One of these witnesses said, that before the arrival of the darogah on the spot to make *tudurook*, the old woman told him to be prepared to say what he knew of the matter. Anon swears, that he did not even meet the woman at the time intervening between the reported and actual arrival of the darogah. Another deposes, that he saw only 5 persons. Mohun was ploughing the land. Another witness, that it was another that was doing it. The former did not see Soobso in the place. She was not present. He adds to a question proposed, that not Mohun, but the chowkeedar of the village and the *Gorut* were ploughing the land. He saw the defendants beating Kewul, but did not recognize any of them at the time. Some were beating, some standing by, but presently said, they were all beating. Another fellow, deposed at the thanna to four persons being concerned in the murder, but on being asked their names, it was found that he had entirely forgotten them. (N. B. This description of forgetfulness we have noticed in many other cases.) He seemed to say that he laboured under some dread at the time the names were written at the thanna, that he would incur the displeasure of the thanna people if he did not sign the paper professing to be his *ishar*. He did not see the two boys beating the man Kewul. The lads are very young, supposed to be each not older than ten years. The third set knows nothing of the matter—one of them swears that the old woman is not the mother of the deceased.

It appeared, however, plainly, that there was a dispute about a parcel or patch of land, of which Mohun (the chief of the assailants, had got possession, as he says, by *poitah* granted him by the zameendars, to the prejudice of Kewul, who till then seemed to have held it; but having come to Moonghyr to lodge a complaint about the matter Mohun ploughs up the land, and in other respects secures it to himself, in which proceedings, he is abetted, or assisted, or protected, by the chowkeedar and *goryt* of the village. Kewul, on his return from Moonghyr, finds Mohun and his party, with those two village officers, ploughing the disputed land. He goes to unloose the cattle from the ploughs, a resisted; he perseveres and, if the witnesses are to be believed, is assaulted by the prisoners: (encouraged by the two village officers, for they were present,) the result of which was, that he lost his life, and became another victim to the laws of possession! At the close of this day’s examination, all the prisoners, excepting the

two lads, were sent to Hajut. The lads were directed to be held in custody, but out of the jail.

Nov. 25, the Khurukpore Putneedars.—A durkhat was presented by Imdad Hosayn, holder of two or three putnee estates from the Rajah of Khurukpore; but it contained the same story of the Rajah's using unwarrantable means forcibly to deprive him his putnee villages, for which he had paid a large sum of money, and so forth. The Joint Magistrate told the pleader, that he could not take cognizance of the case in the Foujdaree court, but if the Judge of Bhagulpore would, according to Regulation V., direct him to aid the putneedars, he would do so. But that regulation makes no provision for the matter of the petitioner's complaint, as it merely relates to questions of realizing rent from ryuts, &c., which is not the thing required. The pleader, therefore, in an energetic address, begged the court to observe, that he did not lay stress on the question of possession or dispossession, for, it could not be doubted, for a moment, that the Rajah could claim no right to interfere in the management of the Putnee Mouzas. The very nature of a Putnee tenure ought to satisfy the court, that no arguments could be advanced, by which it could be made out, that the Rajah could, in any court or at anytime advance claims to the possession of the Putneedares, except by purchasing them, if sold for the realization of arrears of rent. He did not therefore see

the grounds of the court's rejecting the prayer of the petitioners, who did not request to be put in possession of the disputed property, but to be protected against the unwarrantable aggressions of the Rajah. He fled for refuge from violence to the Foujdaree court, in which such acts were cognizable. By the court's refusing to protect the Putneedars, it was directly giving possession to the Rajah, who can never have so much as a claim to it. It was permitting him to oppress his clients, who, it cannot be for a moment questioned, have possession of their putneedares property.

The court observed, that if it prevented the Rajah's interfering, it would deprive him of his possession. The pleader replied, that, according to the very nature of a putnee tenure, the Rajah cannot be allowed to have possession, nor has he, in any shape whatever, any thing to do with collecting rents from the ryuts. If he had any arrears of jumma demandable from the putneedars, let him apply in the civil court and that of the collector for the sale of the tenure; but the putneedares tenure can never be cancelled; and as he is attempting to do it by taking the law into his own hands, he (the pleader) prayed the court to take the matter into its serious consideration, and defend his clients against the illegal endeavours of the Rajah to deprive them of their inalienable property. But the court *na-munsaored* the petition. —*Hurkaru, December 29.*

EDUCATION OF WARDS.

To the Commissioner of Moorshedabad.

Sir,—I am directed to acknowledge the receipt of your letter, dated the 29th ultimo, No. 1684, on the education of the Government Wards.

2. The instructions of the Board were intended to apply to all Wards of Government, whether rich or poor; but with this difference, that while those who are in good circumstances may be expected to pay for their education, those who are poor should be educated gratuitously, or for less than their fair proportion of the cost.

3. On the subject of the last paragraph of your letter, I am directed to observe, that the inclination for European education is now beginning to prevail among the natives to a degree which makes them willing to pay for it, as may be proved by numerous examples. If, therefore, the principal native inhabitants of any place are willing to subscribe for the support of a school, the Board see no objection to the European Officers' aiding them by their countenance and advice. On the contrary, they would fail in their duty if they omitted to do so. It is, no doubt, possible, that natives may, in some instances, subscribe merely for the sake of gratifying the European functionaries whom they see to be interested in the undertaking, but the Board conceive that if the latter act with common prudence—rather following and guiding the popular bent, than forcing it into a coincidence with their own views—the chance of their yielding from motives to supposed influence will not be increased.

With regard to the Moorshedabad Wards, the Board think that (with the exception of Bishenath Roi, who has a separate Tutor) they may, with advantage, be educated (supposing the relatives not to object) at the new school, which is being established at Berhampore, and a monthly contribution proportioned to their fair share of the expence may be paid out of the surplus profits of their estates to the School fund. It is not

necessary that every school at which Zemindary Wards are educated, should be under the controul of the Government Education Committee.

The Collector should always select the best seminary available for the purpose, without reference to this point.

5. So far from wishing that the Government Wards should be educated apart from the rest of the pupils, (as conjectured by Mr. Forbes) the Board think that such a practice should be decidedly discouraged. They are convinced that it will be best for all parties that boys destined to succeed to hereditary wealth and honours should mix, as in England, on terms of perfect equality with all those whose relations can afford to place them in the Seminary.

(Signed) C. E. TREVELYAN.

To the Sudder Board of Revenue.

GENTLEMEN,—I have the honour to acknowledge the receipt of your circular of the 1st ultimo, No. 65, on the subject of the education of Wards.

2. In reply, I beg to state, that, except in the Moorshedabad district, there are no male Wards under my charge in this division.

3. There is one point, which appears to me to have been overlooked by the Board in making their orders on this subject so general—it is this, that Wards are often poor men, that it requires vigilance on the part of the Collector in many instances to provide them with a monthly income sufficient for their decent maintenance, without allowing the Government revenue to fall into arrears, and that in such cases the additional expence of a tutor or even of a residence in the Sudder Station,

when the family dwelling house 's in the Mofussil, is quite out of the question. I conclude, therefore, that the Board's instructions refer only to those Wards, whose estates afford them a tolerably large income, and with this restriction, I consider the rules laid down in their letter to the address of Mr. Secretary Mangles, dated the 27th June last, highly judicious, and I shall have pleasure in giving them my careful obedience.

4. I subjoin copy of a letter, No. 312, dated the 15th instant, from Mr. Collector Forbes, on the subject of the schools at Moorshedabad; from which the Board will learn, that besides the Nizamut College in the City, there is a school about to be established by means of private subscription in the vicinity of the station at Berhampore, which will probably afford every facility for the education of the Wards in charge of the Court. Should it appear eventually that the assistance of the Committee of Public Instruction is wanted, and wished for to enlarge and give permanency to this institution, I shall do myself the honour of taking the steps, which may appear proper for securing it.

5. In conclusion, I beg leave to enter my protest against acting in my public capacity as the Board's instrument in raising voluntary subscriptions, for the purpose of establishing schools, or for any other purpose whatever.

I have the honour to be, Gentlemen, your obedient servant,

J. Lowis, *Commissioner of Revenue.*

*Commissioner's Office, 14th Division,
Hooghly, the 29th September, 1837.*

—
TO JOHN LOWIS, ESQ.

*Commissioner of Revenue for the 14th Division at
Hooghly.*

Sir,—I have now the honour to reply to your circular letter, No. 1250, of the 3rd ultimo, with the Sudder Board's circular, No. 65, of the 1st ultimo, and its annexed correspondence on the subject of a plan for educating the Wards of Government.

2nd. Adverting especially to paragraph 2nd of Mr. Secretary Mangles's letter, No. 919, of the 6th July last, addressed to the Additional Secretary to the Sudder Board, I beg to remark that the facility apparently supposed to exist of educating the Wards at any Seminary already established at Moorshedabad, would seem to be greatly misconceived. Reference is made, I presume, by the Right Honourable the Governor in the paragraph just quoted to the institution, termed the Nizamut College, an institution, I fear, independent of many other, in my judgment, insuperable objections, of too exclusive a character to be at all calculated to aid the desirable object in view. The Nizamut College is supported solely and exclusively from Nizamut Funds, and the main object prescribed by Government is the education of youths connected with the Nizamut, although others are admitted to share in the instruction afforded. As most of the Government Wards may be expected to be Hindoos, I should be inclined to doubt how far a Seminary, essentially Mahomedan, and where there are no facilities for affording the peculiar instructions which would qualify a Bengal Zemindar to superintend the management of his Estates, is calculated to promote the object in view. The College is, moreover, in the heart of the

City, in a situation considered by the residents insalubrious, and where there would be much difficulty in procuring accommodation for respectable youths. Finally, the distance of the College, viz. 9 miles from my office and residence, would prevent my being able to promise much aid in personally superintending the Wards.

3rd. Could it be brought to aid the purpose of educating the Wards, a much more feasible, and likely to be successful plan than the preceding, presents itself in the commenced establishment of a Seminary here, very lately proposed at a meeting of the European residents, and a considerable number of the most influential respectable and opulent of the Native community, many of whom have already liberally subscribed, and it is expected that as many more will handsomely come forward.

4th. In reference to the information the Board desire regarding the extent to which assistance might be expected from voluntary contribution, or other local resources, in the event of a School or Schools being established in this District, I fear the readiness and liberality with which the natives have already come forward for the support, in the prospect of advantage to their children, of the school now being founded, would not again be displayed, and, indeed, they could hardly be expected to support of a second institution. The new School, it is proposed to establish at Sydlabad, or in the immediate vicinity of Berhampore, which would so far be convenient; but as the institution has not yet been opened, I can at present scarcely pronounce on its character or prospects of success, though it holds out fair promises; but how far it may be eventually possible to couple with it instruction to the Government Wards cannot at present be determined. It might, perhaps, be deemed undesirable, even were no objection started by the youths themselves or their relations, for the Wards of Government to be allowed to mix and associate indiscriminately with boys of all castes and classes, to whom, I believe this Seminary will be open, though this difficulty might be obviated by a separate apartment being allotted for the Wards; and it remains yet to be seen, which, I fear, is the chief obstacle, how far the subscribers to the proposed institution, by whose voluntary contribution it will be exclusively supported, will consent to the school being placed under the controul, at least in some degree, of the Government, or subject their proceedings and regulations to the dictation of the committee of public instruction. On this latter point consultation with the subscribers would be necessary.

5th. For my own part, I strongly think the most advisable and suitable plan would be to have the Wards instructed at the Sudder Station, by a private Tutor, a mode of education, which, while it would be unobjectionable in regard to the superior rank of the generality of the Wards, would probably secure something like that laudable spirit of rivalry and ambition to excel, of which spirit it has been found by experience that Native youths of rank, bred up in comparative luxury and ease, and with certain expectations of large possession, are wholly devoid. You are, probable aware, that Koonwur Kishenath Raee, who, though his estates are under the jurisdiction of the Bauleah Court of Wards, resides at Cossimbazar, receives instruction from a Private Tutor, Mr. Lambrick, and the difficulty I have just mentioned in regard to exciting this Ward to exertion for want of the stimulus of emulation, is felt by that gentleman as one of the most serious obstacles to the improvement of his pupil.

6th. Should the plan of educating the Wards by private tuition be preferred, I doubt not Mr. Lambrick,

provided the situation in point of remuneration were made worth his acceptance, by allowing him a salary proportioned to the labour and responsibility the duty would involve, would be happy to engage himself in the service of Government, as private tutor to its Waifs, and of his qualification as a teacher, the Sudder Board have lately thus expressed themselves in a letter to the Commissioner of the 13th Division. "The Board have

seen the minor's tutor, Mr. Lambrick, who appears to be well qualified to fulfil his part most satisfactorily."

I have, &c.

(Signed) R. FORBES, Collector.

Moorshedabad, Collector's Office, 15th Sept. 1837.

[Friend of India, Nov. 30.]

MILITARY ORPHAN SOCIETY.

Allusion has been lately made by our morning cotemporary to a proposition which the Dacca Orphan Committee has circulated, or is about to circulate, to the Army, with a view to re-model the existing managerial system of the Military Orphan Society, substituting in lieu thereof a paid superintendent to conduct the details of the institution. It is added, on the part of our editorial brother, that the proposition is being generally voted for. We doubt whether this point can yet have been so correctly ascertained as to warrant any such inference as to the eventual success of the proposal. The wish, we may perhaps be permitted to believe, was father to the thought. It is, however, in direct opposition to the anticipations regarding its fate which were entertained by the very originators of the question, who have only put forth their own views upon it "in despair—we use their own words—of having their hope realized, that the subject would have been taken up and discussed at some of the larger stations." We would also correct an impression which may obtain that the change is recommended by the Dacca Committee, on the contrary it is merely transmitted by them under rule 36 of the Society's Code, which gives them no option as to the course to be pursued in the case.

The particular propositions are, in more than one point of view, amusing and surprising. A small body of officers, of a single Regiment at the subordinate cantonment of Chittagong, without, as it appears, any meeting, resolve, yea they resolve seven times! The metal thus tried should be gold, pure gold, well refined. But, as we ring the coin, it sounds as of villainous brass. The whole hog however is gone. The reform is whole sale; the abuse comprehensive. The past and present system of supervision is pronounced objectionable, irresponsible because conducted by an unpaid body. Its defects have been particularly shewn, it is said, of late by abortive attempts to improve it and by the concurrent restiveness or unwillingness to oblige, of a large part of the Presidency Staff. As we however have no peculiar process of ratiocination by which we can make cause effect, and effect cause, we would rather be inclined to infer, from what is here said in proof of its defects, that they rather prove its merits and advantages; the attempt to amend having not only been found abortive, but the vast majority of those in whom the administration of the Society must rest having declined to conduct its affairs under any other system than the old. Improvements would readily find advocates and instruments. That they find neither, of sufficient weight and number, implies that they are not what they claim to be.

The second resolution we shall give in all its original beauty and integrity, its modesty and its courtesy. "That the conduct of the present management is in one point of view condemnable in altering the Maddock rules—not that it is intended to assert that these rules are or ever were practicable—but, as many of the old management went out, and the new management hold their seats

mainly on account of these new rules, it shews an inconsistency of purpose changing them so soon, and perhaps a self-evident desire for the sweets of office and the power of *soi disant* reformation." Here all parties are most impartially assailed, the old and the new managements, the Maddockites and the Anti-Maddockites, alike catch it in succession. Some of the dirt may stick; but the prudence of throwing it so indiscriminately is as questionable as its politeness. An ordinary man might have thought that schemes which are not, nor ever were, practicable, that reformation which was only *soi disant*, should not, and could not, be maintained, and therefore that their conduct who propose and consent to alter such rules, cannot be properly condemned. It is not quite apparent whether the complaint of inconsistency of purpose is directed against the management of the army, but we do not think it reasonable against either, particularly against the former, their act having been fully confirmed by their constituents whose votes admit the necessity for the immediate change, in practical confession, as it were of the inexpediency of their original movement in a contrary direction. In accepting office under the Maddock rules, the existing managers were not bound by or assenting to them; and not a few entered on their duties with the intention of forthwith re-appealing to the good sense of the subscribers to obtain their modification, or, where necessary, their abandonment. In doing this, so far from a self-evident desire for the sweets (?) of office, all the managers who might take the benefit of the more recent modification, will retire the same as if none such had been adopted in their favour or at their recommendation.

The third, fourth and fifth resolutions propose the substitution of a Deputy Governor elected by a majority of, and removable at, the pleasure of two-thirds of the resident subscribers; such "Deputy Government," as it is elegantly termed, being open to officers of 20 years' standing, and having attached a salary of Company's rupees 400 a month in addition to pay and allowances, and apartments in Kidderpore House, and without injury to the professional prospects of the nominee, subject however, and the proviso seems prudent, to the successive sanction of the Commander-in-Chief, the Supreme Government, and the Home authorities. Its duties are to be precisely the same as those which have hitherto been discharged by the general management and its officers. All patronage is to be vested in this paid superintendent, subject to the remarks of an Annual Committee of Subscribers, chosen from Midnapore, Bancoorah, Barrackpore, Dum-Dum and Calcutta, and to the confirmation of the Annual General Meeting in January.

The sixth resolution leaves the appointment of Members for this Annual Committee to the requisition of the Commander-in-Chief; they are to meet at Kidderpore on such days as may be most convenient to themselves, in the end of November; they are to elect their own

President and five are to form a quorum, the object of their formation being "to afford a satisfactory check on the accounts, &c.," which are to be delivered by the President to the January Meeting with the remarks of such Committee on the state of things at Kidderpore, and in England.

We have, we think, correctly represented the character of these four Resolutions, upon which we may now venture a few remarks. A new principle is attempted to be put forth which, when looked into, has nothing new in it. Granting for the nonce that paid services are preferable to unpaid, a responsible to an irresponsible management, we must observe that the institution already has a paid superintendent, whose retention as such has, but lately, been confirmed by a majority of more than 4 to 1 in the largest number of votes that has been, for years, received upon any question referred to the army. It matters not by whom the individual was originally chosen: he has been solemnly and publicly confirmed in his office by the general voice and mature sense of the army. We have therefore paid services already. The proposal is, that these services shall be twice paid. But why such extra expense should be incurred is not easy of explanation. Over the proposed duplicate superintendent, as over the present one, is to be placed a directing Committee nominally responsible, but in what way they are to become more so really than the previous management, we cannot discover. We anticipate, they would be less so, and less efficient; as much less so as they are numerically but one-half of the existing board, as they are chosen not on the spot but from different places, more or less distant without any practical acquaintance with the accounts or affairs into which they are to inquire, chosen for the occasion, for the single purpose, and judging, as they must do, from first impressions, from hearsay, and not from experience and original opinions acquired in the course of long previous managerial service, from superficial inspection at a particular stated period instead of visits made at any and all times, when if there was a desire, to conceal what was doing or had been done, or, in any way, to prepare for the reception of the official examiner, it could not be managed. How, and to whom would such a body be responsible. Their services are optional, are gratuitous, are temporary, and unless confidence be placed in them they will not serve. The whole extent of their responsibility would be, as now and heretofore, dependent upon the individual character, and the general confidence. There cannot be any other check and control over them than this. True, the Government and the Commander-in-Chief might force responsibility upon them by prescribing this as a professional duty. But to suppose that this will be done is to assume that the authorities have been blind to the past and are so to the present state of things, and that both the one and the other are so bad as to require a change, and this particular one. But we have seen and we are not prepared to dispute the wisdom of their standing aloof from any direct public interference in what is in many points of view a private institution that the powers will not come forward with any such intervention. And of what use would the report of the proposed committee be, which is not already secured? that which will henceforth be made in detail by the regular Management, for, in its essentials, be it recollected, it has always been made. Would it, as required by the proposition, afford a satisfactory check on the accounts spread through a whole twelve-month, or of the various cases which, not unfrequently, amount, in one month, to some 50 or 60 or more. We think not, but, if we thought otherwise, it would still be a matter of great doubt to us whether such report would be so satisfactory as that which is assured to us by the present system. And, until it is more satisfactory, there is on the very ground which the requisitionists take up, no necessity for a change.

Next, as to the mode of election proposed, we think it would not answer. The requirement is that a majority of resident subscribers shall elect, and that two-thirds may depose. Now, in 5 questions out of 6, which are carried, neither this nor that majority is ever obtained. References are decided by a majority of voters—not by a majority of subscribers. In single questions, in separate substantive propositions, if that majority cannot be obtained, is it likely to be so where the claims of a score of candidates will divide opinions. Is it likely that the one who this year had a majority of more than one-half in his favour will, in the next, have one of two-thirds against him? and even if so, where is the advantage of public election when public confidence may be so abused as to require his deposition. As to the expense of the proposed arrangement, it would be considerable, nearly 5,000 rupees a year, besides the expense of a house for his accommodation: for apartments are not available for his use at Kidderpore. To build, therefore, a commencing outlay of some 10 or 15,000 rupees would be required.

It is not provided that the superintendent should be married, which, however, is likely to be thought an indispensable qualification. The whole of the patronage, in any year, will be centred in him, and liable only to be otherwise disposed of if the General Meeting disapprove, for though the Committee may remark it cannot reject. This is a strong objection and throws unnecessary power into the hands of an individual who may, and very possibly will abuse it.

The seventh resolution does not require notice. In fine we may add, that these attempts to introduce a duplicate paid superintendent, are made or encouraged by the same parties who, having disgusted their old faithful servants, and discouraged many who else had cheerfully joined the management, are now seeking to build up a new system on what they think their successful and complete destruction of the old. They have created the dislike, the difficulty of which they complain for this express purpose, that having created it they may profit by it. But there are still some to stand in the breach—and their efforts will, in the end, and that not far distant, be acknowledged by the army. Conscious of the unmerited withdrawal of confidence from their predecessors by some, and the lamentable supineness of the rest of the subscribers, they seek to shape a middle course, to occupy a neutral ground between opposite opinions, in the hope, by resisting all reforms but what are real and proper improvements, to get both parties to acknowledge their hastiness, to re-trace their steps to the old line of safety, to appease the excitement of the subscribers where it still exists, to re-kindle their confidence in those in whom it should be placed, and, again to re-enlist in the General Management the efficient and honest services of those whom they have succeeded, and to whom they confess their own inferiority in experience and usefulness. Their disgust and irritation was, at first, natural; but, perhaps, a little in excess, and, we trust, that it will no longer be allowed to operate. The question is not, never should have been, one of personal considerations. After showing a just sense of the unhandsome treatment they sustained, by a withdrawal of their services when no longer properly appreciated and continuing that secession until it is now proved that they were right, and that the machine works but lamely without them, we hope soon to see them as of old, sacrificing self to the public good and resuming their old and honoured posts. While of them we expect this change, from the army we require one that shall correspond—a frank and full acknowledgment of hastiness and error, a restoration of confidence, a determination to put down petty complaints, to discountenance interested advice and litigious opposition. We ask much, but not too much. *Amentum ire redintegratio amoris est.* May it be so soon!—*Hurthorn,* Dec. 20.

ADDRESS TO SIR C. T. METCALFE, &c.

TO THE HON. SIR C. T. METCALFE, *Esq.*, G. C. B.

Lieutenant-Governor, North Western Provinces.

HON'BLE SIR,—We the undersigned East Indians, residents of Agra, beg leave to address you on the occasion of your approaching departure from this station, preparatory to your embarkation for England, to testify our grateful sense of the very liberal interest you have invariably evinced in the behalf of our countrymen.

2. Your munificent donation towards the late Mr. Ricketts' deputation to England in our cause, and your really generous and voluntary grant, by which the Parental Academy, an institution founded by East Indians, was relieved from its pecuniary difficulties are instances, the recollection of which will ever be cherished with the most lively feelings of gratitude by every East Indian; while you will live in the memory of all by the numberless beneficent acts, which have become proverbial with your name in India.

3. We, in common with the whole of the community of India, lament your intended departure from our native land. We deplore your approaching secession from your high and honourable office as a public loss; and deeply regret the causes which may have led to the termination of your connexion with this country. One of these causes, agreeably to the general impression, is the disapprobation of the Home Authorities of one of the brightest acts of your Government, the Emancipation of the Press in India; an act, the benefits of which are already being experienced and appreciated, and will be felt in this country to the remotest age. We regard a Free Press as the mighty engine by which India will in time rise to an equality with other civilized parts of the globe in intelligence, refinement and good government, and as the best safeguard it can possess against the inroads of corruption and misrule. We therefore admire and respect you as the Statesman, who, by a single measure of unquestionable utility, has laid our country under a perpetual obligation.

4. We beg, Hon'ble Sir, to tender our unfeigned and heartfelt thanks for the eminent services you have uninterruptedly, through a long and honourable career of seven-and-thirty years, rendered to our country. In them the integrity of your heart, the soundness of your judgment, and the benevolence of your nature, have been throughout conspicuous; and they have secured for you and your name a permanent place in the affections of all classes in the Indian empire.

We trust that in giving expression to our feelings on the present occasion, in a separate address, we do not incur the charge of endeavouring to perpetuate a distinction, which it is our wish and interest to see removed. We shall always readily unite with our European and native brethren on every question of general utility or importance; but, in the present instance, we feel that we have special duty to perform towards you for favours received for a section of society; we have therefore thus come forward to signify our regard for you, and our approbation of your measures. We anticipate with pleasure, that all classes in India will be desirous in some form or other to express their sense of your private virtues and public worth, must necessarily be an humbler; but ours need of praise. We beg, Hon'ble Sir, your kind acceptance of this address, together with the accompanying tokens, expressive of our respect, gratitude, and esteem.

6. Before we conclude, permit us to record our most hearty wishes for your future prosperity, and our firm persuasion that, whether you re-enter the arena of public

life, either in England or in India, or seek the more quiet enjoyments of a retired one, your energies so long as they can be exerted, will be devoted to the well-being of your fellow-creatures, and that India, with its millions, will never be forgotten by you. It is our fervent desire that you may long live with unimpaired health to exercise the generous impulses of your heart; and our most earnest prayer to the Almighty bestower of good is, that He may make you the special object of His grace and care through the remainder of your earthly career, and at its distant close, administer to you an abundant entrance into His kingdom and glory.

With every sentiment of esteem and respect, we beg to subscribe ourselves,

Honourable Sir, your most obedt. and grateful servts.
Agra, 1st December, 1837. 115 SIGNATURES.

REPLY.

TO THE EAST INDIAN RESIDENTS OF AGRA.

SIRS,—I beg you to accept my cordial thanks for the honour which you have conferred on me by your kind and affectionate address.

I fear, that you greatly overrate my humble services, as respects both your own community and the general interests of the Indian empire; but, it is characteristic of generous minds to form a high estimate of any marks of interest and good will; and to this spirit on your part, more than to any merit on mine, I must ascribe the warm feelings with which you have come forward to express your sentiments on the occasion of my departure from India. These sentiments I value most highly, and I shall cherish the recollection of this meeting as one of the most gratifying circumstances of my life.

I rejoice that you are now in possession, generally, of the same rights that are equally possessed by your European and native brethren, and free from those exclusions which formerly depressed you. The justice of the Legislature has declared, that there shall be no legal impediments to your rising to the highest offices in the State; and, undoubtedly, the day will come, when all other obstacles that may exist, will be likewise removed, and all injurious distinctions entirely effaced.

No community is better entitled to every privilege that can be bestowed; for you yield to none in respectability of character and virtuous conduct. I speak from the observation of nearly a whole life passed in India, and I shall quit this country impressed with the highest respect for your worth in private life, and your distinguished ability and efficiency as public servants, performing a large portion of the business of the State, and contributing by your indefatigable exertions, your talents, zeal and integrity to the welfare and prosperity of the Government and the people. I have now before me some, whose services have come directly under my own observation, and whose merits and qualifications are eminently conspicuous.

The Parental Academic Institution to which you have adhered, is a noble institution, and does infinite credit to its founders and Directors. It gives me great pleasure however, to perceive that you repudiate the intention of regarding yourselves as a separate community, or of perpetuating distinctions, which ought to cease. It is by the union of all classes in brotherly love, that the interests of this great country will be best promoted.

I entirely concur in the sentiments which you have expressed regarding the Liberty of the Press. I trust

that it will prove an engine of immense benefit. Having recently had occasion to dwell at length on this subject in answer to another address, at the presentation of which, many of you, I believe, were present, and also at the same time to explain the circumstances, which have caused my retirement from the public service, I will not trouble you now with any further remarks on those points.

Forgive me, if I say, that I regret your having thought it necessary to add to your kind address a costly token of your regard. The gratifying sentiments which you express, are to me the best of tokens. But I recognize in this part of your proceeding the same spirit that has pervaded the whole of your conduct towards me, and that of your brethren on other occasions; a warm-hearted spirit, which magnifies the little that I have ever done, is not content without taxing itself to manifest its praise. I shall deposit your valuable present, with your still more valued address, where they will be continually before me, and I shall ever look on them with pride, as tokens of the esteem of a community whose approbation is honour.

You justly anticipate, that, if ever I enter into public life in England, my anxious thoughts and endeavours will be directed to the welfare of India; which, I confidently believe, will be best promoted by her permanent union with the British empire in the ties of mutual interest and affection: India partaking of every advantage that the other portions of the Great United Empire enjoy; including the abolition of every obstacle that can impede her prosperity.

With the fervour of benevolent and the piety of devout hearts, you have invoked Almighty God to bless my future career. I shall ever remember with deep felt gratitude your affectionate prayer. May it be heard at the Throne of Grace. May our Heavenly Father bless you. May your hopes be happy and prosperous. May His bountiful goodness bless all India, and grant to this fine region of countless millions every benefit bestowed on the most favoured countries. These are among the warmest wishes of my heart.

Knowing that all earthly happiness is frail and transitory, you have carried your kind thoughts for me beyond this world, into realms of bliss and Glory—where a conscious sense of my own demerits would preclude all hope of entering, were it not for the boundless mercy which vouchsafes redemption and salvation to repentant sinners. May that mercy be upon us all.

(Signed) C. T. METCALFE.

Agra Ukhbar, Dec. 16.]

TO THE HON'BLE SIR CHAS. T. METCALFE, BART. G.C.B.

Lt.-Gov., N. W. P., of British India, &c.

HON'BLE SIR,—We the undersigned British residents at Agra and its vicinity, beg to approach you on the occasion of your departure from the seat of your Government with the expression of our sincere and unmixed regret.

It is not our design, nor perhaps could we sufficiently enumerate the many beneficent acts which have emanated during the long period within which you have been called on to take a part in, or to preside over the affairs of this country; but we cannot refrain from adverting to one which (should the general report be true) is universally assigned as the cause of the loss of your eminent and valuable services, we allude to the act by which the freedom of the press was extended to this country, and we beg to express our conviction that nothing has occurred since the passing of this act in question, (neither is there any just reason to suppose that anything will occur) to afford the slightest ground to doubt the judgment which caused its enactment.

You are now retiring from the active duties of the Government of a country with affairs of which you have to ran uninterrupted period of 37 years being intimately connected, and whose lofty attitude and distinguished

name amongst surrounding states have been maintained not less by your firmness and decision than by the spotless purity of your character; and we derive some consolation from the hope that your energies yet unimpaired will be exerted in your native country to promote and advocate the best interests of India, and thus not entirely to deprive the councils which direct its affairs of your valuable and extensive experience.

To your public worth and virtues the gratitude of all India is most justly due, while in the less conspicuous but equally honorable character of a member of society, you command the esteem and best wishes of the entire community, and we have reason to know that whilst by all classes your loss will be deplored, by none will your absence be more deeply felt than by the distressed and destitute who have uniformly found in you a munificent benefactor and generous friend.

In conclusion we beg to offer our earnest wishes, that under the direction of a merciful Providence you may have a speedy and prosperous voyage to your native shores and be there long blessed with a continuance of health to enjoy the reward of honest, honorable service, and the gratification which the knowledge of having gained the respect and love of millions of our native fellow subjects with the esteem and honour of your own countrymen must ever afford.

SIR CHARLES METCALFE'S REPLY.

TO THE BRITISH RESIDENTS AT AGRA AND ITS VICINITY.

Sirs,—I beg you to accept my cordial thanks for the honour which you have conferred on me in this address.

The esteem of honorable minds, the kind feelings of generous hearts, are the highest earthly honours that man can receive, and I prize beyond measure the sentiments which you have expressed.

You are pleased to allude in terms of praise to my humble services during an uninterrupted employment of thirty-seven years in India. I should rejoice exceedingly if I could flatter myself with the persuasion, that my endeavours have been in any great degree beneficial; but, I feel, alas! that the results have been far below my wishes, and I have always seen occasion to lament how inadequate is the portion of perceptible good effected by our best intentions and exertions.

You bear important testimony to the benefit of the Act legalizing the Liberty of the Press, in the opinion which you have declared on that subject. The worst that can be said of the Liberty of the Press is, that it may do harm. No one can doubt that it must work a vast deal, of good. If, therefore, it neither does nor is likely to do mischief, it must be an unalloyed benefit.

I regard the passing of that Act by the Local Government of India as a glorious monument to the honor of the East India Company, and as a proof of the merit of its administration, notwithstanding defects from which no Government is entirely free. That Act evinces to the world that the Company's Government desires no concealment; that it is glad to have the most minute particulars of its Indian administration scrutinized and displayed to the gaze and criticism of the universe; that it seeks information and instruction wherever they are to be found; and that it does not wish to rule India as a conquered, ignorant and enslaved, but as a cherished, enlightened, and free country.

Whatever may be the will of Almighty God with respect to the duration of British Rule in India, it would be vain and foolish to attempt to uphold it by shackling the people with the chains of ignorance. It would be unworthy policy to deny to them any benefit, consisting with the safety of the State, that can tend to elevate them in the scale of human beings. This country has been gained and is maintained by the sword, and honor be to the army to whom under Providence the British Empire owes this splendid possession. But looking to future ages—our dominion can only endure by the

affections of the people; by their feeling that under British rule they are more prosperous and happy and free, than they could be under any other Government; and that their welfare and our rule are linked together. I look to the Liberty of the Press as one of those measures, which by shewing the paternal disposition of the Government will tend to produce that result—a result not to be expected from a system of unconfiding restraint.

For those who object to the Liberty of the Press there is another justification of the act of legalization which is, that any other law on the subject was morally impossible. I will defy the ingenuity of man to devise any restrictions, short of absolute suppression, which no one would have attempted, that could have been effectual. Modified restrictions had been tried and had utterly failed. The Press was practically free though insecure, but the law regarding it was in absurd confusion. Throughout one presidency there was a code of restrictions so disguised that no Government would think of enforcing them. Throughout another presidency there were no restrictions, but perfect liberty by law, opposed in vain by the Government. In a third presidency there was restraint in the Provinces and liberty in the Metropolis.

Restrictions were most complete in the Presidency of Fort William, and there the practical liberty used was greatest. In this chaos of the state of the Press, when laws came to be made for all India, common sense pointed out that there was but one law that could be made with any effect, a law of liberty and responsibility to Courts of Justice. If restrictions, where they existed, were not, and morally could not, be enforced, how could they be introduced, with any reason, or any prospect of success where they previously did not exist? The Press in India has been practically free from the moment when the Government discovered, about twenty years ago, that it could not enforce the censorship which then existed; that is, could not legally inflict the penalties attached to its violation on any one who in the eye of the law was a native of India. This being known, the censorship was set at defiance; and the Press was of itself free. There came a code of restrictions which being no more law than the Censorship, was equally disregarded. There came another Code of restrictions, which was made law in some places and was no law in others, and whether it was law or no law, was equally disregarded and disused. All the good feelings of British Governors shrink from the habitual infliction of its penalties. All the spirit of British subjects restricted its shackles. The British subjects in India would have a Free Press, and the Government could not prevent it without a despotism and oppression contrary to its own disposition, and totally opposed to the spirit of British institutions.

Under all these circumstances, when it became my duty as Governor-General of India to propose a law for the Press, there seemed to me but one course that could rationally be pursued. I knew by experience of the past, that restrictions would be inefficient, and that to legislate with a view to restraint, even if it had been desirable, would justly expose the Government to ridicule, and be of no avail. The time was peculiarly favorable for full liberty, as the Government had then acquired the power of Legislation, and could provide by law against real danger to the safety of the State, that might from any cause arise; which before it could not do. The time was favorable for another reason also. It was clear that the Liberty of the Press would some day come, and it was better to grant it with a good grace than to wait until it was extorted. A people gradually habituated to the use of the Press as a customary part of their institutions, is much less likely to abuse it than if it were forced from an unwilling Government, and in a manner seized upon by clamor and agitation in a period of excitement. It must always be a fault to defer acts of grace until they cease to be so considered, and are therefore of no effect in winning good will. The circumstances therefore,

the time, the intrinsic merits and benefits of a Free Press, and the impossibility of enacting restrictions with any prospect of success, all combined to point out the legalization of the Liberty of the Press as the only course to be pursued. I should have been ashamed of myself if I had followed any other. As it is, whatever its consequences may have been to me, I never can regret the measure. Under the circumstances it was the only act on the subject that could be passed with any chance of success and efficiency. It was an act of prudence and common sense. It was also, I trust, a measure of great public benefit.

You have alluded to this act as the supposed cause of my retirement from the public service. This is a subject on which I have some difficulty in offering explanation. I am loath to make a mystery of what, as far as I am concerned, is a very plain matter; but I am apprehensive that, in entering into details, I might deviate from proper respect to authorities, to whom respect is due from all, and gratitude especially from me, for repeated distinctions, so spontaneously conferred. In what I am about to say, I trust that I shall not depart from the obligations prescribed by either the one or the other of these sentiments. You may remember reports which prevailed last year, stating, that I was in disgrace with the Home Authorities on account of the Liberty of the Press. That was not a position in which I could remain with comfort. I sought information at the Fountain Head, with a view to a better understanding, without success. The reply was not explicit, but its uncordial tone, indicative of alienation, satisfied me, that the reports which had prevailed were not untrue, and that I could not longer remain in the service of the East India Company with credit or satisfaction to myself. I do not state these facts under any notion of being aggrieved. Neither do I presume to question the conduct of those authorities. They have an indisputable right to exercise their judgment on mine. Their displeasure, from whatever cause proceeding, may be just. But just or otherwise its effect on me is the same. I cannot continue to serve with such an impression permanently prevailing against me. I quit my post with reluctance. I cannot be happier any where than I have been at Agra. With important duties, affectionate companions, and a friendly society, I have here enjoyed much of what I most value in life. With great measures in progress and the aid of functionaries of the highest character and qualifications in the offices of control and superior importance; with a Civil Service full of honor, zeal and ability; and abundance of merit and efficiency in every branch of public employment, I had every prospect of a successful and beneficial administration. I was perfectly content. I desired no change, and if I could have remained with honor, I know no limit that I should voluntarily have put to my continuance in this office, except loss of health or faculties. I quit my duties and my residence among you with great regret; but the act is my own, and I alone am responsible for it. I may have been mistaken. I may have been misled by erroneous information. I may have misconstrued the circumstances that have occurred. But if that information and my construction be correct, as I believe them to be, I had no other course open to me, in my opinion, than that which I have adopted. It is a matter of feeling. Had I been differently constituted. Had I been blind or indifferent to manifest estrangement, I might have remained, and I should, perhaps, have been permitted to die in the service in which I was born, in which the best years of my life have been passed, and to which I would willingly have devoted the remainder.

That will now glide away in another country, if I live to reach it, the country which we all most love, and to which we all look for rest after our Indian labours. You express the kindest wishes—you speak of happiness and usefulness. Happiness, with the blessing of the Almighty I have no doubt of enjoying in the society of affectionate

relatives and friends, and in the delights of reading and retirement. -Of the power of public usefulness I have no expectation and great doubt. The only tempting theatre for public exertion is Parliament, where the great interests of the country are promoted or marred. But the violence of party spirit, to which the welfare of the Empire is often sacrificed, the uselessness of any one whose only party is his country, the want of local reputation and influence, the corrupt practices of candidates and voters, and the utter ruin to moderate means of contested elections, make a formidable array of obstacles against any attempt to push myself into the Imperial Senate, even if I could suppose that I might be of any utility there. The retirement, therefore, of private life, where no doubt the greatest happiness is to be found, seems to be my future destiny. I shall nevertheless be ready to take a part in public affairs whenever I am called by duty, or, in other words, whenever I have an opportunity of being useful; for I consider it to be the duty of every man to serve his country to the utmost of his ability; and if I ever become a public man in England, my long attachment to India will naturally lead me to exert myself for her welfare and benefit, and for her permanent union with the British Empire, in the ties of mutual interest, the only security for mutual affection.

I ought to apologize for having addressed you at such length on objects connected with my own views and feelings. But you must in part blame yourselves. You have overwhelmed me with kindness: my heart is open, and I have been pouring out its contents without restraint to friends whose cordiality I have experienced. Permit me, now, to say, Farewell. May every good attend you. The period of my residence among you, but for the miseries of the poor this season from drought, would have been one of the happiest eras of my life. I part from you with reluctance and sorrow, and with heartfelt sentiment towards you, of respect, gratitude, and affection. Many of us, I hope, may meet again in another land. God bless you all.

(Signed) C. T. METCALFE.

Hurkeru, December 25.]

FAREWELL BALL TO SIR CHAS. METCALFE.

(From our own Correspondent.)

Last evening the Society of Agra assembled at the Station Rooms, by invitation, from the members of the Civil Service, resident at Agra, to grace a farewell fancy dress ball given by them to our esteemed Governor, Sir Charles Metcalfe. Any powers of description would fail in conveying a correct idea of the elegance and splendour of the affair,—the following must be considered only an attempt.

The rooms were most tastefully fitted up for the occasion, a handsome pavilion was erected at the eastern end of the ball room, and also the door-ways hung with festoons, (pink and white, Sir Charles's colors) and one of the side rooms was formed into a Turkish tent of the same colors. We observed fine, handsome transparencies in the ball room, the first representing Sir Charles's arms, &c. and the words "Governor-General of all India;" the others, "Envoy to Lahore," "Resident at Hyderabad," "Resident at Scindiah's Court," "Resident at Delhi," "Member of Council," "Vice President in Council," "Governor of Agra," "Lt.-Govr. N. W. P. The outside of the house and the whole compound were brilliantly illuminated, some thousands of variegated glass lamps were made for the occasion.

The company began to assemble soon after 9 o'clock. Sir Charles arrived about half-past 10, and was received on his entrance by the principal member of the Civil Service, several of whom, we remarked, were in Court dress. Amongst the costumes we remarked first and foremost, a splendid group of Turks in magnificent and appropriate dresses, and we were glad to

observe that the neighbouring station of Muttra had yielded one of its fairest ornaments to add to the lustre of the group. We also remarked a lady in Court dress, most correctly and brilliantly adorned. Till we saw her, we always thought the trite saying "beauty unadorned, adorned the most" was correct; we are now sceptical. Most of the ladies were in beautiful fancy dresses, we particularly noticed two Syrens from the European lines, one as Flora McIvor, the other as the beautiful Gulnare.

Of the male part of the company the Begging Fidler attracted most attention. The gallant Col. ———, as Coxswain of Her Majesty's ship "Malcolm," was excellent. Turks, Greeks, Persians, &c. &c. &c. were in abundance. Most of the company adopted Sir Charles's colors, pink and white.

The supper room was tastefully fitted up, the large transparency was admirable,—the following is a faint description.

The figure of Fame, with her trumpeter in one hand and the other grasping a wreath of laurels, and a beautifully executed scroll with the following inscription, "Free Press," "Colonization," "Unrestricted Commerce," "Freedom of Discussion," "Equality of Rights," "Public Spirit," "Benevolence," "Liberality," "Integrity;" and, in the centre, surrounded by wreaths of laurel, oak and flowers were the words, "A happy Voyage Farewell."

P. S. At about one, the supper was announced, and Sir Charles led the way, handing Mrs. Taylor, the lady of the principal member of the C. S. The stewards each conducted one of the ladies of the Corps Militaire, amongst them, we remarked,

Mr. Taylor and Mrs. Lindsay,
Mr. Hamilton and Mrs. Buckley,
Mr. Mansel and Mrs. Pogson,
Mr. Becher and Mrs. Burroughs.

The supper was elegant, and afforded abundance of every thing. After it had been duly discussed and each partner had drank to the "lady of his love" in a bumper or two of champagne, (one stout gentleman sighed so by us, it was quite uncomfortable,) Mr. Hamilton arose, and silence having been obtained, he proposed the health of Sir Charles in a well-delivered and appropriate speech. He rose to propose the health of Sir Charles, the brightest ornament of the Civil Service; a name not now belonging to that alone but to all India, a man whose public character and private virtues had won for him the admiration and esteem of all India. No man had left this country occasioning such deep and universal sorrow, beloved and regretted. The best wishes of all assembled this night to do him honour would be with him wherever he went. The feeling of enthusiasm had been equally displayed on several late similar occasions. He felt his powers fail him in endeavouring to portray the public character of such a man,—he was unequal to do justice to the subject, &c. &c. &c. Three hearty rounds of cheers, hip, hip, hurrah, and one cheer more, followed this address, which went to the hearts of all. Sir Charles then rose and said he was most grateful for the honour that had been that night done him: he felt deep regret in being about to part with so many valued and tried friends, "When the heart is fresh the tongue is sweet," said Sir Charles with deep emotion, and sat down overwhelmed by his feelings. We remarked the tear drop standing in many a fair and beautiful eye at the short, but feeling address of Sir Charles. All were sensible that they had then heard that kind, benevolent, and much-beloved voice for the last time. A tap, tap, tap, on the table, however, roused the guests again, and tossing off a glass to bring up their spirits, they heard the health of the "ladies" proposed. The ladies who had honored and assisted them that evening in doing homage to their distinguished guest.

Then followed "Colonel Lindsay and our Military guests." Mr. Hamilton said, he was delighted to see around him so many of our friends united in one common cause to do honor to Sir Charles. That Sir Charles had indeed some claim to be ranked amongst their chivalry. That the neighbouring fortresses of Bhurtpoor and Deeg, and all who remembered and had witnessed "Lord Lake's campaigns, could bear testimony "to his prowess. As Sir Charles a few nights ago had justly remarked, "honor be to that army by whom this country was won." That he was happy to say the utmost cordiality and union existed amongst the services at this station, and he trusted that it would ever be so. It was his opinion, and that of all whose

opinion was worth anything, that in this union consisted our strength and the welfare and preservation of these dominions which their swords had won.

Colonel Lindsay then returned thanks in the name of himself and brother officers, and proposed the health of the members of the Civil Service. Here the band struck up and summoned the dancers to another room, which the ladies obeyed in all haste, whereby we lost, we understand, a specimen of the flowers of rhetoric that we hope is reserved for some other occasion, though none can deserve it so well.

The dancing was kept up with great spirit till a late hour in the morning.—*Hurkaru, December 27.*

FAREWELL ADDRESSES TO SIR R. W. HORTON, BART.

To His Excellency the Right Honorable Sir ROBERT WILMOT HORTON, Bt., G. C. B.

&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, the loyal Chiefs, headmen and others, subjects of the Crown of Great Britain in Her Majesty's Colony of Ceylon, having with the deepest regret heard of your Excellency's intended departure from Ceylon, are at a loss to collect words to express our true feelings towards your Excellency. Your Excellency's benign disposition has endeared you to the hearts of the Ceyloneze.

The many great acts of benevolence conferred by your Government, resemble the good maxims and example of virtue of ancient Kings and Princes, as we read in our religious and historical books.

Since your accession to the Government of Ceylon the Rajecaria or Compulsory labour (which so firmly continued from the origin of Ceylon) having been done away, it has bestowed an inestimable blessing in general on the Country. It enabled the inhabitants to follow without hinderance the pursuits of agriculture, trade, &c., and to secure their true comfort. We must confess, the compulsory labour was a painful burden on the inhabitants, and it was a bar to every comfort of life. The abolition of compulsory labour has likewise given means of living to numberless indigent persons, whose livelihood depended upon their daily labour, and who now have an opportunity to employ themselves in Her Majesty's works on being paid reasonably.

The abolition of the Cinnamon-Monopoly is tending greatly to the welfare of the country, its benefit (according to the prudential arrangement made thereon) stands between the Government and the country. It has removed the destruction of Cinnamon plant (which so thickly and spontaneously grew in almost every part of the Island), as well as the punishments by indictments of heavy fines, imprisonment, &c. to which the inhabitants were subject, in cases of this destruction either by known or unknown hands.

The Cattle Ordinance issued in your Excellency's time, proves to be a prudent one. It ensures great advantage to the proprietors of land and agriculture, and tends much to their protection.

By your Excellency's having modified and reduced to only one-tenth the Government share of the fish caught in the sea, &c. (which were before subjected to different exorbitant taxes, the classes of inhabitants whose livelihood solely depend upon it, have been greatly benefited as well as the country at large.

The abolition of duty on timber, of public and private ground, has given the inhabitants opportunities to improve their buildings according to their respective abilities, and to derive all benefits procurable from timber, and it has likewise saved punishments on the people in cases of trespasses against the restrictions on timber.

The taking away of several restrictions regarding the different mines and quarries, have in like manner rendered beneficial means of livelihood to the country.

The abolition of the tax on tobacco, which is an article of great demand, has been very advantageous and encouraging to its cultivators, and beneficial to the country.

The forcible collection of cocoanut leaves from the trees of private gardens to supply fodder for Government elephants was to a great extent injurious and detrimental to those invaluable trees, which are equally useful to the Government and the country, and the proprietors suffered greatly by that most injurious practice. Your Excellency's order forbidding this injurious act as well as your forbidding white or tender olives being forcibly taken to be used for ornaments on occasion of the movements of the Governor, &c. have tended to the improvement and growth of cocoanut trees, and the proprietors thereof have been alleviated of the pain created by that conduct.

The circumstance of great many proclamations, regulations and advertisements, which were issued from time to time from the Government of the late Earl of Guildford, making the orders of Government matters of different research. Your Excellency has consolidated them, and the country has the opportunity to gain an insight into such orders in one view.

The arrangement of judicial business, by establishing District Courts in the respective districts and by having means of appeal and recourse in civil and criminal cases to the Hon'ble the Supreme Court, Ceylon experiences all desirable relief and benefit.

The abolition of Ouliam duty from the Chetty, Moor and Malabar people so thickly inhabiting Ceylon, has tended much to their welfare and comfort.

The abolition of the assessment tax on houses within the four Gravets of Colombo and Galle, the annual rent of which did not exceed two pounds and fourteen shillings each, has contributed greatly to the amelioration of the condition of the poorer classes of the people, who are the occupiers of such small houses, as their property had been very often previous to the enactment of the

ordinance No. 2, of 1835, by your Excellency, destrained and sold to levy this tax.

The arrangements made, the willingness manifested, and the encouragements held out by your Excellency for promoting vaccination throughout the island, have had the desired effect, and thereby the lives of many, which otherwise would be sacrificed to that dreadful malady "the small pox," are saved.

Although, we are aware, that some of the above measures were introduced upon the recommendation and instructions from the Home Government, yet it will be an act of injustice on our part were we to omit expressing our gratitude to your Excellency for the judicious and praiseworthy manner, in which those instructions have been carried into execution to suit the convenience and comfort of every individual concerned.

The most laudable examples of virtue and charity which your Excellency and Lady Horton have shewn in affording relief to the sufferers by the late inundation, have dignified the character of your Excellency and Lady Horton in the whole of Ceylon, and the commendation and applause of that act of your charitable virtue is indeed very great.

Having summarily observed the great many acts of benevolence which your Excellency has conferred on Ceylon, we have to ask our testimony of the comfort and happiness which the country has unceasingly enjoyed during the period of your Government, by its having had most flourishing harvests of every kind of produce as well as propitious seasons; having had none of the scarcities, pestilences, or any great disasters in the country.

We, in conclusion, beg leave fervently to thank your Excellency's friendly disposition to the Ceyloneze on every occasion, which in addition to the foregoing, we would ever cherish in our minds, and we beg your Excellency to accept our most unfeigned and most heartfelt thanks for all that your Excellency has done to us, and we further beg to express our cordial and sincere wishes for the welfare and prosperity of yourself, and honored family. May Heaven bless your Excellency and them with long and felicitous lives.

We remain with the greatest affection and esteem,

Your Excellency's most obedt. humble servants,

[Here follow the signatures of 16 Kandian Chiefs, Modeliars, Mohottiar, Proponents and Mohandirams, 272 of Corales, and other Petty Headmen and Priests of the Maritime and Kandian Provinces, and 12,947 other signatures.]

[Colombo, Nov. 15.

QUEEN'S HOUSE, Nov. 15, 1837.

GENTLEMEN.—I am directed by Sir R. W. HORTON to acknowledge the receipt of your address of this day's date, and to express to you the satisfaction he has derived from its perusal.

I have the honor to be, Gentlemen,

Your very obedient servant,

E. R. POWER.

Don Solomon Dias, Modeliar, and others.

To His Excellency the Right Hon^{ble} Sir ROBERT WILMOT HORTON, Bart., Knight Grand Cross of the Royal Guelphic Order, late Governor and Commander in Chief of the Island of Ceylon, &c. &c. &c.

The humble address of the Headmen and other Loyal subjects of Her Majesty, and the Mohabaddes of the Island of Ceylon.

MAJESTY PLEASE YOUR EXCELLENCY,

The undermentioned loyal subjects of Her Majesty with sentiments of gratitude and respect, most humbly

and submissively beg to offer our sincere and hearty thanks for your kind protection and favours tendered to the inhabitants of this colony during your paternal Government, by enacting regulations, ordinances, and rules, by establishing useful institutions, by patronising various important Societies, established and supported by the subscriptions and donations of private individuals, by presiding at the several meetings of such institutions, contributing pecuniary assistance out of your own private purse, and granting the help of Government in your public capacity, by all which favours of your Excellency, the population of this Colony have been extensively and universally benefited; and as it is hardly to be supposed that any individual by a mere general survey of the acts of Government can anticipate or form a full idea of the advantages that may at length result from those acts, and as we are anxious that the public in general should be enabled to acquire a full view of the propriety of the measures which you have adopted, and the magnitude of their result, and in the firm hope that their minds will be impressed with the views we have taken, and freely join in our sentiment. We beg to detail and particularize those successful measures and acts of your administration, from which we trust, that many fruitful and happy advantages will ultimately ensue. The opening of a new canal at Hendelle for the convenience of going to Negombo more quickly than by the old Canal, so that coconuts and other provisions, which the inhabitants were before obliged to convey in small quantities on their shoulders and on their heads, and could not return home till the next day, can now in one day be conveyed by water in large quantities at a great saving of manual labour, time, and expence, by the means of this canal, were the coconut husks and shells, and fire-wood that were before nearly useless, have now been rendered valuable and have become articles of merchandise; so that, many very poor persons, who are numerous in that part of the country, are able to convey the same by water, and thus support themselves and their families. By means of this canal, also, the people are enabled to undertake agriculture with safety, in which they were before hindered for want of a stream to wash away the salty and stagnated water of the field Mootoorajewelle, for the opening of which we are indebted to your Excellency, and which has proved so great a blessing to the inhabitants. To your Excellency we are also indebted for allowing individuals infected with small-pox, without distinction of persons, to undergo quarantine at their own houses, when they must otherwise have been obliged to be separated from their families and carried away to the public hospital, to the great sorrow and agitation of all persons concerned, and whereby the patients entertaining great fear sometimes had their illness increased, and their lives endangered.

Another benefit, for which we are indebted to your Excellency, is the abolition of the gambling tax; a tax, which encouraged honest and respectable individuals to become gamblers and thieves to the prejudice of themselves and their families; and by which, servants were tempted to steal their master's property, so that the gambling shop became a depository of stolen goods. It was by your Excellency's kind and humane interposition, that provisions were supplied to the sufferers by the late inundation, and that boats were employed by Government, to save people from perishing by the water; the reduction of the stamp duty is another public benefit, for which we have to thank your Excellency. Another benefit that your Excellency has conferred on the people is, the reduction to 10 per cent. of the tax imposed on the persons engaged in the fishery: this reduction is every where highly praised. The abolition of the monopoly of sulphur, saltpetre, and gunpowder, whereby agriculturists are enabled to protect their fields from elephants and cattle, and their other property from the depredations of thieves, is another instance of your Excellency's regard for the prosperity of the people. A further claim

upon our gratitude to your Excellency, is established by the reduction of the import duty on Indian goods, whereby the native trade of this island is greatly promoted, and the people in general benefited.

Another great advantage which the people of this country have derived from your Excellency's administration, is the appointment of native notaries within the gravets of Colombo, to the great convenience of the native inhabitants, for which they had solicited Government many years ago without success; and, from the want of which, they suffered much hardship and inconvenience, particularly the Hindoos and Mussulmans, whose females, according to the tenets of their religion, have great aversion to appear before European notaries, and the Cingalese high class females, who were formerly obliged either to go to the office of the European Notaries or to incur additional expence by paying the Notary for coming to their house to execute deeds, of which they have been now relieved by your Excellency's said acts.

Another great public benefit, for which we are indebted to your Excellency, is the making of various new roads, and particularly the road by the lake behind the yard of houses in Land-street, which was always damp and productive of various disease; the clearing away of the filth of St. John's river, whereby many poor persons who were before destitute, have obtained employment, the healthiness of the neighbourhood has been promoted, and future attacks of cholera rendered much less probable; with this public improvement the people were at first offended, but now they praise it.

The people of this country, from time immemorial, had been accustomed to render certain service to the State according to their caste, for payment, and when some reference to their own convenience, but since the possession of the island by the English, the natives, and those of the Mahaballe in particular, had been pressed for Government service without reference to their own convenience, and sometimes without payment, by which their own agriculture and other private affairs were neglected, and they were often removed from their families unexpectedly; but now, under your Excellency's enlightened and paternal administration, compulsory labour has been abolished, and the people have thus been relieved from the pressing hardships under which they have previously laboured.

Another instance of your Excellency's administration which we desire to notice, and which is ultimately connected with the welfare of the Government of the island, is the readiness with which your Excellency has always attended to the claims of old and faithful native Government servants as soon as such claims have been brought to your notice.

We cannot, in justice to your Excellency, omit to offer our cordial thanks for the great and most important protection granted to the public by taking necessary precautions to adopt effectual measures in suppressing and obstructing the intended mutiny and insurrection of the Kandyan Chiefs, and others concerned with them, whereby the whole garrison of Kandy would have been exposed to danger, many lives and property may have been ultimately destroyed, and serious consequences may have occurred.

We beg, moreover, to request, that your Excellency will be pleased to cause this address to be translated into the native language, and to be published for general information; the reason why some of the lower orders have not yet duly appreciated some of your Excellency's measures seems to be a want of proper information on the subject, which we hope the statements in this address might help to give them.

Great as are the benefits we have enumerated above to, we have purposely omitted all mention of some of the most important and most beneficial acts of your Excellency (such as the establishment of the mail coach, of the widows' and orphans' fund, of the savings' bank, of the Colombo academy, and of numerous schools and other similar acts,) because these, we understand, have been dwelt upon in other addresses to your Excellency.

In conclusion we beg to express our regret at your Excellency's approaching departure, our hearty wishes for your health and prosperity, and usefulness during your future life, and our hope that we shall not be forgotten by you on your arrival in your native land,

Signed by H. DE ZOYSA, *Interpreter Mod.*
G. DE SILVA, *Mohatty Mod.*
A. DE RAJEPAKSE, *Mod. and*
2,000 Signatures.

Colombo, 14th November, 1837.

Queen's House, Colombo, Nov. 15th, 1837.

GENTLEMEN,—I am directed by the Right Hon. Sir R. W. Horton to return you his best thanks for your address, dated the 14th instant, and to express his sincere satisfaction at the manner you have appreciated the benefits conferred upon your countrymen by Her Majesty's as also by Sir Robert's Government.

I have the honor to be, Gentlemen,
Your very obedient servant,
E. R. POWER.

H. De Zoysa, *Interpreter Modiliar.*
G. De Silva, *Mohatty Modiliar.*
A. De Rajepakse, *Modiliar, and others.*

[Ceylon Chron. Nov. 23.]

PARENTAL ACADEMIC INSTITUTION.

The Annual Examination of the Pupils of the Parental Academic Institution, took place last Friday, in the presence of a numerous assembly of ladies and gentlemen, by whom the examination hall had been fairly crowded long before the business of the day commenced. Amongst the audience we observed the following gentlemen, viz. the Venerable Archdeacon Dealtry, the Revd. Mr. Charles, the Revd. Mr. Mackay, the Revd. Mr. Pickance, the Revd. Mr. Piffard, Mr. Speed, and Baboo Ramcomul Sein; most of whom took an active part in the examination. The pupils went through their respective parts, in a manner highly satisfactory, and creditable to themselves and their teachers. They were minutely examined in Latin, Paley's Evidence of Christianity, Chemistry, Natural Philosophy, Political

Economy, Mathematics, Book keeping, History of India, &c. There were several Essays laid on the table, bearing the names of those by whom they were written respectively. Two of these attracted our notice particularly; namely, the one, "on the Pleasures of Science," and the other "on the French Revolutions." There were several others on moral and literary subjects, which though not the best written, did not fail to do credit to their authors, considering their age and the length of time they had joined the institution.

The defects which we observed in these Essays were of a character which plainly indicated that the specimens were the genuine productions of the boys, and had not received the correction of their teachers.

The children in this seminary are also taught drawing and Beagally, in which branches of education they were not examined for want of time.

The examination lasted till half past four o'clock, when the Secretary addressed the pupils, the senior classes of whom were before him at the time. He said, the duty which then devolved on him of addressing the pupils of the Academy, was one which he could scarcely consider pleasurable. At the last Annual Examination that duty had been performed by one who was highly qualified to do justice to it. He alluded to the late Mr. Lorimer, the head teacher of the Institution, whose loss he was sure all connected with the Institution deeply lamented. He, however, hoped that so far as it was in his power to serve them, he was, they were well aware, at all times ready, and he trusted they would look on him as their sincere friend. He then adverted to the prizes which the successful candidates were about to receive, and earnestly solicited both those who would receive them and those who would not on this occasion, to resume their studies after the opening of the school with renovated zeal and

earnestness. He reminded them, that their improvement in morals and in the Christian virtues was of far greater importance to them, both in this and the next world, than the various branches of knowledge which formed the routine of their studies; and concluded his address with an apology for not being able, in consequence of mental depression and bodily weakness, to express all that he and the teachers felt on that interesting occasion.

The distribution of prizes, which consisted of gold and silver medals, and a choice selection from standard works, and the new editions of scientific and children's books, then commenced; and the successful candidates received their well-earned rewards for assiduity with suitable observations from the Secretary and some of the teachers. Among the prizes there were some excellent works, presented by Mr. Wood, one of the Members of the Committee.

The children, one and all, appeared to be in high health and spirits, and to feel a lively interest in the business of the day.—*Hurkaru, December 19.*

HIGH SCHOOL EXAMINATION.

(From a Correspondent.)

The eighth annual examination of this school took place this-morning, in the presence of a considerable number of ladies and gentlemen, among whom were seen the Lord Bishop as President, and the Venerable Archdeacon as Vice President, also several clergymen, Messrs Fisher, Pickance, McQueen, Withers, Thomson and a few others.

There are six classes in this school, all of which were very carefully and closely examined by clergymen and the teachers of the respective classes; and the result of the examination was so very creditable both to the students and their teachers, that His Lordship, towards the close of it, expressed his approbation at the progress made, and the system by which the children are taught. In expressing his approbation, the Bishop attended to the difference in the state of improvement as reckoned from the year 1833 to the present, after an absence of nearly four years, he (the Bishop) has had an opportunity of again presiding at the examination

of this school. It would be difficult to recollect all that fell from this eminent prelate in an eloquent exhortation and interesting speech, which lasted more than half-an-hour. Having eulogized the teachers and their students, he exhorted the latter so to improve their minds as to be Christians indeed, for, by knowledge, when in subjugation to Christian principles, men become not only enlightened but excellent characters. With certain other appropriate exhortations, the learned speaker concluded, and then began to distribute the prizes to such boys as acquitted themselves best.

It may not be out-of-place to say, that the three first classes are taught Latin, Mathematics, and all other branches of knowledge, and that the three other classes are taught Scripture History, Grammar, English History, Geography, &c. The head Master or Rector is Mr. Graves, the second Mr. Heatly, the third Mr. Sevestre, the fourth Mr. J. R. Clermont, the fifth Mr. Dunbar, and the sixth Mr. Bayley.

December 19, 1837.

[*Hurkaru, Dec. 20.*]

EXAMINATION OF THE COLLEGE OF FRANCIS XAVIER.

This institution is among those blessings which the arrival in this country of the Revd. Dr. R. St. Leger, Vicar Apostolic of Bengal, has conferred on the formerly-neglected Roman Catholics of this place. The College was established in March, 1835, under the patronage of Dr. St. Leger, and Revd. F. Chadwick, one of the clergy who accompanied that prelate, was appointed its rector. It has ever since continued to be a means of education to all classes of the community, without reference to any sectarian distinction.

We had the pleasure of witnessing the last annual examination of the pupils of this school, on Monday last, the number of children at present amounts to nearly a hundred. They were examined in Latin, French, and English, Geography, History, the use of the Globes, Cyphering, Reading, Mathematics and Algebra, and showed great proficiency, though many of the children were very young. About 12 o'clock the place prepared for the reception of visitors was completely filled.

They consisted chiefly of the respectable portion of the Roman Catholic community, among whom we observed, the most Revd. Dr. R. St. Leger, Revd. Dr. Olife, and most of the other Catholic Clergy; Lieut. and Ensign Sweeney, Lieut. Carey, Messrs. Speed and Luckertsen. The examination was chiefly conducted by Dr. St. Leger and the clergy, but several of the lay visitors also took a part in the business of the day, and very strictly tested the qualifications of the youthful candidates.

That which particularly attracted our attention was, the recitations, in which some of the boys acquitted themselves in a manner seldom observed amongst such young people. The delivery was correct, and the action exceedingly graceful; there was nothing of that stiffness and sawing of the air so frequently met with in juvenile performances of this kind. At the end of the examination three of the pupils came forward and entered into a debate on a most interesting political question. It

was pre-announced, that the intelligence of the invasion of India by a Russian army having arrived, an assembly of natives is convened, in which three speeches in different styles are delivered.

First. By a young Hindoo scholar, (Master J. Sweeney) who congratulates his countrymen on the approach of the Russian army, considers it to be the deliverer of India from the thralldom of its present rulers, who, by their taxes, &c., have been sucking the very life-blood of her people, and calls on his countrymen to rise and join the approaching army.

Second. By an old native marchant, (Master Alexander James,) who replies to the last speaker by stating, that he had in vain sought amidst the rowded metaphors of his speech for a reason of his singular love for the Russians. He then adverts to the advantages enjoyed under the British rule, which he compares with the rapacity of the greedy Russian; he advises his friends instead of foolishly proffering their gold to the Russians, to bury it deep in the earth: he prefers the English Government, because under it he can most easily get riches and keep them; he however exhorts his countrymen to be neutral, which he points out as the safest course for the people of this country to follow.

Third. By a well-instructed Raja, (Master J. Concoran) The sentiments expressed by the foregoing speaker, he considers as sure indications of the future emancipation and liberty of India. He attributes these sentiments to the institutions established by the English, and though he admits that the English might have done much more for the good of India, he cannot conceive why they should abandon the English in order to call in men who are professed tyrants not only in practice but in principle. He exhorts his countrymen not only not to join the Russian force, but to oppose its advance; because the Russians, if they once find admittance, will not only completely enslave the country, but will establish their dominion on such strong foundations, that

no human power will be able to shake it. But if the British continue possessed of the land, the country will continue to be governed as it has been, and the power of the people to increase, until, at length, liberty ripening under this general aspect of things, will seem rather to fall of itself into our laps than to be plucked with violent hands. On these grounds, he condemns the foregoing speakers, and calls on his countrymen to support the English to the utmost of their power.

Prizes, consisting of Standard Works, were then distributed, by the Most Revd. Dr. St. Leger, to the successful candidates, with suitable remarks on the character of each work; after which, he took leave of the children in an appropriate address, expressing his satisfaction at the progress they had made, and exhorting them to renewed exertions.

Among the prizes, we observed an elegant and uncommonly large silver medal, the workmanship of Messrs. Hamilton and Co., which had been presented by Mr. J. D. M. Sinaes, for the best general scholar. On one side it had a beautiful laurel wreath, encircling 1837, and on the other, the following motto: "*in honore boni Dei, et Altarum nostrum.*"

After the departure of Dr. St. Leger, Mr. Sinaes addressed the assembly to the following effect: He considered this institution as a national one, as the foundation of moral, religious and intellectual inculcation. In fine, as the ground work of inestimable blessings to the rising portion of the hitherto-neglected Catholic community. He therefore considered it the duty of every Catholic to support it. He congratulated the conductors of the institution on the success of their labors, and adverting to the indisposition of the Rev. Mr. Chalwick, he said, it was the duty of every friend of the institution to offer up prayers for his restoration to health.

The remaining portion of the company then partook of the refreshments that had been prepared for them.—*Hurkaru, December 23.*

THE EXAMINATION OF THE CALCUTTA CATHOLIC FREE-SCHOOL:

This institution was established many years ago, by a body of enlightened Catholic Laymen and made over by them to the Vicar Apostolic of Bengal, on his arrival. From its commencement it has been supported by public charity, and, at present, affords a plain English education, to about 200 boys and upwards of 50 girls of indigent Catholics; the school is, however, open to all persuasions. The details of the school are conducted by a Committee composed of some of the Clergy and Laity, appointed by the Vicar Apostolic of Bengal.

An examination of the pupils of this institution was held on Thursday last, and they were examined in reading, spelling, arithmetic and catechism, which was conducted by the Rev. Dr. St. Leger, assisted by the Clergy and several Lay visitors, among whom Mr. Speed took an active part. The visitors amounted to about 100, consisting of the most respectable portion of Catholics of Calcutta,

At the close of the examination the prizes were distributed to the successful candidates by Dr. St. Leger, who delivered on the occasion a very appropriate address, expressive of his satisfaction at their improvement and good conduct. He then called upon the audience to favor him with their presence a little longer, as the Secretary had prepared a report, and wanted to read it. I went to point out the pecuniary difficulties which the institution had to contend with during the year, and submitted for the consideration of the Catholic community and all friends of moral and Christian education, a pathetic appeal in behalf of the institution. We were much pleased to observe mentioned in the report a donation of 300 Rs. from Lord Auckland, though, we were informed, that Government had refused to aid this deserving institution.

About 150 of the poorest children had been supplied with a suit of warm clothes, for which they are, no doubt, very thankful.—*Hurkaru, Dec. 23.*

REPORT OF THE GENERAL COMMITTEE OF PUBLIC INSTRUCTION OF THE PRESIDENCY IN FORT WILLIAM IN BENGAL, FOR THE YEAR 1836.

TO THE GENERAL COMMITTEE OF PUBLIC INSTRUCTION.
General Department.

HONORABLE SIRS AND GENTLEMEN.—I am directed to acknowledge the receipt of your annual report on the examinations of the students at the various colleges and seminaries under your supervision for the year 1836, and, in reply, to obey to the Committee the request of the Right Honorable the Governor-General of India in Council, that the report may be printed for the information of all persons interested in the progress of education in this country.

2nd. His Lordship in Council desires me at the same time to express to the Committee his acknowledgments of the earnestness of their endeavours to extend the benefits of useful instruction, and to communicate to the natives of this country the means of acquiring a competent knowledge of the languages and sciences of Europe, and of improving their acquaintance with the vernacular dialects used for business, and for the ordinary intercourse of life.

3rd. His Lordship in Council, without following the report through the detail of operations in their bearing upon each institution, directs me to add generally the expression of his approbation of the proceedings of the Committee for the period reported upon.

I have the honor to be, &c.

(Signed) H. T. PRINSEP, Secy. to Govt.

Council Chamber, the 30th August, 1837.

TO THE RIGHT HONORABLE GEORGE LORD ANGLAND,
GOVERNOR-GENERAL OF INDIA IN COUNCIL.

MY LORD.—We have the honor to report our proceedings for the year 1836.

This year has been principally occupied in following out the plans sketched in our last report.

Six new seminaries were established in the early part of the year, as mentioned in our last report. Another was afterwards established at Chittagong, and two, which already existed at Alibonpore and Goruckpoor, were taken under our care, and put on an efficient footing. A college has also been organized at Hoogly on a very extensive scale, instead of the school which formerly existed there. There are, therefore, now 30 seminaries in all, at the following places:—

- | | |
|----------------------|-------------------|
| 1 Agra, | 16 Furruckabad. |
| 2 Ajmere. | 17 Gowahatty. |
| 3 Allahabad. | 18 Ghazepoor. |
| 4 Bareilly. | 19 Goruckpoor. |
| 5 & 6 Benares | 20 Hoogly, Moham- |
| 7 Bhaugulpore. | 21 Hoshungabad. |
| 8 D. W. 11, | 22 Jubbalpoor. |
| Calcutta. | 23 Maulmein. |
| 9 English Semi- | 24 Meerat. |
| 10 Sanskrit | 25 Midnapoor. |
| 11 College. | 26 Murshelabad. |
| 12 Medical College | 27 Parna. |
| 13 Hindu (Anglo- | 28 Poojee. |
| 14 Indian) College. | 29 Rujshahi. |
| 15 Mahomedan | 30 Saugor. |
| 16 College. | |
| 17 Sanskrit College. | |
| 18 English College. | |
| 19 Oriental College. | |

We have also added to the number of teachers at many of these institutions, and have given some of them an improved organization.

The number of students has increased as follows:—

Christians,	Mohammedans,	Hindus.	Total.	These totals include many pupils, whose religion did not appear from the reports.
1835, 77	596	1,881	3,573	
1836, 198	670	3,298	4,654	

While the stipends given to students have diminished in the following proportion:—

	MAY, 1836.	APRIL, 1837.	DIFFERENCE.
	No. of stipendary students.	No. of stipendary students.	No. of stipendary students.
Madrasa,	58	42	16
Sanskrit College,	65	57	8
Benares Seminary,	9	7	2
Benares College,	138	123	15
Agra College,	139	107	32
Delhi Institution,	41	25	16
Delhi College,	297	144	153
Total,	676	418	258

The following variations have taken place in the number studying each of the different languages taught.

	Eng.	Sans.	Arb.	Pr.	Mr.	Vernacular languages.
1835,	1,818	473	218	376	40	It is the desire of the committee that all should learn it; but how many actually do so cannot be ascertained from the reports.
1836,	3,511	381	256	385	..	

We have steadily kept in view the important object of encouraging the study of the vernacular language concurrently with English. Ten Bengalee teachers have been appointed at Hoogly, two Hindes and one Urdu teacher at Ajmere, and others have been appointed at every place at which the Local Committees have applied for our assistance. There are now few of our seminaries at which provision has not been made to enable the pupils to acquire the habit of writing their native language with ease and correctness, and we hope that these few will soon cease to be exceptions to the general rule. We are anxious that the pupils should be constantly exercised in translating into their own language, as well as into English, from the time at which they enter the seminaries till their departure, and that they should also practice original composition in both languages as soon as their minds have been sufficiently opened to attempt it with advantage.

We have also continued to urge upon the Local Committees the importance of requiring all the pupils who can afford to do so, to pay for the books and stationery

used by them. Many advantages would ensue from the general adoption of this practice. Our funds would be relieved; our operations would be simplified by the cessation of the correspondence which now constantly takes place on the subject of books; a very large number of useful books would annually pass into the hands of the people; and, above all, nominal students, who injure the discipline and retard the progress of the seminaries by the irregularity of their attendance, would become much more rare, and some security would be afforded, that no one would apply for admission who was not anxious to profit by the instruction afforded. The general adoption of this rule has now become much more easy than before, as the School-Book Society has established at numerous places in the interior, depositories at which all ordinary school books are sold at the same prices as at Calcutta. At Mohammad Muslin's College we have directed, at the suggestion of the Principal, that those pupils who can afford it, shall pay the full price, and the rest half the price of the books used by them, and we should be glad to see this course generally followed by the Local Committees. Whenever more pupils apply for admission than can be properly instructed by the existing masters, none ought to be admitted, whether they are the sons of rich or poor persons, who do not agree to pay for the books and other things, used by them in school, except the library books, the maps, the globes and other scientific apparatus which must always belong to the institution.

At the Agra College those who can afford it, also pay something for their education, a practice which we should be glad to see introduced, as opportunity offers, at all our seminaries. Boarding-houses are as yet to be established in the immediate neighbourhood of the College for the accommodation of pupils who reside at a distance.

The excessive number of holidays usually allowed to the pupils forms one of the most serious obstacles to the success of our seminaries. We issued a circular letter asking for information on this subject, with a view, if possible, to diminish the number, and to establish uniformity in regard to the particular days to be allowed as holidays; but the answers we received satisfied us, that the matter was one which depended so entirely on the habits and feelings of the people at each particular place, as not to admit at present of any general regulation. The Government has it in its power to enforce the attendance of its servants at the public offices, but the attendance of the pupils at our seminaries is entirely voluntary. We trust, that the Local Committees will gradually remedy the evil, as they find that they can do so without giving offence. We also think that a week's holiday should be allowed after each annual examination; and as a reduction in the number of other holidays is effected, this annual vacation may be extended. This seems to be the best period for an annual vacation, because it is the intervening point between the completion of the business of one year and the commencement of the business of the next; and, because, the annual examination is held in the cold weather, which is the season at which the young men will be most likely to enjoy their holidays, and at which they will be able to return for a time to their homes with least danger to their health.

The supply of teachers of western learning is at present so small in India, that we have been obliged to give high rates of salary in order to secure the service of qualified persons. There will be found in the Appendix, (No. 1.) an extract from a letter from the Allahabad Local Committee, and a copy of a minute which accompanied it by Mr. R. W. Bird, which will serve to

illustrate the difficulties we have to contend with in this respect. Our successors will have a much easier task. They will find a large supply of well-trained teachers at all the principal towns, who will be willing to take service for a moderate remuneration, and the sum appropriated for the purpose of national education may then be made to go much further than at present.

The establishment of normal schools would not, in our opinion, effect any material reduction in the rates of salary. Persons competent to become teachers, are also competent to fill a variety of other situations, and we must always pay them, whatever be the manner in which they have received their education, at the rates at which persons of equal respectability and cultivation of mind are usually paid. The real remedy for the existing state of things, therefore, consists in increasing the class of persons from which the teachers are drawn in other words, the class who are liberally educated in the European manner. This is the object to which our attention has been directed, and we consider every seminary which we have established in the great towns in the interior, as a normal school, not merely for training for our seminaries, but for gradually preparing a greatly increased number of well-educated men to fill employments under Government, and to discharge with advantage to themselves and to the country the various duties of private life. It is also deserving of remark, that persons are usually willing to take service at lower rates and are likely to have more influence, and to be more under the control of public opinion in the neighbourhood of their own homes than at a distance from them, and for this reason we think, that the same number of well-educated persons are likely to do more good to the country if they received their training at 30 different places, than if they received it at only one or two.

We anticipate great advantage from the extension of Mr. Adam's inquiries into the state of native education to the central provinces. Extracts from the correspondence on this subject will be found in the appendix, No. 2.

In addition to the Library books ordered last year, we have written to England for books and scientific apparatus according to the lists which will be found in the Appendix, No. 3. Professor Peacock, of Trinity College, Cambridge, has been requested by a member of our body to select the mathematical class-books.

It will be seen from the annexed figured statement that our receipts during the past year amounted to Rs. 3,57,687-10-2, and our disbursements to Rs. 3,55,195-10-5. The sum received by us was less than we might have drawn, without encroaching on our capital, by about 34,000 rupees.

We acknowledge with much gratitude the cordial assistance we have received from all the persons officially connected with the system of national education, from the members of the Local Committees, down to the youngest teachers; and we feel satisfied, that the general desire which exists to elevate the natives by means of an improved system of training the rising generation, supported and encouraged as it is, by your Lordship in Council, and aided by many other causes all tending to the same result, will ultimately produce a marked change for the better in the national character.

Finally, we request to be permitted to publish this part for the information of the Local Committees:

PROCESSION OF FREE-MASONS, &c.

the teachers of the different seminaries, and of the public at large.

[Here follows a detailed report of each institution enumerated.]—*Hurkaru, December 15.*

About two hundred members of the Masonic fraternity, assembled at the Town Hall, yesterday, at 9 A. M., and marched in procession to the Cathedral, under the banners of Lodge Humility with Fortitude, the Marine and that of the Cameronians. The Rev. Archdeacon Deastry preached a very eloquent and impressive sermon to the brethren on the occasion, taking for his text the third chapter of the first Epistle of the Apostle Paul to the Corinthians, from the tenth to the fifteenth verses:—

"10. According to the grace of God which is given unto me, as a wise master-builder, I have laid the foundation, and another buildeth thereon. But let every man take heed how he buildeth thereupon

11. For other foundation can no man lay than that is laid, which is Jesus Christ.

12. Now if any man build upon this foundation gold, silver, precious stones, wood, hay, stubble.

13. Every man's work shall be made manifest; for the day shall declare it, because it shall be revealed by fire; and the fire shall try every man's work of what sort it is.

14. If any man's work abide which he hath built thereupon, he shall receive a reward.

15. If any man's work shall be burnt, he shall suffer loss; but he himself shall be saved; yet so as by fire."

The Rev. preacher exhorted the brethren, who figuratively described themselves to be builders, to be careful where they laid the foundation of their faith, for that Christ alone was the foundation that would endure—which knew no change, and that those who built upon him, would find their work continue for ever. He further entreated them to be careful what materials they used in the building; for, as the text said, in the end each man's work would be tested by fire and become manifest: those structures which had been built of pure and substantial materials, would remain unconsumed; but those which had been constructed of wood, hay and stubble, would be destroyed,

"And, like the baseless fabric of a vision,
Leave not a rack behind."

The Reverend preacher continued, that he was not "at fault with the secrets of the fraternity; but he wished to impress upon their minds, that Christianity alone could save, and that Christianity neither admitted of addition, nor subtraction from, its dictates, and sought no concealment; if the fraternity attempted to deviate from the behests of the Gospel, their work would be naught. In conclusion, he expressed his apprehension, that there were many present, who put not their reliance on the firm foundation—their faith in the Lord; or building on this everlasting foundation, constructed their work of

such perishable materials, as would not stand the test of the fiery ordeal at the end; and having entreated them all to repent, and commence, from the moment of his addressing them, to build a more endurable structure, he finished. The masons then marched back to the Town Hall, and after a few moments spent in their mysterious operation, issued again and dispersed.—*Hurkaru, December 28.*

MASONIC BALLS.

There were two masonic balls given on the evening of the 27th instant, in commemoration of the anniversary of the Patron Saint of the Free Masons, one by a private gentleman, and the other, a subscription one, at Monsieur Depuis's rooms, in the Durrumtollah. There were upwards of two hundred individuals present at the latter place, and the elat with which every thing went off, clearly indicated the admirable arrangements of the Master of Etiquette.

"Bright

The lamps shone o'er fair women and brave men;
Two hundred hearts beat happily; and when
Music arose with its voluptuous swell,
Soft eyes look'd love to eyes which spoke again,
And all went merry as a marriage-bell."

We deem ourselves very fortunate in having been present, as we passed a very happy evening. Some of the ladies were dressed with surpassing good taste, and we were particularly struck with the appearance of two fair, delicate little creatures, with white wreaths on their heads, who seemed to monopolize a large portion of the attention of the beaux, some of whom were so ardent in the expression of their admiration, that we several times observed the fair girls

"Blush'd at the praise of their own loveliness."

The ball-room was tastefully decorated with festoons of leaves and artificial flowers, with the Master's chair, surmounted with a canopy, and properly decorated with masonic emblems, placed at the head of it, and the supper table was laid out under a bower, erected on the ground-floor, and brilliantly lighted up with chandeliers. Dancing was almost incessantly kept up, with great spirit and glee, until one in the morning, when the ladies went down to a splendid supper supplied by that Prince of pastry-makers, David Wilson, and afforded the musicians half-an-hour's respite. At half-past-one the dancing again commenced, and the party broke up at three in the morning, apparently perfectly happy. The only drawback on the harmony of the evening, was the flowers of rhetoric, which fell from Mr. Orator Schreewell. We entertain the most kindly feelings towards this gentleman, and out of sheer goodness of heart, we would suggest to him, to mend his note before he again displays his eloquence. We have not the most delicate of tympanums, but the full, rich tone of the speaker's voice, was too much for us even to endure, and we are under the impression, that several others of the party including the worthy host himself, labored under the same misfortune as we did.—*Hurkaru, December 29.*

PUBLIC LIBRARY.

At a meeting of the proprietors of and subscribers to the Calcutta Public Library held on the 2d December, 1837.

J. F. LEITCH, Esq., in the chair.

The Curators reported that in addition to the books, of which lists have been published, and are now in the course of circulation, one hundred and thirty-six vols. were purchased during the last month.

And the following donations of books:

Names.	Donors.
Blacquier's second visit to Greece, 8vo.	C. E. Trevelyan, Esq.
—Greek Revolution, 8vo.	
Walker's Rhetorical Grammar, 8vo.	
Millar's Origin of the distinction of Ranks, 8vo.	
Medical Topography of Bishnauth, pam.	Med Board, through Dr. Ranken.
Bell's comparative view of the external Commerce of Bengal during the year 1835 and 36, and 1836 and 37.	Author.
A set of Calcutta Journal and several files of Newspapers.	
	Dr. Nicolson.

And the following circulation of Books during Nov.

sets.	vols.
General Literature,.... 106	268
Novels,..... 107	422
Periodicals,.....	126
Total,.....	814

And the following new subscribers:

Dr. T. Smith,	Col. Watkins,
W. Edwards, Esq.,	A. Grant Esq.,
W. W. Bird, Esq.,	H. P. Marshall, Esq.
James Turner, Esq.,	

Mr. D. E. M. Gordon gave notice that he is going to leave Calcutta for a short time, and desired his name to be withdrawn. He will subscribe as before on his return.

Dr. Pearson wrote from Jaunpore to strike off his name from the list of subscribers, in consequence of his removal from Calcutta.

Messrs. J. R. Hutchinson and T. W. Grey, have also withdrawn; and another subscriber's name has been struck off on account of his not paying the amount of his subscription (Co's Rs. 75) due from him.

State of funds as on 1st December, 1837.

Union Bank,.....	756	10	8
Saving's Bank,.....	224	8	6
Fixed account,.....	2100	8	0
Vested Fund,.....	210	0	9

5081 3 2

In the course of collection,.....	1537	10	8
Total at credit Co's Rs.	6618	13	10

December 4, 1837.

[Englishman, December 6.

STEAM COMMUNICATIONS.

NOTICE.

The Committee of the New Bengal Steam Fund, publish for general information the following report of the Select Committee of the House of Commons on Steam Communication between England and India, and also a letter from Major Head, dated 5th August last. Since the receipt of this last document they have received further communications from Capt. Grindlay and Members of the Home Committee, on which they will furnish a report at the earliest possible period.

They have also received some more detached reports of the evidence taken before the Select Committee, which they will likewise publish in the newspapers, as space can be conveniently allowed.

By order of the Committee,

C. B. GREENLAW, Secretary.

Calcutta, Dec. 7, 1837.

Report of the Select Committee of the House of Commons, on Steam Communication between England and India, of which LORD WILLIAM BENTINCK was Chairman.

REPORT.

The Select Committee appointed to enquire into the best means of establishing a communication by Steam with India by way of the Red Sea, and to whom several petitions upon that subject were referred, and who were empowered to report their opinion, and the minutes of the

evidence taken before them, have, pursuant to the order of the House examined the matters to them referred, and have agreed to the following report:—

“The sudden termination of the Session having deprived your Committee of the opportunity of that full investigation of the subject which it might otherwise have received; it is with some diffidence they present to the House the impressions which the valuable and important evidences brought before them, and to which they beg leave to call the particular attention of the House has produced upon their minds.”

“Your Committee have learned with much gratification that arrangements have been entered into between Her Majesty's Government and the East India Company, for the establishment of a monthly communication by Steam, from Suez to Bombay, and they hail with satisfaction the liberal spirit in which the Court of Directors have met the propositions of Her Majesty's Government for thus affording a direct intercourse with one portion of the continent of India, and facilitating a communication for letters with all the presidencies.

“That, in as much as, in the opinion of the witnesses who have appeared before your Committee, a direct communication by Steam from the Red Sea to Ceylon, Madras and Bengal, would be practicable at all seasons of the year, by the employment of vessels of adequate tonnage and power; and as under judicious arrangements such extended establishment would appear to offer a prospect of an adequate return for the increased outlay by the conveyance of passengers and of some valuable articles of merchandise, which cannot be expected from the

limited communication with Bombay alone. Your Committee feel bound to recommend a continued and zealous attention to the subject on the part of Her Majesty's Government and the East India Company.

"But strongly as your Committee are impressed with a sense of advantages, political, commercial and personal, which would arise from the more extended system of communication, they would earnestly deprecate any interruption of the valuable arrangements now in progress, with which, it appears to them from the evidence adduced, to be perfectly compatible."

TO THE SECRETARY OF THE NEW BENGAL STEAM
COMMITTEE.

4, Leadenhall Street, August 5, 1837.

SIR,—On the 1st July last, I had the honor of addressing you on the subject of Steam Communication with India, and since that time, I have been fully employed in attending to the interests of this measure in its progress before a Select Committee of the House of Commons, appointed to enquire into the best means of establishing a communication by Steam with India by way of the Red Sea.

The benefits that were expected to result from this Committee by a full consideration of much valuable evidence and by investigation of recent improvements in steam vessels and machinery, have been partially defeated by the death of our late King, by shortening the duration of Parliament, and by calling members of the Committee to duties connected with their constituency and other important matters, necessarily curtailed examination of evidence.

The enquiry was, however, continued daily to almost the last day of the session, and the evidence and report were brought up on Saturday preceding the prorogation, and ordered to be printed. Not only will the manner in which this question has been hitherto dealt with by Government, and the East India Company be exhibited, but the evidence also affords most satisfactory information for forming an opinion as to the probable working of the partial plan in progress, and also the steps desirable to be taken by parties interested and anxious to bring this question to speedy and complete adjustment. The extent and diversity of evidence examined before this Committee will best show the zeal and ability exhibited by Lord William Bentinck in the enquiry on this occasion; who, besides attending constantly in his place as chairman, also held daily conference at his house during the sitting of the Committee, for the purpose of collecting evidence, and consulting on points bearing on the general question; and it may here be observed, that much valuable information and useful detail connected with science and with the political and commercial considerations of a measure including in its range the interests of England and India, and of intervening nations should, from the cause already stated, have been necessarily omitted in this report. To Mr. Mullins, who gave constant attendance to the Committee, and greatly assisted in the enquiry, and to Mr. Bigelow, who materially aided, the cause is much indebted. Till the evidence taken before the Committee has been corrected and printed, it will not be obtainable for public use, and this is more to be lamented as information contained in the report would enable the Committee in the several presidencies of India to approach the British Legislature on advantageous grounds that could not fail to produce the desired effects.

By no means persons any further exertions may be thought unnecessary. It will be seen in evidence, however, that there are different and opposing opinions at the India House as to this matter, and although I firmly believe it is the honest intention of some to do all they can towards promoting and perfecting arrangements to give to

India all that is sought by Steam Communication, the delay that has occurred in proceeding without, and excessive expense and inefficiency hitherto attending the India House arrangements in respect to Steam Navigation, together with periodical changes, in the persons and councils of Directors themselves, renders their plans uncertain as regards even that part of the work at present contemplated, and which is but a portion of what is required for India. Arrangements through the Mediterranean to meet the Indian communication are called for and the employment of the *Hugh Lindsay* in the Red Sea will incur double the expense in fuel of an efficient steamer, her want of speed is also likely to cause disappointment in the transmission of the mail, besides reducing the *Hugh Lindsay* another steamer in the Red Sea is indispensable. Having had opportunity within the last few years of becoming acquainted with the numerous parties in respect to this communication, I feel desirous to impress on those promoting it, and, in particular, on those removed parties in India, who have so much at stake and who have so long anxiously sought for it, the necessity of carefully watching the progress of the present measure, and by observing the defects in the system to be prepared for objections that may follow on its adoption, at the same time to point out to others how the substitution of a better system wholly or partially would produce more beneficial results. It appears by evidence before the Committee, that the arrangement about to be acted on, was contained in the Court of Directors' reply, made on the 1st of Feb. last, to a letter from the Board of Commissioners for the Affairs of India, dated 7th December, 1836, requesting to be furnished with the observations of the Court of Directors on the plan and proposal of the London Association, dated 26th November,* to undertake the establishment of Steam Communication with India.

At the time of making this arrangement for establishing the Red Sea communication themselves, the Court gave their opinion, that in order to insure efficacy and permanency of Steam Navigation with India, it should be established and maintained by Her Majesty's Government and the East India Company; and on this ground, independently of the objections to conferring on the projected Company the right of levying postage, the proposition submitted in the report could not be entertained.

This objection to postage raised by the Court might have been overcome by the Government levying postage, and granting compensation in lieu thereof.

No such proposal having been made, although the London Committee were prepared to assent to it, confirmed the opinion that no real difficulty was entertained at the India House, as to the practicability of establishing Steam Communication throughout the year, and that the India Company would do it whenever sufficient demonstration of public opinion should be made to enforce the principle. With this impression I remarked to you in my letter of January, that Steam Communication would be established in consequence of the offers made by the London Association to do it for a moderate sum. In that communication I further observed, that it would be done as sought for by India generally, and this is still my opinion, although the untimely dissolution of this Parliament will cause the complete adjustment of the question to lay over for a period.

During this interval opportunity will be afforded to form a better judgment as to the probable working of the plan now commenced, and I have already urged in the proper quarter at the India House, the necessity of including Socotra in their arrangement, to facilitate intercourse with Point de Galle, and the East side of India.

* A copy has already been forwarded to your Committee.

In the mean time petitions from the India Presidencies, for the purpose of bringing the measure before the next Parliament to have other steps taken to carry out the known wishes of Her Majesty's Government, as expressed in a letter from the Lords Commissioners of Her Majesty's Treasury, dated 9th March, to the India Board as given in the evidence of Sir L. Hobhouse:—" Their Lordships of course assume that the question resolved for their consideration will embrace the Communication by Steam with three Presidencies." The Court of Directors by that time will have obtained satisfactory proof of the practicability of navigating the Indian sea at all seasons of the year by voyages made by efficient steamers now in India, and the disposition of that portion of the Directors who are favorable to extend communication will thus be strengthened, and further difficultly to a final and complete adjustment of the question may reasonably be expected to be removed. Not only do such exertions on the part of the public seem necessary to carry out the comprehensive scheme, but also to perfect the plan actually in progress so as to confer benefit, to justify large and more complete arrangements, and further expenditure. The London Committee will take the very earliest opportunity when they can obtain the report of the Committee of the House of Commons to draw up a report thereon, and to recommend such arrangements as may seem best suited to the occasion, and most likely to promote the views and interests of their friends in India, and to advance the object they have been so anxiously contending for. The evidence I heard before this Committee has strengthened the opinion entertained by me since 1830, when I first gave attention to the subject, that it is deeply the policy of this country to promote Steam Navigation with India, not more on the ground of political expediency than as a duty to the people of India to promote civilization, and the commercial prosperity of both nations.

Although further active measures of this association in promoting this object are now prevented by the steps taken by the Government and East India Company, a sincere desire to see it completed, and an earnest hope for its success will ever make me desirous to advance it to the best of my ability, and causes me to offer my ready aid in forwarding the views of the Indian public in any way tending to promote their interests on this occasion. The powerful instrumentality of the press in all questions of this nature, will have been made more evident by proceedings during the last year, in the mode of treating this subject, since it has been under discussion, and before Government. Instructions and arguments in reference to your petitions and the interests of your community to combine all the points included in Steam Navigation cannot be too much attended to, as of course they are not so well or generally understood by individuals in this country. In a few days I hope to have the pleasure of forwarding the report of the association.

I have the honour to remain, your, &c.

C. F. ERAD, Chairman,
Provisional Committee.

Copy of a letter from Mr. Waghorn to Colonel Campbell on the subject of the latter's refusing from Muhomet Ali Pacha, the gift of a depot.

To COLONEL CAMPBELL,

Agent to Her Majesty and the Hon'ble E. I. C. in Egypt, &c., &c., &c. Alexandria.

Cairo, 16th October, 1837.

Sir.—I have the honour to state, that your letter of the 12th instant has been duly received by me.

On receipt of it, I had only one course left, which was writing to the Government and mercantile communities of both England and India, exonerating myself from the result of your late refusal of the Pacha's valuable gift to the Steam object, as a depot in Cairo would have been, for coals on their way to Suez.

The Steam object through this country should not have been treated in a political point of view as you have done; it should have been treated as a general object to which the Pacha's aid was of the most vital importance, and that he had a right also to give that aid, because his own interests were interwoven with it, as well as H. M. Government and the Hon'ble Company's, whereas you have treated his aid with contumely.

For, by your refusal of the Pacha's most valuable offer, you have slighted, if not insulted him, and I can you continue to think that thus slighted or insulted you have the power in yourself to do, without his aid and assistance in Egypt, when you well know that through his orders only sufficient camels could be got at any reasonable price, and that (if without such orders we could get them at all) we should have to pay doubly, perhaps treble for, as well as for every thing else requisite for the Steam object.

Sir, you had before you a most gratifying point of benefitting the Steam object by adding to its help and aid that of Mahomet Ali's to its fullest extent, and I thus you have altogether slighted, by your incorrect ideas of false dignity towards your authorities; the which, have led you to treat the man's offers with contumely, who had it most in his power to aid, to benefit, and to economize the object in all its bearings in this country; and, I must say, the true dignity of Her Majesty and the Hon'ble Court of Directors, would have been best upheld in accepting the Pacha's offer in the same gracious manner that it was made, and if either Her Majesty's Ministers, or the Court, had no wish to accept the obligation of such favors, either might have courteously sent a present beyond the value of such favour; and this should have been the course I would have pursued, instead of that you have chosen; the which will mar and defeat all future hopes of economy to the Steam object in Egypt, which can only come from and continue to it, through the Pacha; and, I candidly avow, I consider you have done more harm by the unfortunate course you have adopted, than ought else could happen to the Steam object. However, I shall endeavour by every means in my power to rectify your refusal of Mahomet Ali's offered aid thereto, until I be assured by Mr. Secretary Melvill you have adopted the proper course.

Sir, it is with much regret, that I feel it impossible to continue longer, than the answer from Mr. Secretary Melvill to my letter of 14th instant, under your orders in the Steam question in my public capacity; still I take this opportunity of thanking you for many personal civilities.

I have the honour to be, Sir,

Your most obdt. humble servt.

THOS WAGHORN,

Depty. Agent to the Hon'ble E. I. Co. in Egypt.

[Harkness, December 8.]

UNION BANK.

At a special general meeting held this-day, Friday, the 15th December, 1837, at 2 p. m., pursuant to advertisement.

T. Dickens, Esq., in the chair.

The Secretary read the advertisement and letter convening the meeting.

Mr. Holroyd, the chairman of the Directors, addressed the meeting, and stated, that the Directors all approved of the augmentation of stock, leaving the details to be decided by the sense of this meeting.

The chairman then proposed the following resolutions, which he stated, were not precisely the same as published in the papers. He stated, the causes which had induced himself and others to agree to these alterations, which were now submitted for approval of this meeting in their amended form :—

Resolved—1st. That an increase of eight lacks, be immediately added to the Union Bank stock, so as to make the capital forty lacks, and that it is expedient to double the present capital of thirty-two lacks gradually, and as experience shall demonstrate, that profitable employment can be found for further capital in banking business in Calcutta, and the presidency at large:

Resolved—2d. That such addition be made by creating 800 New Shares of 1,000 Co.'s Rs each, to be disposed of as follows, viz. Each holder of four shares on the 15th day of January, 1838, to be entitled to one new share at par on paying for the same in the manner provided for in the 4th resolution.

3d. That such shares as cannot be taken off in the manner provided for by the 2d resolution, because several of the present shareholders each hold numbers of shares not divisible by four, be put up at par and sold by Auction among the proprietors themselves, and the profits of premium applied for the benefit of those not enabled for the cause abovementioned to obtain new shares at par.

4th. That the shares be paid for as follows; viz. one-fourth in one month from the 15th day of January 1838.

One-fourth by promissory notes, bearing interest at ten per cent. payable in two months, from the same day.

One-fourth by note bearing like interest, payable in four months, for the same day.

The remaining fourth by note bearing like interest, payable in six months, from the same day.

Proprietors paying cash down on or before 1st Feb. next, to receive dividends for the full period from 1st January, to 30th June, and proprietors paying cash after the 1st Feb., to receive dividends *pro rata* from the date of payment.

5th. That such Sale be held on the 1st Feb. next, after the confirmation of these resolutions by a majority of proprietors at a 2d special general meeting, convened for that purpose.

6th. That the period within which absent proprietors must pay up for their additional stock, be for those in Europe and America, the 30th June, 1839, and for those at the Cape, China or New South Wales, the 31st December, 1838, and for those elsewhere and above fifteen days' sail from the presidency, a reasonable period in addition to that allowed to residents of Calcutta, to be fixed by the Directors.

The resolutions on being put to the meeting were seconded by Mr. H. M. Parker, and carried unanimously.

The meeting being special, no other business was brought forward.

Thanks to the Chairman were voted, and the meeting was dissolved.—*Hurkuru, December 16.*

CIVIL FUND MEETING.

At an adjourned special meeting of the subscribers to the Civil Fund, holden at the Town Hall, on Saturday, the 25th day of Nov., 1837.

PRESENT.

H. T. PRINCEP, Esq., Chairman

J. J. Harvey, J. R. Hutchinson, Braddon, Cracroft, Hawkins, J. A. Dorin, F. C. Smith, D. F. McLeod, J. French, F. J. Halliday, H. Walters, Valpy, Mangles, Louis, Dunbar, Tucker, James Shaw, Carruthers, Wilkinson, D. C. Smyth, H. T. Raikes, J. F. T. Reid, H. M. Pigou, T. C. Scott, and W. H. Martin.

The chairman submitted to the meeting that the requisition directed by the resolutions of the meeting of 30th September, had been addressed to all the subscribers whose votes had not been received on that date, and an abstract of the state of the votes had likewise been circulated, that there were still a majority of subscribers who had expressed no opinion at all on the propositions submitted; but as all had had the opportunity of voting, and it was to be hoped, that under the invitation given by the circular many of those who had expressed no opinion

in writing would be represented at the meeting through powers transmitted to members present, it would be the business of the present meeting to decide finally upon each separate proposition, taking upon each the written votes, of which an abstract prepared to the day was laid on the table, and adding to them such as might be offered by members present on their own part or on the part of absent subscribers, whose written authority they might produce.

This mode of proceeding being agreed to by the Meeting, the chairman put in succession each of the votes and propositions submitted to the subscribers at large, when it was found, that the following rules were carried by large majorities, namely, Rules I., II. and III., with the third amendment, also Rule IV. Part I.

In lieu of Rule IV. Part II., which was found to be negatived by a majority of written votes, with all its amendments, the following proposition from vote Paper No. 1 was found to be carried. It will stand, therefore, as Rule IV. Part II., viz., "that the existing deficit be made up by increasing the contributions of all subscribers according to their allowances."

The following propositions from vote Paper No. 1, were in like manner declared to be carried by large majorities of the recorded votes

1st. " That a surplus be annually provided.

2nd. That the surplus be 25,000 Rs."

Which votes were determined by the meeting to supersede the propositions forming Part III. of Rule IV. as originally submitted.

Mr. Cracroft then proposed the following resolution, which was seconded by Mr. French—

" That the managers be instructed with reference to the votes upon Rule IV. Part III., and to the votes on Paper No. 1 B 1, (whereby a surplus of 25,000 rupees has been voted, but the means of raising it are not afforded) to invite the subscribers to provide for the surplus by means of a collateral fund, as determined by the votes on Paper No. 1. A. 1. to be created by additional subscription from those having families to be provided for from the Fund; it appearing to this meeting that, excepting by such a construction of the votes, no means are afforded of providing for the surplus determined in the affirmative by the large majority of 161 against 10."

That resolution was carried by 13 votes to 7, of members present.

Rule IV. Part. IV. regarding periodical revisions for declaration of the deficit being declared to be carried with the specification of 3 years for the period of each revision.

It was proposed by Mr. Lewis, seconded by Mr. Dorn—

" That the whole of what is called the capital of the fund is available for the immediate payment of pensions prospective as well as present."

Whereupon the following amendment was proposed by the chairman, seconded by Mr. Cracroft—

" That the existing capital being for the most part invested in public securities yielding interest, which interest is required for the payment of existing annuities and provisions, and is therefore assigned so long as the income from both interest and subscriptions is not sufficient to pay the annual demands on the fund, no appropriation of capital can be made at the sacrifice of the said interest until there shall be a surplus of income from both sources."

The amendment being put to the vote was lost, whereupon the resolution of Mr. Lewis was put, and the votes were ayes 25, noes 4.

The votes upon Rule IV. Part V. being declared, were in favor of the rule, but as the previous rule for fixing a higher rate of subscription for married and widower subscribers who desire to retain their interest in the fund is not carried, agreed, that effect can only be given to this rule in its bearing upon the collateral fund proposed by Mr. Cracroft, as a means of providing the desired surplus.

The following rules were declared to be carried by large majorities.

Rule IV. Part VI. and Part VII. (subject to the observation recorded upon Rule IV. Part V.) Rules V. VII. VIII. (as amended) Rule IX. Rule X. (as amended) Rules XI. XII. XIII. Part I. and II., Rules XIV. XV. with amendment—XVI. XVII. XVIII. XIX.

Rule XX. being read from the chair, the state of the votes upon the proposition submitted in vote Paper No. 1 A 2, viz.

" That so much of the existing deficit be met by reduction of allowances as will be met by limiting the

total income of widow incumbents to £300 a year (that is to say) by disallowing the £100 a year from her own fortune now allowed without reduction of allowance."

For the reduction of the widow incumbents	82
Against.....	80

The personal and proxy votes of subscribers present at the meeting being taken on the same proposition, the ayes were 3, against 18 noes.

The proposition therefore to reduce the income of any widow incumbents, was declared to be carried in the negative.

It was then moved by Mr. Mangles, seconded by Mr. Halliday, and carried by 20 votes against 15 of the subscribers present, that prospectively £300 be the limit of income to be made up to widows by the fund, and that Rule XX. Parts 1, 2, 3, 4 and 5, be carried, with alteration of the word *four hundred*, where it occurs in respect either to pounds sterling or rupees to *three hundred*.

Rule XX. Part 6, as amended, was declared to be carried by a large majority, so also Rules XXI. XXII. XXIII. with the third additional clause.

Rule XXIV. being then read, the votes were declared to be for it 60 against it 65, the amendments were lost by large majorities. The votes of subscribers present being taken on this rule, it was carried, modified as follows, to suit the result of the votes on the other propositions:

" No family becoming hereafter dependent on the fund shall receive from the fund an allowance exceeding in all six hundred pounds sterling per annum, or in India six hundred Co.'s Rs. per mensem, and the reduction shall be made rateably."

All the additional clauses were declared to be negative.

Rule XXV. being then read with its amendments, agreed that the result of the votes is in favor of the sum of Co.'s Rs 25,000 as to be made good by a retiring subscriber in order to insure to his family the benefits of the fund.

Mr. Pigou then moved, seconded by Mr. Walters, that the following resolutions in explanation and modification of Rule XXV. as passed at this meeting, be put in circulation, in order that the sense of the service be taken thereupon.

The families of those retiring Civilians who shall, previous to resignation of service, have paid up principal and interest included) the sum of 26,000 rupees, shall be entitled to the full benefit of the fund.

The families of retiring subscribers who shall similarly have paid the sum of 20,000 rupees, shall be entitled to a contingent benefit to be calculated rateably.

The families of retiring subscribers, who shall have paid up similarly the sum of 15,000 rupees, shall be entitled to a contingent benefit not exceeding £400 per annum.

The families of retiring subscribers who shall similarly have paid up the sum of 10,000 rupees, shall be entitled to a contingent benefit not exceeding £300 per annum.

This rule to take effect from the date on which the new rules are adopted. Each subscriber at period of resignation, shall specify in writing to the Secretary the class to which he chooses to belong, and shall pay up the balance required to make up the full sum. Subscribers omitting to give this notice, or neglecting to pay up the difference, shall only be entitled to the contingent benefits of that class, the amount of subscription to which is covered by his payments.

A Member (Mr. McLeod) asked if it was intended that the family should benefit rateably in the proportion of the amount made good to the required sum of 25,000. The mover assented at first to the introduction of the words "to be calculated rateably," but subsequently retracted and proposed, that any new rules, that might be passed, should stand with the amounts as maximum limits of the benefit to be secured by each payment.

Agreed to allow the propositions to stand on the proceeding of this day, and to be submitted to the service for future consideration.

Rule XXVI. was then declared to be passed.

Rule XXVII. was then declared to be passed as modified by the third amendment.

Rule XXVIII. was also passed as modified by the 5th Amendment

Rules XXIX. and XXX. were also declared to be adopted, and Rule XXXI. as modified by the 5th amendment, and the first additional clause. Rules XXXII. XXXIII. and XXXIV. were also carried, and rule XXXV. as modified by the second amendment.

The additional Allahabad Rules were declared to be negatived by large majorities.

The meeting having thus ascertained the state of the votes and determined the result upon each of the new rules and propositions submitted to the subscribers at large.

It was unanimously Resolved—"That the managers be instructed to prepare rules for the fund according to the result of the votes taken at this meeting, and to lay the new rules before the annual meeting in January next.

That the new rules be drawn so as to take effect on the 1st January, 1838, from which date the deficit will be assessed rateably on existing subscribers, and the collateral fund will take effect, if agreed to by the subscribers.

Resolved.—That the votes of the service on the new rules proposed by Mr. Pigou, be taken at the same annual meeting.

Resolved.—That the managers prepare and submit to the same meeting an address to the Hon'ble the Court of Directors, praying their sanction to the new rules, and forcibly representing the claim of the families of their Civil Servants to an increased donation proportioned to the increased number of servants, and their reduced average incomes and means of making independent provision for their families, more especially, with reference to the compulsory subscription imposed on their servants since 1823.

H. T. PRINSEP, *Chairman*

Cal. Courier, Dec. 16.]

MILITARY FUND.

The Directors beg to submit to the subscribers, of the Bengal Military Fund, the case of Mrs. Dyart, widow of the late Lieutenant Dyart, 2d Native Infantry, who died on the 7th March, 1837, without having subscribed as a married member.

A claim on the part of this lady was made first, by Lieutenant-Colonel Stacy, Commanding 32d N. I.; secondly, by Lieutenant Colonel R. H. Sale, Her Majesty's 13th Light Infantry—both of which applications were duly considered by the Directors, and, under their instructions, answered by the Secretary to the effect, that, as the deceased had not availed himself of the option open to him, of subscribing as a married officer, his widow had no claims upon the institution; and, thirdly, by Captain H. J. Wood, of the Horse Artillery, and 10 other subscribers, requesting that the appeal of Colonel Sale, on behalf of his daughter, Mrs. Dyart, might be circulated to the subscribers generally.

The original decision of the Directors was not questioned by Colonel Sale in his second letter of appeal, (No. 1) against permitting which, no ground for the same existing, the Directors were unanimous.

Consequent upon this necessary rejection—for, though the case was deemed a painful one, yet the duty of the Directors was clear,—Captain Wood and other subscribers at Kurnaul solicit (see No. 2), a reference of the claim to the favorable consideration of the Army.

In pursuance of that requisition, the relative papers having been immediately re-circulated, a Special Meeting of the Directors was convened, at which the question of submitting the application on behalf of Mrs. D. to the subscribers was considered.

It was then and there resolved, that the said requisition should be complied with, as in doing so the Directors would be enabled to state their own views to the army,

viz., that the rejection of the claim should be upheld as proper and conformable to Article 13 of the Regulations, and that to circulate the appeal was contrary to Rule 40, which declared that those cases only should be referred to the subscribers at large, which might not be specifically defined by the regulations, provided also, that the reference were approved by the Directors. Both these elements of qualification are wanting in the present case. But notwithstanding their unchanged opinion as to the absence of any ground of claim, and that the appeal is against the letter and spirit of a particular rule, the Directors, in deference to the wishes of the Kurnaul officers who have signed the requisition are willing that the case should go forth to the Army through them.

The Directors are most anxious to avoid all appearance of standing between the liberality of the Army and a proved case of great distress; but they have a responsible trust to execute and prescribed public duties to fulfil, which do not permit them to yield to private feelings, or to compassionate considerations, by which the interests of the Society would be greatly injured.

The present case is not singular, and a dangerous precedent will be created by the success of the claim; another similar instance has just occurred in which the same neglect or delay will be attended with an equally distressing result.

The subscribers will observe, that the assurance which Colonel Sale gives, that it was the deceased's intention to have subscribed had he been but spared for a very short time longer, is vouched by the Kurnaul appellants as being well known to them.

The Directors do not doubt it, and wish that every benefit should be allowed to the appeal, that such evidence may warrant. But, in a precisely similar circumstance, where also there was no doubt of the subscriber's wish

and intent, this was ruled by the Army to be insufficient. The case alluded to was that of Brevet Colonel Cave.

It may be added, that Government has decided that it is optional to an officer to subscribe as a married man, although, as having entered the service since 30th August 1826, it is compulsory upon him to subscribe as a bachelor.

By order of the Directors,

H. MARTINDALL, Secy.

No. 1.

Kurnaul, 9th June, 1837.

To H. MARTINDALL, Esq.,
Secy. to Bengal Military Fund.

SIR,—On behalf of my daughter Mrs. Dysart, widow of the late Lieutenant Dysart, of the 2d Regiment N. I., I have the honour to request you to solicit for her case the favorable consideration of the Directors of the Military Fund.

I can assure you, that it was her husband's intention to have become a married subscriber to the Fund, had his life been spared for but the short space of one month, and that the postponement of entering himself as much was caused, not by a forgetfulness of, or a disregard for, the benefits of your excellent institution, but from the praise-worthy motive of paying off a little debt which he was necessitated to incur on his marriage, and which was all but liquidated, when a melancholy accident cut short his life.

I am aware, that this explanation, though it must acquit him of having been neglectful to his wife's interests, in the event of her survivorship, will not constitute a claim of right on her part to the benefits of the Fund; but I feel confident, that it will have a great influence over the known kind and liberal feelings of the Army in inducing them to grant to their late brother officer's widow (otherwise quite unprovided for, save by the pittance from Lord Clive's Fund) the indulgence of being enrolled as an annuitant on the Fund, upon my paying up for her whatever sum the arrears may amount to, which Lieut. Dysart would have paid had he subscribed in proper time; and, I can assure the Army, that my daughter will ever reflect on their kindness with feelings of the deepest gratitude, and that those feelings will be participated most cordially by her family.

If, therefore, the Directors will be good enough to submit her case to the subscribers at large, I have every hope, that it will be favorably dealt with (under the explanation I have frankly given,) by that liberal body.

I have the honor to be, Sir,

Your most obedient servant,

R. SALE, Lieut.-Col. 13th L. I.

No. 1.

To H. MARTINDALL, Esq.

Secretary, Bengal Military Fund.

SIR,—Understanding that the Directors of the Military Fund do not consider themselves authorized by the rules of the institution, to circulate the accompanying letter from Colonel Sale, Her Majesty's 13th Light Infantry, to the subscribers to the Fund, we, the undersigned, being informed, that in present form it may go forward, request you will submit the same to the Directors (well knowing that it was the late Lieut. Dysart's intention to have subscribed as a married member, and his being a bachelor subscriber to the time of his death) for the purpose of collecting the votes of the Army; and, they trust, notwithstanding Lieut. Dysart's forgetfulness, that his widow may be enrolled as an Annuitant on the fund.

We have the honor to be, Sir,

Your most obedient servants,

H. J. Wood, Capt. H. Arty.
G. Brownlow, Dy. Asstt. Adj. G.
J. Graham, Surgeon.
C. S. Reid, Lieut., Artillery.
W. W. Apperly, 4th Lt. Cavy.
J. Christie, 3d Lt. Cavy.
B. McLeod, Sug. 3d Cavy.
W. S. Charters, Surg. 61st Regt.
J. W. Roberdeau, Maj., 4th Lt. Cavy.
C. W. Hamilton, Col., 61st Regt.
H. Milne, Ensign, 21st Regt.
Wm. Benson, Capt., 4th Cavy.
G. Jackson, Cornet, 4th Cavy.

Twelve subscribers to the
Bengal Military Fund.

(True Copies.)

H. MARTINDALL, Secy.

Kurnaul, 27th Sept., 1837.

[Hurkaru, December 27.]

THE NEW TARIFF.

To H. T. PRINSEP, Esq., Secretary to Government,
General Department, Fort William.

SIR,—We take the liberty of appealing through you to his honor the Vice President in Council, against the erroneous, and in most cases exorbitant, valuations, put on China and country produce by the New Tariff. We shall, in this communication, merely confine our remarks to the article *tea*, of which, according to the tariff, there are but two classifications, viz. "Hyson Skin," valued at rupees 32 for whole chest, and "Hyson" and "Black" valued indiscriminately at rupees 85 per chest, whereas, it is a notorious fact, that there is no article of commerce possessing so great a variety of characters and value as "tea." Had the framers of the New Tariff regulations referred to the Custom House books, they would have ascertained that "Hyson Skin" tea, (of which the whole-sale market price here is seldom more than frequently less than rupees 20 per chest) has

been hitherto generally passed at a valuation of rupees 18 per chest; while the very best "Hyson" and "Black" teas of which, in times of the greatest scarcity, the whole-sale market value seldom exceeds rupees 80 a 90 per chest, have paid duties on a valuation ranging between 60 rupees and 80 rupees per chest; and the inferior qualities, which seldom bring more than rupees 30 a 35 per chest, have been passed at proportionately low rates.

In proof of this assertion we beg leave to enclose 3 bills for duties paid by ourselves on teas imported within the past few months. The valuation of "Hyson" and "Black" teas ranges, as you will observe, from rupees 22 to rupees 78 per whole chest; the greater portion, by far, being valued at rupees 22 a 40; while only 49 chests are valued at the higher rate of rupees 78, and in no instance is "Hyson Skin" appraised above 18 rupees! Surely, no additional argument is necessary to convince the Government, that the framers of the New Tariff could

not have informed themselves sufficiently on these points, before obtaining the sanction of the Legislature to their schedule of valuations!

Of the teas imported into India, by far the greater portion is of the most inferior "Hyson" and Black, selling at rupees 25 a 35 per chest, for consumption in the Upper Provinces; and "Hyson Skin," which is most difficult of sale, even at rupees 20 a 22 per chest. In proof of this we may here state, that the greater portion of the inferior teas imported by us under the enclosed duty-bills, is still on our hands unsaleable.

We have been chiefly led to make the foregoing observations, in consequence of the enormous loss we shall be subjected to if forced to pay duty at the Tariff valuation on a recent large importation to us per Bark "*Cowajee Family*," which valuation, as per Bonded Ware-house keeper's certificate herewith sent, is not less than rupees 42,350, whereas the very outside market value of the teas is not more than rupees 21,000: thus subjecting us to a tax of nearly 22 per cent., instead of the legitimate one of 10 per cent.!

We are informed that previous to the passing of the Tariff Act, the schedule of valuations was laid before the Committee of the Chamber of Commerce for their approval, and that it was approved by them after some slight modifications. If such were the case, it is probable, that the gentlemen composing the Committee merely looked over the items coming immediately within their own range of business, and that finding them, generally, correctly estimated, they took for granted, that all other articles were equally so.

But we are prepared to prove, not only that most articles of China produce or manufacture, but of the produce and manufacture of this country also, are rated in the New Tariff at prices far above the general average procurable, while, on the other hand, several others are *under valued*. We would therefore respectfully suggest, that his Honor the Vice President in Council, should authorize the appointment of a Committee of merchants selected from all branches of trade, to revise under the direction of the Board of Customs, Salt and Opium, the valuations imposed by the New Tariff, and that pending such revision, the Collector of Customs be authorized, as heretofore, to levy duties on goods at the appraised or market value of the day.

* If, however, His Honor in Council does not see fit to sanction the latter part of this suggestion, we have to request permission to sell off by public auction, the whole of the teas imported by us per bark "*Cowajee Family*," (now lying in the Bonded Ware-house,) and to pay duty, on the net proceeds thereof, instead of on the arbitrary valuation now put upon them.

We have the honor to be, Sir,

Your most obedient Servant,

Calcutta, November 24, 1837.

We, the undersigned, are also concerned in the China trade, and join with Messrs. Rustonjee Cowajee and Co. in soliciting the attention of Government to a revision of the New Tariff valuations.—*Hurkaru, December 1.*

ASIATIC SOCIETY.

The monthly meeting of the Asiatic Society on Wednesday evening last, seemed to have been generally forgotten by its members amidst the festivities incident to the visit of the young Prince of Orange, for neither President nor Vice-President attended, and but half-a-dozen members were to be seen in the room. Fortunately, (for the credit of the society) General Ventura did not avail himself of the invitation to be present upon the occasion. In consequence of the paucity of attendance some matters of importance were postponed; among the rest, the question, whether to accept the offer of purchasing a valuable and extensive collection of objects of natural history tendered by Dr. Evans, which, in the event of his offer being declined, are to be forwarded to England. The collection was spread out upon the table, and nearly covered the whole of it. Besides the above, the following interesting objects were exhibited.

Three skeleton heads of the wild bull of Java, sent by Prince Henry of Orange for inspection.

A portion of General Ventura's copious collection of Bactrian coins; among which were a copper *Heliocles*, a silver *Lycias*, and some new types of the *Atos* and *Mages*; also, some antique entaglyphs in cornelian and garnet, one or two of them evidently the work of Grecian artists, with the peculiarity of having Hindoo names in Sanskrit upon them.

A set of native pictures representing Punjaub costumes, also sent by General Ventura for inspection.

Specimens of a mineral used for dying the red slipper at Bassorah, and some very large perfect crystals of salt from the Persian Gulf, both presented by the Hon'ble Colonel Morrison.

A collection of antiques and minerals from Egypt, presented by Lieutenant Young of the Bengal Engineers.

Specimens of coal and iron ore from Syria, discovered by Mr. J. C. Brettel, and given by him at Cairo to Lieutenant Nesbit, who presented them to the society.

A specimen of flexible siliceous sandstone, sent for inspection by Major-General Sir David Ximenes.

A larger specimen of the same very curious mineral, sent by Mr. Trevo. Plowden from Meerut, and presented to the society by Mr. Parker on his behalf. Dr Falconer's description of this mineral was published some time since in the society's Journal.

A large collection of minerals from Bourbon, presented by Dr. Langstaff.

Accurate facsimiles on cotton cloth and paper (three copies) of the inscription upon the Allahabad pillar, by Captain E. Smith, Engineers.

A large collection of rock inscriptions presented by Colonel Sykes, which he had made many years ago in the south of India, and presented to the society at Bombay, who transferred them to the Royal Asiatic Society of London, neither of which societies had turned them to any use. The language of the whole of them is the Pali, and the character that of the inscription upon the Delhi Lath.

A letter was read from Lieutenant Hutton, at Simlah, accepting, subject to permission from the Commander-in-Chief, the offer of the society to engage him on an excursion to explore the shell deposits in the Himalaya range, for which object the society have contributed 1,000 Rs.—*Calcutta Courier, Dec. 8.*

Wednesday Evening, the 6th December, 1837.

WILLIAM CRACROFT, Esq., C. S., in the chair.

Mr. Joseph Willis, Dr. Colin James Macdonald, Major A. Irvine, and Captain H. Drummond, proposed at the last meeting, were ballotted for, and duly elected members of the society.

Nawáb Jabar Khan, proposed at the last meeting, was upon the favorable report of the Committee of Papers, elected an honorary member.

J. H. Batten, Esq. proposed by the Secretary, seconded by Mr. Macleod.

Bábu Conoy Lal Tagore, proposed by ditto, seconded by Mr. Hare.

Charles Elliot Barwell, Esq., proposed by Mr. Cracroft, seconded by the Secretary.

Maulavi Abdul Mojid, requested the loan of the *Harishamin* and the *Suwaiq Mahriqa*, to collate with an edition he is now printing.

He also made an offer of 1000 rupees for the broken series of the *Patawa Alemgiri*, undertaking to reprint the first two volumes at his own expence—referred to the Committee of Papers.

Read a letter from Dr. McClelland, accepting a seat in the Committee appointed at the last meeting for the superintendence of the museum.

Bábu Ramdhan Sen announced, that he had completed the second volume of the *Itaqa*, and in compliance with his agreement, presented 50 copies of the work to the society for distribution at their discretion.

Letters from the President of the Geographical Society of Paris, M. Roux de Rochelle, and from the Baron Macguckin de Slane, forwarded their publications.

The following extract from the Baron de Slane's letter will interest oriental scholars.

"Sachant combien vous vous intéressez, Monsieur le Président, au progrès de la culture des langues orientales, je profite de cette occasion pour vous informer que la première livraison du texte Arabe de la géographie d'Aboultéda sera publiée dans peu de jours; l'impression de cette ouvrage, (qui a été confiée par la Société Asiatique de Paris à mes soins) à ceux de mon avant collègue Monsieur Reinand de l'Institut, s'avance rapidement, et nous espérons pouvoir bientôt en offrir un exemplaire à votre Société.

Library.

The Secretary laid on the table a catalogue of the Arabic, Persian, Turkish and Hindu works in the Society's library, prepared by the society's maulavi, and printed in Persian for general circulation.

Antiquities.

Major P. L. Pew wrote from Delhi, that at his solicitation, Mahárája Hindu Rao had handsomely presented the ancient pillar, lately lying in Colonel Fraser's grounds, to the Asiatic Society.

Major Pew stated, that the fragment containing the inscription, was the largest of the whole, and that its weight was very considerable so as to render it difficult to remove it from its present situation for transmission to Calcutta. It was suggested, that as the shaft was already broken, and the written part considerably mutilated, it would answer the society's object to cut off the portion containing the inscription, which would thus be reduced to portable dimensions.

Resolved, that thanks be given to Mahárája Hindu Rao for this liberal gift, as well as to Major Pew, for his kind exertions on behalf of the society; and that a letter be addressed to Government, on the strength of

the permission lately accorded, requesting, that the executive engineer of the Delhi division may be authorized to effect the conveyance of the pillar to Calcutta at the public expence.

With reference to the same pillar, Mr. T. Metcalfe, C. S., forwarded a copy, made by hand with every care, of the inscription.

Major Pew's impression has anticipated this work; and it is curious to remark the errors committed by the eye in copying even the more perfect passages of the inscription.

Bábu Conoy Lal Tagore, begged the society's acceptance of the *Belá Sena* copper-plate he sent for inspection at the last meeting.

Lieutenant Kitson forwarded a facsimile of the ancient inscription on the *Khandgiri* rock, of which an imperfect copy is given in Stirling's Report on *Cuttack*.

Lieutenant Kitson had seized the first moment to run out by *rák* to the spot, a distance of forty miles, in order to effect this object. He was obliged to construct a scaffolding to get at the writing, and the transcription was continued even by torch-light; being much worn, it was found, that the morning and evening shadows allowed the faintest chance of restoring the doubtful letters.

The result of this spirited undertaking has been to bring to light a very curious document, entirely different from those hitherto read, in the *lat* character. It is of a somewhat later date, and there are already several modifications of the alphabetical forms.

Colonel Sykes, Member of the Royal Asiatic Society, transmitted from London, copies of a few of the inscriptions on the caves of the Dakhan which he had collected long since, and had presented to the branch society of Bombay.

He had remarked on them, many of the Buddhist symbols noted on the early Indian coins, and, he was in hopes, the inscriptions if he deciphered, might throw some light upon them. The Secretary was happy to state that he had read the whole of them at once, and they presented another valuable link in the chain of the primitive alphabet, which would materially aid the labours of the Rev. Mr. Wilson, Mr. Wathen, and Dr. Stephenson, on the west of India.

Dr. A. Burns communicated copy of another copper plate grant from *Kaira* in *Gujerat*.

This plate on being deciphered, has also led to a discovery, the value of the numerals corresponding with the alphabets of the third century, hitherto a desideratum. It is applicable to the inscription at *Bhilsa*, and to several documents published lately without explanation of the numerical signs.

Captain Edward Smith, Engineers, forwarded impressions on cloth and paper, of the whole of the inscription on the *Allahabad* pillar.

The mode of executing this difficult task, and the utility of it towards the correction of the highly curious historical details disclosed, were described in a note by the Secretary, (printed in the present number.) The cloth impression, suspended from the ceiling of one side of the meeting room, spread over several chairs, after touching the ground! Capt. Smith states, that the chief difficulty of the undertaking lay in the pillar, not being perfectly straight, which prevented its readily turning or rolling over.

Captain Smith had submitted to the Military Board, several improved designs for the pedestal and capital of the pillar, adopting the Buddhist *Sinha* for the surmounting ornament.

Captain F. Jenkins communicated a translation and analysis of the *Ahom* fragment published in the January No. of the Journal, made by Jaggoram Khargarya Phokan, Sadar Amin of Gohati.

Major Ouseley forwarded from *Hoshangabad* the sketch of a *Jain* image in possession of a *Khandatwal banya*, with Prakrit inscription of 300 years old.

Lieut. Madden also sent from *Nimach*, copies of inscriptions on various *Jain* images, dug up in that neighbourhood.

General Ventura, Honorary Member, submitted for inspection some *Bactrian* coins, and *Hindu* antiquities from the *Panjah*.

Among the coins, besides a number of *Apollodotus* and *Menander* silver, were a small silver *Lysias*, a copper coin of *Helicetes*, unique; new varieties of *Mayes* and *Ases*, and a *Kolusa Kadaphes*. Among the *intaglii* in cornelian and garnet, a female head with inscription *Kesava dasaga*, another of *Ajita varma*, and others. Also a *Buddhist* seal of black pottery, bearing the *ye dharma* formula.

The General also sent for exhibition a series of drawings of the costumes of the *Panjah*, and a portrait of *Ranjit Singh*, by Mr. Vigne.

Lieut. C. B. Young, Engineers, presented some *Egyptian* antiquities, mummied alligators, &c.

H. Walters, Esq., gave, in the name of Captain Bogle, a set of *African* griffin weights.

His Royal Highness, Prince Henry of *Orange*, entrusted to the Secretary for exhibition, a bronze vessel formed of a cup soldered to a dial, containing, thus hermetically closed, a small quantity of water.

This vessel was found in an old temple at *Java*; local tradition stated it to contain *Ganges* water carried thither in times of yore by some pious pilgrim.

Physical.

The reply of Lieut. Hutton was received, accepting the society's commission to explore the *Spiti* valley, should he be able to obtain leave of absence.

H. R. H. Prince Henry of *Orange*, sent three heads of the wild bull of *Java* (*Tandoo Banding*) for comparison with the *Garu* of *India*.

Dr. Evans pointed out remarkable specific differences in the forehead and position of the horns of the two animals.

Mr. H. M. Parker, forwarded, in the name of Mr. Trevor Plowden, of *Meerut*, a large slab of the peculiar flexible sandstone, described in a note from Dr. Falconer, some meetings since.

A thinner slice of the same material sent by General Sir David Ximenes showed its properties in a very striking manner. On examination with the blowpipe and with acids the cement which unites the particles of sand proves to be silicious, but in very small quantity. The stone is easily friable, and bends to a small extent only when it seems checked as with a hinge. The motion is in any direction, and is made with very slight force.

Specimens of salt from the *Persian Gulf* in large cubical crystals of copper ore, and of the mineral used in dyeing the red slippers of *Russorah* (red ochreous lithomarge?) were presented by the Hon. Coloured Morrison.

Lieut. Young presented gypsum and other minerals from *Egypt*, collected in his journey to *India*. Lieut. Nesbitt also added samples of the coal and iron ore (a rich carbonate) from *Syria*, lately mined by the Engineers in the service of the Pacha.

Lieut. H. Siddons, in compliance with the society's request, forwarded a register of the tides on the *Chittagong* coast for October.

Dr. McClelland placed on record a descriptive catalogue of the series of geological specimens collected by himself while employed with the late *Assam* deputation, and now deposited in the museum.

Lieut. Eyre presented, in the name of Dr. Langstaff, a collection of specimens of the volcanic rocks of *Bourbon* and *Mauritius*, with a descriptive catalogue and notes.

The tables were covered with a portion of Dr. Evans's fine collection of objects of natural history—birds, animals, reptiles, insects, shells, and osteological, which the proprietor tendered to the society for purchase on virtue of the late communication from Government; but the meeting was so thinly attended that it was decided to postpone the discussion of Dr. Evans's proposition.

A note from Colonel MacLeod, Chief Engineer, acquainted the society with the progress of the experimental boring in the Fort.

The tubes had reached a depth of 450 feet, and had met with some impediment to their further descent; though the sand continued to enter below. A rolled fragment of vesicular basalt had been brought up from this depth.—*Journal of the Asiatic Society* for November.

MEDICAL COLLEGE.

The distribution of prizes and certificates to the successful members of the chemical class of the students, took place about half past ten o'clock on Saturday morning, at the theatre of the Medical College, in the presence of His Honor the Deputy Governor, the Hon'ble T. B. Macaulay, the Hon'ble H. Shakespeare, the Committee of Public Instruction, Dwarkanath Tagore, Ram Comul Sen, Russomoy Dutt, Rajah Kaleekissen and a respectable assemblage of European and native gentlemen. On the Deputy Governor's taking his seat, Dr. O'Shaughnessy, the Professor of chemistry, detailed the nature of the examinations (on arsenic) and the precautions taken to render the essays the *bona fide* productions of the several writers. After this the following paper was read:—

"I have carefully read through all the chemical examination papers submitted to me by Professor O'Shaughnessy, as opportunity offered. This interrupted scrutiny has necessarily prevented my so carrying in my mind the precise contents of each paper, as to state correctly their

respective merits; I have, however, made a few memoranda on each as it passed under review, which have assisted the classification now to be attempted.

"In the first place, I may remark generally, that all the essays are extremely creditable; indeed, the extent and accuracy of the information on the single subject selected to test the abilities of the pupils, has far surpassed my expectations, and I do not think that in Europe any class of chemical pupils would be found capable of passing a better examination for the time they have attended lectures, nor, indeed, that an equal number of boys would be found so nearly on a par in their acquirements. For none of these papers betray idleness or ignorance, or superficial apprehension of what has been taught. The differences are those rather of different age—different natural ability or retention of memory. The faults of explanation are trifling. Grammatical errors are more numerous, but allowance must be made for them in boys writing in a foreign tongue, in the rudiments of which they have been unequally instructed.

"Many of the papers shew, that besides attending to the words of the lecturer the writers have studied his manual; indeed, some seem almost to use his very words; but I, by no means regard this as a fault, on the contrary it proves attention and interest in the subject of their studies; one or two go farther and quote other authorities to which they must have had recourse in their 'reading up,' and as it could not be known what subject would be placed before them, this betokens a considerable acquaintance with chemical authors. One pupil, indeed, details the whole series of toxicological tests for discovering arsenical poisons, and I should be inclined to award the highest place to him, were there not some inaccuracies in his too brief notice of the general properties of the metal.

"On the whole, I assign the first merit to a well written paper having the motto *OU KLEIJE* though muriate of morphia" is in some respects superior. The latter contains more originality, and it introduces properties strictly chemical, which are not alluded to in many other papers, and shews a precision in nomenclature and classification. 'Zero' speaks of having repeated Marsh's experiment at home with success, and others of having aided in the experiments in the College dissecting room; but I must refer to the notes in the accompanying tabular statement for the remarks which have occurred to me on each candidate.

"On the whole I beg to congratulate Professor O'Shaughnessy on the progress of his class, and on the highly creditable result of this examination.

November 20, 1837.

J. PRINSEP."

His Honor the Deputy Governor then handed the prizes and certificates to the students, according to their respective merits, and of which the following is a list:—

Jasurhunder Gangoolley,	1	150 Rs.
Nobinchunder Mitter,	1	150 Rs.
R. G. Heming,	1	Gold Medal
		=to 150 Rs.

Ramnarain Doss,	2	100 Rs.
Raincoomar Dutt,	2	100 ditto.
Umachurn Set,	2	100 ditto.
Nobinchunder Paul,	2	{ Chemical cht.
		=to 100 Rs.
G. R. Naylor,	2	{ Silver Medal
		=to 100 Rs.
Shihchunder Karmocar,	3	Certificates.
Dawarkanauth Goopta,	3	Ditto.
Gobinchunder Goopta,	3	Ditto.
Nilmoney Dutt,	3	Ditto.
Shamachurn Dutt,	3	Ditto.
Jaudobchunder Dhumrah,	3	Ditto.
Isenchunder Dutt,	3	Ditto.
Callawchund Day,	3	Ditto.
Nobinchunder Mookerji,	3	Ditto.
Gopalukistno Gopia,	3	Ditto.
James Pote,	3	Ditto.
Sadoochurn Mullick,	3	Ditto.
Moheschunder Dutt,	3	Ditto.
Buldenchunder Chowdy,	3	Ditto.

2ND CLASS.

Harranchunder Doss,	1	50 Rs.
Sitcowice Dutt,	1	50 Rs.
Paimanund Set,	2	Certificates.
Shamachurn Sircar,	2	Ditto.
Dinnonauth Dhur,	2	Ditto.
Gobinchunder Doss,	2	Ditto.
Bholanauth Mullick,	2	Ditto.
Chunderseker Holdar,	2	Ditto.

His Honor left the theatre, a little before eleven o'clock.

It is worthy of remark, that the attendance of native gentlemen was more numerous on this occasion, than at the distribution of prizes to the anatomical class of the institution.—*Hurkaru*, December 11.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, the 2nd December, 1837.

A letter from the following gentlemen was read:—

From — Smith, Esq., of Penang, requesting that his name may be withdrawn from the list of members, because of the distance of his station from the presidency, and the consequent uncertainty of receiving any communications from the society.

Mr. Richard O'Shaughnessy presented an account of an operation wherein he had removed an enormous tumour from the upper jaw of a Hindoo. The tumour was of a fibro cartilaginous character, nearly equal in size to the patient's head. The whole of the superior maxillary and malar bones of the left side were removed, the patient lost no more than 8 ounces of blood, and very little constitutional irritation followed the operation, which was completely successful, the wound being nearly healed although less than three weeks had elapsed since the tumour was removed.

The case was accompanied by a preparation of the tumour, and some drawings very beautifully executed by Mr. Grant.

A long discussion arose upon a proposed alteration of some of the rules, when it was finally determined, upon a proposition by Dr. Steward, seconded by Mr. W. A. Green, that a Committee composed of Drs. Bell, Corbyn, and Goodeve, should be formed to revise the laws and constitution of the society, and to suggest such alterations as may appear desirable with reference to the present state of the society.

It was proposed by Mr. McCosh, seconded by Dr. Bell, that the periodicals of the society, be upon the library table for two weeks after their receipt, and that they be hereafter circulated amongst the members.

A paper upon inquires of the heart by Dr. Villane, of Bourbon, was then read and discussed.

H. H. GOODEVE, M. D.

Secretary Medical and Physical Society.

Hurkaru, December 12.]

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general meeting of this society was held at the Town Hall, on Wednesday morning, the 13th December, 1837, at half past 9 o'clock.

PRESENT.

The Hon'ble Sir E. Ryan, President, in the chair; Hon'ble Colonel Lehling; Colonel D. McLeod; Dr. Wallich; Dr. Huffleagle; W. Cracroft, and J. S. Stopford, Esqs; Bhubo Chasmanant Bhowe; F. F. Ferguson, Esq.; A. Beattie, Esq.; R. Walker, Esq.; D. Hare, Esq.; Captain H. Drummond; John Jenkins, Esq.; M. S. Staunton, Esq.; G. A. Prinsep, Esq.; Dr. A. R. Jackson; A. Grant, Esq.; G. F. McClintock, Esq.; W. Jackson, Esq.; C. Deverline, Esq.; W. K. Ewart, Esq.; W. Storm, Esq.; D. F. McLeod, Esq.; G. F. Speed, Esq.; W. Earle, Esq.; R. Smith, Esq.; C. H. Blake, Esq.; A. A. Bignell, Esq.; W. D. Shaw, Esq.; and John Bell, Esq.

VISITORS.

Messrs. Rice, Sandays, and Wood.

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at last meeting were elected members of the society.

Meer Abbas Ali Khan; C. G. Millman, Esq.; E. A. Blundell, Esq.; Mirza Mahomed Mehde Veski; J. S. Torrens, Esq., C. S.; C. Garstin, Esq., C. S.; Captain W. M. Stewart; Captain H. Drummond; W. G. Maxwell, M. D., and Lieut. W. C. Sibley.

The following gentlemen were proposed, viz.

The Rev. F. Mybrow, proposed by C. H. Blake, Esq., and seconded by the Secretary.

Cowr Krist-Nauth Ray Bahadur, Rajah of Cosimbazar, proposed by Sir E. Ryan, and seconded by the Secretary.

C. Tucker, Esq., C. S., proposed by H. Walters, Esq., and seconded by the Secretary.

Thomas Palmer, Esq., proposed by D. W. H. Speed, Esq., and seconded by W. Storm, Esq.

H. C. Kemp, Esq., proposed by the Secretary, and seconded by W. Storm, Esq.

Dr. A. Campbell, Assistant Resident at Nipaul, proposed by the Secretary, and seconded by Dr. Wallich.

E. W. Clarribait, Esq., Assistant Surgeon, Akyab, proposed by the Secretary, and seconded by H. Walters, Esq.

Lieutenants J. R. Lumden, and J. R. Abbott, Arracan, proposed by the Secretary, and seconded by H. Walters, Esq.

Captain F. Smallpage, 8th Regt. Light Cavalry, proposed by A. Beattie, Esq., and seconded by Dr. Wallich.

MOTIONS.—The President brought forward the motion made at the last general meeting, prefacing it by some remarks on the present condition of the society, viz.

“Proposed by the President, seconded by Dr. Jackson and resolved, that in reference to the increasing correspondence and labors generally of the Secretary, a salary be awarded to Mr. Bell of 300 rupees per month. Carried *non. con.*”

MOTIONS SUBMITTED TO THE MEETING.—1st. “Moved by Mr. W. Storm, seconded by Mr. Bell, that an application be made to the Admiral commanding in India,

requesting him to give instructions to any of Her Majesty's ships of war touching at Otsheite, to bring such quantity of the sugarcane of that island, as they may be able conveniently to carry for the use of this society.”

2d. —“Moved by Mr. Cracroft, seconded by Dr. Wallich, that from the report of the Caoutchouc Committee (vide notice hereafter) and examination of the specimens, it appears to the society that Lieutenant Vetch's exertions, and experiments have been eminently successful; he has produced and laid before the society a larger quantity of the gum of a quality superior to any yet brought to their notice. Circumstances prevent his placing at the disposal of the society a portion of the weight specified in the society's advertisement (though the despatch is nearly three times that quantity) nevertheless, the society, anxious to mark their sense of his exertions, it is proposed to award a gold medal on his forwarding on an early date the quantity specified in the advertisement (one pound) not inferior in quality to that brought to their notice by Dr. Wallich.”

3rd. —“Moved by Mr. Bell, seconded by Mr. Storm, that a machine, &c.” (for the entire of this motion, see after Mr. F. Sanday's communication on a new method of raising water in the subsequent part of this report.)

RESOLUTIONS.—Read the Committee's report on samples and prices of cotton sent to the Hon'ble the Court of Directors, signed by Messrs. Storm, Adam, Willis, Colvin, Syers, Huffleagle and Bell.

Read also Mr. Earle's note concurring in the report throughout, but declining to sign in consequence of “not having attended to the matter lately, nor read, at least recently, the Court's letter.”

Read also Mr. G. A. Prinsep's minute appended to the report.

Proposed by the President and resolved, that the report of the Committee be printed, together with Mr. Prinsep's note on the society's transactions.

Read the Caoutchouc Committee's report on specimens produced by Assist. Surgeon Scott, of Assam, and on samples presented by Mr. Cracroft, the produce of Penang and South America.

The President proposed, and was seconded by the meeting, that a part of each of Surgeon Scott's samples be sent to the Society of Arts, and to the Agricultural Committee of the Royal Asiatic Society of Great Britain and Ireland.

Resolved further, that the report be adopted and published in the society's transactions.

Read Minutes of the Caoutchouc Committee in a letter from Dr. Wallich to the Secretary, dated the 4th December, accompanied by samples of gum taken from a chest, in transit to Europe, prepared by Lieut. Vetch, of Assam, soliciting attention to these specimens, and suggesting that Lieut. Vetch be awarded the gold medal, for his exertions with reference to the quantity then in Dr. Wallich's hands, which far exceeded the quantity required by advertisement, although he (Dr. W.) was not authorized to retain any portion of this Caoutchouc agreeably to the conditions of the resolution, that had been previously passed in regard to encouraging the collection of good caoutchouc.

Upon these minutes Mr. Cracroft based his motion, already noticed under the proper head.

Read the Nursery Committee's report, which was accompanied by a very neat and well-executed plan of the ground as now laid out.

Resolved, that the report be adopted, and that the best thanks of the Society be offered to Dr. Hufnagle, for the trouble he has taken in surveying the Nursery.

Read the Report of a Special Committee, appointed to report on Mr. Bell's guinea grass cultivation, accompanied by a plan of the ground, which by actual measurement occupied in guinea grass 10 biggahs, 7 cottahs 13 chittis, $5\frac{1}{2}$ feet.

Resolved, that Mr. Bell is entitled to the 2d class premium and silver medal, for cultivation.

And in the 1st class premium for seed from such cultivation, provided no other competitors appear before the 1st January, 1838.

Read the Sugar Committee's report on the suggestion of Mr. Payter, of Bendorah, to hire a vessel to bring a cargo of *Otaheite* cane from the island direct.

Resolved, that the Committee's report, which is unfavourable to the scheme, be adopted.

Read proceedings of the Silk Committee on the subject of a further supply of the *Area* cocoons forwarded by Capt. Jenkins, through Messrs Cantor and Co. A portion of each sample has been sent by Mr. R. Watson to Guttaul, for another experiment as to the possibility of winding off the silk.

Mr. Blake, of Dhoba, who was present, presented samples of fine qualities of sugar, some *Heacle* and rum, of which he has promised to favor the society with particulars, as to opinions in England, and prices hereafter.

Mr. Chas. Devering presented in person samples of Upland Georgia, Sea Island, and New Orleans cotton, grown at Kaleepool, Je-nore, from American seed, supplied by this society; and promised to give particulars as to returns, cost of production, &c., when the whole crop is taken off.

Dr. Hufnagle presented specimens of Upland Georgia cotton in the pod, grown in his garden at Cosipore from acclimated seed. Dr. H. also noticed the result of an attempt to obtain *potash*, from "soudry" wool ashes. The residuum furnished less than 4 per cent. of the alkali, and the quantity of muriate of soda amounted to about 70 per cent.

Dr. H. states, that there is a possibility however, that the wood used in experiment had been saturated with salt water.

Some samples of cotton twist and cloth made from the Pernambuco cotton forwarded by Mr. Blundell, were sent in by J. S. Crawford, Esq., but are now before the Committee.

From W. Griffith, Esq., dated Cherra, November 1st acknowledging the receipt of the Secretary's letter of the 3d of October, and of the copy of the proceedings of the Committee of Enquiry that accompanied it.

From J. M. Sinclair, Esq., of Lucknow, offering on the part of Mr. Fortier, of the same place, a supply of *Otaheite* sugar cane at 10 rupees per 100, but stating that they were of inferior quality. Mr. Fortier's note had been circulated to the Agricultural Committee, who decided that it would not be advisable to accept the offer with reference to the stated inferiority, and the risk attending its transmission, the last supply from Lucknow having been received in very bad condition.

From O. Burnett, Esq., Adjutant, Mhairwarrah Local Battalion, dated October 27th, promising to forward by the hand of Dr. Maclean, samples of cotton produced from seed, sent by the Society to Captain Dixon, as also samples from seeds of the first year's produce.

From R. Davidson, Esq., of Calcutta, dated 5th December, enclosing extract of a letter from a friend dated Beaur or Mhairwarrah, 18th November. "I have the pleasure of enclosing a small sample of uncarded cotton (grown in our garden) from American seed, which is pronounced to be of a fine quality."

Memo.—(The sample is referred to the Cotton Committee for opinion.)

From Dr. Hufnagle, dated November 11th, presenting to the Society a maund of Indian corn, the produce of his garden, from American seed.

From Mr. T. Black, enclosing an estimate of the cost of lithographing the maps and drawings belonging to Mr. Griffith's report on the tea-plant of Assam.

From Major Moore, dated Hyderabad Residency October 30th, enclosing a letter to his address from Mr. J. Jamieson, dated Masulipatam, October 24th, forwarding a memo, of the cost of shipping, &c. per Barque *Soubrow*, the graft apple plants consigned to his care on account of the Agricultural Society and Mr. Storm.

From Mr. S. Jamieson, to the Secretary, dated Masulipatam, October 31st, enclosing a note from Major Moore, dated 14th September, regarding the transmission of the above grafts, and advising the despatch of them from that Port per Barque *Soubrow*.

From Dr. Wallich, dated 9th December, enclosing the following report of Mr. Masters on the condition of Major Moore's grafts, received by the Secretary from the *Soubrow*, on the 7th, and forwarded to the Botanical Garden.

"Botanical Garden, December 8, 1837.—Received three boxes containing six plants of species of apple in six flower pots, nearly all dead. Two of the grafts are alive, but they are on very unhealthy stocks, the other four grafts are entirely dead; all of them have been injured by the bandage, which appears to have been made of oil cloth, which did not give way by the swelling of the grafts."

(Signed) J. W. MASTERS.

A letter was read at the last general meeting, from J. Little, Esq., Secretary to the Bombay Agricultural Society, dated 20th September, enclosing a receipt, for a box, despatched by the same unfortunate Barque *Soubrow*, containing four vine plants and four dozen cuttings of the same. The receipt was sent on board, and a verbal message returned, that no such box was on board.

The Secretary called upon Captain Smith to explain, and Captain Smith, intimated to the Secretary, that in consequence of the very disastrous passage, all the plants died, notwithstanding the attention paid to them by passengers on board, and that the box was thrown over board.

From H. C. Tucker, Esq., of Azimghur, dated 18th November, acknowledging the receipt of seeds, forwarded to his address by the steamer.

From B. Montgomery, Esq., of Azimghur, dated 18th November, acknowledging receipt of seeds, &c. and requesting to be informed if the society has received his replies to the queries conveyed in the circular, received by him some time ago, together with a map of the district.

N. B.—For the communication alluded to, see notice further on.

From Dr G. N. Chack, Secretary to the Burdwan Society, dated November 22, acknowledging the receipt of an assortment of seeds for the use of that Society.

From J. W. Laidlay, Esq., Secretary to the Agricultural Society of Mooredabad, dated November 24, returning thanks on the part of that society for a supply just then received. Reports favorably on the condition of their experimental garden, and on the flourishing state of the society in general.

From H. Piddington, Esq., dated 22d Nov., enclosing a paper, giving an account of the manner in which good butter can be made, and adds a description of the chain employed.

From the same, (no date) received 4th Dec., forwarding a paper, containing "additional remarks on the prevention of contagious diseases amongst cattle."

From Mr. J. Avdall, dated Cosipore, Nov. 29, forwarding for presentation to the society a gem of an unusual size, the produce of a garden at Cosipore.

From Dr. Campbell, of Nipal, dated Nov. 20, advising the despatch of 2 samples of the brown corn of Australia, grown at Cathmandoo and Sugowly, in Zillah Sarun, from acclimated seed, received from the Secretary in May last, and giving some information respecting the experiments made with it. Forwarding at the same time some of the white jaspers of the plains grown at Cathmandoo, for comparison with the other two samples.

Suggests the establishment of a nursery at Cathmandoo, on a small scale, to nurture plants for furnishing seed to the plains, and offers his services to the society in superintending the operations.

From Captain Jenkins, on the river, dated 27th Nov., acknowledging receipt of Secretary's letter on the subject of cacoucheou, under date the 5th Nov., and which advises the despatch of a wooden form, &c.

Enters into some particulars with respect to the Committee's proceedings regarding the reeling, &c. of the area cocoon, transmitted to him.

From Dr. Wallich, dated 28th Nov., annexing extract of a letter from Dr. Wight of Madras, dated the 14th ultimo.

"My object in now writing to you, is to send you, a specimen of my lithograph of the dye lichens for presentation to the Agricultural and Horticultural Society, and to say, that if it should be esteemed a desirable addition to their next volume of transactions, I think I can supply 500 copies for that purpose; now, pray lose no time in letting me know the result, as I am as yet but indifferently supplied with lithographic stones, and it is no small loss to be deprived of the use of such an one, as that from which the impressions have been taken, &c."

The Secretary, with reference to Dr. Wight's desire to have speedy reply, had ventured to anticipate the concurrence of the Committee of Papers and of the Society, to have so desirable an acquisition, as that which Dr. Wight had offered, and had expressed his conviction to this effect to Dr. Wallich.

Since then, he had calculated the drawings, and extract, which had obtained the consent of the Committee, with a desire to express their obligations to Dr. Wight for his polite offer.

Proposed by the President, seconded by the meeting, that the best thanks to the society be offered to Dr. Wight for his liberal donations.

From Thomas Waghorn, Esq., dated Cairo, 22d October, 1837, advising despatch per Steamer *Atalanta*, to Mr. Secretary Little, of the Bombay Agricultural Society, for transmission to this presidency, of a chest containing a quantity of the best Moho cotton seed in Egypt, which he begs, may be presented to this society in his name.

From Dr. Campbell, of Nipal, dated 28th Nov., in reply to the Secretary's letter of 20th November, asking for a small supply of each size and quality of paper manufactured at Nipal for experimental purposes; intimates his intention of transmitting a quantity, and suggests, that samples of each variety be forwarded to the Chamber of Commerce.

Encloses copies of a correspondence that has lately passed between Mr. T. C. Scott and himself on the subject of this paper, as likely to prove interesting to the Society.

From Captain Sanders, Secretary to the Military Board, dated December 6, annexing copy of letter to his address from Major Gwatkin, Superintendent of the Haupper Stud, under date November 23d, requesting information regarding the cultivation, &c. of guinea grass, and desiring a supply of seed from the Society's stock.

From D. B. Syers, Esq., dated 25th Nov., offering to furnish to the society, at the original costs and charges, a quantity of fresh New Orleans cotton seed, imported per *Ott orporel*.

From R. Montgomery, Esq., of Azimghur, dated 14th Sept., transmitting a copy of regulations framed for the guidance of the Branch A. and H. Society, recently established at that station. Requesting assistance from the Parent Society in supplying seeds.

From the same, dated 27th Sept., forwarding a map of the district, together with replies to the Agricultural queries circulated by this society, drawn up conjointly by H. S. Fucker and R. Montgomery, Esquires, also giving much valuable information on other subjects connected with the district in question.

Memo—These interesting communications ought to have been submitted in October, but from their outward appearance, they were mistaken by official returns of grain and left at the General Post Office with all these documents, pending a reference to Government on the subject of postage. They were then immediately transferred to the Secretary of the Statistical Committee, and only recovered on the 11th instant, on application to that gentleman by the Secretary of this society, under a supposition that they might be among these documents.

From H. Fiddington, Esq., dated Dec. 10th, presenting to the Society a few heads of rice from Carolina seed.

The following presentations were made in addition to those already enumerated with their respective communications.

A plan of the Agricultural Society's Nursery, as at present laid out, drawn and presented by Dr. Huffleagle, 16 specimens of lichens, from James Prinsep, Esq., Secretary of the Asiatic Society.

Samples of tobacco, from Persian seed, and of Upland Georgia and New Orleans cotton, grown in the Branch Society's garden at Burdwan, but not alluded to in Dr. Cheek's letter already noted.

2 quarts of Saudoway tobacco seed presented by Capt. Bogle of Arracan.

Library of *Useful Knowledge*, one volume. Cattle, their diseases, breeds and management, by A. R. Jackson, Esq., M. D.

Presented by the Secretary, Beell's Comparative view of external commerce of Bengal.

22 seeds of guinea grass seed, a root of the ole, from stock brought from the Persian Gulf.

From H. Walters, Esq., dated 12th Dec., presenting on the part of Mr. P. Wise, two specimens of tea grown in the Tipperah Hills, and prepared by the natives for common use. One sample is the leaf in its dried state, the other undergoing maceration with salt in a bamboo, preparatory to use. A few leaves accompany this communication dried in their natural form. Mr. Walters says, "the tea plant found wild in the Tipperah Hills may not be the same as that cultivated in China; but as it is evidently a plant of the same family, as will be apparent from inspection of the dry leaves enclosed, there can, I imagine, be little difficulty in introducing the tree to the same locality."

From John Francis Sandys, Esq., dated Garden Reach, 12th Dec., forwarding models of 2 machines, (invented by Teignmouth Sandys, Esq., C. S., Arrah) for drawing water, either from a reservoir or well.

THE BR-LEVER BALANCE CRANE,

or

"Jack and Jill."

"The principle of the machine is of the simplest kind. It is, in short, the application of the common endless chain, operated on by two levers, balancing evenly, and alternating on this principle, work a counterpoise attached to one of the said two levers; which, though not the chief, yet forms its secondary force. The chief, or the moving power, is the weight of men, or of large animals, walking in and out of both the levers; thereby creating the actions of ascent and descent."

These models are so accurately constructed and described by Mr. Sandys, that they will amply repay a visit to the Town Hall to inspect them and as one is a working model, the principle will be understood at a glance.

The machine invented by T. Sandys, Esq., combines simplicity and cheapness, but its greatest recommendation is the vast saving of labor.

Proposed by the Secretary, seconded by W. Storm, Esq., that a machine be constructed after Mr. Leighmouth Sandys's model No. 2, at the tank adjoining the sugar-cane cultivation on the Society's Nursery, in order that its utility may be fairly tested, and that a minute account of the expense of construction and working be kept, as a guide for those who may be disposed to adopt the Bli er-crane. Further, that the Nursery Committee and Committee on Implements of Husbandry and Machinery, be requested to co-operate in superintending its erection and application, and to report upon it.

Proposed by the President and resolved, that an estimate of the expense of erecting this machine be furnished by the Committee on Implements before the next meeting.

The thanks of the meeting were ordered to be offered for all these communications and presentations.

JOHN BELL, Secretary

Agricultural and Horticultural Society of India.

Agricultural and Horticultural Society's Office,
Town Hall, Calcutta, December 13, 1837.

NURSERY COMMITTEE.

A meeting of this committee assembled at the Botanical Garden on Saturday evening, the 18th November, 1837, at 5 p. m.

PRESENT.

N. Wallich, Esq., M. D.	W. F. Gibbon.
Wm. Storm, Esq.	Dr. Haffangle.
Capt. Leach.	John Bell.

Proceeded to visit the Nursery. Found that, with reference to a resolution passed at the last Committee Meeting, the Otaheite canes had been cut and planted out after the West-India plan, in holes 12 inches deep, and a considerable accession made to the general cultivation by adding plants from the original stock of Mauritius cane in the Botanical Garden.

The China cane has been also extended by the same process as adopted above. There are now upwards of 23 beegahs of sugar-cane cultivation, and it is expected, that there are yet available canes to plant out 5 or 6 beegahs more, for which, land is already prepared.

Dr. Wallich informed the members, that advice had been received of a supply of cane having been shipped from Bourbon, and it was resolved, that ground sufficient be prepared against its arrival, and reserve the same proportion of time by which the old sugar-cane lands have evidently benefited so much.

The sugar canes planted out are coming up remarkably well, and hardly one has failed, a fact which is worthy of notice, as an opinion is prevalent in India, that cane-cuttings, unless subjected to the process of being first planted in a hopper, will not answer, a circumstance to be kept in view, as the mode of forcing the vegetation in the hopper, is detrimental to the proper and gradual development of the cane.

The Singapore canes first sent here by Dr. Montgomerie are most luxuriant, and if any fault exists, it is in its too great luxuriance.

The Committee resolve, with a view to experiment, that one half of these first plants be cut up, and re-planted to extend the cultivation, we shall thus see whether the plant in its natural state, will give a better cane, than when it has had the advantage of a free circulation of air, and room to expand.

The new plantation of canes has been laid down perfectly in unison with the plan of holing in the West Indies, and reflects great credit on Mr. Masters, who has superintended the nursery operations.

Dr. Wallich proposed, and was seconded by Mr. Storm and the Secretary, that the best thanks of the Committee be offered to Mr. Masters for the great care he has bestowed, in laying out the canes according to the West India plan of holing.

The West India-Ginger is looking very well, and it has been resolved to extend the beds as soon as the roots are fit for the purpose, and that no roots shall be distributed, until it shall appear recommendable to the Committee.

Dr. Wallich informed the Committee, that he had given Mr. McCullag, the gardener to the Pasha of Egypt, a few roots of the ginger, as he had expressed a great desire to take a plant or two and has promised to send the society a collection of agricultural seeds from Egypt.

GUINEA GRASS.

With a view to keep up a constant supply of this superior grass, it has been resolved to set apart a plot of ground, not exceeding one beegah, for this special purpose, the Secretary to supply roots from his garden.

The Sorghum-Vulgare, of which seed was received from Madras, for Capt. Jenkins, and a little retained here, has vegetated freely.

The cotton is looking well, the young plants from seed supplied by Dr. Wight of Madras, are progressing, having had a good loosening about the roots, within the last month.

Resolved, that the Egyptian cotton plants be allowed to remain, as they are yet yielding seed, which is the object of leaving them, to be cut down immediately before the setting in of the rains.

Resolved, that henceforward the Nursery Committee shall meet and visit the Nursery on the Thursday preceding each monthly general meeting, and on the 1st Wednesday following each, monthly meeting, unless some special occasion interfere to prevent the regularity.

Signed Thos. Leach,	Signed Wm. Storm,
" Chas. Haffangle,	" N. Wallich, M. D.
" W. F. Gibbon,	" John Bell.

Note.—The Committee have the pleasure to announce Dr. Haffangle's plan of the Nursery, presented to the Society by that gentleman.—Herkara, December 15.

SUPREME COURT.

CALENDAR.

The following is a list of prisoners who are to take their trial at the Sessions of Oyer and Terminer, which commences this morning.

1 *Bhumer-nodden*, charged with having, at Calcutta, on Saturday, the 5th August 1837, stolen various gold ornaments from the house of Shank Paunchoo

2 *Buddinauth*, charged with the wilful murder of Konnye.

3 *Ramchand*, charged with having been found on board the *Cashmere Merchant* on the river Hooghly, he having been banished for life to the eastern coast of the Bay of Bengal, south of Martaban, in December, 1833

4 *Buddinauth*, charged with the wilful murder of Jattan, his wife, at Shampookur, in Calcutta.

5 *Shoo-burran*, charged with having ten gold choones in his possession, knowing the same to be the property stolen from one Radha Baboo deceased.

6 *Peter Garrett Heuleger* and 7. *George Lloyd* alias *David Lloyd*, charged with having, at Calcutta, on the 7th of September, stolen and carried away from the house of Richard Baker, a fowling piece, a chain, two gold seals, five papers, a silver watch, and sundry wearing apparel.

7 *Dost Mahomed*, charged with having, at Calcutta, on the night of the 13th, or the morning of the 14th of September, 1837, stolen sundry gold and silver articles, some of which beset with precious stones, &c., &c., from the shop of Gunga Gobind Roy.

8 *Seetanauth Dutt*, charged with having, at Calcutta, on the 11th of November, 1837, forged and fabricated a paper, purporting to be a promissory note from Cauloo Baboo to Neikanta Sircar, for rupees 1,700, payable three months after date, with intent to defraud the said Neikanta Sircar and the proprietors of the Bank of Bengal.

9 *Ramesur*, charged with having, at Calcutta, on the night of the 5th of October, 1837, entered the house of Rajcoomar Seti, with intent to commit felony.

10 *Cosmanauth Sirdar*, and 11 *Isur Chunderconmar* charged with having, at Calcutta, on the night of the 21 November, 1837, stolen 450 gannies from the shop of Chundechurn Daus.

12 *Khoodiram Seal*, 13, *Guddahur*, 14, *Noben Podar* and 15, *Chembass Byragy*, charged with having, at Calcutta, on the 17th of November, 1837, stolen from the shop of Rammohun Dutt, a parcel containing, in silver, sixty one Company's rupees, fifteen sicca rupees, fourteen Company's and sicca half-rupees and thirty seven Company's and sicca quarter rupees.

16 *Lall Mohun*, 17 *Chembass Podar*, 18, *Bismahur*, 19, *Soobul*, and 20, *Tonoo*, charged with being accessories to a theft, committed by the prisoners in the last case.

21 *Buddenchunder Struss*, charged with having, at Calcutta, on the first of December current, fraudulently taken from Mohountahad Sircar, and cheated him at the Union Bank, of two Union Bank notes for 100 rupees, property of Moonshan Mohit Hossie.

22 *Omar-ullah*, and 23 *Paunchoo*, charged with having, at Calcutta, on the 1st of December current, unlawfully assaulted Pertabram and feloniously taken and carried away one hundred and fifty Company's rupees from his person, the property of Dwarkanath. — *Hurrah*, December 8.

FOURTH SESSION, or 1837.

Before Sir E. Ryan, Knt., Chief Justice.

The 4th Session of this year opened to-day, and after the Grand Jury had been as usual impanelled and chosen, I. A. Dorn, Esq., their foreman, the Chief Justice addressed them on the nature of the indictments, which were to be submitted to them during this session. He informed them that he was happy to observe that the Calendar was very light during this session, and with the exception of two murder cases, there were not any very heavy cases calling for his observations on them. After this the Chief Justice detailed the leading features of these two murder cases, and described their particular nature as far as they had fallen under his notice, and pointed out the law as bearing on them, and then he dismissed the jury to take into consideration the several indictments which were to be submitted to them during this session.

After the Grand Jury had retired the Petit Jury was impanelled, after which the Grand Jury returned a true bill against Dost Mahomed Khan, who was charged with having, on the morning of the 14th of September last, stolen several gold and silver articles to a considerable value, and some of them set with precious stones, from the shop of Gunga Gobind Roy. This prisoner was then put on his trial, and after he had pleaded not guilty, his case was investigated and the proof being very clear against him, the learned Judge, at the conclusion of the case, recapitulated the evidence, pointing out its leading features and the law as bearing on the case. The Jury, after a short consultation, returned a verdict of guilty against the prisoner, who was then sentenced to two years' imprisonment in the common jail of Calcutta. After this trial had been ended, there being no more cases to be called on to-day, the Court adjourned till 11 o'clock a.m. to-morrow morning, which is the hour at which it commenced business to-day, and this is the hour at which the learned Judge has determined that the Court will open every day until the sessions are finally closed.

In the course of this day the Grand Jury returned true bills on the following indictments:

1st. *Bu-solheer-oddeen*, charged with having stolen seven gold and silver ornaments on Saturday, the 15th of August 1837, from the shop of Shank Paunchoo, goldsmith, in the town of Calcutta.

2d. *Kinnah*, Sirdar, and *I-surchunder Konmar*, charged with having on the night of the 2d November last, stolen 450 gannies from the shop of Chundychurn Doss of Calcutta.

3d. *Khoodiram Seal*, *Guddahur*, *Noben*, and *Choonee Bose*, charged with having at Calcutta, on the 17th November last, stolen from the shop of Rammohun Dutt a parcel containing in silver Company's rupees 61, sicca rupees 16 and sicca and company's half rupees 16, and 37 sicca and Company's quarter rupees.

DECEMBER 9, 1837.

The Grand Jury found to-day true bills against the following persons, *Buddinauth*, for the wilful murder of Konnye.

Peter Garret Heuleger and *George Lloyd*, alias *David Lloyd*, for feloniously entering the house of Richard

Baker at Goomthur, in the town of Calcutta, and stealing therefrom several articles of value.

Sheo Bhurum for feloniously receiving stolen goods—the property of Beesee Radha, knowing it to be stolen property.

Rammamur, for feloniously entering the house of Ram Ramoo Sert, in the town of Calcutta, and when apprehended, violently assaulting Gung govind Sing.

Covinath, sirdar and Isachunder Koor, for stealing from the shop of Chund-yehurn Dass, of Olive Street, 450 gunnies, valued at five rupees.

Seetanath Datto, with abetting a forged promissory note and representing it to be from Kallen Baboo to Nueconito sircar, in order to defraud the said Nueconito and the Proprietors of the Bank of Bengal.

After that Sir John Peter Grant, the Senior Palace Justice of this Court, came into the Court, and was sworn in his allegiance to the Queen, by the Chief Justice.

On account of the prisoners on several indictments, yesterday and to-day, even after having been warned by Mr. King, the Jailor of the Great Jail on their entrance into it, that they can subpoena any witness they may choose to prove their case at the ensuing trial, having still neglected to subpoena them, and now praying postponement to subpoena their witnesses, the Judge, after postponing two indictments to-day, desired Mr. King to inform all the prisoners below, that they can subpoena any person they like now before their trial comes on, and if they neglect to do so, their future excuses in this point will not be heard, and no further postponement allowed them.

Queen on the prosecution of Richard Baker versus Peter Garrett Heyleger and George, alias David Lloyd, for robbery.

The prisoners pleaded not-guilty.

Richard Baker deposed, that he resided on the 7th October, 1837, at Gloomghur lane. On the morning of that day, when he arose, he found the outer door of one of the out offices of his house broken open; this excited his suspicion, and he searched his house and found that he had been robbed of two gold seals, one gold chain, two silver watches, a fowling piece, some seaman's papers and wearing apparel. Prosecutor kept quiet for some days, and desired his friends to be on the look out. Some days afterwards one of them gave him some intimation of the thief, and he went to the Police Office and had the prisoner's arrested. Subsequently he accompanied Mr. McCann to a native police shop where he had heard some of the articles were to be found; and he there found the two gold seals and the gold chain, and the seaman's ticket. Then prosecutor then identified his property.

J. J. McCann deposed to his having accompanied the prosecutor on the night of the 10th October last at nine o'clock p. m. to the shop of Sooroo, podar, in Chunan lane, where he received the articles mentioned by the prosecutor; he subsequently, whilst Lloyd was in custody, went to his house in Cosjullah lane, which was pointed out to him by McMullen, and he there found the fowling-piece under a couch. Then Morgan was arrested on the charge. Whilst in custody, Morgan told deponent that he had got the gun and the gold chain from Mr. Baker, and that he gave them to Heyleger. After this statement he was released by the Magistrate.

Sooroo Chundur, podar, deposed, that the prisoner Heyleger used to have cash transactions with him; he on the 8th October last brought to the deponent's shop to deposit there, the two gold seals, and the other articles which Mr. McCann and the prosecutor have sworn to have received at his shop from him.

R. Baker, on cross examination, by Heyleger, admitted that he was acquainted with Heyleger, and he has often left him in charge of his house and even trusted drafts to him, and he always had reason to be satisfied with his conduct. Dependent never did on the night of the

robbery quit his house to go to Witchlaw in company, of Heyleger and leave his house open. Knows Morgan; he is an African, and used to come to his house.

Win. McMullen, proved that Lloyd had, on the night of the 7th of October, mortgaged one of the watches to him for four rupees, and that his Khidmatgar found the next morning one of the stolen seals in his compound.

E. W. Gaskin, proved his having seen the stolen chain in the prisoner Heyleger's possession on the evening of the 8th October, at the last witness's house.

Amberan, deposed, that she is a cook-woman, neighbour of Mr. Baker, and she saw from the roof of her master's house an African man break the door of the out office of Mr. Baker's house at about 11 o'clock a. m.

Heyleger deposed, that the watch chain and the seals were pledged by Morgan to him for the 10 rupees which Sooroo, podar, advanced him by his order, and the gun was left at Lloyd's house by Morgan.

Lloyd said that the gun was left in Heyleger's presence in his house on the night of the 6th October last by Morgan and the seal has been in his possession for a long time, he purchased it at the bazar.

Isaac Moses deposed, that Morgan had brought a watch to be mortgaged to him and it had a chain; but he declined to receive it as a pledge; he could not recognise it again. Hanne was present at the time. Hanne confirmed this statement.

Haguet proved, that on the 8th Morgan met Heyleger in his presence and offered a chain to him for pledge on 10 rupees; he did not see the chain.

Rose Appeny deposed, that she saw on the night of the 6th, Lloyd came with Heyleger and Morgan. Morgan had a gun with him, which he left in the house, and Lloyd next morning left word with deponent that if Morgan called for the gun to give it to him. She put it under the bed to prevent her brother's children having it. J. Appeny, the deponent's son, in addition to this, said that Morgan wanted to mortgage the gun to Lloyd for five rupees. Lloyd refused to lend the money, and Morgan said as the gun was too heavy for him to carry home at that hour of the night, he would leave it there and send for it the next morning. He further proved that Lloyd had bought a seal and ring in the bazar, but he could not identify them.

J. Brown deposed, that the house in which he was found was rented by Mr. Molten and not Lloyd.

George Green deposed, that when Morgan came to see these prisoners at the Jail, Morgan then acknowledged that he had left the gun in Lloyd's house.

This having closed the case for the prosecution, the Chief Justice addressed the Jury, and in summing up the case dwelt on the inconsistency of the Magistrate who made this commitment, in not committing Morgan, who, by the evidence of Mr. McCann, which although it is not strict legal evidence, still is true evidence. By this it appears that Morgan, by his own admission, was a party implicated in this robbery, and yet the Magistrate has released him, and what is more strange, he has not even made him a witness in this case. In conclusion, he said, that the indictment charges not with having stolen goods in their possession, but of their having been the actual robbers. And this is the doubtful point; for we have no proof who had committed the robbery; there is from the evidence as much probability that Morgan might have committed it as any of these prisoners. That the stolen goods have been found in their possession there is no doubt; but perhaps they might have obtained it, as they said from Morgan, who might have been the actual thief. Lastly, the Judge said, if the Magistrate who had made this commitment was now in Calcutta, he would certainly have called on him to explain his extraordinary conduct in releasing Morgan after his statement, without even making him an evidence in this case.

The Jury, after a short consultation, returned a verdict of Not Guilty.

After this verdict the prisoners were discharged, and the property was ordered to be kept in Mr. McCann's possession for the present, for the Judge said that he must have a further investigation into this extraordinary case.

After this the Court adjourned till Monday, 11 o'clock.
P. M.—HURKUR @ December 11.

DECEMBER 11, 1837.

(Before Sir J. P. Grant, Knight.)

During the trial of the cases, after the Grand Jury had disposed of the indictments submitted to them, the foreman, on behalf of his colleagues and himself, delivered the following presentment of the Judge:—

"To the Hon'ble Sir EDWARD RYAN, Knight, Chief Justice.

The Hon'ble Sir JOHN P. GRANT, Knight, Puisne Justice of Her Majesty's Supreme Court at Calcutta.

The Grand Jurors of our Sovereign Lady the Queen, do present, that the class of persons on whom the duties of Grand Jurymen in this city devolve, are for the most part men of business, who have full occupation for their time; that however willing to devote a reasonable portion of their time to the discharge of a public duty, a fair and equitable division of the labor among those liable to serve should be secured to them. If the list of Grand Jurors bearing the signature of the Clerk of the Crown be a correct one, it should not fall to the lot of any individual to serve on a Grand Jury, more than once in two years, whereas, many of the present Jury are called upon to serve much more frequently, while others whose names are on the list appear to evade the duty altogether.

The Grand Jurors further beg to remark, that a reduction of the number of Grand Jurors from 23 to 16 (to which they understand there is no legal objection) would afford considerable relief.

The Grand Jurors next beg to call your Lordship's attention to the state of the roads, both as regards repairs and watering; the inefficiency of the former, and the partial or total absence of the latter, on the grand lines of communication intersecting this city, are nuisances of great magnitude prejudicial alike to the health and property, and dangerous to the lives of Her Majesty's subjects residing within the jurisdiction of Her Court here established. If the means available for the removal of these nuisances are not sufficient, the present Jurors take this opportunity of expressing their willingness to be taxed for municipal purposes, provided they are allowed a voice in the application of the tax levied from them, or in the election of the Magistrates or others who are to have the control of the produce of the tax. That they are not satisfied with the results of the present system of management and, as rate payers, would prefer to have some voice in the application of the sums raised by assessment and otherwise for lighting, watering, paving, or cleansing the town, all of which they consider capable of immense improvement. That they consider many parts of the town a disgrace to any civilized capital, and respectfully yet earnestly press on the attention of the Court, for presentation in the proper quarter, the necessity of a thorough improvement in these matters."

His Lordship, after he had perused the presentment, stated, that regarding the first point mentioned in this presentment, in which the Jury complain of the insufficiency of the Grand Jury list, by which many persons are very often, to the detriment of their business, repeatedly summoned to serve on the Jury, whilst many, whose names might be added to the present Grand Jury list, are omitted; this point the Court will consider, and issue the necessary order on it afterwards.

Regarding the second point, the Judge observed, he feared very much, that he could not hold out much hope to them on that subject, viz., that of reducing the number of the Grand Jurymen from 23, the present complement, to 16, as prayed for in this presentment; for as the existing practice requires 12 Jurymen to form the majority on every indictment submitted to them, it is requisite that the number 23 must be maintained to keep up the nearest minority without paralyzing the votes on a question of returning a true bill or throwing out the indictment.

Regarding the third point, the Judge said, that he certainly would, as prayed for by the Jurymen, submit their presentment to the proper authorities—he approved of their resolve in wishing this presentment to be laid before Government.

After this the Grand Jury were discharged for this session.—Bengal Hurkur, December 12.

(Before Sir J. P. Grant, Knt.)

The Grand Jury returned true bills on the following indictments:

True bill against Ramchand, for returning from transportation from the S. E. coast of Martaban.

True bill against Buddinath; for the murder of Jeetun, his wife, at Shamponkur, in the town of Calcutta.

True bill against Buddenchander Doss and Hurroo, for stealing from the house of Michael Newton, the livery stable-keeper, several articles of silver plate, &c.

True bill against Isshurchander Doss, for forgery of a 700 Rs. document.

True bill against Lall Mohon, Cheenbaugh Podar, Bis-umbhur, Shoochul and Toonoo, for being accessories in a theft committed by Khoodeeram Seat and others, in the shop of Ram Mohon Dutt, in Dhurramhatta Lane, in Burrah Bazar, in the town of Calcutta, and a true bill against Khoodeeram Seat, Guddahur, Nobin Podar, and Cheenbaugh, for being accessories in the above theft.

There were two private indictments for assaults, on both of which the Grand Jury returned true bills; but we could not, owing to the low tone of voice in which the Clerk of the Crown read their names, learn them; we believe, however, that the parties are natives. There are many private indictments brought before the Grand Jury this session, which will no doubt prolong and lengthen their sittings.

The Grand Jury ignored the following bills and threw out the indictments, against Thakoordas for forgery, and against Ashmutollah and Sheikh Paunchoo for robbery.

After the Petty Jury had been impannelled to-day, the Judge, previous to dismissing the remainder of the jurymen whose names were not called, desired the Clerk of the Court to call again those jurymen who had not answered to their names. The Clerk of the Court then called Messrs. John Peter Maillard and Willoughby Fraser Hair, who were summoned to attend the Petty Jury during this session, and on their not answering the call, they were fined 50 rs. each.

Sheikh Bushur-odden was tried for stealing from the house of Sheikh Paunchoo, in Thustuneh Lane, in Calcutta, on the 5th of August last, several gold and silver ornaments and silver coins, the property of Sheikh Paunchoo and Joomnee Raur.

The prisoner pleaded not guilty.

Sheikh Paunchoo, deposed, that on the evening of the 5th of August last, shortly after nightfall, he was informed that his house had been robbed. He was then in the house of his master Rajah Narasinghunder Roy, and on receipt of this intelligence he went home and found

that his trunks had been broken open, and several ornaments of his wife Joomnee, abstracted. Here he detailed the ornaments and their weight, but he could not swear to their value. At 3 o'clock p. m., he perceived a person steal out of his house with a bundle in his hand. He followed and challenged him, but obtained no reply, and he then seized the man, who shook him off with a jerk. Deponent then called for help, and Nizamoodien chokseedar came to his assistance, and secured the prisoner and took him and the bundle to the thana, where he recognized his property and stated the prisoner at the bar to be the thief. On cross examination he admitted that Joomnee was only his mistress. The Judge questioned him why Joomnee was not subpoenaed in this case to prove what had occurred in his house during his absence, for she was not of that respectability to preclude her coming to the court, but the prosecutor would give no satisfactory reply to this question.

Mr J. P. Namey, Interpreter to Mr O'Hanlon, the magistrate, produced the property found on the prisoner, which he said he had received from Nizamaddeen peon.

Nizamaddeen deposed, that he found them on the prisoner and the prosecutor identified them to be his property.

In this part of the trial a great discrepancy was manifest between the testimony of Nizamaddeen peon, who swore that when he took the prisoner to the thana and Captain Birch, only the prosecutor and the thannadar accompanied him, whereas Jeetan Sing, the Naib thannadar, who although he at first deposed to the same effect, on cross examination admitted that there were other persons present, on both these occasions, and that Nugeena, the prosecutor, the prisoner's landlady, was also taken into custody at the same time, and after being detained for two days was released by the Magistrate. He said that at first he had forgotten these circumstances.

The Judge closed the case for the prosecution.

The prisoner, in his defence stated that his hut adjoins Joomnee Raar's. She is the mistress of Sheikh Paunchoo and Nizamaddeen, and his many visitors, being a woman of ill fame. Prisoner remonstrated with her on this subject and wished her to change the position of the door of her hut, as it annoyed his wife and family. This led to a quarrel between him and Joomnee Raar, and she, in conjunction with Sheikh Paunchoo and Nizamaddeen first robbed his house on the 4th August last, and then, afterwards charged him with robbing them. The property in court he said, belonged to his wife, who has absconded since his apprehension. He called Nugeena, his landlady, to prove the truth of his allegations.

Nugeena deposed, that she had heard on the day previous to this robbery, that the prisoner's house had been robbed, and she identified some of the silver jewels to be the property of the prisoner, and that there existed an ill-feeling between the prosecutor and the prisoner.

The Judge closed the prisoner's defence.

The learned Judge then briefly summed up the case, and after detailing the several counts of the indictment, and explaining the law and the evidence as bearing on the case, left it in the hands of the jury.

The jury, after a short consultation, returned a verdict of guilty on the 6th count, viz., that of stealing the property of Joomnee Raar.

After this verdict had been recorded and explained to the prisoner, the Judge ordered him to be remanded and to be brought up again on the last day of the sessions to receive his sentence.

Throughout the trial this prisoner was so very garrulous and so often interrupted the Judge, that he was more than once obliged to desire him to desist from needlessly interrupting the trial. And once Mr. W. S. Smith, the interpreter, rebuked him harshly for the same conduct. The Judge immediately took notice of this, and censured the interpreter for speaking harshly to the prisoner whilst on trial.

Ram Isahar, was tried for having, on the night of the 5th of October last, broken into the house of Baboo Rajh Koomai Seng, with an intention to commit felony, and with having further on that day, wounded Gunga Beehen Sing, the prosecutor's servant, with an iron crowbar, when he, after the discovery of the theft, attempted to arrest him.

The prisoner pleaded not guilty on both the counts, and after this trial had proceeded to some length, it appearing that there was no evidence to prove a burglarious entry into the prosecutor's house, it having been deposed that the prisoner might have got to the room where he was first detected in the act of breaking a portion of the wall, without being obliged to break open any doors or walls, he was acquitted on the charge of burglary, and tried on the assault charge.

It appeared by the evidence of Gunga Beehen Sing, the durwan of the prosecutor, that at about 11 o'clock, p. m., on the night of the 5th October last, Dookeram, the prosecutor's khandama, came and desired him to assist him in searching for a thief who had been attempting to break into his employer's house. Deponent accompanied him, and after searching the house they, in an empty room to the northward of prosecutor's house, saw the prisoner. No sooner did Dookeram shut the door of that room, than the prisoner struck him with an iron bar on the shoulder, and knocked out the light from his hands. Dookeram immediately receded, and said that he had been struck by a person in the room. Deponent then went into the room, and the prisoner, after giving deponent a shove, ran out and jumped from the terrace in front of this room into a dilapidated house adjoining the prosecutor's house to the eastward. Deponent jumped after him and seized him on the neck with one hand, and held him down with his foot on his breast. The prisoner then wounded deponent under his right rib with the iron crow bar, and deponent put his hand on the hurt, and the prisoner having disengaged himself from the deponent's gripe, wounded him on the knee. Deponent then called out for help to Dookeram, who shortly afterwards came with a light, at likewise some of the neighbors. In the interim, the deponent had seized the prisoner by the hair, and by this time the Police peons having arrived at the spot, deponent made the prisoner over into the custody of the Naib jemadar of Shaukatullah thanah. When the prisoner was questioned by the Naib jemadar respecting the manner in which he got into the prosecutor's house, he acknowledged that he came down a lane to the east of the house through the dilapidated house, and that he might be able to do without committing a burglarious entry. After this the deponent retired, and Dookeram scoured the spot where the prisoner was apprehended, and found the iron crowbar, which is now produced in Court. The deponent was subsequently ordered to attend the native hospital at the Chandney Choke, where he attended 72 days. He went daily in a palankeen, and Dr. O'Brien attended him. When the deponent saw the prisoner, he recollected him to be a person who used occasionally to visit Mohan the prosecutor's khandama.

The deponent identified the prisoner to be the person who had wounded him, and the iron crowbar which Nizamaddeen police peon, produced in court, he said he had received from Dookeram.

Dookeram deposed, to having found the iron crowbar where the prisoner was arrested on the morning of the 6th October last. He further deposed that at 11 o'clock p. m., on the night of the 5th of October, when he went to give his master a chillum, he heard the noise of some person breaking the north wall of the prosecutor's room; and he then after saw some of the plastering fall; he then alarmed his master and by his order called Gunga Beehen Sing to search for the thief. The rest of this witness's evidence corroborated that of Gunga Beehen Sing, except that he added that after the prisoner had been taken into custody he inspected the wall of

the room in which the prisoner was first discovered, and there he saw that the prisoner had made a breach one cubit square in the wall, and only one layer of bricks more was required to be taken out to complete the opening.

The prosecutor confirmed the evidence of these two witnesses, as far as he was concerned.

Jeetun, Nriob of the Sushetulah thanna, proved the confession of the prisoner when he was arrested. He said that to induce the prisoner to confess, he had promised to release him. On hearing this the Judge asked deponent how long he had been employed in the police office, and deponent replied 11 years; when the Judge asked him how it came about, that he, after having been so long employed in the police office, did not know that it was forbidden and illegal to endeavour to obtain any confession from any person charged with a crime either by threats or promises, for such confession cannot hereafter be received in evidence during the prisoner's trial. After this the Judge desired Mr. McCann to bring this extraordinary conduct of this deponent to the notice of the Superintendent of Police. He said that he did not wish to impute any criminal motives to the deponent in this affair, but it seems surprising that police officials after such a length of service, should be either so unacquainted or neglectful of their duty. He then intimated to the jury that after what this deponent had stated his evidence regarding the confession of the prisoner cannot be received in this case.

P. O'Brien deposed, that Gunga Beshen Sing was on the 6th October last, brought to the Native hospital in a palkee. He was an out door patient for 12 days. He came every day in a palkee, and deponent attended him. He had a severe contused wound on his right knee, such as the iron cylinder might inflict. If the wound had penetrated the integument the patient must have lost his legs; as it was neither his life nor legs was in danger.

This closed the case for the prosecution. The prisoner in his defence said, that he had gone from the house of his employer Cossanath Chatterjee at 11 o'clock p. m. on the night of the 5th October last, to get his clothes from his friend Mohe Chunder, when he was taken into custody on suspicion of having endeavoured to commit a burglary, and for having wounded Gunga Beshen Sing. He denied all knowledge of this crime and called two witnesses, who both deposed that they neither knew the prisoner nor any thing of this affair. This closed the defence.

The learned Judge then read the indictment and explained the law on it, after which he commented on the evidence, as far as it bore on the case, and detailing both the law and the evidence minutely, left the case in the hands of the Jury.

The Jury, after a short consultation, found the prisoner guilty.

After this verdict had been recorded and explained to the prisoner, he was remanded and ordered to be brought up on the last day of the Session, and the court adjourned at 6 o'clock p. m. till 11 o'clock a. m. to-morrow morning.

DECEMBER 12, 1837.

(Before Sir J. P. Grant, Knight)

IN THE CASE OF HAJEE RAJUB BULLUS versus MUSSOON AND OTHERS FOR AN ARSA LT.

Mr. Cochrane moved, that the prosecutor be ordered to pay the costs in this case, amounting to 106 rupees, on the grounds that the prosecutor had the case put off last sessions to this, on undertaking to pay the costs of the defendant in this prosecution. Since this the costs have been taxed and an alliciter issued from the Master's Office, and notice served on the prosecutor without

avail. The council then prayed that a contempt warrant be now issued against the prosecutor to enforce the payment of these costs, and in support of his motion, he quoted Hullock on costs, page 652, and Chitty's pleadings of 1834, page 726.

The Judge replied, that he did not know how he could take up the matter of a case traversed last sessions in this. All that he could do was to grant an order to prevent the prosecutor proceeding with the case in this sessions on grounds of not having fulfilled the conditions on which the case was traversed; for in England the court of Assizes ceases to be a criminal court immediately the trials pending before it are ended, and the parties can seek their relief in the court of King's Bench for costs. However, he would order the Clerk of the Crown to enquire into this matter, and in the meanwhile, grant an order for the prosecutor to show cause, why the prosecutor should not have a warrant issued against him on this motion, and he would in the interim consult the Chief Justice on this affair, and issue the necessary order.

Mr. Cochrane said, that as there was no court of Banco here, this Court he imagined to be competent to take up this matter and issue the order prayed for on this motion. He then bowed and retired.

Ramchand was indicted for having returned from transportation, after having been sentenced in the 4th Sessions of 1834, on a conviction for robbery to transportation for life to the S. E. coast of Martaban.

This prisoner, after repeated warning from the bench, pleaded guilty, and said that he had been forced, on account of very severe ill treatment, to abscond from the place to which he was transported.

The Judge replied, that if he had been advised by the court and pleaded Not Guilty, his case could be enquired into, but as he has persisted in pleading Guilty, all that he can now do is to present a petition to the court setting forth the hardships he complains of, and craving its mercy; and the court no doubt would give his petition every consideration in their power.

After this the prisoner was remanded to the last day of the Sessions to receive his sentence.

The trial of Isserchunder Cower and Cassinath, for stealing, was further postponed till to-morrow, to enable the prisoners to serve their subpoenas on their witnesses.

The case of Seetanath Dutto, for forgery, was on the same grounds, postponed till Friday the 15th instant.

The trial of Buddenrunder, sircar, and of Sheikh Haundon, for stealing from the house of M. Newson, was postponed till to-morrow, for witnesses.

Koodeeram, Guddadhur, Nobin Podar, Chreeneebaush, Sreenath, Bishumbur, Soobul and Tonnoo, Chreeneebaush Podar, case for stealing, was called on, and they requested a postponement again; but as they could not show sufficient grounds, their request was refused, and the case ordered to be tried.

Ram Gopal Ghose, J. P. Maitland, and Mathew Johnson, who were summonsed in the sessions, not answering to their names, were fined 50 rupees each, — Bengal Hurkaru, December 13,

DECEMBER 12, 1837.

(Before Sir J. P. Grant, Knight.)

The trial of Khoodeeram Seel, Guddadhur, Noobeen Podar and Chreeneebaush Byraagee, for stealing from the shop of Rammohun Dutto, a parcel containing several silver coins, and Laullmohun Chreeneebaush Podar

Bishumber, Soobul and Todnoo, for being accessories in this theft, and having the stolen property in their possession, knowing it to be stolen.

The prisoners pleaded "not guilty."

Kallunath deposed, that on the 12th of Novr. last, the prisoners Khoodeeram, Guddadhur, Nobeen Poddar and Cheeneebaush Byraghee, came to his master's shop in Dhurmhatta Street and demanded four quarter rupee peices for one rupee. After they had paid the batta one pie, deponent took out a cloth from a trunk in which were the coins, with an intention to give the four quarter rupees. On perceiving this, Nobin Podar began to ask deponent for the loan of his ink-stand, and whilst he thus distracted the deponent's attention, Khoodeeram snatched up the bag of coins and handed it to Guddadhur, and they all ran away. Deponent succeeded in apprehending Khoodeeram, and made him over to the chokaydar, who took deponent and the prisoner to the thana from thence, at the request of Khoodeeram, who said that if they would accompany him to his house at the Mutchua Bazar, he would return the money. Whilst the naib and three chokedars were proceeding there, deponent met his master Ram Mohon, and when they arrived at an upper-roomed house where Khoodeeram took them, they perceived the other eight prisoners handling the coins. Cheeneebaush Byragh, had the cloth under his thigh, and on Khoodeeram pointing them out the naib took the bag of money from under Cheeneebaush's leg, and deponent recognized it. After this the prisoners were arrested and taken to the police office. Here the deponent detailed the coins contained in the bag, and recognized the bag and coins in the Court. The witness, after much prevarication, admitted, that when he recovered that bag he found 12 annas wanting, and he promised the prisoners that if they would restore this sum to him he would release them.

The judge, after he had admonished this deponent for these prevarications and the impropriety of his conduct on this occasion, informed the jury that any confession the prisoner might have made after this, cannot be received in evidence; but his acts can, for they are facts.

Ram Mohon, this deponent's master, the naib of the thana and the police peon, confirmed that portion of this deponent's evidence which related to them.

This having closed the case for the prosecution, the prisoners each made an ambulatory defence, which, as they had not evidence to support it, went for nothing.

The judge then summed up the proceedings, and detailed the law, and the evidence on the case, and left the case in the hands of the jury.

The jury, after a short consultation, returned a verdict of Guilty against Khoodeeram, Nobin Podar and Guddadhur, of stealing, and against Cheeneebaush Byraghee, of having stolen goods, the property of the prosecutor, in his possession, and acquitted the rest.

After this verdict had been explained to the prisoners and recorded, the judge ordered the release of those prisoners who were acquitted and remanded the prisoners who were convicted, and directed them to be brought up to receive their sentence on the last day of the sessions.

Besides the property recognized by the prosecutor, there were some pictures which were purchased from the 12 annas deficit to the prosecutor's money, and also some coins found on their persons.

After this the Court adjourned till 11 o'clock p. m. to-morrow morning.

December 13, 1837.

Haundoo was arraigned for stealing from the house of Michael Newson, several silver spoons, the goods and property of the said Michael Newson.

The prisoner pleaded guilty, and informed the Judge, that the police peon who was sent to arrest him from his house, had bound, and extorted, at the village where he resided, 12 Rs. from one of his relatives, before he would release him.

The Judge remarked, that if the prisoner had any observations to make to the Court, in mitigation of his sentence, he could do so when he would be brought up to receive his sentence, in the meantime he is remanded. The Judge continued to say that if any act of extortion had been exercised towards him or any of his relatives, it was very right for him to bring it to the notice of this Court; the matter would be investigated, and if the men are convicted, they will be dealt with according to their deserts. After this the prisoner was remanded to the last day of the sessions.

After the Jury had been empannelled, the names of Thomas Tosh and John Longdon, two persons who were summoned in this Jury, not having been responded too, they, on their being called again, were fined 50 Rs. each.

Mr. Langdon came in some time after, during the trial of Isshur Chunder Koomar and Kossinath Sirdar, and stated to the Judge, that this is the first time that he had ever been absent in his attendance at the Jury, and that he had already served one day during the present sessions, and he had been prevented by a press of business from attending at the prescribed time to-day.

On reference, the Clerk of the Crown reported, that Mr. Langdon had served on the Petit Jury last Monday, but that he had not answered to his name on Saturday last, yet he had not been fined on that occasion.

The Judge said that in consideration of his having served last Monday, he remitted his fine this time, but cautioned him to be more punctual in his future attendance, as he could not on another similar occasion expect his fine to be remitted.—*Hurkara*, Dec. 14.

DECEMBER 13, 1837.

(Before Sir J. P. Grant, Knt.)

Isshurchunder Koomar and Kossinath Sirdar, were indicted for stealing on the night of the 2d November 1837, from the shop of Chundychurn, gunny bag merchant, at Clive Street, in the Town of Calcutta, 50 bundles containing 450 gunny-bags, valued at 35 rupees.

The prisoners pleaded "not guilty."

Chundychurn deposed, that on the night of the 2d November last, he locked the door of his shop and went to his house about one mile distant: when he returned to his shop next morning, he found that one of the valves of his shop door had been enlarged, and 450 gunny-bags stolen therefrom, and the padlocks of the doors were missing. Subsequently, on receipt of some information from the chowkeedar of the division, he proceeded to the Police office, and from thence, with constable Meines, to the shop of the first prisoner, which he searched and found 280 gunny bags which had been stolen from his shop and the padlocks of his shop door. Isshurchunder was likewise a gunny-bag merchant and had small gunny-bags to what were stolen from his shop in his shop, but prosecutor can distinguish his bags from prisoner's bags by a private mark; and, further, the keys of the padlocks of the prosecutor's shop were tried before

the Magistrate, and fitted the locks found in the prisoner's shop. After this the prisoner was taken into custody.

When the bags were produced by Mr. McCann and the locks by a Police peon, and identified by the prosecutor to be his property. The prosecutor on being asked questioned, gave the prisoner Ishurchunder a good character.

Maherollah, chokeedar, who was with Jooke, deposed, that on the night of the 24 Nov. last, at 1 o'clock a. m., he perceived the prisoners carrying away some gunnee bags from the shop of the prosecutor towards Ishurchunder's shop in the same street. Deponent challenged them, and not receiving any answer, he seized Kassinath Sirdar, and Jooke laid hold of Ishurchunder Koomar, who slipped from his grasp and threw the gunnee-bags into his shop and got in. Jooke, when he perceived this, shut the door on him and kept watch there. Maherolla then proceeded with the prisoner Kassinath to the thanah and returned with the Naib thanadar to Ishurchunder's shop, opened the door and arrested Ishurchunder. The keys found in the possession of the prisoner, likewise fitted the locks on the prosecutor's door.

Here the prisoners wished to cross examine Mr. McCann, and as there was some delay in his appearing, the Judge censured him for leaving the Court before the prisoners had had an opportunity of cross examining him. He likewise censured Mr. Smith, the Interpreter, about the manner in which he put the questions given by the prisoner to the witness.

Meeroo, the constable, and the naib thanadar, were then examined, and confirmed the depositions of the former witnesses regarding them.

The prosecutor said, that his gunnee bags had no particular mark, but they differed widely from the prisoners' gunnee-bags. This closed the case for the prosecution.

The prisoner Kassinath, in his defence, denied all knowledge of the crime laid to his charge, and the prisoner Ishurchunder said, that the gunnee-bags were his property, and he is a gunnee bag merchant. The chokeedar, during the Doorgah Poojah holiday, asked him for a doerur, and when the bonus was denied to him, vowed to be revenged on the prisoner on the first favourable opportunity. He called some witnesses to prove that these gunnee-bags had been purchased by him at the bazar; but they could only prove that he had been dealing in gunnee-bags; but whether he had these gunnee-bags in his shop before the robbery was committed or not they could not say.

Khooteet Parbut Baboo, who was subpoenaed in behalf of the prisoner, not answering when he was called, his recognizances were forfeited. This closed the case for the defence, and the prisoner, Ishurchunder, showed the private marks he had on these gunnee-bags, viz. 3 long stripes the whole length of them.

The learned Judge then summed up the case, read the indictment, and detailed the evidence in the case as far as it talked with or deviated from the indictment, and commented learnedly on it, marking the distinction between grand and simple larceny, and left the case in the hands of the jury.

The jury, after a short consultation, returned a verdict of not guilty.

This verdict had been recorded, the prisoners were ordered to be released, and the court adjourned till next day, tomorrow morning.

During this trial, one of the prisoners asked Mr. [unclear] a question regarding the deposition of Maherollah at the Police office, whether that deponent had deposed to the Magistrate that he had seen the prisoners

carrying these gunnee-bags from the prosecutor's shop; but as the examinations were taken by Mr. O'Hanlon, Mr. McCann could not answer that query; and the Judge, after having perused those depositions, remarked to the jury that he regretted that this question had not been put to the witnesses at the Police office; in fact he was sorry to find that the whole of the depositions in this commitment are very brief, much more so than what was requisite for the preparatory evidence in this commitment.—Hutkura, December 15.

December 14, 1837.

(Before Sir J. P. Grant, Knight.)

After the Petit Jury had been impanelled, the name of Michael Newson livery stable keeper, who had been summoned on the Petit Jury for this session, was called, and he, not answering, was fined 50 rupees.

Mr. Thomas Tosh, builder, who had been fined for non-attendance as jurymen yesterday, swore to an affidavit in Court to-day.

Buddenchunder Sircar, was charged with biggig, on Friday, the 1st December, 1837, robbed from the person of Mohonchaund Sircar, a servant of Hydeaut Hossain, Zemindar of Soorah, 2 Union Bank notes, Nos. 407 and 55 of Co.'s Rs-100 each, while the Sircar was on his way to the Union Bank, the notes being the property of the said Hydeaut Hossain prosecutor.

The prisoner pleaded not guilty.

Hydeaut Hossain deposed, that he had sent the 2 Union Bank notes, Nos. 407 and 55 of 100 Co.'s Rs each by the hands of his servant Mohonchunder Sing, to be cashed at the Bank. Subsequently he heard that they had been stolen from the sircar on the road; he had therefore stopped payment at the Bank. Afterwards, on the 1st of December 1837, he went, in consequence of information received, to the Police office, where he saw the prisoner in custody and one of the stolen notes, No. 407, at the Police Office. In this stage of the proceedings Mr. J. J. McCann produced the note, which he swore had been put into his hand by Bhurum-jut Sing, a peon of the Union Bank, on the 1st December inst., and the prosecutor identified the note to be one of those which he had entrusted to Mohonchaund to get changed.

Mohonchaund deposed, that he, on the day on which this transaction is stated to have occurred, received 2 notes from his master to take to the Union Bank to get cashed. After his arrival at the Bank he met the prisoner who asked deponent what he required, and on being informed that he had come to get some notes cashed, the prisoner replied that deponent would have a long time to wait for the money, unless he would avail himself of his assistance and entrust the notes to him, for the cashier was his relative and he could get the money for him soon. Deponent refused to entrust the notes to a stranger, but the prisoner snatched away the memorandum which the deponent had received at the Bank, and the notes, and desiring deponent to wait till he brought the money. He disappeared in the crowd. After deponent missed the prisoner he gave information of his loss to the Baboo at the Bank and to his master.

Roopchand Dart, a money-changer of the Barrah Bazar, deposed, that on the 1st December last, the prisoner came to his shop and after giving the security of Tarachund Datto, an umbrella merchant at the Barrah Bazar, discounted for cash the 2 notes said to be stolen from the prosecutor in this case. Tarachund Datto, the next day after the Note No. 407, had been stopped at the Bank, produced the prisoner, and deponent and he took him to the Police office and made him over to the officials.

A phomasta of this witness confirmed this evidence, and swore that Tarrakund Datto has since absconded, and another proved that he took the note, No. 407, to the Union Bank to be discounted, when it was stopped on the grounds that it was stolen property; and deponent and the note were under the custody of a peon of the Bank forwarded to the Police office.

Shamaachurn Chuckerbuty proved, that on the 1st Dec., early in the day, the first witness in this case had brought the 2 notes which are stated to be subsequently stolen to be cashed, and deponent had, after making the usual enquiry, given him a memorandum for the cash.

Lurchuader, another sircar of the Bank, proved the Bank note to be a genuine one.

Another sircar proved that one of the cashiers of the Union Bank is absent on leave, and the other is busy paying cash at the bank and cannot come.

P. O'Hanlon, the magistrate, proved the confession which the prisoner made to him at the time he committed him. To a question of the Judge, deponent replied, that he had no distinct recollection whether he cautioned the prisoner before he made this confession; but it is his habit usually to do so; certainly there were no threats used nor promises held out to him to enforce them from him. Mr. Namey interpreted the confessions to deponent. Mr. Namey confirmed the same.

Cross examined by the prisoner.—Prisoner said that if he were permitted to go to search for the man who gave him this note, he could point him out, and deponent referred him to Mr. McCann. Here the prisoner observed that, after he had quitted the Police office, he wished to go with the Police peons to point out the person from whom he had received these notes; but the peons said that it was now near 5 o'clock and they could not go, and thrust him into the Town Guard. Prisoner brought this circumstance subsequently to the notice of Mr. McCann.

Here the prisoner's confessions were read, in which he said, that he had been a servant of Baboo Radha Kissen Biswas, who owe him 36 rupees for wages. He met him at Jackson's Ghaut street, and demanded payment of these wages: when the Baboo gave him the note in question and desired him to get it changed and pay himself the 36 rupees and give him the balance. He had the note changed on security at the police's in the Burrah Bazaar, and after paying himself 36 rupees and the balance of the change to Radha Kissen Biswas, who resembles prisoner in age, height, color and features, therefore he imagines that Rad in Kissen Biswas cheated Mohonohand sircar, and he has mistaken the prisoner for that person. Radha Kissen Biswas is a shop braman, and lived at Shamooker. This was the substance of the prisoner's defence to-day.

He called two witnesses, who attempted to substantiate his statements in a vague manner.

Mohonohand sircar, was recalled, and on cross examination by the prisoner he admitted, that after the prisoner had taken the notes from him and desired him to wait and he would bring the money, he acquiesced to wait, and went out to eat, and on his return he missed the prisoner and gave the notice.

This having closed the case, the learned Judge summed up the evidence, read the indictment, and laid down the law, respecting the fraudulent obtaining of the notes. This would make it a misdemeanor if prisoner took the notes at first to get the money, and the purpose of appropriating them to himself afterwards entered his mind; but if he took them with an intention from the first to steal them, then the theft is constituted. This was formerly a very doubtful point in law, but in late decisions the law had decided that if any person prevails on another to part with any property on a false pretence, and he appropriates it to himself, he is still guilty of the theft; for though the owner actually assigns the custody of the

goods yet the law holds him still in possession of them, so that the purport of the law might not be defeated. However, on that legal point he would consult the Chief Justice, if the verdict should be against the prisoner; it is for them only to determine on their verdict by the evidence and facts of the case.

The jury after a short consultation, found the prisoner guilty.

The Judge, after the sentence had been recorded and explained to the prisoner, remanded him and ordered him to be brought up on the last day of the session to receive his sentence.

Both the prosecutor and the podar who changed the note No. 407 for Co.'s No. 100 claimed it. The Judge remarked that the podar had bought the note from a thief, and he could have no property in it, as the thief had none; and by the Act of Parliament the notes must both be given to the prosecutor. If the podar was not satisfied with this, and the prosecutor would consent to this arrangement, the podar could lay a claim before both the Judges of this Court, and be guided by their decision; otherwise he could sue the zemindar and let the law decide the point of proprietary. He certainly has an action to recover against the prisoner's security, the umbrella merchant. After this the matter was left to the consideration of the Judges.

The Court then adjourned till 11 o'clock A. M. to-morrow morning.

DECEMBER 14, 1837.

(Before Sir J. P. Grant, Knt., Judge.)

After the Petit Jury had been impannelled, the names of J. I. Sim and J. Langdon, who had been summoned on the Jury and did not answer, were called again and on their not answering they were fined 50 Rupees each.

Ram Gopal Ghose, who had been fined on a former occasion, having brought a certificate from Dr. Jackson to shew that he could not have attended on that day, his fine was remitted. He served on the jury body, although the Judge said that if he felt indisposed he could be excused.

Ram Gopal Ghose objected to be sworn in the present mode, and wished to be sworn by a form which he held in his hand, and quoted the case of Russac Krishna Mullick in the year 1834, who was sworn in a similar form during one of the Sessions of that year. The form was submitted to the Judge, who approved of it, and said that by the act he was entitled to swear on any form which he may think most binding on his conscience.—Hurkaru, December 16.

DECEMBER 15th, 1837.

Case of Murder.

Boddinath was tried for having, on the 10th of Sept. 1837, at Shamookeria, murdered Jeetan, his wife.

The prisoner pleaded not guilty.

Khoojunce deposed, that she was a widow and resided at Maniktulla, Raja's Bagan; she knew Jeetan who lived to the northward of her house, and was the wife of the prisoner at the bar. On Saturday the 10th of Sept. last, deponent heard a noise in prisoner's house at night; she went there in consequence, and when she arrived there she saw a crowd of his dowry, and the prisoner was beating his wife, who was crying out "he is murdering me." They were both drunk at the time. After a short stay deponent returned home; when she returned she saw the prisoner sitting in her bed, and Jeetan took up her child and began to give suck. Jeetan died on that night.

The Judge here warned this witness and told her to recollect that she was on oath and she was not to state anything but the truth, and that she had been already examined on oath before the Coroner, and if the two statements were contradictory they both cannot be the truth and one of them must be false; and she is liable to be punished for perjury if she deposes false.

After this warning the prisoner deposed that Hoddinath is a shoemaker; whilst she was at their house she saw Jeetun strike the prisoner 3 blows with a stick and abuse him grossly. Boddinath on being struck, took up a sharp instrument used in cutting leather, and stabbed her with it; deponent attempted to prevent the blow, but the prisoner shoved her aside and struck the deceased. Seeing her interference to be vain, deponent left the parties and ran home. Deponent cannot say on what terms the prisoner and deceased lived previous to this quarrel.

During the translation of this deponent's evidence, regarding the abusive terms the deceased had used towards the prisoner, some of them being of a very indecent nature, and Mr. Smith, the interpreter, attempting to explain their meaning to the court by softening the expressions, the Judge said that Mr. Smith must not do so—the trial being of life and death to a man, Mr. Smith must not stand on matters of delicacy and punctiliousness in a Court of Justice, which was not a Court of Etiquette.

The Judge, on dismissing the deponent, reprimanded her sharply. He said the former part of her evidence varied vastly from the evidence she had given since being warned: she then attempted to conceal matters which she has now revealed; this was very improper, and showed a wish to defeat the end of justice; and had it not been that she was an aged and ignorant woman, he would have committed her to jail for pervarications in her evidence in this trial.

Kooranee deposed, that she was a neighbour of Buddinath and the deceased. She saw the prisoner on the 16th Sept. last beating the deceased for having abused him, and she then went and called the deceased's parent, and on their arrival at the prisoner's house, the prisoner and his mother-in-law and father-in-law interfering, struck them with a stick. The deceased was then dying insensible on the ground, and the prisoner beating her with his clenched fists. Deponent then went home. She subsequently saw the bloody corpse of the deceased lying in her hut; but previous to that the prisoner had been arrested. This deponent said, that at the time this transaction occurred, neither the prisoner nor the deceased were intoxicated.

In this state of the proceeding the Jury questioned the deponent as to whether she had not in the former part of her evidence said, that the prisoner was drunk at the time, and on her denying it, the Judge remarked, that if the Jury wished to meet this point to ascertain the credibility of this witness, by his notes, it does not appear that she had ever stated that the prisoner was drunk at the time; but if they wish to stir this enquiry on a legal point, he begged to inform them that drunkenness was no excuse for crime, particularly for one of such a nature.

Juggernath deposed, that he is the father of the deceased. In consequence of information, which he received from Kooranee, he went to the prisoner's house; he there saw him beating his wife. He desired him to desist; but the prisoner, when he saw him, took up a stick and beat him with it on the head, which cracked his skull and felled him to the ground. He then with another blow broke the deponent's arm, and he was three months in the hospital before he could use it again. Deponent's wife, attempted to interfere, but the prisoner struck her also with the stick and broke her head, and she likewise fell senseless

on the floor. At this time the deceased was lying senseless on the floor on her back. After this the prisoner went to the deceased, and put his foot on her body and ripped up her belly with an instrument used in cutting wood; her entrails immediately protruded, and she gave a convulsive start, flung out her arms, gasped, threw out her tongue, and expired instantly. Deponent did not see her abuse nor strike the prisoner at the time. The prisoner was not drunk at the time he did this. Shortly after this the Police peons came and arrested the prisoner. The prisoner and the deceased had some quarrels before—they did not live on amicable terms.

Nondoll deposed, that on the 16th of September, the prisoner and his wife, made their market and having dined, the prisoner took up his work and the deceased went out. The prisoner not perceiving her, called her, and she went to him immediately. The prisoner, when he saw her, seized and began to beat her, and Kooranee went to give information to Jeetun's parents of this quarrel. The rest of this witness's evidence was but confirmatory to the evidence given by the former witness.

Soaker Mohammed, Police peon, deposed, that he saw the prisoner stab his wife with a sharp instrument under her right breast. Deponent desired him to desist, and the prisoner on hearing deponent's voice ran with the instrument towards him, in a threatening manner; but on his remonstrating and threatening him, he dropped the instrument. Deponent then seized and bound him, and took him and the instrument to the thanna. When the prisoner inflicted this wound deceased was dead from the effects of the former maltreatment. The deponent produced the instrument with which the prisoner had killed the deceased.

Nujubollah, thannadar of Shampookaria, deposed, that he knew Jeetun, the prisoner's wife; she had been murdered on the 16th September last, and he pointed out her body to Dr. Bain for examination, who examined it in his presence.

Dr. R. H. Bain, Police surgeon, deposed, that he examined the body of Jeetun on Monday the 17th September, at Shampookaria. He said there were 16 wounds on the body, one over the left eyebrow, one on the left side of the neck, nine over the situation of the liver and the stomach, one on the left forearm, just below the elbow, one on the right forearm, another on the right elbow, two on the back between the shoulders close to the neck. There was a large quantity of coagulated blood on the floor of the room, where the corpse was lying. The left jugular vein had been divided, and the bones cut through. Deponent opened the chest and abdomen, the eighth and ninth ribs were divided, the liver was wounded in eight places, four of the wounds passing through the liver; the lower part of the right lung was wounded, to the extent of one inch and half, the stomach was pierced in eight places, a large quantity of the contents of the stomach was found in the abdomen, and had got out at the external wounds. Most of the wounds were about one and half inch in length, others were from three and a half to four inches. It is possible that by the repetition of plunges the same instrument which caused the smallest wounds might have inflicted the larger; they must have been inflicted by a sharp edged instrument. An instrument like the chisel produced might cause such wounds. The deceased, in deponent's opinion, died from the effects of these wounds. In the first place the dividing of the jugular vein would cause an hæmorrhage, and the wounds on the stomach, the liver, and the left side of the neck were mortal, and they would cause the instant death, and were the cause of the deceased's death.

Soonah, a witness who was examined by the Coroner, and the grand jury, was put into the box, and the prisoner was asked whether he wished to examine him.

during the case for the prosecution complete without him. The prisoner declined examining him. In the manner Noother, another witness, was called, and declined by the prisoner.

This closed the case for the prosecution.

The prisoner in his defence said, that he was quite drunk at the time when this transaction is said to have taken place, and was sleeping on his bed, and so was his wife. When he woke he found her murdered; who killed her he did not know but his neighbors taxed him with it. Why should he have killed her, she was a good, upright woman, and the mother of five children by him, and he was always fond of her. He called two witnesses, but none of them knew any thing regarding the transaction which was the basis of this investigation.

This having closed the defence, the learned Judge addressed the jury, and said, that if they deemed it requisite he would detail the evidence to them, but if they thought the case clear without it, he would not do so.

The jury said, that they had most of them taken notes of the evidence already.

The learned Judge then briefly summed up the facts proved by the evidence, and after explaining the law and informing them that the life of the prisoner depended on their verdict, left the case to their decision.

The jury retired, and when they left the jury box, Mr. B. Preston, the Crier to the Court, swore the constables who had charge of the jury. On this the Judge remarked that the constable ought to have been sworn before the jury left the box.

The jury, after a short retirement, brought in a verdict of guilty.

This verdict was then recorded and explained to the prisoner.

The Judge informed the prisoner, that after a very careful investigation of his case, the jury have found him guilty of murder, and it is his most painful duty now to pronounce on him the most awful sentence of death, and he knows not what he can say to him which may be of service to him now; but if he has any feeling in him he must be tortured by remorse for his atrocious crime, a crime which all religions and mankind abhor. The Judge then pronounced the sentence, that the prisoner be taken to the jail and thence to the place of execution on Monday, and there hanged.

The prisoner after this sentence was passed, asked for permission to see his daughter and begged 5 rupees to leave her, and said that as he had not drunk any liquor for these three days, he begged that at the time of his execution a bottle of liquor might be allowed to him.

The Judge replied, that he could see his daughter at any time he wished, and if he made an application for the 5 Rs. it would be given to her; but the liquor he should not get. After this the prisoner was removed.

The Court adjourned till 11 o'clock a. m., to-morrow morning.

LIST OF THE TRAVERSE CASES.

Bastomchurn Day Pudar versus Gour Mohon Shin, Ramchander Day Pudar and Bujo Mohon Chatterjee, for conspiracy.

Sooroochunder Sircar, Chowdry versus Sumbho Chunder Sing, for perjury.

This case has been postponed till next sessions by mutual consent.

Hajee Rajah Ullah versus Masina Sircar, Mazoon Sircar, Sheikh Mersud, Sheikh Noor Mohomed, Byram Darjee and Sheikh Abdeel Hossain, for forcible entry.

December 18, 1837.

(Before Sir J. P. Grant, Knight.)

After the Petit Jury had been impanelled the name of John Isaac Sin, one of the Petit Jurors, summoned to attend on the Jury during the present Session, was again called, and as he did not answer, the Judge fined him 50 rupees.

Buddinath was indicted with having on the 31st August, 1837, at Baman Butee, in the town of Calcutta, inflicted several mortal wounds on the back and the head of a person named Kunneah, from the effects of which wounds he died at the Native Hospital on the following day.

This prisoner, although repeatedly admonished by the Judge either to plead guilty to this indictment, persisted in saying that he was quite drunk and senseless at the time when this occurrence is stated to have occurred, and he cannot speak with any degree of certainty as to what he might have done whilst in that state; therefore he declined either to plead guilty or not guilty, as he would not utter a falsehood in Court.

After repeated and vain remonstrances to induce him to plead either guilty or not guilty, the Judge informed the prisoner that the act of Parliament and provided for the non-postponement of the trial of persons, who might persist in the line of conduct adopted by this prisoner which was to record the plea of not guilty and put the prisoner on his trial.

The trial of Buddenath for the murder of Kunneah at Baman Butee, on the 31st August, 1837.

Soorjee, widow, deposed, that she has been the mistress of the prisoner for twenty-five years. She knew Kunneah, he was her nephew, and he is dead. He lived at Baman Butee in the same house with the prisoner and the deponent. On Thursday, the 31st August, at about 10 o'clock a. m., Kunneah desired deponent to cup him on his feet which were swelled. Prisoner was at the time milking his cow. Deponent pleaded indisposition and referred him to his mother to bleed him. Kunneah then applied the cups and desired her to incise the parts with his razor, which she did, and bled him. After this Kunneah went to a grain merchant and bought some doll and rice and desired his female to cook them for him, and asked deponent for some vegetables, which as she had none she could not give him. Kunneah then abused her. He then went repeatedly to a spirit shop behind the prisoner's house to drink, and came back and continued abusing her. This was at about midday. This is not the first time that he had abused her for not giving him victuals; he was an habitual drunkard. He then went out after taking his meals, but returned at 5 o'clock p. m., when he renewed his abusive language and struck deponent in the face. Deponent then entreated him to go away till his passion subsided, and he went towards the door, and whilst deponent went to shut the door on him, he lifted her up and threw her with such violence on the ground that she became senseless. When she recovered, she discovered that Kunneah had been wounded. This induced her to give the alarm, and the chokeydars came. Deponent did not see what had occurred between the time that Kunneah had thrown her down and gone out, and the time that she recovered herself; and after a severe admonition from the Judge she still persisted in this evidence, and said that on former occasions she had given the same evidence. The prisoner Mircha, the mistress of Kunneah, was standing by him at the time. Kunneah was wounded on the arm, the forehead, and the belly, and his equills were protruding. There was a knife lying covered with blood on the spot at the time.

In this part of the investigation the Judge remarked to Mr. Smith, the interpreter to the court, that he did not give the replies of the witnesses to him fully. Mr. Smith replied that he did, but perhaps from the deponent not wishing to speak whilst he was interpreting her answer, he might, by the confusion caused thereby, not have been able to hear her distinctly. To this reply the Judge said, then "I wish you would speak so that I may hear your replies clearly." He likewise warned the witness to be very careful in her depositions, for she was not the only person who witnessed the transaction she was relating. Dependent then replied that there was grass on the spot where these wounds were inflicted. After the chokevidar came, Kunneah in his wounded state closed with Buddenath, and whilst they were struggling the mother and father of Kunneah came to the spot, and had the prisoner apprehended. Here this deponent, whilst identifying the knife, turned round weeping and addressed pathetically the prisoner "Buddenath, what have you done?" On hearing her the prisoner replied in a sharp, angry tone, and abusing her desired her to cease her communication to the Judge and not address him, adding that she was perjuring herself, for the sake of her paramour.

The Judge, after reprimanding the deponent for her irregular conduct, in interrupting the proceedings and desiring her not to do so again, informed the prisoner that he was only interrupting the trial, and behaving in a very disrespectful manner towards the court, in thus angrily abusing this witness, and this conduct of his could not be in any way beneficial to him.

The prisoner replied that he had no wish to interrupt the proceedings, or to behave disrespectfully towards the court, in any way, all that he required was that none of the witnesses may speak to him during the trial.

Rohem-oolah, chokevidar, deposed, that he apprehended the prisoner and that at the time when he did so the prisoner was lying over the deceased with a knife grasped in his hand and the blade in the body of the deceased, who was lying senseless under him. He sent the prisoner to the thanna and the deceased to the hospital. Dependent likewise identified the knife.

Jumoor Jooddeen, nurb of the Bamun Bastes thanna, deposed, that he pointed out the dead body of Kunneah on the 1st September 1837, to Dr. R. H. Bain, the Police Surgeon, who examined the corpse in his presence on that day.

Cross examined. Buddenath, previous to striking the deceased, had desired him to quit his house. Kunneah refused to quit it on that day because it was a Thursday, and Buddenath then threatened to beat him. Kunneah replied, that if Buddenath struck him he would retaliate. This angry altercation ended in a mutual assault which led to the prisoner wounding the deceased.

In this stage of the proceedings, the Judge again warned this witness to be very careful in her evidence, and to speak the truth strictly.

Dependent added, that there was no struggling inside the hut before these wounds were inflicted, the fatal occurrence transpired at 5 o'clock P. M., outside the prisoner's grounds near dusk—both parties were drunk at the time.

Mr. J. J. McCann, produced the knife and witness identified it to be the prisoner's property.

Muttichas, the widow of Kunneah, deposed, that on the evening of the 31st August, in consequence of Kunneah refusing to bleed Kunneah, a quarrel ensued between them. Buddenath desired Kunneah in consequence thereof to quit his house, and Kunneah said, that he would do so the next day. Buddenath then threatened to beat and turn him out, and Kunneah replied, that if

he did so, he would retaliate. Buddenath, who was then cutting straw, rose and brought a knife, and whilst Kunneah was sitting down, the prisoner came suddenly upon him and wounded him with it on the forehead. Kunneah on being struck rose and closed with the prisoner who kept wounding him with the knife first in the arm then in the belly, and then in the breast under the ribs, until the deceased fell, with the prisoner on him with the knife in his grasp thrust into the deceased's belly. Dependent attempted to draw the knife out and cut her finger in the attempt. She then gave the alarm and Ruheem and another chokevidar came to the spot, seized the prisoner and snatched the knife out of his hand and dispatched Kunneah to the Hospital, where dependent accompanied him. She was with the deceased all night, he died the next morning. At the time the prisoner wounded Kunneah, he was drunk, but Kunneah never drank liquor in his life. Soorgee was present when the prisoner struck the deceased, she was quite sensible and standing close by at the time. Here the witness pointed to Mr. Voulintzky as the person who had attended on the deceased and examined his body, she likewise identified the knife with which the prisoner had struck the deceased to be the one now produced in the Court.

In this stage of the examination, the Judge found fault with the interpretation of a passage in which the deponent said, that when the prisoner struck Kunneah, he closed with him, and whilst they were struggling, the prisoner kept wounding the deceased till he fell senseless on the ground. Mr. Smith, the interpreter, replied that the idiom of the Hindoostany language differs very much from the idiom of the English language, and he is therefore obliged to give the replies of the witnesses in a manner conformable to the expression used in conveying the same meaning in the English language, if he were to give them verbatim, they would in most cases be unintelligible. The Judge observed rather sharply, that it is not the interpreter's duty to criticise and adapt the idiom of one language to another as it may seem conformable to him, but to give them verbatim. Never mind, if the sense of the passage may be distorted in English, it is much better to get the verbatim words of the witnesses, to enable the Judge and the Jury to judge their purport, and it is not for him to put his construction on them, and he requested him to abide by these directions of the Court to him in his future interpretations, nor would he enter this interpretation until Mr. Blacquiere informed the Judge that it was correctly given.

R. W. Bain, Esq., the Police Surgeon, deposed, that he examined the body of Kunneah at the Native Hospital at Dhurrumtollah, on the 1st September last, after it had been pointed out to him by last witness. There were four wounds on the body, one on the left eye-brow, one on the right arm, a large superficial wound measuring seven inches over the situation of the stomach, and one wound on the left side of the chest, which had penetrated the chest and abdomen and measured three and a half inches. Dependent opened the chest and the abdomen, and found that the 8th rib was divided and also a part of the 9th rib. The diaphragm was wounded to the extent of four and a half inches, the stomach and the transverse arch of the colon, lay on the cavity of the chest pressing on the left lung. The descending portion of the colon was also wounded and a large quantity of the contents of the bowels found in the chest. The wound on the left side was a mortal wound and the cause of the deceased's death. In his opinion a knife like the one produced in court might inflict such wound.

P. O'Brien, an Assistant in the Native Hospital at the Dhurrumtollah, deposed, that the prisoner arrived at the Native Hospital with the wounds above described on the evening of the 31st August last, and that he died perfectly sensible the next day; he was all the time, whilst dependent attended on him, aware of her approaching end. He made no particular communication to dependent.

This having closed the case for the prosecution, the prisoner declined either to examine the witnesses or to make any defence at all, saying that he was quite drunk at the time when these transactions are alleged to have occurred, therefore he could not say whether he committed the crime imputed to him or not, and thus left his case in to the hands of the Judge and the Jury.

The learned judge, after having read the indictment, and detailed the evidence, pointed out the parts in it either in favor of the prisoner or against him, and after informing the jury that drunkenness was no excuse for crime, told them that if they thought during this altercation between the prisoner and the deceased, which has been sworn to to-day, that the deceased had first struck the prisoner who at the time held the knife in his hand, and that he instantly at the excitement of the movement on being struck stabbed him, the crime would then be manslaughter; and if they came to that conviction they could not legally give a verdict of manslaughter on an indictment of murder, but if they believed that on mere mutual abuse or altercation the prisoner, as stated by Meerutches, got the knife out and stabbed the deceased, then abuse is not a palliation recognized by him to reduce the crime to manslaughter and they cannot but pronounce a verdict of murder against the prisoner, although his life is the penalty of such a crime. That the prisoner killed the deceased there is not the slightest doubt; it is for the jury to determine on the nature of his crime. After this the Judge left the case in the hands of the jury, who after a retirement of about one hour returned a verdict of guilty of murder. The verdict was then recorded and explained to the prisoner.

The learned Judge informed the Jury, that they had discharged a very painful duty, but they had discharged it in a manner that coincided with his view of the case. The prisoner here claimed that all his debts due to him and his goods and chattels in the custody of the thinnadar, be delivered to him. The Judge said, that after this conviction all his goods and chattels became forfeit to the King. The prisoner wished to know now in that case his wife and four children were to support themselves.

The Judge said, that it remained only for him to pronounce the awful sentence of the law, with regard to the laws of this, and the Judge believed, of all countries. The man's goods become forfeit to the Queen, but if the woman who has lived with him, petition the Queen on this subject, no doubt the Queen's grace will be extended to her, and he doubted not, and recommended to Mr. King to instruct her to make this application, for it is a commendable act of charity. The Judge wished that he had expressed one-tenth part of the commiseration towards the man he murdered as towards his concubine, if he had done so he would not have been brought to this fatal crisis. It is now requisite to make his death an example to others, to control the violent ebullitions of passion to which he has given way in a fit of intoxication, and that all the poor of this land may know that the strong arm of the law can, and will always punish such crimes with the severity they deserved. The Judge added, he supposed that what he could say to him now could have but little effect on him, and that he would employ the little interval allotted to him to the repentance of his crime. The Judge then sentenced the prisoner in the usual form to be executed on Monday morning, the 18th instant, between the hours of 6 and 9 o'clock a. m.—*Hurkara, Dec. 16.*

DECEMBER 18, 1837.

(Before Mr. E. Ryan, Knt.)

Shoo Shurram, was indicted for having in his possession 10 gold armlets, the property of Radah Beesbee, who had been murdered at Churkhar Dargah, knowing the same to be stolen property.

The prisoner pleaded not guilty. And as on the former trial he again to-day stated, that Sumbhoo Chunder Bongerjee was the person who had committed the murder of Radah Beesbee, and afterwards gave him these armlets, and desired him and others to go for the present out of Calcutta, until this matter was hushed up, and he did at that time give to each of them some money and a portion of the deceased's property to pay their expenses, during the period they would keep themselves aloof, and during the cross examination of Sumbhoo Chunder Bongerjee, he examined him very minutely on these transactions, giving a very clear and correct account of it, but Sumbhoo Chunder Bongerjee denied the whole of the prisoner's account to be correct; and, as it rested only on his own ipse dixit and was unsupported by evidence, it could not be legally believed. We have refrained from giving the minute particulars of this case, at the publication of this prisoner's former trial, for the murder of Radah Beesbee, for which he was tried during the last session and acquitted, which trial was published in the *Benjal Hurkara* and *Chronicle*, during the month of August last, containing all the details, which transpired during this trial, and it would be useless to re-publish them now. He called a witness to depose to an account which that witness had heard of this murder from Beesbee Bannoo, the mistress at that time of Gour Bahad, the brother of Biboo Sumbhoo Chunder Bongerjee; but the Judge said, that he could not go into hearsay evidence, for if the prisoner required that statement to be made in this trial, he should have subpoenaed Beesbee Bannoo. After the trial and the defence of the prisoner was concluded, the presiding Judge summed the proceedings in this case, explained the indictment, and detailed the evidence, commenting on it and laying down the law, and thus left the case in the hands of the jury, who, after a consultation, returned a verdict of guilty of having received stolen property knowing it to be stolen.

After this verdict had been recorded and explained to the prisoner,

The Judge said to him that the finding was very correct, and it was very plain that he knew the whole of this transaction, and although a merciful jury had acquitted him on his former trial of the capital offence, yet it is very plain that he did know that a murder had been committed and concealed it, therefore he in consideration of this passed on him the heaviest sentence the law allowed in his case. The prisoner was then sentenced to 7 years' transportation to the S. E. Coast of Martaban.—*Hurkara, December 19.*

Dec. 18, 1837.

(Before Sir L. Ryan, Knt.)

Seetanath Datto, was indicted with having uttered a forged promissory note on the 11th of November, 1837, purporting it to be from Kaulloo Biboo to Nikaantho Sircar, with intent to defraud Nikaantho Sircar and the proprietors of the Bank of Bengal, for Company's rupees 1,300.

The prisoner pleaded not guilty. Madutcheunder Seal, an assistant in the Bank of Bengal, after looking at a promissory note, which Mr. H. Holroyd produced in Court, said, that he had received it from Mr. C. K. Robison, the committing magistrate in this case. Dependent deposed that he had seen this note before, and he recognized it by a mark which he put upon it when the prisoner brought it to be discounted. Dependent did so because he suspected the signature of Nikaantho Sircar to be a forgery, for it did not in his opinion correspond with the signature of Nikaantho Sircar, as witnessed before by this Dependent. The prisoner was a stranger to dependent, and came on the 11th November, 1837, at 11 o'clock a. m., and represented himself to be the Sircar of Nikaantho Baboo. Dependent

The prisoner was called again at 2 o'clock a. m. In the meantime the deponent sent a sircar to Nilkantho Sircar's house, to inform him of this transaction. A sircar then came from Nilkantho Sircar's house, who on production of the promissory note, declared, in the presence of Mr. Uday, the Secretary to the Bank, that the signature was a forgery. Mr. Uday, after this information, desired deponent to send the prisoner to him whenever he may call again. The prisoner called again shortly after 3 o'clock p. m. Deponent took him to Mr. Uday, who sent him in custody of two peons with a letter to the Police Office, where he was committed for trial. Kaulloo Baboo is a stranger to deponent.

Nilkantho Sircar, deposed, that he is a ship Banian; the prisoner at the bar is a total stranger to him, and he never sent by this deponent any promissory note to be discounted. Here this deponent looked at the forged document and said, that the endorsement purports to be his name, but it is not written by him, nor can deponent conjecture who wrote it. Knows Kaulloo Baboo, but though deponent has dealt with him he did not receive this draft from him.

Baboo Kaulloo, deposed he is a shop keeper. Looks at the forged draft and says that the name in it is his, but it is not written by him. He never gave such a draft in favor of Nilkantho. There is another person named Kaulloo Sing, a broker, and a person named Neeloo Sing, a sircar of the prosecutor in this case.

Mr. J. J. McCann deposed, that the prisoner was brought in custody to the police office before him. He then stated that he had received the forged draft from Nilkantho Sircar. But before the magistrate on his commitment, he said that he had received it from a person named Lall Sing, and so the magistrate giving him some peon to accompany him he pointed out Lall Sing, who when brought to the police office, denied all knowledge of the prisoner and of the draft in question.

Lall Sing, broker, deposed, that this prisoner is a stranger to him and that he was on a case of his brought up before the magistrate at the police office. Deponent never gave prisoner the draft in question, and never saw it till it was produced before him at the police office.

This closed the prosecution.

The prisoner in his defence said, that he had received the draft from the last witness, but as he has denied giving it to him and his witnesses are not in Calcutta, he declined making any defence.

The Judge then summed up the proceedings, explained the indictment, and detailed the evidence, commenting on it, and left the case in the hands of the Jury.

The Jury after a short consultation, returned a verdict of guilty of uttering a forged document knowing it to be forged. After this verdict had been recorded and explained to the prisoner the Judge said, that from the evidence the case was very clear against him, and the verdict very correct. He had attempted to defraud the Bank of Bengal a considerable sum, and as it is requisite to this large commercial city that offences of such nature should be severely visited for the sake of public safety, he sentenced the prisoner to 7 years' transportation to the S. E. Coast of Mauritius.

After this came on the case of Gourmohan versus Ramchunder Day and Kistamohan Chatterjee, for conspiracy. The defendants pleaded not guilty, and as neither the prosecutor nor the witnesses in this case were in appearance, the Judge directed and the Jury accordingly pronounced the prisoners not guilty. The Judge ordered, that as the prosecution was a private one, the recognisances of the prosecutor and his witnesses should be forfeited.

The Advocate-General wished a case in which he was counsel for the defendant to be called on, but as the prosecutor was in jail on a civil process, and it would require some time to bring him up to court and the hour was already late, the Judge postponed the hearing of the case to 11 o'clock to-morrow morning.

The Judge desired Mr. King to bring the remaining prisoners in the jail up on Wednesday, when he could hold a jail delivery at 11 o'clock a. m.

The Court then adjourned till 11 o'clock a. m. to-morrow morning.

DECEMBER 19, 1837.

Queen on the prosecution of Hagee Alee versus Mestoom Sircar. Sheikh Morad, Sheikh Noor Mahomed, Byram Dursee and Sheikh Abdool Hossain.

The defendants were indicted with having on the 31st day of May, 1837, forcibly entered into the house of the prosecutor in this case, in the town of Calcutta and broken into his zenannah.

Attorney for the prosecutor, Mr. Manjiddell.

Attorney for the defendants, Mr. N. Hudson.

Counsel for the prosecutors, C. R. Prinsep and J. F. Leith, Esqrs.

Counsel for the defendants, J. Pearson, Esq.

TRAVERSE CASE.

In this case, the Chief Justice remarked, an application had been made by Mr. Leith for an attachment on behalf of the prosecutor for cost before Mr. Justice Grant, therefore the Judge said that before he could call on this case he must see what Mr. Grant had done on that motion in this session.

Mr. Leith replied that the case was called on now by a notice from the defendants.

Mr. Pearson for the defendants replied, that they were obliged to do that or else they would forfeit their recognisances.

After a short desultory conversation, the Judge retired to consult Mr. Grant.

After a retirement of about a quarter of an hour, the Judge returned, and he said that he has seen Mr. Grant on this case, who said that an application had been made by Mr. Cochrane in this session for the prosecutors to pay 185 rupees, the costs of the defendants in this case. It appears that this case had been traversed from the last session to this on the very ground that the prosecutor would not pay all the defendant's costs up to the end of the last session; therefore, the Judge remarked, before he can take up this trial the prosecutor must be in a condition to pay up the defendant's costs. If he cannot do this, the Judge added, he would not charge the jury on it but order the case to be struck out of the traverse board.

Mr. Prinsep replied, that the prosecutor is already in the big jail as a debtor, and brought up now on a writ of Habeas Corpus, therefore he cannot possibly be in a condition to pay the defendant's costs. After this the Judge ordered the case to be struck off the board, but he said that the indictment would remain.

Mr. Pearson, for the defendants, replied, that they are now in custody having surrendered themselves, and applied to have them discharged from their recognisance by an order of court.

The Judge replied that they were not in custody, for he had not charged the jury with them, he merely would order the case to be struck off the board, and leave no further order on the subject.

After this the case was adjourned for the jail delivery to 2 o'clock p. m. to-day.

The jail delivery of the prisoners tried during the 4th Session of Oyer and Terminer of the year 1837.

Bunnsheer oldeen, who was convicted of stealing from the house of Sheikh Panuchoo, in Mutchun Bazaar street, several silver articles, the property of Joomnee, prosecutor's mistress, to the value of 136 rupees. The Judge sentenced the prisoner to be confined in the House of Correction for 12 calendar months.

Ram Essar, who was found guilty of cutting Gurgoa Essar with intent to do him some serious bodily harm,

the sentence of death was recorded against him, the Judge informed the prisoner that he was doing for two capital felonies, viz. burglary, cutting and maiming; of the former charge he was, by the direction of the Judge, acquitted, from some deficiency in the evidence; but for the other indictment of maiming the person who went to apprehend him for his thieving, with a deadly instrument, the severe sentence of the law was thus for such offence, but the Court, taking into its merciful consideration the prisoner's case, sentenced him to 7 years' transportation to the S. F. Coast of Marathra.

Ramchind who had pleaded guilty of having returned from transportation before the period of his sentence had expired. This prisoner put in a petition stating, that he had an insufficient food and severe ill treatment had occasioned him to abscond from the place of his transportation.

After this sentence of death had been recorded, the Judge informed the prisoner, that in order to make the punishment of transportation a severe punishment, it is requisite that the return from it should be severely punished, and had this prisoner's sentence been for a limited period, he would increase it, but as his sentence is aliey for life he could not increase it without sentencing him to death. He was not inclined to deal with that severity with him, and therefore sentenced him to be sent back to the S. F. Coast of Marathra for life.

Khondraam Seal, Guddahar, Cheenebakh Byragy and Nohin Podar, who were convicted of stealing some rupees from a money-changer. These three prisoners put in a petition saying, that they were lodged with Khooderam and knew nothing of this offence.

The Judge informed the prisoners who had pleaded guilty of larceny, that they were sentenced to 12 months' confinement in the House of Correction, the first and last month in solitary confinement, and the other 10 in hard labour.

Haidoo, who had pleaded guilty to an accusation of larceny in a dwelling house to the amount above 50 rupees. After the sentence of death had been recorded against him, the Judge said he would deal mildly with him, and he, under all the circumstances of the case, sentenced him to six months' imprisonment in the House of Correction, and one month in solitary confinement.

Gour Mohan, who had been convicted of stealing 3 Union Bank Notes of 100 rupees each from the person of Mohan Surcar, the property of Hydesant Thosah, of Sealdah.

The Judge, after hearing the petition of the prisoner, told him, that he had been convicted of larceny on clear evidence, and under all the circumstances of the case, sentenced the prisoner to 12 months' confinement in the House of Correction.

After this Panchoos and Osmah Ollah, who were indicted for a felony, and the full against whom was thrown out, were brought up and discharged by proclamation.

After this, as the Sessions were about to break up, the prosecutor in the case of R. Smith versus J. Perreux, obtained by application and mutual consent, leave from the Court to speak to his defendant—*Harkara, December 20.*

INSOLVENT COURT.

Dec. 23, 1837.

(Before Sir E. Ryan, Knight.)

IN THE MATTER OF JOSEPH SWINERT MORTON, INSOLVENT,
vs. NEWSON THE OPPOSING CREDITOR.

Insolvent's Attorney Mr. Martindell Mr. Newson's Attorney Mr. W. D. Shawe, Ditto's Counsel The advocate-General.

Insolvent it proved, he has one book of the firm of Morton and Newson in Court, there are other books of that firm which Mr. Newson left with Mr. G. F. Hudson, Attorney at Law, who has a lien for costs on defendant. Subsequent to 19th May 1837, when the firm of Morton and Newson was dissolved, deponent deposited some books of his private accounts with Mr. Board, the Sheriff's Officer, to whom deponent owes some money: there were none of the firm's books among them. Deponent received a note from Mr. Shawe in whose name it was deponent does not know, nor does he believe that it was for the joint keep of horses by the firm. Deponent believes it was for a debt due to him previous to his joining the firm. Deponent paid it away in part payment for rents of the premises No. 23, Durrantellah, when the firm of Morton and Newson carried on business after the sale of deponent's property. This note was returned by Captain Fitzgald to deponent, who gave it over to Mr. Board. Deponent likewise held several accommodation notes, one for 700 Rs. and the other 400 from Mr. Newson, and an account current of a debt of 389 rupees due by Lt. Beecher, at Bazar, for which Mr. Newson was security. Deponent likewise deposited with Mr. Board another note of hand for 600 rupees and a bill for the sale of a horse, showing a balance of 165 rupees in favor of Mr. Newson. Mr. Newson and deponent had a private account between them, of which deponent does not know.

Mr. Newson to render an account, but deponent has his account ready.

The Judge, on looking into the Schedule, said that the statement of valuation of a box containing papers, &c. would not do, Mr. Board must specify what are the securities in his hands.

Defendant deposed, that he has no property besides his clothes. He is not indebted to Mr. Newson, and he believes that Mr. Newson is indebted to him 10,000 rupees. Deponent has stated in his Schedule the debts due by the firm of Morton and Newson, but none of the debt due to the firm. Deponent said that he perceived 2 books of the firm of Morton and Newson on the table which he did not know before, had been in Mr. Board's possession. Nabob Chowder Jung is indebted to the deponent from 6 to 800 rupees. In this stage of the examination, the Judge said that he could not discharge this applicant on this ground, because the Schedule listed a true one. His plea of the books being in Mr. Hudson's or Mr. Board's possession, will not be a sufficient plea, he can apply for them through his attorney, Mr. Martindell, and if they refuse, then the insolvent's attorney can make an application to the Court to compel him to get temporary possession of them, to enable him to file both the credit debt statement of the account; and Mr. Martindell must file the amended Schedule and serve notice of the same to the insolvent's creditor 42 days before the re-hearing of this Insolvent's case, which was fixed for the 24th January 1838, or the Insolvent Court-day next; and the Judge was to give public notice of this by advertisement in the paper.

During the delivery of this decision by the Judge, Mr. Board interposed and said that he had the books

But he was ready to follow them up to the
 necessity to enable the insolvent to turn up his
 hands. The Judge told Mr. Board stupidly, that he
 would not hear him; but after the proceedings were
 over, the Judge returned to Mr. Board, if he was willing
 to give any more for the purposes mentioned by him as
 the applicant's attorney, could do so, and that would be
 the better way.

The judge then informed Mr. Pearson, the counsel for Mr. Newman, the opposing creditor, that he could not

to place in any order, and returned the papers to
 Oswald in school.

-In the matter of Garind Chunder Keer, Mr. R. F. Allen made a motion for the arrest to be brought up and examined by the Attorney, Mr. J. W. Alexander. In doing so he stated a party which the attorney had made he had read that in this "El-Furud" and which he believes to be the

* Order granted. After this the Court adjourned till the 24th January, 1892. — *Barber*, December 23.

BUDDER BOARD OF REVENUE

We learn from authority on which we place much confidence, that Mr. Gault, who has recently returned from Europe, will be appointed officiating secretary to the Federal Board of Revenue. We hear also that the junior member Mr. Walters, is about to proceed to England.

f. We learn that Government, having some intention of repealing section 55 of regulation XX, of 1814, which imposes on moonshiners the duty of detaining and selling property in satisfaction of arrears of taxes, have called on the Board for information relative to the subject. The Board have set forth the replies of the various moonshiners to whom a circular has been addressed, and have forwarded to government separately the statements of the members.

The Senior Member remarks, that in the paper submitted by government, it appears to be proposed to restrict the enactment which constitutes moonshine the officers who are ordinarily to sell property seized by process of a court, that on the ground that those officers have mis-conducted or neglected the duty, but merely because they are placed under the control of the judicial authorities; and the duty of deciding summary suits has been transferred to revenue officers. He apprehends if the proposition of the Sugar Bazaar Association to appoint separate officers to perform the duty throughout the country be adopted, that the principles of sub-division of districts, and separation of departments would be carried to an objectionable extreme; for in addition to the three sorts of judicial officers now in existence, viz., one for revenue, one for criminal, and one for civil suits, there would be added, for police, and the third for government revenue, there would be a fourth class, expressly charged with distressed property on a fee of one anna per acre, and a compensation that in large cases (where an acreage is low) would be excessive; while in the small cases, which amount to nine tenths at would be so small, that it may be fairly inferred, the officer would almost always be between landlords and tenants. He is not sure by bringing an officer and all, they might be able to discharge a competent maintenance, which is a question that has not as yet already thoroughly been settled by the public authorities. Mr. Mr. Pottle it seems quite clear, in these matters, to consider the special duty, and to have a separate class of officers in England to relieve the revenue officers, by constituting a set of magis-

trates to decide upon customs and excise rates, because those duties are connected with the commissioners of custom and excise, who are not judicial officers. Mr. Pattle thinks, if the dignity of the judicial departments can be considered compromised by a moonshin receiving instructions from a collector, that the speaker may be by mistake to be produced by the parties taking out the decess, or any other form may be adopted by which the collector shall not directly interfere with the moonshin. Under those circumstances the senior member is led to conclude that instead of especially establishing a set of newly persons, having nothing but the scanty and uncertain remuneration to be referred to for their livelihood, it will be preferable to continue the moonshin in the discharge of the duty until, at least, they complain that they cannot execute same, or until it is discovered that another existing set of public officers is available, and has more time and capability to perform the duty. It is no small recommendation of the present system, the senior member observes, that the people are accustomed to it—that they are contented with the manner in which the moonshins discharge their duty, and that they have now, from long continued practice, mutual confidence in each other.

The temporary member, Mr. Walters, is of opinion that there can be no objection to the moonshiners being released from the duty in question, but he thinks that if separate commissioners or the assessors appointed by the judges for the sale of property in satisfaction of decrees of the purgation courts, are specially employed, in either case it will be necessary, and is a duty incumbent on government to consider how a sufficient remuneration is to be provided for them, so that none but respectable persons may be employed in the performance of a duty, which, placed in the hands of ill-paid and irresponsible individuals, might, and undoubtedly would, be converted into an instrument of mockery and arbitrary oppression.

The officiating member, Mr. Tucker, in view of opinion, that the moonlight ought to be returned as the duty, which was in Cretaceous, Ammon, Stricken, and Hattatong, where nature must stand as they are at present, might be advantageously illustrated to the purpose of cases; but he also considers that common sense is applied properly for the purpose will not appear, as the fact would not afford an adequate compensation for the trouble, and there is no reason why the government should bear any part of the expense. — *Englewood, November 11.*

A letter in circulation, very respectfully addressed to the Governor-General, expressing a petition that the hills of Darjeeling are a very fertile tract from the base of the plains of Bengal, and that the Local Board should be authorized to send an Agent to Council to examine the land, and to recommend the station fit for the reception of immigrants, in whom a general firmness of character, and a good knowledge of the English language, were become necessary. The letter is signed by many persons of simple means, very earnestly urging the establishment of this station as a means of its proximity to Calcutta which will put it within the means of the middle classes to remove to it, when compelled by ill health or a desire for recreation.

and places them in a similar, being at a distance which makes a visit to it almost as obligatory and severe as any voyage to Europe.

RECENTLY DELIVERED.—The medals and prizes for the examinations in chemistry, at the Medical College for this year, were delivered on Saturday morning at that institution by the President of the Council, Mr. Ramesh. There were a great number of European and Native gentlemen present, amongst whom we noticed the Honorable Mr. Macaulay, Mr. Sutherland, Capt. Birch, Messrs. Sutherland, Fitzgerald, J. C. Chip, Drs. Jackson, Craigie, and Henderson, Baboo, Ramesh Datt, Ramchandra Sen, Rajah Kalikrishna Bahadur, &c., and of course the liberal donors of the prizes, Dwariknath Teja & Co.

DISPENSARY.—Dr. Hansen has been appointed. There is a report current, that the institutions of the numerous dispensaries is intended to provide situations for the medical students of the College, and that Dr. Hansen is to be Superintendent of Dispensaries. The students are to be designated sub-assistant surgeons, and one to be appointed to each dispensary under the ailing surgeon, who is to have 50 rupees per mensem for his extra occupation.

GENERAL HATTA DISPENSARY.—On this, that the General Hattia Dispensary is about to have arrangements made for the lodging of a certain number of patients in it. It is stated, that the plan of the additional buildings has been ready for some time, and they would have been commenced before this, had it not been for the difficulty which exists towards obtaining the necessary quantum of ground for the purpose.

LABORATORY AND INDIAN PHARMACOPEIA.—Dr. O'Shaughnessy, it is said, is to have an experimental laboratory for the preparation of medicine, now intended for from England, and the duty of arranging the Indian Pharmacopoeia is to devolve on him.

JOHN BRYAN, M.D.—It is to be, it is said, professor of Materia Medica in the College, in place of the situation of professorship of clinical surgery, declined by Mr. Chapman.

CHOLERA.—The cholera morbus is raging very dreadfully in the suburbs of Calcutta, at Phool Bagan in 1 mile. On the 20th instant, no less than 8 natives fell sacrifice to this disease, and several natives, for fear of contagion have sold their grounds in that division and removed to another quarter. One on the 19th instant, sold 10 upstake through fear, for 100—and removed into town. **PROGNOSIS OF CHOLERA.**—The examination of the pupils of the several seminaries of Calcutta, has been highly satisfactory, as showing a vast improvement in the system of education now adopted.

BARBER SCHOOL.—The English school, which was established by the Rev. Mr. Hatherlin at Barakat and which went on very well for some years, has been closed for some time.

THE CHAMBER OF COMMERCE.—The Chamber of Commerce have presented as a nuisance the Intemperance of men at which the Government functionaries enter their several offices. To the public whom they have occasioned communications personally with the head of office, it is of course very inconvenient not to find them there before noon, though in many cases it is well known that their absence is occasioned by the press of public business which cannot be got through except by taking home property and passing a long morning unattended in disguise and waiting upon them.

THE OPPIUM SALE.—The opium sale of the 1st inst. consisted of 150 chests of packaged French opium, namely, 125 chests of Patna and 25 Benares, and a small lot of 10 chests of Patna and 50 Benares, which are by far the best. The whole of the Patna was bought by Messrs. Jacobson, an eminent dealer connected with Bombay, the first lot at 950 and the rest 960 and 965 averaging 955-12 per chest; the Benares was taken by six or eight different buyers at 910 to 925, averaging 916-12 per chest.

The total weight of the French Opium advertised for the public sale on the 22d instant was sold at 955 rupees per chest.

FAILURE OF THE COMMERCIAL GRAIN CONTRACTORS.—The failure of the commercial grain contractors was lately announced, with the expression of a hope, that the Government, indulgently regarding the unfortunate circumstance which has caused this result, would liberally remit the penalties incurred. The Government, upon the representation and recommendation of the proper authorities, have expressed their intention to relinquish the claim which they have upon the contractors, and to resort to commercial agency for future supplies.

NATIVE FAILURE.—A considerable failure in the bazar was announced on the 30th of November, the firm of Sebnim Paul and Co. and Co. a house of seventy years' standing, reputed the oldest shop in Calcutta. Their transactions are said to have embraced about twenty-five lakhs of rupees, but, we are told, the failure is limited to about a couple of lakhs, and that it has been forced upon the acting partner, Cosminath, by a quarrel with his brother about joint responsibility for losses on opium this year, which the latter is supposed to have ample means of making up.

SALTING IN THE SALT WATER LAKES.—A discovery has been recently made which promises no slight addition to the luxuries of the table in this country. Herrings have been caught in the Salt water Lakes, of which the flavor is pronounced to be delicious. The natives are buying up all they can procure for salting, hoping to put them off, at an evident advantage, as importations of the present season. The sentiment, it true, is curious, is not having hitherto fallen with the scope of chance to obtain this description of fish, its production hitherto in any part of India, being altogether unknown.

UNCOVENANTED SERVANTS' FAMILY PENSION FUND.—It is now, that the Local Government have, in anticipation of the sanction of the Court of Directors, all along allowed six per cent. upon the accumulating assets of the Uncovenanted Servants' Family Pension Fund.

DISTRIBUTION OF STIMES.—A great number of indigent persons assembled at Calcutta on the occasion of the Shraut of the late mother of Baboo Sibrain and Anund Narain Ghose, of Pantooria Ghaut, which took place on the 22d of November. Their number was according to some between fifty and sixty, according to others between seventy or eighty thousand—men, women and children. Had there been no restriction on the entrance of the town, by the police, their number would of all probability have exceeded a lakh. About five o'clock the following morning they were collected into the compounds of large native houses, and the distribution commenced about seven o'clock; the Muslins had half a rupee and others without distinction of creed, age, or sex, a quarter rupee each. No accident happened. At the house of Baboo Motchur Sen, in Nantullah street and of three beggar women was delivered of a son, and every care was taken to be taken of the mother and infant, who have been safely conveyed home.

NATIVE CONVERTS.—It is said, that a number of the native Christians at Purneah, in Allahabad, who had originally been Hindus, had lately embraced the faith of their forefathers by wearing bead necklaces, and announcing publicly that they had abandoned Christianity. It is stated further, that not content with proceeding thus far, they took forcible possession of the chapel where they used to perform Hindu service, brought an image of Kariakumari, and worshipped the same in a Hindu fashion, on the fourteenth of November. The same question was of a very low origin, being of the Hindu faith and extremely ignorant, and expressing the same sentiment to the effect that, when the converts embracing Hinduism were asked which system they preferred.

SAVES AN ANIMAL.—On Saturday evening last, some Natives broke into the Bible Depository and carried away 100 bibles and the same number of prayer books, with other religious tracts. The pious depositories effected their entrance by climbing the door of the church in Mission row, standing upon which they broke a pane of glass, and inserting their hand removed the iron bar. It is hoped the rogues will profit by what they have stolen.

SEAMEN AND WAR BOATS.—It is said, that the *Esperanza* steamer, which is now coming down with the Bishop, is to be despatched to Africa on her arrival at Calcutta, also, that Government have sanctioned the building of two war-boats, carrying two traversing 32 pounder cannonades, capable of conveying troops, baggage, stores, &c.

The tender of the Calcutta Docking Company for building the two war boats for Africa, has been accepted. The Company undertake to complete the boats in three months. The dimensions of these craft are, length 60 feet, breadth 16 feet, depth 6 feet, constructed at a draft of $3\frac{1}{2}$ feet water.

THE CREW OF THE *WRECKED*.—On the 1st instant, seventy men, a portion of the crew of the *Herford* foremast, were put off at Clive Street Wharf. The payment commenced at about mid-day and lasted till past 5 o'clock p.m. The sum to be paid to them amounted to several thousand rupees, as each of the men received from two hundred to two hundred and fifty rupees.

PREPARING TO LEAVE.—We hear that the cabin of the *Linard*, which vessel sails to Calcutta the first week in January, is nearly all engaged. General Ventura and Lieut. Arthur Comilly have determined to proceed to Europe by the overland route, and we may hope to be favoured with the journal of some of the gentlemen, who travel through Italy and France for the benefit of those who may hereafter take the same route to England.

MY KICKED UP AT SEA.—A Chinaman, commander of a Chinese junk, which has a rival fleet in Calcutta about 13 days ago, on his voyage from Kingston to Calcutta, picked up at sea 41 Chinese men in a baulk, from off the coast of China going. These men were destitute of provisions, and had they not been that providentially saved by this Chinaman, it is probable they would shortly have perished. He then stated, that they were casting along the Chittagong shore, a few days previous to their being picked up by the Chinese junk when it was suddenly overpowered by a violent storm off the island of Suu Jeep, which broke the cable of their vessel and drove it out to sea where they were tossed about at the mercy of the elements, until they were providentially saved in the manner already stated.

OUTRAGE AT DUM DUM.—It is said that a party of police constables went up to Dum-Dum a few days ago, and under the pretence of having a search warrant to seize run-away men, entered encampments where they conducted themselves in the most disorderly manner. They proceeded to the house of Bhaia per Bhaia full, who had retired for the night, and marched on having him called up. When interrupted by the sentry on duty, one of them exclaimed that they were on His Majesty's service and demanded why they stayed there in the execution of their duty; that if he had had his pistol by him he would have shot the sentry for stopping them. They are all regretted to have behaved in a state of great rudeness, and to have disturbed in no small degree the quiet of the cantonment.

SEVERE AFFRAY.—A man arrived from the Mofussil, stating that a great fight had lately taken place in Zillah Kamnagore, between the people of an Indian planter and Kanipressoon Bahadur, of Oorissagore, Zepidar. The men on both sides were armed with sticks, but those on the part of the Indian planter being more numerous than those on the part of the Kanipressoon, the former got

the better, of the latter, men on both sides being mangled and wounded.

DEATH FROM SEVERE AFFRAY.—Joseph King, the Gomastah of an Indigo Planting, the permanent proprietor of the Mouza Mossut, in the Parganah of Bahin, Zillah Hooghly, having within the last fortnight, caused a severe beating to be inflicted upon a Mossutman, for non-payment of revenue due by him, the poor man breathed his last in the process.

SUICIDE.—On the night of the 21st instant, a Pootna woman, aged between twenty five and thirty, committed self-destruction by hanging herself by the neck; in which state she was found on the morning of the 5th, by her son. She appears to have committed the atrocity in consequence of a quarrel that she had the preceding evening, with the man under whose protection she lived.

FIRES.—Several fires have occurred during the month, and one of them which took place at Bang Bazar, consumed property to a considerable amount.

MR. SMITH'S EXPERIMENTS IN INDIA.—Mr. Robert Smith, of the Military Board Office, is the incursive individual who has been experimenting in India rubber, and the experiments, as far as they have been conducted, have proved very successful, exceeding the most sanguine expectations of those interested in the undertaking. Mr. Smith has had the fruits of his labours, in the form of samples of boxes, bottles, knives and pouches before the approving authorities, and has elicited from them the strong expression of their thanks and commendations, which will no doubt ultimately obtain for him the distinguished patronage which his achievements so deservedly demand. The lithographic art, introduced to Mr. Smith for the discovery of the simple application of rollers, earth, or engraved matter in radiating impressions on stones, for which purpose it has hitherto been used, to the great saving of the stones, and the employment of labour, which has been considerably diminished by the practical adoption of his useful discovery.

TAX ON CONVEYANCE.—It is said that it is in the contemplation of Government to levy a tax on the conveyances plying in the streets of this city. The amount is to be sixteen rupees per annum for each buggy or two wheeled conveyance, and thirty-two rupees on every coach, carriage or four wheeled vehicle, and the sums raised by this tax is to be expended in watering and repairing the roads.

RUBBISH CANTS. It is stated, that the Chief Magistrate, shortly previous to his leave of absence, at the suggestion of Lieut. Abercrombie, the Superintendent of the Conservancy Department, passed an order, that no Conservancy cart shall remove from the streets opposite to the gate of any house more than two cart loads of rubbish, under any circumstance, and the removals are to be limited to the sweepings of the house solely, and all other kind of rubbish must be removed by the owner of the house at their own expense.

CHINA NAPOLEON.—Letters from China, Nagpore, say that the Cold-water-tunn has been successfully quelled, and the chief of the insurgents captured. On 5th Dec. 1, which for some time had been under marching orders, awaiting only the final order to move, has received respite, to the great joy of the luckless wallahs and hangers-on and great inconvenience.

THE BHOOTAN MARCH. Letters from Goalpoor announce the arrival there of the Mission according to Bhutan, on the 25th ultimo. They went to Subhina (that route by water as far as Guwahati), and thence to attend the hills through a path lying due north, avoid Mr. Turner's route.

MOFUSSIL.

WORK.—Government has authorized the building of a new hospital, for the European soldiers, at this station.

A dinner recently took place at the station Restaurant to arrange the constitution of a new association and he called the Agri Beef Steak Club, for the improvement of the dairy and other social relations.

The 5th Regiment Nitro Infantry arrived on the 22nd, and continued their march this morning.

The cholera which had remained quiescently, has again broken out with violence. The quality and quantity of the food on which a large portion of the population now subsists, render the poor wretches peculiarly obnoxious to the disease.

The inhabitants of Agri, have determined on preventing a divorce to Sir Charles Metcalfe on his approaching departure from the country.

NEW ROAD.—Government have directed a line of road to be surveyed, and reported on, for the use of public mails, to and from Calcutta and Bombay. It appears that the road is, at first to be on a small scale, though well constructed and calculated for horsemen or light carriages. Captain George Fraser, Assistant to the Resident at Nagpore, has been taken the instruction of that portion of the road, which runs through the Nagpore territory.

POST OFFICE COMMISSIONER.—The Post Office Commission have recently visited the establishments of this department throughout India, the date fixed upon for giving effect to such alterations, as are deemed necessary, is the 1st of January, 1838. The salary of the Post Master at Delhi has been raised from 114 to 100 rupees per mensem, and from 14 to become a *Subsidiary Post Office*, with Minor Subordinate to it. The pay of the Assistant Post Master has been fixed at 175 Company's rupees a month.

MAJOR.—His Excellency the Commander-in-Chief reviewed Colonel Skinner's corps of irregular cavalry at Hanoi, on the 14th, and the Haurinah light infantry battalion under the command of Captain Grant, on the 15th of November. The gallant Commander maintained his well earned reputation; notwithstanding the violent character of the illness in many of his men the manoeuvres were well and steadily performed, and His Excellency was very much gratified with all that he saw.

WINTER.—The last year has been very dull for attendance light, and the show horses poor in the extreme.

WINTER.—It is stated here that the magistrate has adopted an excellent plan of ending the extortion of the *Barkundates*. The old and emaciated prisoners were all transferred to the jail and able bodied in a sent out in their stead. An order was likewise made to give six paces to each prisoner, but at the same time the pay of the *Barkundates* has been stopped till such time as it may be seen the prisoners get into proper condition.

WINTER.—The old Queen Dowager of Oude and young Moona Jann, have been safely lodged in the neighbouring fortress of Cunnar. The old lady shammed sick at Allahbad with a view, it is supposed, to gain time for the operation of some plan of escape, she is prepared to pay six lacs of rupees to any gentleman who will procure her liberation by fair means or foul. The indigo manufacture in this province has wound up far beyond the most sanguine expectations of the planters. The damage done to the khureef crops by the storm, referred to on a former occasion, is not nearly so great as was anticipated from the appearance of the fields immediately after the storm abated.

WINTER.—During the review of the troops at Benares by the Governor General, a native speculator was accidentally shot through the body by some confused, or careless soldier, who omitted to withdraw the ramrod before firing off his musket. The unfortunate suffered died shortly afterwards.

WINTER.—In the middle of the month upwards of 500 prisoners were in the *Barkundates* jail of the station, the accommodation being scarcely fit for 500. Of

course sickness and mortality are largely generated by such a state of things. Even now there are between 50 and 60 in hospital, besides the sick in the hospitals of different detached garrisons, 5, 6 and 8 miles off. At present the three Insane Hospitals contain 81 patients, and about 40 or 50 in the extent of daily attendance for medical advice at the City Dispensary.

WINTER.—The sword which had been subscribed for by the non-commissioned officers of His Majesty's 44th foot for presentation to *Amaga Kipling*, their late and much respected sergeant major, having arrived at the head quarters of the corps on the 18th instant, on the 18th the whole of the non-commissioned officers assembled in the long room of the regimental canteen for that purpose. On the approach of the *Amaga*, he was met at the door by the quarter master sergeant of the regiment, viz. Martin Shirpe Whitaker, who in the name of the remainder of the non-commissioned officers assembled, presented the sword, (which has the following inscription engraved on its blade, viz. "Presented to *Amaga Kipling*, their late sergeant-major as a token of their sincere esteem and regard.") with the following very appropriate address:—"I *Amaga Kipling*, in behalf of myself and the rest of the non-commissioned officers of the regiment, I have much pleasure in presenting you with this war like badge, the most honorable that can be given from a body of brother soldiers to another. We beg you will accept it as a mark of our appreciation of the strict and diligent performance of your arduous duties as sergeant-major for these last 13 years, and as a further mark of their sincere esteem and regard, trusting that you may rise into the higher grades of the service with as much honour and respect as now marks your present well earned promotion, and which we all view with feelings of joy and delight. Should you ever be called upon to draw this honorable weapon in battle, may it be with honour and glory, to your sovereign, your country, and yourself."

After *Amaga Kipling* had received the sword, he delivered the following short but feeling reply:—"Non-commissioned officers. In receiving this sword from you as a mark of your esteem and regard for me, I return you my sincere thanks, and at the same time hope that you will individually consider my silence to speak more the feelings of my heart, for this your mark of esteem than if I were speaking to you for an hour."

The individual in question is an old and faithful soldier, having served 3 Kings and the present Queen for a period of upwards of 26 years. He enlisted on 1st May 1811 into the 24th Regiment of Foot, and joined the 2nd battalion in Portugal a short time afterwards with which battalion he continued to serve till the peace in 1814. On the reduction of that battalion he was sent to join the 1st, then serving in India (Bengal) and on the return of that corps to Europe in 1822, he extended his services to his present corps the 44th Foot, and in November 1824 was appointed sergeant-major to the regiment, ever since which period he has performed the arduous duties of that situation, which no doubt has been done to the satisfaction of his commanding officer, and has now been rewarded for his long and faithful services, by a commission from her Majesty, which may he long live to enjoy!

WINTER.—There is much suffering here among the agricultural classes. The station is crowded with the most miserable objects many of whom arrive too late for relief and die from pure starvation. By a calculation made, it appears that the number of deaths from starvation or debility, the effect of insufficient food, has been, since the beginning of September till the commencement of November, about 60. The poor wretches are found lying about the station unable to move, and the residents send out persons with bags of parched grain to feed the starving people flocking in, and to bring these needy medical treatment into hospital, several hundreds are led daily on private charity.

THE DHOON.—A letter from an intelligent person in the quarter speaks of the improvement in the Dhoon here as very rapid; several gentlemen with capital and talent to enable them to do a great deal of good, have taken plots of waste lands, and are getting on very successfully. Population, however, is rapidly decreasing, and these are the sinews of a new colony. It has struck persons engaged in the Dhoon, that the present drought and scarcity in the plains, or rather in some of the Western districts if them, might be taken advantage of to obtain settlers in the Dhoon, by which pressing distress will be alleviated during the present season, and the emigrants probably be eventually bettered in condition.

KURNAUL.—The case for the prosecution of Lieut. Keating and Jennings, of H. M.'s 13th L. I., who was arraigned before a court-martial for ungentleman-like conduct, in refusing an explanation, both verbal and written, as offered by Captain Hughes of the artillery, in consequence of which an attacking tank place and Captain Hughes received a mortal wound; has closed, and the prisoners recommence their defence. The charge received from these quarrels is solely for unofficer and ungentleman-like conduct, in refusing the explanation offered. The record of the deceased was asked if he considered the duel a fair one, and answered that he conceived it was not. The Court, however, would not permit any matter connected with the capital crime to be entered into, nor would they allow the deceased's second, cited as a witness, to record any of the serious impressions, as to the cause of Lieut. Keating's treatment of him, which the late Captain Hughes when dying submitted to him.

LOORNAH.—A European soldier who had deserted and sought service with Ranjeet Singh, has just been sent back, somewhat reluctantly, by the Rajah. Much distress exists in this town and district.

RAVONN.—A letter from Sangar mentions, that the harvests had been productive, but the price had advanced in consequence of the heavy rain to meet the great demand in lower Bundelcund and the Dooab.

PALES.—The plague has again broken out in the ill-fated town of Pales and is fast exterminating the inhabitants.

NATIVE STATES.

LAHORE.—The Maha Rajah is now out upon a hunting excursion on the river Jhulum. His Highness expressed to the courtiers his intention to send Monsieur Allard and Court, with a detachment of cavalry and artillery, for the purpose of relieving the sirdars and their men stationed at Peshawar, that they may come and join his suit.

Bhys Ram Sing represented, that the late sirdar Hurrey Sing, had so far succeeded in working up their minds with fear, that had he lived a few years longer, the Eusebian would have submitted themselves to the rule of the Maha Rajah before and he would have completely subjugated Fateh Khan, of Punjab, and Payand Khan, of Darband.

The vakeel of the Ameer of Attora having represented, that his principal had given way to excessive grief for the death of his son, and that some sort of token of regard from His Highness, might contribute to console him in some measure, a valuable shawl and sword were accordingly ordered to be forwarded to the Ameer.

An ams was received from Fateh Sing and Hakeem Roy, stating that Ahmad Khan, of the Emabul tribe, having set on a direction on foot, in the neighbourhood of Dera Ismail Khan, with a view to pillage the Maha Rajah's territories in that quarter, that officers, with a suitable force, confronted the insurgents and were engaged in putting them to flight, but with the loss of a number of men on both sides.

An ams was received from the Nabharwar of Peshawar, representing that intelligence had been received there, that about a thousand of the Afghans on the frontier of Khyber had formed themselves into a band, and having managed to stop the current of the river Bars for two days, the Maha Rajah's troops at Peshawar were put to considerable inconvenience, and the heads of the latter saw no other alternative than of proceeding to chastise the former. The Afghans however seeing the Sikh troops approach, were frightened by their superior numbers, and sought refuge in flight.

At the hour of audience, Kowur Now Nihal Sing represented that Ulle Dad Khan, the former ruler of Attock, had endeavoured to excite sedition and disturbances, but upon the appearance of the Nabharwar's army from Dera Gohere Khan, Ulle Dad finding himself unable to stand his ground, had fled in the direction of Cabul. The Maharaja remarked that if Ulle Dad Khan would appear before him, and repent of his misconduct, some provision would be made for him. Sirdar Dhunna Sing observed, that if His Highness would indeed take the Khan's circumstances into consideration, he would immediately present himself.

The Maharaja enquired of Raja Dhyana Sing, respecting Shumsoodeen Khan; the Raja answered that he had retreated from his encampment and sought concealment in the hills, and that the Sikhar's troops were in pursuit.

An ams was read from the intelligence of Cabul to the effect that Sirdar Dost Mahomed Khan was, as usual, residing at that place, that Mohammed Akbar Khan, his son, was very oppressive in his conduct towards the ryots; having heard of the proposed visit of Mr. Alexander Burnes, the King's counsellors recommended him not to permit English gentlemen to enter his territory, otherwise the people of that nation would, by degrees, obtain possession of their whole country. Dost Mahomed replied, that the English entertained no unfriendly designs towards himself or them, and that he relied upon the favour of the Almighty. That there was not any fear of aggression on the part of the British power.

Hukeen Duvy Dutt, who accompanied Kaseo Kaloo Sing, the Nepaul Minister, presented some koshla alms and said "If your Highness will be pleased to grant some of this koolia, it will be productive of great benefit;" in consequence of which Dhyana Raj Koonwar was ordered to take a kula for a few days by way of experiment and if it proved beneficial the Sirkar also promised to use it; and five hundred rupees were bestowed upon the Hukeem.

It was before stated, that the Sirdar Bishen Sing, has been murdered by Ram Sing, son of Sirdar Koprheel Sing; it is further made public, that the Maharaja of Lahore, notwithstanding the full proof of the crime, has not ordered the criminal to the gallows. For the satisfaction of the people, he forbade Ram Sing his presence, during a short time, but after 3 days gave him an audience to take leave; on which occasion Ranjeet Sing's officers are, more than ever, ready to oppress the inhabitants of Lahore.

KASHGUR.—A letter received from Kashgur, speaks in terms of great praise of the present ruler of that place. His Highness is represented as a man, whose attention is solely absorbed in seeking the happiness of his subjects. An instance of his impartial administration of justice is given in the following. One day, a short time since, while His Highness was holding a Court, an old woman presenting herself before him complained against His Highness's orphan for having bereaved her of a grand daughter, by seizing and carrying her away to his house while on her way home from the river. His Highness having no doubt of the fact, ordered the offender to be punished by cutting his arms up to the elbow joints.

SONS OF STORM.—Mr. Burns and some other gentlemen, in their tour on the frontiers of Hyderabad in Sind, having arrived at the Fort of Sungur in the possession of Maha Raja Runjit Sing, they requested admission into it; but the jemadar in charge of the fort, replied that he could not permit any such thing without the orders of the Maha Rajah. The Akbar-navis at the place having brought the affair to the notice of the Maha Rajah, His Highness was highly displeased with the disrespectful conduct of the jemadar towards the gentlemen in question, and has suspended him from office not to resume his duties till he obtains their pardon.

HYDERABAD IN SCAND.—It is stated by persons arrived from Hyderabad, that it having rained copiously of late, the inhabitants of this place are freed from the fear of a famine and plague with which they were threatened; but that the chief of Saiduwar Legana, having a short time since lost his only son, who was heir apparent to his manhood, was extremely grieved; indeed his death was lamented by thousands of men. The chief having no successor, gave away all his wealth to the poor, and made up his mind to proceed upon a pilgrimage to Mecca; but other chiefs of Sind having interfered, have succeeded in dissuading him from his purpose.

MEERPOUR.—It is said, news has been received from Nepal, that Ragunath Pundit has been made Prime Minister, and further, that the ex-minister Rheim Sein and General Martabur Sing have been released from prison, and the former has been allowed a pension of 3,000 rupees per month.

NOOK.—A letter from Lucknow, dated 17th December, reports, "very pleasant weather, but the country suffering from want of rain; the grass quite burnt up, and the fields only kept green by means of irrigation. Grain is rising in price, flour 10 small seers, wheat 11, and grain 13. Five companies of the 2d N. I., under command of Major Lane, left the day previous for Cawnpore with the Heir apparent, who is proceeding to pay his respects to the Governor-General, the old King being too infirm to undergo the fatigue of such a journey. In cantonments and the city the guards are standing fast for want of men to relieve them. The duty has fallen very heavy on the 14 companies of the two corps here since the 35th marched in October, and there is no knowing when the 50th will arrive from Chittagong; when they do, most likely a great number will be unfit for duty."

A change for the better has come over this place since the new accession and the nomination of the old Hukera Ally Mehndee Khan to the office of minister, as it is called. Soodhan Ally Khan has been thrown into prison, where he is, doubtless, undergoing the tender mercies of one who never spared man in his anger. Perpetual imprisonment, the monotony of it to be relieved by the occasional application of a refreshing torture, is, it is said, the doom fixed for him. The officers who had thrown aside their pen and assumed the sword, are about to remonstrate against the approaching measure of reorganizing the military establishment of this country, which will send them back to their more peaceful and congenial labours.

MEERPOUR.—The 68th regiment on its way to Allahabad from Alnow, and the 27d. on its way from Sagur to Alnow, have been halted at the request of Mr. Wilkinson, Political Agent at Bhopal, at Gonga, near Ichire in the expectation of a fight with the Begum, who refuses to carry into execution His Lordship's commands. For the last two months she has been smouldering the Political Agent with fair promises, without the least intention of fulfilling them. Mr. L. Wilkinson, to whose sagacity and judgment His Lordship has entrusted the entire management of the affair, had given her to the 15th of November, to execute the Governor-General's orders or to stand the consequence of the disobedience.

In her spirit of pugnacity she has bound on a turban and begun a sword on her thigh, and swears to die like a true Amazon in the thick of battle. In anticipation of a battle, the 68th are to furnish four companies and their guns from Hoshungabad. Captain Gelder with a detail of artillery is already at Sekore in readiness.

MEERPOUR.—It is published that Meer Alum Khan, the ruler of Bijore, with a force of 4,000 men and 12 guns, has continued to maintain his authority without dreading the power of any enemy; but at the present time Futeh Khan Panjtarree, has raised the standard of rebellion, and sent a message to the Khan of Bijore that all the higher classes of his dependance were only awaiting for an order from the Ruler of Cabul to afford him their cordial assistance in attacking Jellalabad, but he alone was unjustly opposed to Dost Mohammed, that it became his highness to write to the Ruler of Cabul craving forgiveness for former opposition, and expressing his present change of sentiments, that the bark of hope might be anchored in safety from the buffets of the waves of the Barait Zeyan troops. Meer Mohammed wrote briefly in reply, that he had separated himself from the Ruler of Cabul, and taken part with Sultan Mohammed Khan, and expected a donation of lands and other gifts from the Maharaja of Lahore; otherwise his allegiance would have been continued to the Ruler of Cabul.

GHEZNEE.—Let it be known that one of the Ashraf of Cabul has written to a person at Loodianah, that Husan Mohammed Khan, son of Yar Mohammed Khan, deceased, has protected the ryots of Gheznee, re-peopled the deserted country, and engaged its inhabitants in agricultural labours. It is said that a great increase of revenue has been attained by his very active exertions, a small fraction even of which, has not previously been collected. Suddenly a party of 200 sowars and some hundreds of foot soldiers made a descent from Baman upon Gheznee, and in like manner as they despoiled the inhabitants of Baman, demanded from the traders and wealthy men of Gheznee a sum of 4 lakhs of rupees. Upon which event, Husan Mohammed Khan, forwarded a petition to the ruler of Cabul, entreating him to restrain these lawless and insolent invaders and preserve the country in its course of prosperity, otherwise that it would again become desolate as in former days.

CABOOL.—Captain Burnes has passed through this town and gone on an excursion to the Hindoo Koosh, which he proposes to ascend as far as circumstances will admit.

BHUNUTPOOR.—Wheat has fallen considerably in price in this city, owing to a silly step of the Rajah, who purchased a quantity of grain and threw, besides, into the market, some which had been received in lieu of money payments of revenue. In Gwalior the scarcity is appalling, wheat selling at seven and eight seers per rupee.

SIND.—The principal Umser of this place has imprisoned two of his brothers, for patriotically objecting to the admission of the English into the country, and to their increasing influence; their sagacity pointing out clearly enough, the consequences of such, Colonel Pottinger had gone to Henderabad to consider the question.

FEHRAWAN.—A night attack recently made by a party of Patans on the Sikhs was eminently successful. A number of the latter were slain, and a considerable quantity of booty captured.

ULMAN.—The season has been bad, and grain is extravagantly dear, wheat 15 and gram 18 seers for the rupee: the crops of bajrah appear good, but the cultivation is scanty. The ryots are ill-treated and plundered in every way, and to such a degree, that none will remain at their homes or villages who can possibly go

lands in any other district. The whole raj may be called a deer preserve, no one, on pain of having his right hand cut off, being allowed to molest these destructive animals; consequently, there is fine sport for the Rajah. The ryots suffer severely from the royal partiality for deer hunting, as the deer commit great damage amongst the crops. The present high price of grain is influenced by another cause. A relation of the Rajah's called Goordunjee, has a large store of grain; many merchants have imported grain into Ulwar from Malwah and Rewarree, who are willing to sell at 20 seers of wheat and 25 of gram for the rupee; but Goordunjee has used his influence with the Rajah to prevent these merchants entering the city of Ulwar until he has sold all his stock at his own exorbitant rates. When the troops complained of the high prices, the Rajah assembled all the grain merchants together and requested to be informed why they did not sell their stores at a lower rate; they replied—on account of the scarcity. They were then questioned as to how much they had in store, and one man declared that he had none. Oh! then, exclaimed the Rajah, we cannot rob you; and immediately gave an order to his hungry sepahes to go to the buncah's house and to help themselves to all they could find; the buncah's falsehood was punished by the loss of ten thousand rupees' worth of grain. The ex-Dewan and his satellites, are still in confinement; the Rajah wants them to pay down three lakhs of rupees, but they have no idea of complying with his unreasonable demand, consequently whenever the proposal is made, they declare they have not a cowrie, that they never made one pice beyond their salaries, and respectfully submit that their accounts should be examined. The Dewan and others in confinement, have lions on their legs. Umoojan wants to take half of the crop for the raj; and has imposed a tax upon cattle, of eight annas per annum for each cow, buffalo, &c., &c.—one anna for each sheep, goat, &c., whilst he has not yet disbursed any pay to the troops, who are consequently in a very discontented state.

MADRAS.

NEW BISHOP OF MADRAS.—It is said that the Revd. Dr. George Trevor Spencer, who had the living of Buxton, and whose wife is a sister of Sir John Cam Hobhouse, has been appointed to the vacant See of Madras.

THE POST MASTER GENERAL.—It is reported that upon a representation from the local authorities of Madras, the Supreme Government have not only sanctioned an increase to the salary of the Post Master General, but the appointment of a deputy to that officer.

RETIREMENT OF N. WEBB, ESQ.—The retirement of N. Webb, Esq., the father of the Civil Service, and late Post Master General at the presidency, has been officially announced. Mr. Webb was appointed in 1777, and arrived in India in August the following year; so that he has actually resided in this country more than fifty-nine years.

THE JUDGE ADVOCATE GENERALSHIP.—Major Alexander is to fill the office of Judge-Advocate-General, vacant by the death of Major Keighly.

NEW SHERIFF.—Arthur John Macleane, Esq., is Gazetted as Sheriff of Madras for the ensuing year; thus disappointing the expectations of a few, who looked to the appointment being conferred on a very different person.

FREE MASONRY.—The Lodge of Perfect Unanimity, No. 1., have elected J. C. Morris, Esq., to be their Master for the ensuing year, and W. McTaggart, Esq., to the office of Treasurer.

MINY COMMITTEE.—The mint committee has been abolished. In future the Assay Master will communicate directly with Government, and the accounts will be audited by the Accountant-General.

DEATH OF CAPT. CLARIDGE.—Accounts have been received of the death of Capt. Claridge of the 34th N. I.

at Hyderabad, under circumstances of an extremely painful nature. Capt. C. having mounted one of several horses that had been brought for trial, the animal suddenly started with him and having cleared the yard hedge, made a sudden and dead stop, throwing his unfortunate rider over head; from the fall Capt. C. received such injury as to cause his mediate death.

SHIPWRECK.—The schooner *Sweet*, after taking in cargo at Poodamuddakah, was compelled to run on shore to prevent her from driving. All hands safe.

The hull of the Brig *Delight* has been sold for a trifle more than 2,700 rupees.

The hull of the ship *Thalia* was on the 29th of November, sold by public auction, and knocked down to a native for rupees 5,510, something more than a moiety of what it was expected to realize.

THE FAIRY'S CREW.—Captain Quin, of Her Majesty's sloop-of-war *Releigh*, was informed at Canton by H. M. Superintendent or Chief Commissioner, that there were many English on shore in one of the north eastern districts of the empire, supposed to have been cast away by shipwreck. To the coast in question the *Releigh* bent her way. She arrived at the mouth of a fine river up which Captain Quin with his boats, well manned and prepared against aggression, sailed and rowed some twenty or thirty miles to a place called Fou-chen. At length he found the men, who prove, however, not to have been wrecked, but to have been driven on shore by the piratical part of the crew of a small vessel called the *Fairy*, employed in smuggling opium. Captain Quin received the greatest attention from the Chinese authorities, and having taken the men on board, he set sail for Canton, where he left the men from thence the *Rushburgh Castle* or some other vessel is to take the men to Manila, where they will no doubt meet the well-merited punishment due to their crimes from the Spanish authorities, who are exemplary in the administration of the law against these criminals against the laws of nations.

THUNDER STORM.—Madras was recently visited by as severe and alarming a thunder storm, as was ever witnessed; but not a single life has been lost or bodily injury sustained by any, though in two or three parts of the town the electric fluid did damage to buildings.

THE LOO CHO ISLANDS.—Captain Quin, of Her Majesty's ship *Releigh*, has visited the Loo Choo Islands, and he found the inhabitants as hospitable as formerly; for they not only refused to take money for the supplies of the ship, but brought back a bag of dollars which was forced upon them as a remuneration; saying, they were not allowed to receive any thing.

BOMBAY.

ARREST OF AN OFFICER.—An officer has been placed in arrest in some station under the Bombay presidency, by the Brigadier of the station, and prevented from appealing to the Commander-in-Chief, except through the Brigadier himself. The offence of the officer is not mentioned.

THE COMMANDER-IN-CHIEF.—The Commander-in-Chief and suite arrived at Bombay on the 13th of November, on the Company's sloop-of-war *Ephinstone*, from the island of Asatola. His Excellency's health is much improved.

PURCHASE OF THE GREAT HARDWOOD.—The Government, it is said, have purchased the wreck of the *Great Hardwood*, for a sum of about Rs. 17,000, to be converted into a floating chapel in room of the *Aurora*.

FAMILY OF VENERAM.—Accounts from Baroda announce the departure of the wives and family of Veneram for Calcutta on the 9th of November. They left Baroda, accompanied with a proper escort of sowars given by His Highness.

CHOLERA.—The pilgrims who have returned from Lakshmi's Shrine say, that the cholera was making great devastation in and about those places, and the loss of lives is reported to be very great. A private letter from Kulladghness mentions that about 100 men died of cholera there and about 150 at Lakapoor, a village not far from it. It is reported here that many are daily dying of cholera in the 18th Regt. N. I. en route to Baroda, now at Suteegareem, a village about 36 miles on this side of Kulladghness.

All accounts concur in representing the cholera as ranging with considerable violence in many parts of the Deccan; and it is causing great mortality at Poona and the country around. The daily deaths at Poona are numerous and on the increase. This dreadful disease has also visited several of our regiments that are now moving through the country.

THE CROPS.—The crops being nearly ready to be cut down, the successive torrents of rain which have since fallen have done a great deal of mischief to them, and it is apprehended that the ryots will have cause to bemoan their ill fate.

MR. SUTHERLAND.—Mr. Sutherland, the late Member of Council, has been appointed to the situation of Resident at Baroda and Political Commissioner for Guzerat. This appointment does much credit to Sir Robert Grant's judgment and discretion, and Mr. Sutherland will fulfil all the hopes entertained of him in conducting the important duties which this office may impose on him.

THE INDIAN NAVY.—It is understood that intelligence has been received by the last overland packet, that the future strength of the India Navy is to be as follows: 2 steamers of 1,100 tons each, and 2 of 600 tons each, as men-of-war; 5 packet steamers, 3 of which it is supposed are to run between this and Mocha, and the other 2 between that and Suez; 1 brig-of-war, and 4 small schooners. The new steamer *Simiramis*, it is said, was built in Ireland, and is intended for the packet service.

EARTHQUAKE. An earthquake was felt at Cutch on the 8th of October last.

THE STEAM FUND.—The following resolutions were passed at a meeting of the Steam Committee, held on the 2nd instant.

1st. That having had under consideration a letter from the Secretary to the subscribers at Hyderabad, placing at the disposal of this Committee the amount of their subscription, for the purpose of being appropriated to facilitate the progress, and promote the comfort of passengers during the journey across the desert, between Suez and Cairo, and this Committee fully concurring in the view of the Hyderabad subscribers, and being of opinion that money may be most beneficially expended in Egypt, in being applied to these purposes; they have empowered Colonel Barr to ascertain from Colonel Campbell, the Consul General, in what manner their views can best be carried into effect, and they have also for the present placed at the disposal of Colonel Campbell and Barr, a sum not to exceed the interest accumulated on the Fund to be applied to the above uses.

2nd. That with reference to the sums actually contributed by subscribers to the fund, a public notice be given in the newspapers that every subscriber who claims the amount of his subscription before the 1st of August, 1838, shall be entitled to have the amount actually subscribed, returned to him.

3d. That the Secretary be empowered to grant orders on the Treasurers for the amount of subscriptions claimed under the last resolution.

4th. That this Committee have to record their gratitude for, and strong sense of, the value of the exertions of Major Head, and the Provisional Committee in London, in which principally they attribute the carrying into effect the measure of the establishment of Steam Communication between Bombay and Suez by the British Government and the East India Company.

With reference to the above resolutions, notice is given, that any subscriber to the Steam Fund, who applies for his subscription before the 1st August, 1838, shall receive an order on Messrs. Remington and Co., Treasurers to the Fund, for the amount actually subscribed.

OUTRAGE AND PIRACY.—In the Government Gazette, a reward of 1,000 rupees is offered to any person, who will give information which may lead to the apprehension and conviction of the perpetrators of the outrage and piracy at the entrance of the harbour, on the batella Futta Moorharuck and her crew. In this instance, the villains have succeeded in securing a large booty, and if the perpetrators should be enabled to elude the efforts of the Government and secure a consequent immunity, it will be a game often played, considering the unprotected condition of country vessels and the facility with which a gang of plunderers may be collected in Bombay.

INTELLIGENCE FROM GOA.—Intelligence has been received from Goa of the arrival at that port of the frigate Don Pedro, taking thither the new Governor-General of Portuguese India, Baron Saboso and his family, as well as the long-looked-for Archbishop Don Antonio de Santa Rita Carvalho, Don Joseph Mariano Falcao Carvalho, a Commander-in-Chief of the forces, Viera Foucoca and many officers civil and military. They arrived in the night of the 19th ultimo, and the Governor-General landed on the 23rd and was received with the usual honors. It is confidently reported, that he has brought a general amnesty to every one who had taken part in the civil disorders or revolutionary proceedings at that settlement. The Archbishop, it is said, intends very soon to pay a visit to Bombay for the purpose of inspecting that portion of his diocese and asserting his supremacy there.

CEYLON.

PUBLIC THANKSGIVINGS.—Public thanksgivings were offered up on the 12th November, both in the European and Native Churches, at the desire of the Right Honorable the Governor and family, for their late prosperous voyage and safe arrival in Ceylon.

FEMALE EDUCATION IN THE EAST.—The Honorable Mrs. Stewart Mackenzie, is Patroness of a Society in England for the promotion of female education in the East; in furtherance of which object she has brought out with her a lady to superintend schools to be established under the society in Ceylon.

BURMAH.

By the British Monarch, from Moulmein, a letter has been received at Calcutta from an English subject residing near the new King of Ava. It is dated the 15th October, and states among other matters, that the King says, he expects some discussion with us ere long, and that he is keeping up a large preparatory establishment, having collected no less than three hundred boats at the late boat races, each manned by fifty or sixty men. He has ordered the whole country to furnish boatsmen, and says that he requires no other revenue. The letter also states, that Ava is now to be laid waste. The gateways and palace are to be destroyed, and every man who remains afterwards must pay forty rupees.

Intelligence to the 11th of November has since been received. It is said that almost all the Kakhyeen and Singpho chiefs from the northern extremities of the Burmese dominions, have arrived at Court: sworn allegiance to the new King, and received titles and gold umbrellas. Amongst the latter is the notorious Singpho chief, Duffa Gais, who, two years ago, invaded our territories in Assam, and committed considerable slaughter and havoc on the part of Singpho villages. This affair is still fresh in the recollection of the Burmese

Letters from Rangoon, to the 1st of December state, that Tharawaddie has at length apparently yielded to the solicitations of his own family as well as of the whole of his Court, and consented to leave Khoutmoung, which has also proved very unhealthy, and he proposes to come down the country again, not to Ava, but to Umeerapura, his grand father's city, which he now talks of repairing and making his future capital. He has issued a proclamation explaining, without reference however to the solemn oath which he took, or to the rights of his nephew, that he has assumed the sovereignty in consequence of the indisposition of his brother. The brother, all accounts say, is now in a better state of mind and body than what he had been for several years past. Some traders both at Rangoon and Ava, have been very active in removing all uneasiness from the minds of Tharawaddie's officers, and assuring them, that the Governor-General has no intention or desire of reasserting their Master's insulting language or meddling with him. Tharawaddie has also sent down a proclamation to Martaban, directly opposite to our station of Moulmein, inviting back to Pegu all the 15,000 or 20,000 Talains who emigrated into our provinces during the last 10 or 11 years, promising to restore to them their houses, lands and other property, and engaging that they shall be released from all their former debts and free from taxation, and that they shall receive other immunities and honors.

Accounts have been received from Kyook Phroo to the 1st, and Akyab to the 5th of December, by which it appears, that all remained quiet at those stations, though rumours prevailed of the assembling of the Burmese in the neighbourhood of Sandoway. It is said that Major White has taken the command of the frontier in Assam, and that measures have been taken, so that in case any attack should be meditated on that side by Duffagan, the Singpho chief, who invaded Assam in 1834-35, or by any other partisan whom the Burmese might stir up against us, we shall not be found unprepared. With this view the head quarters of the Assam Light Infantry, are likely to be posted in Upper Assam, during the ensuing rains. Major White is now actively engaged in conciliating the Singpho chiefs, and settling their feuds among themselves.

MAULMAIN.—It is said that the half-brother of the late and present king, the Bo-thmoo Men-tha, has effected his escape from the capital. If this be true, he will, of course, direct his flight to the Shan states, of which he was formerly the Governor-General, and by whom he is from all accounts, much beloved. He is said to be a man of far more energy and strength of mind than either of his half-brothers and if he has escaped out of the present king's hands, the latter is likely to find in him a very troublesome disturber of his quiet, and one whom it will not be easy to put down.

An order, or proclamation, or whatever else it may be called, has been addressed by His Majesty, to all his loving subjects, in which he informs them, that while his elder brother was on the throne, the Government was bad and the people oppressed and unhappy, but that he intends to restore justice and happiness, that for this purpose he did intend establishing himself at the birth-place of his great ancestor, but that it having been represented to him that Amrapoora was the residence of his father, that it is a holy and fortunate city, and that all the omens and conjurations and divinations point to that city as the most eligible site for his throne and palace; he has determined upon re-establishing it as the capital, that he has given orders for building a palace there, and that it is not his intention to call upon his people to contribute towards the expense, which will be defrayed from the royal treasure.

Reports are prevalent at Rangoon of Mr. Sarkies having obtained from the king a monopoly of timber, and it has naturally created considerable dissatisfaction. The reports, however, requires confirmation.

Great hopes are entertained of a caravan of Chinese traders visiting Maulmain this season. Capt. McLeod, during his late mission, felt in with a considerable number of them, who all expressed a desire of visiting us, and some promised to come at all hazards. The only fear is, that the route will be found too long, but as they are known to be a bold and enterprising race, and content with moderate profits, a few of their number may be induced to try the market.

TAVOY.—It is reported that a party of Siamese have arrived at Tavoy, bringing with them a letter requesting to be informed of the real state of our present relations with Ava. It seems that reports had reached the Court of Siam of war having been declared between us and the Burmese, and that the latter, having been joined by the French, had succeeded in driving us out of these provinces.

SIAM.

The following is an extract from a letter written by an English merchant residing at Bangkok, and dated 20th October last. The King of Siam is probably desirous of taking advantage of the war, which he makes sure must soon break out between us and the Golden-footed Monarch, and of helping himself to a slice of the Burmese dominions adjoining his own Shan territories. But what will he and his brother of Cochinchina, and their paramount Lord of Peking, think of us and our Government, when they learn how tamely we have submitted to insulting language and rejection of treaties. If character is strength to a Government, ours cannot too speedily bring the King of Ava to his senses by a course of vigorous measures.

"The King's mother died three days ago, and his Majesty has taken her death very much to heart. He has scarcely spoken or eaten since. This morning, however, he ordered the wood to be cut for constructing the building in which her corpse is to be burnt, the posts to be 20 fathoms long, and directed that no time should be lost, as he is going to prepare for war; but whom he is going to visit with his royal displeasure he did not say. The Siamese have had enough of Cochinchina to go there again, but they are taking the deepest interest in Burmese affairs."

PENANG.

Penang papers to the 28th of October have reached Calcutta. They mention that the pirates have again appeared in great force in the vicinity of the pepper ports on the east coast of Sumatra; and the death of Mr. Edward Tanner, of the firm of Kerr and Tanner, is announced.

SINGAPORE.

Singapore journals to the 28th of October, have been received during the week. They intimate that the *Glenelg*, while entering the Straits of Singapore from the China sea, through the great inner channel, struck on a rock and was considerably damaged; and that the *Julia* was run foul of by the *Duke of Sussex*, while lying too under her topsails inside of the Carimons on the 17th of October, by which accident she lost her bowsprit and fore mast, and received considerable other injury, besides having five of her crew killed. The *Julia* reached Singapore with great difficulty.

Singapore journals to the 23rd of November, have been received. They intimate that the Dutch Government had framed a new import tariff for Java and Madura, which came into operation on the 18th of October last. The efforts of the Dutch, for the suppression of piracy, it is said, have been attended with considerable success; a brig had, however, been cut off in the southern entrance of the Straits of Banca, near Lacopara island.

Court, and yet the perpetrator of the aggression is now receiving proofs of the favor and approbation of the new King.

It is said, that His Majesty never dines without first sending a portion of his dinner to his deposed brother, and never goes to the pagoda without the mummery of *sheking* to his brother's prison.

PERSIA.

The following is an extract of a letter lately received from Persia: "Advices from Tehran of the 28th October mention, that the Asaf id Dowla (the Shah's uncle, and governor of the province of Khorassan) had joined the King's camp, and had offered to conduct the expedition against Herat if His Majesty would return to Tehran; but the Shah had declared that he would head the expedition himself. The Shah's army was said to amount to 12,000 men in all, the route was uncertain; some said by Tursheez and others by Meshid: and they were expected to have been at Subzawar on the 28th October. Kamran Shah is said to have returned victorious to Herat from a fort on the Candahar road, with 20,000 cavalry in addition to Tafanteches, and was determined to resist the Persian forces. Mahomed Tayar Khan (Cassini) had arrived in Tehran from the Shah's camp, being the bearer of 50 shawls, 15 horses and some strings of pearls as a present to the Emperor Nicolas, who was expected to arrive at Erivan on the 6th of October. This Mahomed Tayar Khan is the same person who had secreted a bag of gold under his clothes when delivering over the crown to the Russians at Khoi: he has also stolen a gold watch belonging to one of the officers of the British Detachment.

"Mr. Bonham, a British Merchant, has been appointed consul at Tabriz and had arrived in Tehran.

"The Shah's troops had taken an Island in the Caspian from the Turcoman: and as the fighting was between boats, H. M. has gained a naval victory."

CHINA.

Canton papers to the 3d of October have been received, and are full of fresh edicts against the opium trade—some of them of an important character. The loss of the *Martha*, from Liverpool to Canton, on the *Paracels*, on the night of the 30th August, which we reported before, is confirmed in the *Canton Register* of the 19th of September.

Canton papers to the 7th of November, have been received during the week. The state of affairs remained without change; but it was rumoured that the foreign merchants were about to endeavour to open the tea trade which the Hong Merchants were disinclined to do, and the *Canton Register* deprecates the proceedings of the foreigners, on the plea that experience does not justify them. Another imperial edict had been promulgated, for the expulsion from Canton of the foreigners who have rendered themselves obnoxious to the Government. Frequent instances of insubordination had been exhibited by the seamen on board of British vessels, which had elicited some severe strictures from Captain Christopher Biden, on the present class of British seamen.

"Another edict has been promulgated against the traitorous barbarians," Jardine, Dent, Davis and Morrison, directing that they should be coerced to quit the country; and the local authorities have issued a chop, ordering the "receiving-ships" at Lintin to depart within a month, and threatening a stoppage of trade in the event of non-compliance with the order. In consequence of this continued opposition of the Chinese authorities to the Opium trade, very few transactions in the drug had taken place.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, 29th December, 1837.)

INDIGO.—Shipments are still going forward through the company, who have just added 25 lacks to their advances so that unless buyers come forward early, there will be but little choice left, which added to the certainty of favorable accounts being received immediately from England, will maintain prices and we fully expect they will range little, if any thing below those of last year. The remark we lately made of the indigo, weighing off short, continues to be borne out by the invoices since received.

RAW SILK.—Some native November Band Silk has been sold at sicca rupees 8-5 per bazar seer for Madanagore, and prices are inclined to give way.

SILK PRICE GOODES.—The above remarks also apply to these, and the sales now quoted are at a decline of 8 and 9 rs. per corga on those previously circulated, which however (as lately remarked) were not real transactions, and Sa. Rs. 130 to 131 per corga for corahs may be stated as the present currency; when the November Band Goode come to the market their abundance will probably cause a further decline.

CORRUM.—Remains without enquiry, and our present quotations are nominal.

Accounts from China by the *Red Rover* are not very encouraging. Very little was doing in Bengal and Madras produce, which are quoted:

Bengal, Tails,.....	8	4	10	5	} Per Pecul.
Madras, ".....	8	5	10	2	
Bombay, ".....	7	0	10	0	

ALYPERNA.—The demand has been somewhat steady during the week, and prices remain without alteration. The purchases reported are for the English and American markets.

BAK.—The demand for this article is also steady, we have no alteration to make on our last currency.

LAC.—Both Shell Lac and Lac Dye continue neglected, but prices remain without alteration.

DRY GINGER.—A few purchases have been made on American account at last week's currency.

HEMP AND JUTE.—Have been in some enquiry, and prices are expected to improve.

LINS.—Continues in limited enquiry, and prices remain without alteration.

SAFFLOWER.—Is without enquiry, and has given way in price.

GRAIN.—Shipments of *fine rice* are going forward on owners' account. We have no change in prices to notice.

OPUM.—The return of the *Red Rover* so far from bringing better accounts from China confirms the reports which previously reached us of the determination on the part of the Chinese to throw every impediment in the way of the trade, and so effectually have they succeeded that sales on the East Coast are scarcely less difficult than at Lintin, where no smuggler dare approach the receiving vessel. Stocks were unprecedentedly heavy, and when the 4,000 chests since gone on are added thereto, it seems next to an impossibility to run them off except at an immense decline in price.

DETTLENU.—Has further improved in price.

CASIA.—Has also improved in price.

NUTMEG.—Has declined in price.

PEPPER.—Has given way in price, throughout the assortments.

TIN.—Has also given way in price, and is quoted at 1 & 1-8 per maund below last week's price.

CHINTZES.—The market continues dull for all descriptions of Chintzes, but prices remain steady.

WHITE COTTONS.—The demand continues for lighter fabrics, but we have no improvement in prices to notice.
MULB TWIST.—A few sales have been effected since our last, but the prices of some of the assortments have slightly given way.

TURKISH RED AND OTHER DYED YARNS.—Market inactive, and prices remain unaltered.

WOOLLENS.—The market as before stated, continues in active, and the prices of fine and coarse cloths are quoted at a decline.

COPPER.—There has been some enquiry for this metal during the week, and the prices of the assortments have somewhat improved consequent on some favorable advices from the Upper Provinces.

IRON.—Some sales have been effected during the week at steady prices. The Stock of this metal is large and price are expected to recede.

SPELTER.—A sale of 3000 maunds, has been effected at a reduction of about 8 annas per maund from last week's currency.

THE CHRONOLOGICAL TABLE FOR 1837.

JANUARY.

3. The *Jamsetjee Jejeebhoy* wrecked at Quilon—part of her cargo saved, and no lives lost.
6. Accurate information published at Calcutta of the character of the Palles plague.
7. Dispatches from Calcutta for the *Hugh Lindsay* closed, conveying 1740 letters.
12. Rumours of a criminal code about to be completed.
15. Accounts from China stating the continuance of the Opium prohibition, and the establishment of a Chamber of Commerce at Canton.
- A Great Fire at Moulemin, which destroyed 500 houses.
- The house of Doctor Mellis at Dum-Dum broken open by dacoits, and strip of every article of plate.
16. Meeting, at which it was resolved to establish a Docking Company.
18. The *Gregson*, Hamilton, totally lost by fire 40 miles south of light vessel, but all hands saved.
19. Died, Principal Bramley of the New Medical College.
20. Trial before the Supreme Court, Polhill v. Macqueen—Verdict for the Plaintiff, three hundred rupees damages.
22. The New Clipper *Rob Roy* left for China and Singapore, with 987 chests of Opium.
- The Small Pox broke out in Colombo.
25. Meeting of the Bengal Mariners and General Widows' Fund, which was found to have encreased a thousand rupees.
- Captain Malcolm McNeil and Captain G. W. Whistler appointed Police Magistrates at Madras.
29. Accounts from Goomsoor state, that the war was still raging, the Khond Chieftain having escaped from the hills.
- Government accept the offer made by the Bonding Warehouse Committee of 1,80,000 rupees for the old Import Warehouse premises.
- Mr. Robertson, the Aeronaut, made an ascent at Lucknow.
- A new Free Mason's Lodge, established at Madras by the Armenians.
- The *Krishna*, pilot vessel, launched.
- The projectors of the Bombay Bank sent home their secretary to try and procure a charter.
- Mr. Jeremie entered upon the office of Senior Puisne Justice of the Supreme Court of Ceylon.

- The Commander-in-Chief reached Bhurtpore on his tour of inspection.
- The Marquis de St. Simon, the new Governor of Pondicherry, arrived at Madras.
- The Portugese troops at Demaun revolted.
- A great action fought between the Affghans and Sikhs, the former gaining a dear victory.

FEBRUARY.

1. Government publish a notification in the *Gazette* of the intention of the Court of Directors to encrease the number of Chaplains in the presidency of Bengal from 37 to 49.
- Prize of 1000 rupees offered by a native gentleman for the successful extraction of stone from the bladder without pain or incision.
- Government of Fort St. George publish an order exempting letters from subscribers to Bishop Corrie's monument, from postage.
2. The Dutch defeated at Boonjal, in Sumatra.
3. Meeting of the Bonding Warehouse Association. Capital fixed at 10 lakhs, in 2000 shares of 500 rupees each.
4. Deputation from the Committee of Public Instruction visit the College of Hooghly, and distribute prizes.
5. Bishop Corrie died at Madras.
- The Dock Company's Committee dispose of part of the Kidderpore premises to Government, for 70,000 rupees as a depôt for iron steamers.
- Lamentable state of the Sylhet district brought under discussion.
- Agricultural and Horticultural Society issue circulars to collect information respecting the resources of the country.
10. Shock of an Earthquake felt at Monghyr.
11. Meeting of Officers at Madras, resolved to establish a Retiring Fund on the Bombay principle.
13. Letter from Mr. Tudor to the Chairman of the Ice Committee published, making proposals for a constant supply of Ice to Calcutta.
16. Trial of the case of *Roots v. Cockerell* concluded, verdict for the plaintiff, damages 2,000 rupees.
- Mr. Manuk presented 1000 rupees to the Public Library Fund, 100 gold mohurs for a cup to the Calcutta Races, and 2,000 rupees towards an English translation of the *Alif Liela*.
21. Ice-Meeting, Sir J. P. Grant in the chair, subscription opened to enlarge the Ice House. Thanks voted to Mr. Tudor.

23. Special Meeting of the Chamber of Commerce.
Resolved that the scheme for the Bank of India be disapproved of. New Observatory in Choringhee opened.

23. Foundation Stone of the General Assembly's Institution laid in Cornwallis Square.

35. Mr. Dyce Sombre arrested at the suit of his father for near 20 lakhs of rupees.

— Government abolished the office of Principal of the Medical College.

— The soi-disant Raja of Bundwan released from captivity.

— The Education Committee applied themselves to the encouragement of the study of the vernacular dialects.

— Mr. G. J. Gordon elected Secretary to the Agra Bank.

— The Bengal Chamber of Commerce passed resolutions hostile to the establishment of a Bank of India.

— Archdeacon Carr appointed Bishop of Bombay.

— A Chamber of Commerce established at Penang.

MARCH.

2. Intelligence reaches Calcutta of New Mines of Coal being discovered at Hazareebaugh.

— That the Pallee Plague had extended throughout Marwar.

3. Further moving of the Ballygunge Tank case.

— News arrived, that the King of Persia had returned to Teheran.

— Rules for the Civil Administration of Justice in Assam published.

6. Lord Elphinstone arrived at Madras, a few minutes after Sir F. Adam had sailed.

— Lord Elphinstone sails in chase of Sir F. Adam.

7. Interview between Runjeet Singh and Sir H. Fane.

9. Major General Sir W. Adams died.

12. A dreadful fire in Calcutta amongst the native huts.

16. Retreat of the British Legion in Spain.

18. First public meeting for establishing a Sailor's Home.

— Termination of hostilities in Gumsoor.

22. Ship *Paragon* sustained damage on her way to Calcutta in lat 32° 45' N. long. 38° 18' W.

— A Fire in Chowringhee which destroyed 500 native huts.

— Intelligence received of the appointment of an American Consul to New South Wales.

27. Mrs. Fitzherbert died.

— Dr. Lyss died at Madras in consequence of having taken poison, administered to him by mistake instead of medicine.

30. 3d Opium Sale, first lot 1,650 rupees per chest.

— A Sailor's Home established at Calcutta.

— The Jynteah territory annexed to Sylhet.

— The insurrection at Golconda suppressed.

— The scarcity of the copper currency occasioned great distress to the lower classes, and led to much extortion and imposition amongst the shroffs.

30. Mr. Fader's letters published.

31. Intelligence received from Ceylon, all Public Servants allowed to remit to England the savings of their salaries in produce of the colony.

14. Steam Notification.

— Account published of the Burmese Revolution.

— Special General meeting at the Union Bank.

— The important decision of Privy Council in the case of Joynocky Doss published.

23. A fire broke out in the bark *Gabrielle*, but was extinguished immediately. Fifty bags of wheat destroyed; but no material injury done.

24. Address to the Ladies of Calcutta by the Ice Committee.

— New Post Office Act passed Council.

25. Ballygunge Tank Case decided in favor of the Magistrate.

— First Yearly Meeting of the Docking Company.

— May mail reached Calcutta, London papers 1st and Malta 17th May.

28. Advices from Captain Grindlay regarding Steam.

— Official powers received from England, granting an Admiralty Commission to the Recorder's Court in the Straits.

— Famine prevailed in Cuttack and Pooree.

— Dr. O'Connor declared the head of the Roman Catholic Church at Madras.

— The Government passed an act reducing the postage of newspapers, and otherwise altering the whole Post Office system.

— The Agra Bank endeavored to obtain from Government authority to issue bank notes and failed.

— The "pice plague" continued to rage.

— The epidemic in Joudpore carried off 20,000 persons.

— The Court of Directors refuse a charter to the Bombay Bank.

AUGUST.

2. Intelligence received from the Cape, Caffre depredations, May 11th.

4. Tassin's Map of India published.

— Further intelligence from Captain Grindlay.

9. Modern India with illustrations by H. Sprye.

— Abassee Khanum, tried for murdering a slave-girl named Rhuheemun, and acquitted.

10. Act passed, making all witnesses competent.

— Government decide upon granting a boon of 35 lakhs to the Opium Speculators.

11. Case of libel—Bruce, Shand and Co. v. Thomas Fergusson.

17. Protest of the Dissenters against the division of the Opium boon.

18. Meeting of Opium Merchants.

— Steam Meeting.

19. Meeting of Chamber of Commerce.

21. Letter from Mr. Torton published.

23. *Berenice* started from Bombay for the Red Sea.

25. Ditto returned in consequence of the water having all leaked out of the tanks.

26. Started again.

— Supreme Court—Presentment of Grand Jury—Copper Coinage and want of Tanks.

27. Furious Gale at Surat.

28. Circular to Bankers, 26th May.

— Mr. Tallford's Amendment of the law of Copyright published.

- 29. *Asalanta* arrived at Bombay from the Gulf.
- 31. Returns to Committee regarding Mofussil Police.
- Intelligence received of William Fourth died, June 20th.
- Queen Victoria proclaimed.
- The Transit Duties partially abolished throughout the Madras territories.
- The Pallas plague disappeared, and the quarantines ordered by the Government of the North Western Provinces were broken up.
- A commotion in Nepal. The King's youngest son poisoned, and the chief ministers chained and imprisoned.
- The Government generously sacrificed thirty-five lakhs of revenue to protect the interests of the opium speculators, and at the same time left a Custom house officer with a wife and five children to starve and rot in jail after twenty years' of hard service, because the Ex-collector of Customs entertained an unaccountable prejudice against him!
- The bark *Andromeda* wrecked on the coast of Cuttack.
- Cholera prevailed in Hyderabad, carrying off from 150 to 200 persons daily.
- Government passed an Act extending the jurisdiction of Native Judges to all cases, whatever the amount litigated may be.
- A commission appointed to enquire into the conduct of Mr. C. R. Martin, the Judge at Houghly.
- The Union Bank resolved to apply for a charter of incorporation.
- The Civil War in Bhopaul.
- Mr. Rushton commenced surreptitiously re-publishing English works on a large scale, in consequence of the alledged insufficiency of the direct supply.
- The Native Zemindars resolved to form a Zemindary Association.
- The *Highland Chief* wrecked on the Long Sand off Saugor Point.
- Sir Charles Metcalfe determined on resigning the service of the E. I. Company.

SEPTEMBER.

- 1. Received second dispatch of July mail from Bombay.
- 5. Launch of the *Ariel*.
- 8. Post Office Regulations published in Gazette.
- Baboo Russomoy Dutt appointed Commissioner.
- 11. *Berenice* returned to Bombay with broken main shaft.
- Overland despatch closed.
- 12. Intelligence received from Mofussil and Bombay—increase of famine.
- 15. Cape Papers received announce Caffre depredations.
- 16. Accounts received of the Glasgow East-India Association.
- 27. Part of a Decree in the Martin Cause published.
- 28. Accounts received from Goomsoor dated 20th instant. Dora Bissoys captured.
- 29. Meeting at the Town Hall to Address the Queen.
- The Calcutta Chamber of Commerce gave a dinner to Captain Stanley and the officers of the *Wolfe*, in acknowledgment of their services in the Straits.
- The River Police augmented.
- The inhabitants of Calcutta met to address the Queen on her accession.

- The Calcutta coolies struck work and quitted the town, because it was attempted to register their names, and compel each man to wear a badge.
- The rebellion in Shajehanpore suppressed.
- Famine prevailed at Futtehghur, Choleya in Oude, and the small pox in Penang.
- A Mail Coach Company established at Madras.
- The Court of Directors intimated their readiness to construct a Breakwater at Madras on its feasibility being established.
- A comprehensive Steam Communication Association formed in Calcutta, and (conditional) subscribers' names recorded. The condition is the practicability of the project entertained by the originators of the scheme.
- A French frigate, with the Prince d'Eckmuhl on board, arrived at Calcutta.
- Nuvab Hakeem Mehndy restored to the office of Nizier and Nalb of Oude.
- 30. The Steam Tug Association held their first annual meeting and reported the most favorable results.
- Lieutenant Burnes proceeded on another expedition up the Indus.
- Intelligence received of the loss of the *John Bannerman* in the China Sea.
- Lord Auckland established an English school at Barrackpore.
- The Small-pox broke out in Ceylon.

APRIL.

- 1. Dreadful storm at Secunderabad.
- 3. Intelligence received via Damascus, that Russia had declared the whole coast of Circassia under blockade.
- 4. Meeting of the Committee to the subscription to Mr. Palmer's bust—resolved to remit £450 for the purpose.
- 5. Insurrection at Mangalore.
- 10. Intelligence received from Padang that the Dutch had defeated the Padrees at Boonjal.
- Accounts received of hostile manifestations on the part of Prince Tharawaddie against the Burmese Court.
- 12. *Hugh Lindsay, Amherst and Winchester*, ordered to Mangalore with troops.
- Intelligence reached Calcutta from Mr. Tuxford, dated Malta 18th February.
- February overland mail arrived. Intelligence received of the wreck of the *Skimmer* of the sea near Juddah.
- 13. The *Atalanta* arrived at Bombay from Falmouth 106 days.
- Missing January packet arrived at Calcutta.
- 15. Government agree to open the Treasury for advances on bills secured by goods.

18. Minute of Sir C Metcalfe prescribing precautions against the Pallee Plague published.

— A Fire in Calcutta.

19. Sandwich Island Gazettes received.

— A Fire in Calcutta.

20. Bombay petition against the Transit Duties published at Calcutta.

— A Fire in Calcutta.

21. A Fire in Calcutta.

22. The "Order of British India" and "Order of merit" announced in the Gazette.

— A Fire in Calcutta.

23. A Fire in Calcutta.

— Application to Government to postpone the opium sale.

27. Col. Passmore and Mr. Queiros drowned in the surf at Madras.

— Fire at Barrackpore which destroyed the lines of the 73d N. I.

28. The *Atalanta* left Bombay for the Persian Gulph, carrying 3,315 letters.

29. Meeting of the Chamber of Commerce to request Government to further postpone opium sale to 6th June.

— A severe drought prevailed all over the country.

— The Old Queen of Delhi died.

— The Madras Mint restored.

MAY.

1. Act passed regulating the emigration of Cooley Labourers.

— Accounts of the loss of the bark *Rebecca* near Ganjam.

— Intelligence received from Singapore stating that the pirates were again abroad.

2. Petition against the prohibiting regulations at the Dutch outposts published at Calcutta.

3. Accounts received from Kyook Phyou to the 17th April, stating the increase of fever at that station.

5. Number of houses consumed by fire in Calcutta and suburbs from 1st January ascertained to be 8,030, lives lost thereby 30, property destroyed 5,18,950.

— A Sutte took place at Sattara.

7. A valuable horse destroyed by falling into a hole in the highway.

— A Basket of brick-bats picked up on the high way, each sufficient to overturn a carriage, and forward to the Conservative authorities.

— Intelligence received of a destructive fire at Surah on the 24th April.

— Brigadier Conway died at Mackrykul on his way to Hyderabad.

14. Three fires at the same time in different parts of the Town.

16. Accounts from China by the *Red Rover*, that restrictions on the opium trade are more severe than ever.

17. Draft of the New Post Office Act published in the Gazette.

24. Prospectus published for a new Australian Company.

29. Died at Spences' Hotel the Hon'ble Francis John Shore, Commissioner of Saugor and the Nerbudah, and author of the able letters on Indian affairs, signed A FRIEND TO INDIA.

31. Draft Act for regulating the buildings of native huts.

— An association formed in Calcutta, to keep up a constant communication between Australia and India.

— The Council of India passed an act for the appointment of a commission to enquire into the state of the land tenures in the Strait's settlements.

JUNE.

1. Two great Fires in Calcutta.

— The bodies of six Moosulmans found in a tank in the Purgunnah Aunurpoor.

5. The Court of Sadler Dewanny closed until the 12th, on account of the heat of the weather.

12. Opium Sale—biddings run up to 1485 rupees per chest.

13. The *Berenice* arrived at Bombay.

22. News, that the *Berenice* had reached the Mauritius with London News to 17th March.

27. Accounts from Moulmain, that Prince Tharawaddie had deposed his brother and seated himself on the throne.

30. Decision of the Privy Council, that the Alien Law does not extend to this country, published.

— Great destruction of cocoanut trees, by a storm at Bombay, to the annual loss to the Angria estate of 25,000 rupees.

— Bombay visited by a severe hurricane, which committed fearful havoc.

— The Dutch Government of the Netherland Indies co-operates with the British authorities in the Straits in the suppression of piracy.

JULY.

2. Meeting of the Australian Association.

3. Published extract from judgment of Privy Council 22d Feby, King's Governments to pay half expenses of steam.

4. Sailor's Home established.

5. Black Act sanctioned by the Court, intelligence received.

— Cargo of Ice arrived.

6. Bank of Bengal, declared a dividend of 17 per cent.

7. The important decision of the Privy Council in the case of the Assignees of Palmer and Co. v. the Bank of Bengal published at Calcutta.

— Alien Law.

3. Intelligence received of debate on seizure of the *Viren*.

— Bill for abolishing England Church-rates, thrown out by a majority of 23.

— King of Oude died. Disturbance at Lucknow by the Begum.

— Nussereed Dowlat placed on the Throne by the Company's Resident.

29. The Commander in Chief invested some worthy old gentlemen upon his staff with the order of the "Bright Star of the Punjab," at the request of Maharajah Runjeet Singh. His Excellency was not aware that his whole proceeding was illegal.

— The King of Delhi died.

OCTOBER.

1. Post Office Rules came in force.

2. Draft of New Act, Indian Coolies' protection Act published.

4. A copy of a Religious Newspaper published in the Hindustani language, both in the Roman and Persian character.

5. Steam Meeting at Ceylon.

9. Dr. McCosh's topography of Assam, published by order of Government.

— New Rules and orders of the Insolvent Court made and passed on the 5th September last.

21. Sir Benjamin Malkin died.

30. Money Market improving.

— The late Honorable Frederick John Shore's letters on India are announced as published.

31. A tremendous gale at Madras, in which the brig *Ayr* and *Delight* went ashore and were wrecked, and the *Hebe* went ashore.

— The dangerous state of the roads in Calcutta occupied a great deal of the attention of the Press, and very little of the attention of the Conservancy Department.

— The Reverend Dr. Mill retired from office of Principal of the Bishop's College.

— The inhabitants of Madras and Bombay manifested a disposition to obtain a Repeal of the Union between those presidencies and Bengal.

— The book-sellers of Calcutta petitioned Government to pass a law of copyright and to prohibit the importation of American books, in order to protect their monopoly of expensive works sent from England in quantities far below the extent of public wants.

— Major Forster and the Shikawatt's Brigade attacked and took possession of the fort of Seekur, which the adherents of the Majas had garrisoned.

— The *Masrut Observer* expired.

— The Governor-General of India, Lord Auckland, left Calcutta on a tour to the interior.

— Intelligence received of the murder of Ensign Blenkinsop by one of the suwars of the 5th Local Horse.

— Kriana Mohun Bannerjee, an ordained Hindoo, preached a funeral sermon on the death of one of his friends, a convert to Christianity.

— Khyouk Phyou abolished as a military station.

— The Commander-in-Chief commenced his tour to the Western Provinces.

— A new steamer ordered to be built in Calcutta, to receive the engines of the *Enterprise*.

— The Transit Duties abolished in the Bombay presidency by Lord Auckland.

— Lieutenant Keating of H. M.'s 13th Light Infantry shot Captain Hughes of the Artillery in a duel.

— Colonel Burney, the British Resident at Ava, left Rangoon and proceeded to Calcutta.

— Government resolved to form a new Brigade in the Oude territories.

NOVEMBER.

2. A severe gale at Madras during the night, in which the *Thalia* was driven on shore and wrecked.

13. Madras was visited by one of the most terrific thunder storms in the memory of the oldest inhabitants.

18. Draft Act No. 27 of 1837 for regulating the Customs at Bombay.

27. Intelligence of the loss of the ship *Martha* on the Paracels, in the night of the 30th of August.

29. His Royal Highness Prince Henry of Orange arrived.

30. The Mail for dispatch by the *Berenice* Steamer.

— The first Sugar Duty Act, passed in the reign of Queen Victoria, arrived in India. By its provisions, sugar, the growth of the Madras and Bombay territories, is admitted into the United Kingdom on the same terms with Bengal sugar.

— The Coles rebelled, excited thereto by famine.

— Huqeem Mehndi and the Resident at Lucknow report that the late King of Oude was destroyed by poison.

— The Steam Tug Association doubled their capital.

Edward Weston in Kansas considered it his duty to make a study of raising a body of reformers at his expense.

These vessels were laid up in Constantinople, awaiting instructions for their loading to proceed to England via Egypt, without actually going to Bombay.

SECRET

2. Robert Macdonald Wid in Germany, aged 60
years.

2. Intelligence of Movement of the Ship, let September, at the Cape, at Port Natal.

Intelligence that Mr. Ames is appointed to succeed Mr. Macgregor.

— That the Failes Plague has again broken out.

§ 2. Materially accurate of the prevalence of famine in the Northern provinces.

Of the Kidney, Graywood Steamer, taking fire with 300 passengers on board, several of whom perished.

12. The Grand Jury present the state of the roads as a nuisance, and also suggest the reduction of the number of jurors.

Steamer Septicorn ran foul of a row-boat, one of the boatmen killed.

52. Ten sheets of Patna Opium sold at \$65 rupees per sheet.

74. Mr. Winkler, Judge of Magistry, suspended from office by the Deputy Governor, Mr. Ross, in consequence of insubordination.

~~Government instructed to select Darjeeling as a station for the export of opium.~~

Mr. Robert Smith, of the Military Board Office, obtained leave to ascertain by experiment whether the military ~~board~~ ^{board}, ~~board~~ and other appointments might not be improved of ~~careless~~ ^{careless} in the country.

The papers of Agas addressed Sir C. Metcalfe on his departure for England, and received from him a reply sufficiently demonstrative of his having been induced to retire by the view taken by the Court of Directors of his act for the complete emancipation of the Indian Press.

Intelligence received from England of the intention of the Court of Directors to modify the Army Retiring Regulations.

— James Young, Esq., appointed Sheriff of Calcutta.

— The examinations of the pupils in the different academies in Calcutta took place and exhibited great improvement in the system of education.

— Information received of the appointment of the Reverend Dr George Trevor Spencer to the vacant see of Madras.

Intelligence received of the arrival at Goa of the new Governor-General of the Portuguese Indies and of the British Flag at the factory at Canton having been struck, owing to an indignity offered Her Britannic Majesty's Superintendent.

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CIVIL APPOINTMENTS, &c.

ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL

PORT WILLIAM, GENERAL DEPARTMENT, 4TH JAN. 1837

Mr. Edward James Smith having been permitted to resign the Honourable Company's Civil Service and to retire upon an Annuity of the year 1800, embarked on board the Ship "*Duke of Bedford*," which Vessel was left by the Pilot at Sea on the 3d instant, from which day the resignation will date.

Mr. T. P. Marten, of the Civil Service, embarked for the Cape of Good Hope on board the Ship "*Mountstuart Elphinstone*," which Vessel was left by the Pilot at Sea on the 3d instant.

Mr. G. R. Campbell, of the Civil Service, reported his return to the Presidency from Europe on board the Ship "*Scotia*," which Ship arrived off Kedgee on the 16th ultimo.

Mr. C. R. Castwright, of the Civil Service, reported his return to the Presidency from Europe on board the Ship "*Broxborne Bay*," off Kedgee, on the 29th ultimo.

Mr. C. F. Calcutt, of the Civil Service, reported his return to the Presidency from Europe on board the Ship "*Duke of Northumberland*," off Kedgee, on the 27th ultimo.

The leave of absence granted to Mr. H. M. Parker, Junior Member of the Board of Customs, Salt and Opium and of the Marine Board, on the 7th inst. to take effect from the 11th ultimo is to be cancelled as taken effect from the 11th ultimo, the day when the Steamer *Ganges* actually left Calcutta.

Mr. H. M. Parker, returned and resumed his seat in the Board of Customs, Salt and Opium and in the Marine Board, on the 29th ultimo.

The Right Honourable the Governor of Bengal has been pleased to appoint Mr. Assistant Surgeon Andrew Drummond, Deputy Post Master at Hazareebauch, from the 1st instant.

Messrs Cecil Bendon and Archibald R. Young reported their arrival as Writers on this Establishment on the 31st ultimo.

Messrs R. Neave and A. Lang, of the Civil Service, embarked for England on board the ship "*Repulse*," which Vessel was left by the Pilot at Sea on the 16th ultimo.

Mr. F. B. Gibbins has been permitted to proceed to Rohruc, and prosecute his study of the Oriental Languages at that Station.

Mr. J. P. Gubbins has obtained from the Lieut. Governor of the North Western Provinces, leave to proceed to Europe on Furlough via Bombay.

Mr. C. F. Young, Assistant Secretary to the Board of Customs Salt and Opium, has obtained leave of absence for one month, from the 30th ultimo.

9TH JAN. 1837.

With reference to the General Order in the Political Department, dated the 28th November last, the Governor General in Council is pleased to notify that Captain Hawkins, of the 38th Regiment Native Infantry, has been appointed to the temporary duty of attending the Rajah of Bikanier on his present tour.

11TH JAN., 1837.

Mr. John Campbell is appointed 1st Assistant to the Collector of Government Customs at Calcutta, in the room of Mr. J. B. Thornhill.

Mr. Louis Magnac is appointed to officiate as Deputy Secretary to the Board of Customs, Salt and Opium, and Superintendent of Stamps, vice Mr. R. Houstoun, acting for Mr. S. G. Palmer.

Mr. R. S. I. Malin is appointed Superintendent of Salt Chokies at Jessore under Act IX. of 1835.

18TH JANUARY, 1837.

Mr. C. Phillips, of the Civil Service, embarked for England on board the Ship *London*, which Vessel was left by the Pilot at Sea on the 10th instant.

Mr. C. M. Caldecott, of the Civil Service, embarked for England on board the Ship *Lord Hungerford*, which Vessel was left by the Pilot at Sea on the 10th instant.

Mr. Joseph Reid, of the Civil Service, reported his return to the Presidency from Europe on board the Ship *Zenobia*, which Ship arrived off Kedgee on the 15th instant.

Mr. C. W. Steer of the Civil Service, embarked for England on board the Ship *London*, which Vessel was left by the Pilot at Sea on the 10th instant.

POLITICAL DEPARTMENT, PORT WILLIAM, THE 2D JANUARY, 1837.

Lieutenant Colonel J. Stewart, Resident at Hyderabad, is permitted to proceed to the Western Coast, and eventually to Sea for the benefit of his health, and to be absent on that account till the 1st of February 1838. As a temporary arrangement, Lieutenant Colonel Stewart will make over charge of the duties of the Residency to Captain Cameron.

9TH JANUARY, 1837.

Lieutenant Colonel H. T. Roberts, C. B., of the 5th Regiment Light Cavalry, is appointed a Brigadier of the 1st Class in the Nizam's Army, and to the Command of the Aurungabad Division, vice Colonel W. G. Haddley, C. B. promoted.

Lieutenant W. C. Birch, of the 5th Regiment N. I., is appointed to officiate as an Assistant to the Superintendent of the Operations for the Suppression of Thuggee during the absence of Cornet Robinson or until further orders.

The nomination by the Right Honourable the Governor in Council of Bombay of Lieutenant J. Burrows, of the 14th Regiment Bombay Native Infantry, as Assistant to the General Superintendent of the Operations for the Suppression of Thuggee, vice Captain Hale resigned, has been confirmed by the Right Honourable the Governor General of India in Council.

JUDICIAL AND REVENUE DEPART., 3D JAN. 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments:

Mr. R. Houstoun has been deputed to institute certain local enquiries, directed by the Special Commissioner of the Calcutta Division, in regard to the boundary of Pergunnah Seilmahad Zillah Backergunge, towards the Soonderbuns.

Lieutenant B. W. Goldie, of the Engineers, to conduct the surveys which may be necessary in the course of the aforesaid enquiries.

GENERAL REGISTER.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. Arthur Smellie to officiate, until further orders, as Session Judge of Burdwan, retaining his duties as Second Officiating Additional Judge of that District. Mr. R. Macon will officiate as Civil Judge.

Mr. Robert Barlow to officiate, until further orders, as Commissioner of Revenue and Circuit of the 13th or Banleah Division.

Lieutenant H. E. L. Thuillier, of the Artillery, to conduct the Revenue Survey in the tract of country, attached from the late Raja of Jyotseah to the jurisdiction of Cachar.

The following Officers have obtained leave of absence from their Stations:

Mr. H. Nisbet, Civil and Session Judge of Sarun, for twenty days, from the 1st instant, in extension of the leave granted to him on the 18th October last.

Mr. W. S. Alexander, late Acting Magistrate and Collector of Tipperah, an extension of leave of absence until the departure of the Ship on which he may take his passage to England.

6TH JANUARY, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointment:

Mr. F. Comdabury to officiate, until further orders, as Additional Judge of, Tirhoot.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. A. S. Anand has been authorized to exercise the powers of Joint Magistrate and Deputy Collector in Zillah Chittagong.

9TH JAN. 1837.

The Right Honorable the Governor General of India in Council has been pleased to appoint Mr. H. W. Torrens to act as Deputy Secretary to the Governments of India and Bengal in the Judicial and Revenue Departments, during the absence of Mr. Grant, or until further orders.

10TH JANUARY, 1837.

Mr. P. G. E. Taylor to officiate, until further orders, as Deputy Registrar of the Courts of Sudder Dewanny and Nizamut Adawlut and Preparer of Reports, in the room of Mr. H. W. Torrens.

Bahoo Ramlochan Ghose to be Deputy Collector in Zillah Dacca, under the provisions of Regulation IX. of 1833.

Bahoo Radhanath Goyt to be Deputy Collector in Zillah Sylhet, under the provisions of Regulation IX. of 1833.

The following Officers have obtained leave of absence from their Stations:

Mr. J. R. Hutchinson, Officiating Judge of the Courts of Sudder Dewanny and Nizamut Adawlut, for ten days, from the 14th instant, on private affairs.

Mr. B. W. Maxwell, Civil and Session Judge of Backergunge, until the sailing of the Ship *Saint George*, in which he has taken his passage for England, in extension of the leave granted to him on the 25th October last.

Mr. G. C. Cheep, Civil and Session Judge of Mymensing, for three weeks, on private affairs, from the 25th instant, or from the date of his delivering over charge.

The unexpired portion of the leave of absence for two years granted to Mr. T. G. Vibart, Civil and Session Judge of Nuddeah, on the 19th August 1835, to proceed to the Cape of Good Hope, is cancelled from the 31st ultimo, the date of his return, at his request.

The unexpired portion of the leave of absence granted to Mr. C. W. Briezeke, Senior Commissioner of the Court of Requests, on the 26th October last, is to be cancelled from the 18th instant.

Bahoo Harrynarain Ghose, Principal Sudder Ameen of Zillah Jessore, has been allowed leave of absence for one month, on Medical Certificate in extension of the leave granted to him on the 23d November last.

The Right Honorable the Governor of Bengal, on a consideration of the Report submitted by the Commissioner of Circuit of the 12th or Bhaugulpore Division, is of opinion that Bukhashiah Ali, Sudder Ameen of Zillah Tirhoot, is unworthy of further confidence as a Judicial Officer. His Lordship therefore dismisses Bukhashiah Ali from the Sudder Ameenah of that District.

The Right Honorable the Governor of Bengal has this day been pleased to appoint Captain John Thomson to be Magistrate, for the better enforcement of Sect. VI Act No. XXII. of 1836, throughout the Lines of Navigation specified in Sect. II. of that Act and the banks thereof.

14TH JANUARY, 1837.

Mr. G. Adams has been authorized to exercise the powers of Joint Magistrate and Deputy Collector in Zillah Midnapore.

Lieutenant George Ellis, of the Regiment of Artillery, to conduct a Revenue survey in the Districts of Monghyr and Behar.

17TH JANUARY, 1837.

Mr. John Hawkins to be Commissioner of Revenue and Circuit of the 13th or Banleah Division, vice Mr. C. W. Sier.

Mr. E. C. Ravenshaw to be Additional Judge of Patna, and to hold the Sessions for the trial of all commitments by Captains Hamsay and Lewis at Chuprah and Moorshedabad, vice Mr. J. Hawkins.

Mr. R. P. Nisbet to officiate, until further orders, as Civil and Session Judge of Nuddeah.

Mr. F. W. Russell to officiate, until further orders, as Civil and Session Judge of Moorshedabad.

Mr. R. Torrens to be Magistrate and Collector of Dinagore, vice Mr. T. R. Davidson, but to continue to act as Additional Judge of Chittagong, until further orders.

The Honorable Robert Farbes to be Collector of Moorshedabad.

Mr. W. H. Elliott to be Magistrate of Moorshedabad, but to continue at Bancoora until relieved.

Mr. G. W. Battye to be Joint Magistrate and Deputy Collector of Malda.

Mr. E. Deedes to be Joint Magistrate and Deputy Collector of Barnset.

Mr. D. J. Money to be Joint Magistrate and Deputy Collector of Bancoora, but to continue at Munipore until relieved.

Mr. G. F. Houlton to exercise the full powers of a Collector for the General Superintendence of the Unassessed Mebuls and Settlement affairs in the District of Behar, vice Mr. Loughnan.

Mr. C. Tottenham to be Deputy Collector of the District of Tirhoot, for the conduct of Quota under Regulations II. of 1819 and III. of 1828, vice Mr. Houlton but to continue at Bullooh until the business of the season shall have been completed.

Mr. R. N. Farquharson to be Joint Magistrate and Deputy Collector of Patna, continuing to officiate as Magistrate of the above District, and to hold charge of the Office of the Special Deputy Collector until further orders.

Mr. Assistant Surgeon James Davenport M. D. to perform the Medical duties of the Civil Station of Tipperah, vice Mr. Assistant Surgeon F. W. Burt.

The following Officers have obtained leave of absence from their Stations:

Mr. E. Lee Warner, Civil and Session Judge of Bhaugulpore for two years, to proceed to the Cape of Good Hope, on Medical Certificate, to commence from the sailing of the Ship *Cornwall*. Mr. Warner but likewise been permitted to remain at the Presidency until the sailing of the above Vessel, in extension of the leave granted to him on the 15th November last.

Mr. H. Nisbet, Civil and Session Judge at Saum, until the sailing of the Ship on which he has taken his passage to the Cape of Good Hope, in extension of the leave granted to him on the 3d instant.

Mr. F. E. Read, Joint Magistrate and Deputy Collector of Burneah, for six weeks, on Medical Certificate, to proceed to the Presidency, preparatory to applying for permission to proceed to Sea.

ECCLESIASTICAL DEPARTMENT.

The Reverend H. Parish, D. C. L., Chaplain on the Bengal Establishment, is permitted to proceed to Europe on Furlough.

7TH JANUARY, 1837.

Dr. Alexander Halliday, Presidency Surgeon, reported his return to the Presidency on the 5th instant.

The Reverend R. B. Boyce, embarked for the Cape of Good Hope on board the Ship "*Reynolds*," which Vessel was left by the Fleet at Sea on the 25th ultimo.

PORT WILLIAM, LEGISLATIVE DEPARTMENT, THE 2D JANUARY, 1837

Mr. F. Millett is appointed to Officiate as a member of the Indian Law Commission during the absence of Mr. C. H. Cameron, or until further Orders.

Mr. J. P. Grant is appointed to Officiate as Secretary to the Indian Law Commission, in the room of Mr. Millett, or until further Orders.

GENERAL REGISTER.

ORDERS BY THE HON'BLE THE LIEUT. GOVERNOR OF THE NORTH WESTERN PROVINCES.

GENERAL DEPARTMENT, AGRA, 28TH DECEMBER 1836

Mr. F. C. Smith, of the Civil Service, reported his return from the Cape of Good Hope on the 11th instant.

7TH JAN., 1837

Assistant Surgeon J. Jackson to the Medical charge of the Civil Station of Ghazepore

POLITICAL DEPARTMENT, AGRA, 21ST DECEMBER.

Captain T. D. Carpenter, Superintendent with the Ex Rajah of Coorg, has obtained leave of absence for four days, from the 7th to the 10th instant, in extension of the leave for fifty days granted to him on the 17th September, which took effect from the 18th of October last.

28TH DECEMBER 1836.

Lieutenant Arthur Conolly, Assistant to the Agent to the Governor General for the States of Rajpootana, has obtained an extension of leave to the 1st of December 1837, on Sick Certificate, and will appear before the Medical Committee ordered to assemble at Mussorie in February, next, for the purpose of having his Certificate renewed.

JUDICIAL AND REVENUE DEPARTMENT 12TH DECEMBER, 1836.

Hon'ble the Lieutenant Governor has been pleased to make the following Appointments:

Mr. R. H. P. Clarke to officiate as Magistrate and Collector of Suhowan. Mr. Clarke has been desired to make over charge of his present Office of Officiating Magistrate of Banda to Mr. S. Bowring, who will continue in charge till relieved by Mr. H. W. Deane.

Mr. H. W. Deane to officiate as Magistrate as well as Collector of Banda.

13TH DECEMBER, 1836.

Mr. S. M. Boulderson, Commissioner of Revenue and Circuit of the 3d or Bareilly Division, has obtained leave of absence for two months, from the 15th proximo, to visit the Presidency preparatory to proceeding to Europe, on the Anniversary, or Furlough.

16TH DECEMBER, 1836

The Hon'ble the Lieutenant Governor has been pleased to make the following Appointments:

Mr. W. H. Woodcock to be Joint Magistrate and Deputy Collector of Mirzapore, and to continue to officiate as Magistrate till further orders.

Mr. E. F. Tyler to be Joint Magistrate and Deputy Collector of Muttra

The following Officers have obtained leave of absence

17TH DECEMBER, 1836.

Mr. H. Lushington, Magistrate and Collector of N. Moradabad, for three months, from the 1st proximo, on his private affairs. Mr. Lushington has been directed to make over charge of his Office to Mr. C. W. Knoloch, the Officiating Joint Magistrate and Deputy Collector.

20TH DECEMBER, 1836.

Futteh Oolla Khan, Deputy Collector under Regulation IX 1833 in Ban'na, from 15th instant to 1st February next, on Medical Certificate.

22d DECEMBER, 1836.

Mr. B. Taylor, Officiating Civil and Sessions Judge of Moradabad, for five days, on his private affairs, in extension of the leave granted to him on the 16th January last.

Mr. D. H. Crawford, Assistant under the Commissioner of the 1st or Meerut Division, for seven days, in extension of the time allowed for joining his Appointment.

The Hon'ble the Lieutenant Governor has been pleased to make the following Appointments:

Mr. P. T. Woodcock to officiate as Joint Magistrate and Deputy Collector of Mirzapore, until Mr. W. H. Woodcock be relieved of the offices of Magistrate and Collector by Mr. Truscott.

Mr. W. P. Nassou to officiate as Joint Magistrate and Deputy Collector of Futtehpore.

Mr. N. H. E. Rowett to officiate as Deputy Collector for the investigation of claims to exemption from the payment of the Land Revenue in the 3d Bareilly Division.

24TH DECEMBER, 1836.

Mr. Walter Ewer, Judge of the Court of Sudder Dewanny and Nizamat Awwal, has obtained leave of absence for six weeks, on his private affairs.

AGRA, JUDICIAL AND REVENUE DEPARTMENT, 13TH DECEMBER, 1836.

Mr. R. H. Scott to officiate as Commissioner of Revenue and Circuit of the 3d or Bareilly Division

26TH DECEMBER, 1836

The leave of absence granted to Lieutenant F. W. Cornish, Junior Assistant to the Commissioner in the Saugor and Neibudda Territories, on the 14th October last, for three months, on his private affairs is to commence from the 4th instant.

Mr. M. R. Gubbins to have charge of Ferozepore, &c. with the powers of a Joint Magistrate and Deputy Collector in subordination to the Officiating Magistrate and Collector of the Southern Division of the Delhi Territory.

27TH DECEMBER, 1836.

Mr. T. P. Woodcock, to officiate as Magistrate and Collector of Allyghur

Mr. E. P. Smith to be Civil and Session Judge of Ghazepore, from the date of Mr. E. J. Harrington's embarkation for Europe.

Mr. W. R. Kennaway to be Magistrate and Collector of Ghazepore—Mr. Kennaway will continue to officiate as Magistrate and Collector of Allyghur until relieved by Mr. T. P. Woodcock.

Mr. W. F. Thompson to be Joint Magistrate and Deputy Collector of Ghazepore.

Mr. S. Fraser, having obtained leave of absence in the Political Department, on the 21st instant, is authorized to make over charge of the current duties of the Office of Civil and Sessions Judge in Bundelcund, to Mr. S. J. Becher, who will conduct them until further orders.

29TH DECEMBER, 1836.

Synd Tussuddook Houssein Khan, Principal Sudder Ameen of Futtehpore, has obtained leave of absence for eight months, on his private affairs, in extension of the leave granted to him on the 7th October last.

Synd Mahomed Yoonsoof to officiate as Principal Sudder Ameen of Futtehpore.

31ST DECEMBER, 1836.

Captain C. Thoresby, of the 68th Regiment Native Infantry, to be Superintendent of the Bhuttee Territory, and to exercise the powers of Magistrate and Collector in subordination to the Agent and Commissioners of Dhulee.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 2d January, 1837.

No. 2 of 1837.—The Right Honorable the Governor General of India in Council is pleased to make the following Promotion:

Medical Department.—Assistant Surgeon George Smith to be Surgeon, from the 26th December 1836, vice Surgeon Walter Askeil Venor retired.

The Right Hon'ble the Governor of Bengal was pleased in the Judicial Department under date the 27th ultimo, to appoint Assistant Surgeon W. A. Green, attached to the Civil Station of Ghazepore, to perform the Medical duties of the said Howrah, vice Assistant Surgeon J. Jackson, whose services are placed at the disposal of the Lieutenant-Governor of the North Western Provinces.

Mr. Edward Hall is admitted to the Service: in conformity with his appointment by the Hon'ble the Court of Directors as a cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.—Date of arrival at Fort William, 26th December 1836.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors.

Lieutenant Colonel and Brevet Colonel Henry Tuffnel Roberts, C. B., of the 5th Regiment Light Cavalry, date of arrival at Fort William, 26th Dec. 1836.

Captain William Buttenshaw, of the 7th Regiment Native Infantry, ditto 26th ditto.

Captain Peach Brown, of the 29th Regiment Native Infantry, ditto 26th ditto.

GENERAL REGISTER.

Captain William George Lenox, of the 43d Regiment Native Infantry, ditto 29th ditto.

Captain Alexander Webster, of the 43d Regiment Native Infantry, ditto 29th ditto.

1st-Lieutenant Barre William Goldie, of the Corps of Engineers, ditto 26th ditto.

Lieutenant Henry Lyell, of the 43d Regiment Native Infantry, ditto 26th ditto.

Surgeon George Angus, of the Medical Department, ditto 26th ditto.

The undermentioned Officers have obtained Furlough to Europe:

Major James Leslie Day, of the 8th Regiment Native Infantry, Captain Pringle O'Hanlon, of the 1st Regiment Light Cavalry, and Lieutenant William Mathew Smyth, of the Corps of Engineers, Executive Engineer, 17th or Burdwan Division of Public Works, on account of private affairs.

Surgeon Charles Mackinnon, of the Medical Department, is permitted to proceed to the Cape of Good Hope, on Medical Certificate, and to be absent from Bengal on that account for two years.

Lieutenant Colonel John Rodher, of the Regiment of Artillery, is permitted to retire from the Service of the East India Company, on the Pension of his rank, from the date of sailing of the Ship on which he may embark for Europe.

Captain Bristol Marshall, of the 25th Regiment Native Infantry, is permitted, at his own request, to resign the Service of the East India Company, from the 5th instant.

Serjeant Major Richard Knight is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th Jan 1837, and General Orders, dated 5th February 1839, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend in the Cantonment of Lucknow.

No. 3 of 1837.—The following paragraphs of a Military Letter from the Honourable the Court of Directors to the Government of the Presidency of Fort St. George, No. 44, dated the 6th July 1836, are published for general information:

"Para. 11. We have adverted to the rules established by His Majesty's Warrant dated 7th February 1833, regarding the Discharges of Soldiers from His Service. We have in consequence revised the Orders transmitted to our several Governments on this subject in 1827-8, and have resolved that Soldiers who may be permitted to purchase their Discharge, shall hereafter pay the following sums only:

	£Stg.	Rupers
Under 7 years Service	40	400
Above 7	36	360
10	30	300
12	20	200
14	10	100
15 to 17 Ditto	6	60
17		Free.

but all Soldiers so permitted to purchase their Discharge, must, if they return to Europe, provide their own passage.

12. We reserve to ourselves the revocation or modification of this indulgence in time of War, or upon any other contingency which may appear to us local for an alteration of the present Regulation."

No. 4 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following promotions:

3d Regiment N. I.—Lieutenant and Brevet Captain John Butler to be Captain of a Company, and Ensign George Pott to be Lieutenant, from the 1st January, 1837, in succession to Capt Thomas Eales Soady retired.

10th Regiment N. I.—Lieutenant Frederick Wilson Hardwick to be Captain of a Company, and Ensign Johnson Phillett to be Lieutenant, from the 1st January, 1837, in succession to Capt William Foley resigned.

26th Regiment N. I.—Captain George Home Johnstone to be Major, Lieutenant Hugh Johnson to be Captain of a Company, and Ensign James Duncan to be Lieutenant, from the 1st January, 1837, in succession to Major David Bruce retired.

38th Regiment N. I.—Lieutenant John Charles Lumsdaine to be Captain of a Company, and Ensign Isaac Jones to be Lieutenant, from the 1st January, 1837, in succession to Captain Frederick Weichman retired.

The services of the undermentioned Officers are placed at the disposal of the Right Hon'ble the Governor of Bengal, for employment in the Revenue Survey:

Lieutenant Barre William Goldie, of the Corps of Engineers.

Lieutenant H. E. L. Thuillier, of the Regiment of Artillery.

Lieutenant Colonel Joseph Orchard, of the Left Wing, European Regiment, has returned to his duty, on this Establishment

without prejudice to rank, by permission of the Hon'ble the Court of Directors: Date of arrival at Fort William, 19th December 1836.

Lieutenant Brownlow Cole Boudillon, of the 3d Regiment Light Cavalry is permitted to proceed to Europe on Furlough, on Medical Certificate.

The leave of absence granted to Captain John Hoggan, of the 53d Regiment Native Infantry, Pay Master of Native Pensioners, Meerut and Haapoor, in General Orders No. 231, of the 28th November last, is to commence from the 1st January 1837, instead of the date therein stated.

No. 5 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to declare the Provisions of the Government General Order No. 110, of the 9th July 1832, applicable, as regards Claims on behalf of Native Troops, to the 2d Distribution of Deccan Prize Money, "Constructive Capture."

No. 6 of 1837.—Captain Francis Anberjonals, of the 52d Regiment Native Infantry, is permitted to retire from the Service of the East India Company, on the Pension of a Major, from 1st instant, in conformity to Regulation of the 23d May 1836.

The Right Hon'ble the Governor General of India in Council is pleased to make the following promotions:

25th Regiment Native Infantry.—Lieutenant John Rowe Flower to be Captain of a Company and Ensign John Clarke to be Lieutenant, from the 5th January, 1837, in succession to Captain Bristol Marshall resigned.

52d Regiment Native Infantry.—Lieutenant Thomas Henry Shuldham to be Captain of a Company, and Ensign Charles Hargart to be Lieutenant, from the 1st January, 1837, in succession to Capt. Francis Anberjonals retired.

His Lords in Council is pleased to make the following Appointments in the Department of Public Works:

Captain Henry DeBude, Superintending Engineer, of the Central Provinces, to be Superintending Engineer of the Cuttak Province, vice Captain W. Bell deceased.

Captain Thomas Watkin, of the Corps of Engineers, to be Superintending Engineer of the Central Provinces, vice H. DeBude.

The undermentioned Gentlemen are admitted to be Service, in conformity with their Appointment by the Hon'ble the Court of Directors as Cadets of Infantry on this Establishment, and promoted to the rank of Private, leaving the date of their commissions for future adjustment.

Infantry.—Messrs. Edward Locker and James Montgomery, date of arrival at Fort William 2d Jan. 1837, and Charles Wright, ditto 3d ditto.

The undermentioned Officers have retired to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain Alfred Jackson, of the 38th Regiment N. I. died of service at Fort William 3d January 1837. 1st Lieutenant Jasper Trever, of the Regiment of Artillery, ditto 4th ditto, Assistant Surgeon Frederick Cornhill, of the Medical Department, ditto 5th ditto, Assistant Surgeon Robert Fullarton, M. D., of the Medical Department ditto 3d ditto.

The undermentioned Officers are permitted to proceed to Europe on Furlough.

Lieutenant Colonel Philip Brewer, of the 69th Regiment N. I., Captain Charles Garrett, of the 9th Regiment Light Cavalry, Lieutenant Asie. George Francis John Younghusband, of the 35th Regiment N. I., and Assistant Surgeon Cuthbert Finch, M. D., of the Medical Department on account of private affairs.

2d Lieutenant William Henry Delannin, of the Regiment of Artillery, and Lieutenant Charles Hargart, of the 52d Regiment N. I. on Medical Certificate.

Major Henry Peter Carleton, of the Right Wing European Regiment, is permitted to retire from the Service of the East India Company on the Pension of his rank, from the date of his embarkation for Europe at Madras.

Captain George Freer Holland, of the 3d Regiment Native Infantry, is permitted to retire from the Service of the East India Company on the Pension of a Lieutenant Colonel, from the date of sailing of the Ship on which he may embark, for Europe, in conformity to Regulation of the 23d May 1836.

The Services of Lieutenant R. C. Shakespear, of the Regiment of Artillery, are placed at the disposal of the Hon'ble the Lieutenant Governor of the North Western Provinces, with a view to his being appointed as Assistant in the Revenue Survey Department.

Serjeant Henry Bissman, of the 5th Battalion Artillery, is admitted to the benefits of the Pension sanctioned by Minutes of

GENERAL REGISTER.

Council of the 11th January 1797 and General Orders dated 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend at Calcutta.

Memorandum.—The arrival at Fort William of Assistant Surgeon John Campbell Brown, who was admitted to the Service in General Order No. 233, of the 19th ultimo, is to be calculated from the 10th December 1836, instead of the date therein announced. The Order Books to be altered accordingly.

No. 7 of 1837.—The Hon'ble the Court of Directors having, in a recent Despatch, again expressed their anxious desire, that a competent knowledge of the Native Languages should be generally diffused amongst the Officers of their Army, and having at the same time deemed it necessary to prescribe, that a certain degree of proficiency in one or more of those languages be in future considered an indispensable qualification for Staff Employ, the Right Hon'ble the Governor General of India in Council, with the view of giving effect to the wishes of the Hon'ble Court, without prejudice to the just claims of the many in other respects highly qualified Officers now in the Service, is pleased to publish the following Rules for General Information.

I. No Military Officer who is now in the Service, or who may enter it hereafter, will be deemed qualified for or eligible to the Commissariat Department, or the appointment of Regiment Interpreter, unless he shall have passed the Examination in the Native Languages, prescribed for candidates for the latter situation.

II. No Officer who may enter the Service hereafter, will be deemed eligible to any Staff Situation, (except a temporary one during actual Service in the Field,) or Civil Employ, until he shall have passed an Examination in the Hindoostanee Language.

III. Notwithstanding that officers now in the Service are exempted from the restrictive operation of the immediately preceding Rule, it is to be distinctly understood, that a competent knowledge of Hindoostanee, though not in their case an indispensable qualification for the situations open to others on the condition of passing an Examination in that Language, will, as hitherto, be always considered to confer a strong additional claim to nomination to the Staff.

No. 8 of 1837.—Lieutenant Thomas William Hill, of the 4th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on account of his private affairs, via Bombay, the Furlough commencing from the date of his quitting the Frontier Station of Bengal.

The unexpired portion of the leave of absence granted to Assistant Surgeon McCosh, of the Civil Station of Coochabatty, in General Order No. 100, of the 23d Mar. last, is cancelled from the 9th instant.

12TH JANUARY, 1837.

No. 9 of 1837.—Ensign Spencer Wellington Butler, of the 66th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

13TH JANUARY, 1837.

No. 10 of 1837.—The services of Lieutenant George Ellis, of the Regiment of Artillery, are placed at the disposal of the Right Hon'ble the Governor of Bengal, for employment in the Revenue Survey.

16TH JAN., 1837.

No. 11 of 1837.—The undermentioned Officers have been granted Furlough to Europe:

Captain John Fowler Bradford, of the 1st Regiment Light Cavalry, and Cornet Robert Trotter Knox, of the 6th Regiment Light Cavalry, on account of private affairs.

The undermentioned Officers are permitted to proceed to the Cape of Good Hope, on Medical Certificate, and to be absent from Bengal on that account for two years respectively:

Lieutenant Colonel William Pattle, of the 4th Regiment Light Cavalry.

Surgeon Kenneth Macqueen, of the Medical Department.

Ensign Francis Shirreff, of the 65th Regiment Native Infantry, has leave of absence for six months, from the 15th instant to visit Kumbles, under the Madras Presidency, on urgent private affairs.

The services of Assistant Surgeon James Davenport, M. D. lately posted to the 10th Regiment Light Cavalry, are placed at

the disposal of the Right Hon'ble the Governor of Bengal, for the performance of the Medical duties of the Civil Station of Tipperah, vice Assistant Surgeon T. W. Burt.

The services of Apothecary Charles Simons are placed at the disposal of the Governor of Bengal, for the performance of the Medical duties of the Station of Gowaahatee in Assam.

Assistant Steward Tim the O'Sullivan, of the Subordinate Medical Department, is permitted to visit the service.

No. 12 of 1837.—Captain Thomas DesVoeux, of the 44th Regiment Native Infantry, is permitted to retire from the Service of the East India Company, on the Pension of his rank, from the date of sailing of the Ship on which he may embark for Europe.

Captain Edward Simon Hawkins, of the 38th Regiment Native Infantry, has been appointed in the Political Department, under date the 9th instant, to the temporary duty of attending the Rajah of Bickamer, on his present tour.

Lieutenant Arthur Conolly of the 6th Regiment Light Cavalry, Assistant to the Agent to the Governor General for the States of Rajepootannah, has obtained in the Political Department, on the 28th ultimo an extension of leave to the 1st December, 1837, on Medical Certificate.

17TH JAN., 1837.

No. 13 of 1837.—Lieutenant Douglas Wiggins, of the 7th Regiment Light Cavalry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

18TH JAN., 1837.

No. 14 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promot on in the Army Commissariat Department:

Captain James Collyer T. Dor, Sub Assistant, to be Deputy Assistant Commissary General of the 2d Class, vice Captain W. Foley resigned.

Memorandum.—Assistant Surgeon Henry Harpur Spry, of the Medical Department, to whom rank was assigned in General Orders No. 231, of the 9th November 1827, is to rank from the 10th April 1827, instead of the date therein stated, and to stand next below Assistant Surgeon David Woodburn, M. D. and above Assistant Surgeon James Corbet. The Order Books to be corrected accordingly.

BY THE COMMANDER IN CHIEF.

Head-Quarters, Camp, Shikohabad, 24th December, 1836.

With the sanction of Government, the following movements to take effect on the dates specified.

His Majesty's 11th Regiment of light dragoons—from Meerut to Cawnpore, on being relieved by the 16th lancers.

His Majesty's 16th lancers—from Cawnpore to Meerut, as soon after the receipt of the route as the commissariat can supply carriage.

The Presidency division order of the 10th instant directing 2d Lieutenant James Suthel land Broadfont, of engineers, lately admitted into the service, to proceed to Delhi, and do duty with the sappers and miners, is confirmed.

The regimental order by Captain R. Thorpe, under date the 31st of October last, appointing Ensign J. E. Mee, to act as Adjutant to the left wing of the 14th native infantry, in the room of Lieutenant Shepherd, proceeding on leave of absence, is confirmed.

There being no duly qualified officer present with the 73d Regiment Native Infantry, His Excellency the Commander in Chief is pleased to appoint Lieutenant George O'Brien, O'Leary, of the 6th, to act as Interpreter and Quarter Master to the 73d Regiment, during the absence, on leave, of Lieutenant Interpreter and Quarter Master McNair.

Assistant Surgeon James Anderson, M. D., who was placed at the disposal of His Excellency the Commander in Chief in Government General Orders of the 12th instant, is directed to do duty under the Superintending Surgeon at Barrackpore.

Sergeant John Higginbottom, of the European Regiment, is transferred to the Town Major's list, and appointed Sergeant Major to the 1st native infantry at Dinapore in succession to Byrne deceased.

The undermentioned officer has leave of absence:

General staff—Captain W. Hough, Deputy Judge Advocate General, Dinapore and Benares divisions, from 20th January 1837 to 20th February 1837, in extension, to enable him to rejoin his station.

GENERAL REGISTER.

28th DECEMBER, 1836.

The Presidency division order by Major General J. Watson C B under date the 13th instant, appointing Ensign Walter Key Haslewood, lately admitted into the service, to do duty with the 73d regiment of native infantry at Barrackpore, is confirmed.

The battalion order of the 8th ultimo, by Captain E. J. Watson, appointing Lieutenant R Long, of the 25th regiment of native infantry, doing duty with the Arracan local battalion, to act as Adjutant to the corps, during the time Lieutenant and acting Adjutant F. V. McGrath may retain the command of it, is confirmed.

The Hannu station order by Colonel J. Skinner, C B of the 30th ultimo, directing Surgeon W. E. Carle, A B, 1st local horse, to receive medical charge of the Hurrianah light infantry battalion the detachment of the 21st regiment native infantry, staff Sergeants and magazine establishments, from Assistant Surgeon A Thomson, proceeding on leave of absence, is confirmed.

His Excellency the Commander-in-Chief is pleased to order the following removals and postings:

Lieutenant Colonel Abraham Roberts, from the right wing European regiment to the 31st Regiment of native infantry.

Lieutenant Colonel William Henry Kemm, (on furlough) from the 31st regiment of native infantry to the right wing European regiment.

Lieutenant Colonel Alexander Speirs, (on political employ) from the 38th to the 37th regiment of native infantry.

Lieutenant Colonel George Weyland Moseley (new promotion) to the 38th regiment of native infantry.

The leave of absence granted in General Orders of the 16th instant, to Surgeon J Johnston, M. D. of the 31st regiment of native infantry, is cancelled at his request.

Lieutenant A W W Fraser, of the invalid establishment, is permitted to reside and draw his allowances at Cawnpore, for one year, from the 1st instant.

The undermentioned officers have leave of absence:

54th Regiment native infantry.—Surgeon M Powell, from 30th November to 12th December, in extension, to enable him to join.

49th regiment native infantry.—Assistant Surgeon E. T Townes, from 15th January 1837 to 31st March 1837, in extension, to enable him to visit the Presidency on medical certificate, preparatory to applying for leave to sea.

Arracan local battalion.—Captain E. J. Watson, from 8th November to 1st March 1837, to visit the Presidency on private affairs.

29th DECEMBER, 1836.

Captain G Farquharson's detachment order of the 17th ultimo appointing Ensign W. A. Jemshew, of the 8th regiment of native infantry, to act as Adjutant to the detachment, consisting of a squadron of cavalry and three companies of native infantry proceeding on duty to Pokur is confirmed.

His Excellency the Commander-in-Chief is pleased to make the following appointment:

5th Regiment of Local Horse.—Lieutenant James Edward Verner, of the 60th regiment of native infantry, to be Adjutant, vice Hill proceeded on furlough.

Conductor J. Thompson of the invalid pension establishment is permitted to reside and draw his stipend at Moughyr.

3d JAN., 1837.

The Dum-Dum station order of the 21st ultimo, appointing Gunner Henry Shaw, of the 4th company 1st battalion of artillery, to act as overseer of coopers in the expense magazine, in the room of Stanley, who has obtained his discharge from the service, is confirmed.

His Excellency the commander in Chief is pleased to make the following appointment:

4th Battalion of Artillery.—Lieutenant A. Cardow, of the 1st company, to be Adjutant and Quarter Master, vice Horsford promoted.

Lieutenant G. T. Graham, of the 1st company, to act as Adjutant to the wing of the 4th battalion stationed at Dum-Dum, in succession to Lieutenant Cardow.

Cornet Thomas Tudor Tucker, brought on the effective strength of the cavalry in Government General Orders of the 19th ultimo is posted to the 8th regiment of light cavalry at Sultaupore, Benares.

Sub-Conductor William Jones, who was promoted in Government General Orders of the 19th ultimo, is appointed to the laboratory school at Dum-Dum, in succession to Conductor Lewis Gordon transferred to the gun powder agency at Ishapore.

3D JAN., 1837.

His Excellency the Commander in Chief is pleased to make the following appointments:

European Regiment.—Lieutenant Charles Clark, of the right wing, to be Adjutant, vice Shortreed promoted.

55th regiment native infantry.—Lieutenant Charles Graham, to be Adjutant, vice Freeth promoted.

The undermentioned officers have leave of absence:

62d regiment native infantry.—Captain B. Ashe, from 4th January to 4th April, to visit Kurnaul, on private affairs.

Arracan local battalion.—Local Lieutenant R. Mallin, from 18th December 1836 to 18th March to remain in Calcutta, previous to submitting an application to resign the service.

SICKRI, 6TH JAN. 1837

The Presidency division orders of the 18th ultimo, by Major General J. Watson, C. B., directing Surgeon James Atkinson, of the 10th regiment native infantry, to receive charge of the records of the Superintending Surgeon's office, until relieved by Superintending Surgeon Finden; Hospital Apprentices James Fowler, Henry Coles and James Stenson to do duty in the hospital of His Majesty's 44th foot; John Richard Boezali to do duty in the Honorable Company's dispensary, and Frederick James L'Estrange to do duty in the hospital of His Majesty's 6th regiment at Chinsurah, in the room of Boezali, are confirmed.

The leave of absence, for four months, granted to Lieutenant Colonel M. C. Webber, commanding the 65th regiment of native infantry, in General Orders of the 8th ultimo, is to have effect from the 3d, instead of the 20th instant.

The leave of absence, for six months, granted to Lieutenant and Brevet Captain J. P. Wade, of the 13th regiment of native infantry, in General Orders of the 26th March last is to have effect from the 4th of July, instead of the 5th of April last.

The leave of absence granted in General Orders of the 7th ultimo, to Ensign H. D. VanHornrich, of the 48th regiment of native infantry, is cancelled at his request.

His Excellency the Commander-in-Chief has been pleased to make the following appointment:

9th Regiment of Light Cavalry.—Cornet F. J. Harriot to be Interpreter and Quarter Master.

Sergeant Thomas Neater, lately attached to the Chinsurah town guards, and placed at the disposal of His Excellency the Commander-in-Chief in Government General Orders of the 26th ultimo, is re-appointed a laboratory man in the arsenal of Fort William.

Emanuel Budshaw, Fifer in the 25th, is transferred to the 73d regiment of native infantry.

The undermentioned officers have leave of absence:

Mhairwarrah local battalion.—Brevet Captain J. Bartleman, (2d in command,) from 5th November 1836 to 20th January, to remain at Agra, on medical certificate, and to enable him to join his appointment.

46th regiment native infantry.—Captain C. H. Whitfield, from 13th December 1836 to 13th June, to visit the Presidency, on medical certificate.

56th regiment native infantry.—Ensign M. T. Blake, from 15th February to 15th May, to visit the Presidency, on urgent private affairs.

BEHNERAH, 7TH JAN., 1837.

The undermentioned officer has leave of absence:

Supporters and Minors.—Lieutenant J. Gilmore, for one month, from the date on which he may be relieved from his duties at Hazareebahga, to visit the Presidency, on private affairs.

GENERAL REGISTER.

SHIPPING REGISTER.

ARRIVALS.

- Jan. 1 Barque *Sylph*, Thos. Viall, from Singapore 13th, and Penang 20th December.
- Barque *John William Dare*, R. W. Evatt, from Madras 20th October, and Coringa 6th December.
- 3 Ship *Hercules*, T. J. Rand, from Boston 9th July and Cape of Good Hope 29th October.
- Ship *Edward*, J. A. Chesney, from Philadelphia 17th June and Singapore 26th November.
- 4 Barque *Frederic Warren*, W. W. Johnson, from Boston 2d September.
- 5 Barque *Syrin*, George Mackie, from Liverpool 5th May, and Isle of France 6th November.
- 6 Ship *Indian Oak*, R. Rayne, from Port Louis 2d November, and Rangoon 26th December.
- Ship *Ejide*, Peltier, from Bourbon 15th October, and Isle of France 4th November.
- Ship *Brilliant*, J. Gibson, from Liverpool 11th July, and Rio 6th October.
- 7 Ship *Washington*, H. J. C. Taylor, from Philadelphia 17th August.
- 11 Barque *Thetis*, C. C. Clark, from China 24th November, Singapore 1st, and Penang 21st December.
- 13 Barque *Diederika*, W. Muhlendorff, from Batavia 9th November, and Padang 12th December.
- 14 Barque *Alexander Johnston*, J. Auld, from Liverpool 24th August.
- Brig *Maris*, H. Reynell, from China 6th, and Singapore 15th December.
- 15 Ship *Ernaad*, T. Hill, from Bombay 5th November, and Cochin 3d December.
- Barque *Cashmere Merchant*, R. Edwards, from China 10th October, Singapore and Penang (no date) and Mouline 5th January.
- Barque *Eagle*, C. Patterson, from the Mauritius 25th November.
- Ship *Zenobia*, J. F. Owen, from London (no date), Portsmouth 17th September, Madeira 2d October, and the Cape 19th November.
- Ship *Clyde*, J. Ker, from Greenock 4th August.
- Ship *Pekoe*, J. Gillies, from Greenock 11th Sept.
- Brig *Rowley C. McLachlan*, from London 4th Aug and the Cape 9th Nov.
- Ship *Ferguson*, A. Young, from China 12th and Singapore 23d December.
- Ship *Pestonjee Bomanjee*, J. Thompson, from Bombay 13th November.
- Bark *Ivanhoe*, J. Gibson, from Rio de Janeiro 3th September.
- Schooner *Margaret*, W. Spain, from Rangoon 6th January.
- H. M. Ship *Andromache*, R. D. Chads, from Madras (no date).
- 16 Brig *Sir Archibald Campbell*, E. Cooke, from Penang 18th December.
- Ship *Lady Clifford*, J. M. Steward, (particulars not received.)
- 17 Bark *La Seine*, Lemaie, from Bourbon 19th November.
- Bark *Indien*, Penquett, from Havre 13th Sept.
- Schooner *Charles Stewart*, D. Ross, from Rangoon 4th January.
- Ship *Oriental*, J. Seales, from Liverpool 3d Sept.
- Bark *Pegasus*, R. Howlett, from Sydney and Van Diemen's Land 1st November, and Carnoober 31st December.
- Schooner *John Hepburne*, B. Robertson, from Rangoon 11th January.
- H. C. Brig *Magna*, J. A. Young, from Bombay 3d and Point de Galle 17th December.
- Ship *General Palmer*, from London 14th Aug.

- Jan. 18 Ship *William Gray*, W. Bartoli, from Boston 1st September.
- 19 Ship *Therence*, W. Caillies, from Bourbon 27th, and Mauritius 29th November.
- 20 Barque *Bengal*, J. Marjoram, from London 20th June, and Bombay 19th November.
- 21 Ship *Benconlen*, A. Brown, junior, from Liverpool 26th July, Batavia 13th and Singapore 17th November, and Penang 8th January.
- 22 Barque *Bolton*, W. Comp'ron, from London 27th August, Portsmouth 7th September, and the Cape of Good Hope 16th November.
- Barque *Orator*, John Toury, from the Mauritius 24th November.
- Barque *Charles Henry*, J. M. Hopper, from the Mauritius 22d November.
- 24 Ship *Juturna*, Thos. Dwyer, from the Mauritius 18th November.
- Barque *Hilde*, W. D. Mearns, from Bombay 24th November, and Cochin 5th December.
- Schooner *Guyne*, J. Fairweather, from Mouline 13th January.
- 25 Ship *Marion*, J. Richards, from Madras 20th December.
- Barque *Shepherdess*, R. Glasgow, from the Mauritius 25th November.
- 26 Brig *London*, W. Hoodless, from Liverpool 14th September.
- Ship *Samdany*, Nacoda, from Bombay 21st September and Coringa (no date.)
- 27 Bark *Adel*, A. Sterl, from Bombay 11th, and Cochin, 18th December.
- 29 Barque *Paquetot de Rio*, Cornellier, from Bourbon 7th December.
- Ship *Bonne Amie*, Collas, from Bordeaux 19th July, and Bourbon 25th November.
- 31 Ship *Gabrielle*, C. Guzenec, from Bordeaux 11th September, and the Cape of Good Hope 16th Nov.

DEPARTURES FROM CALCUTTA

- Jan. 1 Barque *Copeland*, Crawford from London.
- Brig *George Gardiner*, Smith, for Philadelphia.
- 2 Ship *Hydroose*, Nacoda, for Malabar Coast and Juddah.
- 4 Ship *Belle Poule*, E. Girardoux, for Bordeaux.
- 5 Ship *Hygiea*, W. Birch, for Liverpool.
- Barque *Dalla Merchant*, H. M. Porter, for Mouline and Rangoon.
- 6 Barque *Resolution*, A. Dixon, for Bombay.
- 7 Ship *London*, J. Wimble, for London.
- Ship *William Wilson*, J. H. Miller, for the Mauritius.
- 8 Brig *Collingwood*, W. Holmes, for Liverpool.
- 9 Barque *Gregson*, J. Hamilton, London.
- Ship *Hydroos*, Nacoda, for Juddah.
- 10 Ship *Fattaj Salem*, J. Gillett, for Bombay.
- Schooner *Jannet*, R. Heron, for Kyook Phyo.
- 11 Ship *Shaw in Shaw*, Hajee Ahomed, for Juddah.
- Barque *Hindoo*, E. Bacon, for Boston.
- Schooner *Hebe*, S. W. Hazlewood, for Arracan and Rangoon.
- 12 Barque *Cumbrian*, Geo. Paul, for London.
- Brig *Jany*, J. Auld, for Penang.
- 14 Ship *Lord Hungerford*, C. Farquharson, for London via Cape and St Helena.
- Barque *Water Witch*, A. Henderson, for Singapore and China.
- Ship *Kusrovie*, Nacoda, for Bombay.
- Ship *Sultana*, E. Evans, for Bombay.

GENERAL REGISTER.

Jan 14 Ship *Fuzrohany*, Nacoda, for Jeddah
 17 Ship *St George*, H. S. Thomson, for Bristol
 — Ship *Dark Lunack*, J. Sawyer, for Bombay
 18 Ship *Windor*, A. Fleming, for London.
 19 Ship *Edmontstone*, M. McDougall, for Bombay.
 21 Ship *Lady Rogers*, R. Peacock, for London.
 — Ship *Blaird T.* Callan, for Liverpool.
 23 Ship *Ametin*, A. Pouvereau, for Bordeaux
 — Barque *Emily Jane*, J. Randle, for the Mauritius
 — Barque *Kamont*, N. Burriel, for Colombo and Bombay
 24 Ship *Strathkila*, W. T. Johnston, for Sydney
 26 Ship *Futtah Rahuman*, Nacoda, for Jeddah, from
 Cooley Bazar.
 28 Ship *Gilbert Mauro*, J. Duff, for the Mauritius.
 — Ship *Sulmany*, A. McFarlane, for China.
 — Brig *Hawesinger*, Nacoda for Bombay.
 — Ship *Cornwall*, W. Bell, for London
 29 Ship *Richmond*, M. McLeod, for London.
 30 Ship *Vellekel Bahar*, Nacoda, for Mocha
 — Ship *Marcelle Louise* Isflock, for Havre.
 — Ship *Juddel Barry*, Nacoda, for Jeddah.
 — Ship *Enterprise* J. Roberts, for Liverpool
 — Ship *Le Laure*, T. Charles, for Havre de Grace

ARRIVALS OF PASSENGERS.

Per Bronxborough from London—Mrs C. R. Cartwright Mrs. Frances Wells, Mrs. Campbell, M. A., Jasper Trowers, and Mrs. Stribbins, Misses M. Campbell, P. Campbell, and Wmmy, C. R. Cartwright, Esq., Civil Service; Capt. Alfred J.elson, 30th B N I.; Lieut. Jasper Trower, Ben. Artillery; Misses Edith B. Lockie and Charles Wright, cadets; Revd J. Stribbins, Missionary, Thos. Stevens, in charge of Hostels, Wm Cook, Groom, 5th C. Recruits and 3 Women, and 2 Children, *From the Cape of Good Hope*—Mrs T. Vevart and 2 Children, T. B. Vevart, Esq., Civil Service.

Per Sy'ph — W. Urquhart and A. Sevestro, Esqrs., and C
Th rose, Merchant.

Per Hercules, from Boston—Messrs Eben M Door, and Chas F. Barstow.

Per Indian Oak, from Rangoon—J. McCosh, Assistant Surgeon B A

Per Washington from Philadelphia—Messrs C. F. Menso, and J. W. Rulon, Merchants, and E. Haydock, M D

Per Thet's, from China—Mrs C. C. Clark and Mr. H. Finzer Country Service *From Singapore*.—Mrs Green and Mr. Jardon. *From Penang*—Mrs. Revily and family, Mrs Reid, and Mr Revily, Merchant.

Per Mavis.—Mrs Reynell and Child.

Per Zambolia from London.—Wrs D. Pringle and Child, Mts. Col. Cobbe; Mrs. Atkey; Miss Barclay; Joseph Reed, Esq., C. S.; Messrs. Henry Reid and Lockburn. Writers, Lieut. Ross, Bengal Engineer; Messrs. Cobbe and Allen; Master Wall, Vols. Pilot Service; Syed Ahmed Khan Khan, Son of the Nawab; Zuffar Zung *Storage Passengers*—Mrs. Stan-
ford Moore and Mr. Browne from Cape of Good Hope.—Captain Elliott, Deputy Adjutant General, King's Troops

Per Pestonjee, Bomarjee, from Bombay — Mrs Thompson and child, Miss Smith; 2 Master Jobustons, and Wm S. Gay, Merchant

Per Eagle, from the Mauritius.—Land. Welihem, Solicitor.

Per Cashmere Merchant, from Mountmain—Capts George Cooper, H. M. 45th Regt. and John Steel, 13th N. I.; William Bates, Esq., and R. H. Atchison, Merchants.

Per Ferguson from China—Capt Crammelin Bengal Engineer, and D Fernandez, Esq, Merchant from Singapore—Monsieur Aruol.

er Oriental, from Liverpool.—Mr. and Mrs Carmichael and Child, and Miss Coads.

Per Pegasus, from Sydney—W. Crockett, Esq., C. S., Mr. and Mrs. Chester; Mrs. and Miss Hewlett.

Per Meyna, from Bombay—Lieut G. B. Baynes, Bombay,
Artillery

Per John Hepburne, from Moulmein.—P. S. Maingy, Esq.
and Mr F Aratoon, Armenian Merchant.

DEPARTURE OF PASSENGERS.

Per Lady Raffles, for London.—Capt. Warrum; Lieut. Beyer; Ensign Mr. Wilson, and Mattheve.

Per Greyson, for London—Mrs. Tomlin, M. Tomlin, 3 Children, and A. W. Watt, Esq.

Per Havelock Junior, from Madras—Mrs. Ellarton Mrs. Mackenzie, Mrs. Bell, Mrs. Wildie, and Mrs. Jordan, two Miss Euphonestones and Miss Bell,—Mackenzie, D. Fraser, and F. Hodgkinson, Esqrs.

Per Lord Hungerford, for London—Mrs Grant, Mrs
Hathinson and Children; Mrs Chidlow and 4 Children; Mrs
Cannell, Mrs. Act, Mrs Lowe and 3 Children;—Caldwell,
Esq., Maj. Robt. Capt. Shiel and Wade; Lieut. G. Nutt and
Cheer. *Children*—Miss Taylor, Wells, and Foxor; 3 Children
of Mrs. Goldsmith and 4 of Mr. Moore. *For the Cape*—
Colonel D'Aguilar, Misses D'Aguilar and E. D'Aguilar

Per Windsor - Lady Hayes; Mrs W Pringle and 5 Children, Mrs R W Barlowe and 2 Children; Gals Roper and Wyatt - C Hyde, R W Barlowe, J Watson, Wm. and, A H Hutchinson and —, Cross, Esq's, Lieut F Collyer, 5th Cavalry J Locke, and J Hunt; Miss M. Crawford, and Mr Rbt Barlowe's 3 children

Per St. George for Bristol—Mrs. Tyler, Miss Clarkson, Mrs. Jackson and 2 children, Mrs. H. Scott Thompson and Child, and the Dock and Child, H. W. Maxwell, Esq., C. S. R. C. Jenkins, Esq.; Major Bruce, Capt. Murray, Ackintosh and Birch, S. I., Lieut. A. Ward, H. M. 6th Lancers, Drs. Mackenzie, Duncan and Buchanan, and Lucius Vandeleur and Family N. I.; James Cowell, J. B. Smith, Esq., J. F. Walker, Esq., Messrs. Tennant and Stewart and 10 European Servants.

*For Ship Roxburgh Castle, Capt. in Cumberland:—*Capt. and
Vrs. Bradford and three children, Dr. and Mrs. Macgregor and
two children, Mr. and Mrs. Oxenbough and three children, Mrs.
Watts and three children, Mrs. Stacy and three children, M^{rs}.
Hobson, Miss Paine, Miss Huttman, Miss Rotten, and three
Masters, Ocho ne, Lieut. Lindsay, Lieut. Buller, Mr. Moleet and
Mr. Dunn

Per Robert Small, for London—General and Mrs. Smith; Mr. and Mrs. William Alexander, C. S.; Capt. and Mrs. P. angle O'Hanlon; Misses Paul and Bedford; Sir Jeremiah Dickson, K. C. B.; Col. Rother, Artiller; Capt. Smyth, Engineers, Lieut. Knox, 4th Cavalry, Lieut. Mayow, 14th N. I., W. B. de Lello, E. Bergs and F. Gunbunny, Esqrs. *Children*—a Master Rows and 2 Miss Howes.

Per Ship Richmond for London—Mrs McLeod; Mrs Ellis. Captain Sandys, Lieut. French, Shipard, Morgan, Cornish and Suteland, F. Ross, Esq; Messrs Brown and Crump; Messrs Brown, Ellis and Cornish

Correct List of Passengers per Scotia, for London - Mrs. Vinton, Mrs. Davis, Mrs. Brandon, Mrs. Downes, Mrs. Vanrenen, Mrs. Beckett and Mrs. Thompson; Major Genl. Watson C. B.; Major Davis; Capt. Brandon, Capt. Watson, H. M. S. A. de C.; Dr. Downes; R. Lyall, J. C. Beckett and C. Lane, Esqrs.; Misses Graham Vanrenen & Vanrenen, Beckett, Brown, J. Brown and C. Brown; Masters Wroughton and Lane.

Per Cornwall—Mrs. Cooper; Mrs. Stewart; Mrs. Finch, Mrs. Beadle, Mrs. Sum; Mines Pattle, V Pattle; S Pattle, Pattle, C Finch, G McArthur, and I. Bowers; Col. Pattle, E. Lee Warner, Esq., Dr. Cooper; D. Finch; Maj. Robinson; Lieut. Tweedle; J. Turner, F. Hudson, Esq., T. Wall; Masters C Finch, A. Finch, W. Finch, F. O'Doul, G. Edmund; W. Edward, W. Duff, J. McArthur, J. W. Bowers, and Pattle.

DOMESTIC OCCURRENCES.

Where no place is mentioned Calcutta is to be understood.

MARRIAGES.

Jan 2 Mr. Thomas Ross, to miss Mary Wallis.
— Capt. A. Syners, to miss Emily Palmer
3 Mr. J. C. Herold, to miss Mary Ann McGuire.

Jan 3 Mr. H. G. Madge, to miss Grace Ann Allen.
5 Apcar Arratoun Apcar, esq. to miss Anna Catchick,
7 Capt. R. F. Martin, to miss Margaret Collins.
9 Mr. S. Gonsalves, to mrs. Thomasin D'Silva.

GENERAL REGISTER.

- Jan. 10 Lieut. J. E. Abbott, to miss Isabella Maria Nicholson.
 — Chandernagore, A. T. Bonaire, esq. to miss M. C. Albert
 12 Cawnpore, Mr. C. Sutherland, to miss Rose Mary
 Greenway.
 13 Mr. W. Baxter, to miss Mary Woolsey.
 — Mr. J. P. Gray, to miss S. S. Reed.
 14 Mr. James Barber, to miss Maria Ann Robinson.
 17 J. Jackson, esq. to miss Maria Pattle.
 — Mr. Alexander Dozey, jun., to miss Elizabeth Smith.
 18 C. M. Hollingsbery, esq. to Mrs. Helen Eastman.
 19 Mons. Noel Ravinet, to miss Aurora Elizabeth Ayres.
 — David Oman, esq. to miss A. H. F. Eweler.
 21 Mr. Lazarus D'Mello, to Mrs. Catherine Fanyo.
 — Mr. William Ogle, to miss Josephs Joaquina.
 — Mr. P. Fernandes, to miss Antonio Robert.
 — Mr. Se B. Gonsalves, to miss Suzanna D'Cruz.
 24 Mr. M. Wittinbaker, to miss Isabel Fonwick.
 25 Mr. Charles Dissent, to miss Elizabeth Ann Rice.
 26 Dinapore, W. J. Baldwin, esq. to miss Catherine
 Ferguson.
 31 Mr. John Wm. Grange, to miss Ellen Jessy Fritz.

BIRTHS.

- Jan. 1 The lady of C. L. Pinto, esq. of a son.
 — Mrs. S. M. Gasper, of a daughter.
 4 Benares, the lady of Lieut. Horo, of a son.
 — Lucknow, the wife of Mr. T. S. Velluzo, of a daughter.
 — Malligaum, the lady of Lieut. R. H. Goodenough, of
 a son.
 8 Benares, the lady of George Lindsay, esq. of a daughter.
 9 Mlow, the wife of serjt. major J. Swanton, of a daughter.
 10 Mrs. Thomas Place, of a daughter.
 — Putty Ghur, the wife of serjt. major Char de, of a son.
 11 Mrs. M. Cockburn, of a daughter.
 12 The lady of the hon. H. Shakespear, esq. of a daughter.
 — Cawnpore, the lady of capt. W. M. N. Sturt, of a
 daughter.
 13 The lady of E. Macnaghten, esq. of a son.
 — Berhampore, the wife of Mr. Joseph Morley, of a
 daughter.
 14 The lady of John Lackersteen, esq. of a son.
 — Mrs. Thomas Gregson, of a daughter.
 17 Allahabad, the lady of J. Dunsmure, esq. of a daughter.
 — Agra, Mrs. W. Porter, of a daughter.
 — Allahabad, the lady of J. Dunsmure, esq. of a daughter.
 18 Mominabad, the lady of major J. Blair, of a son.
 — The lady of captain W. Southby, of a son.
 — Mr. J. E. Myers, of a son.
 — Etawah, the lady of Lieutenant G. Hamilton, of a
 daughter.
 — Kishnagpur, the lady of G. W. Fuller, esq. of a
 daughter.
 19 The wife of Mr. Thomas Roger, of a son.
 — The lady of J. Graves, esq. of a daughter.
 — The lady of Charles Mackinnon, esq. of a son.
 20 Mrs. T. J. Phillips, of a daughter.
 — Cawnpore, the lady of capt. G. Hulsh, A. C. G. of a
 daughter.
 22 The lady of F. C. Smith, esq. of a son.
 — Mrs. N. Kerr, of a son.
 23 The lady of F. J. Halliday, esq. of a daughter.
 — Bishop's College, the lady of W. Riddale, esq. of a son.
 — Mozufferpoot, Tirkoot, the lady of doctor K. Mackin-
 non, of a daughter.

- Jan. 34 Mrs. Joseph Richardson, of a son, still born.
 — Burdwan, the lady of William Tytler, esq. of a
 daughter.
 — Agra, the lady of capt. C. Douglas, of a son.
 26 The lady of C. E. Trevelyan, esq. of a daughter.
 — Barrackpore, the lady of Lieutenant Paggett, of a
 daughter.
 27 Azimghar, the lady of H. C. Tucker, esq. of a
 daughter.
 28 Ahmednagar, the lady of brevet capt. J. R. Ramnag,
 of a son.
 — Mrs. M. Rochfort, of a son.
 — The lady of the revd. R. B. Sewell, of a son.
 — The lady of M. J. Emin, esq. of a son and heir.
 29 Mrs. B. Barber, junior, of a daughter.
 30 The Ramee of Maha Rajah Kalikrishna Bahadur, of a
 daughter.
 — The lady of J. O. Brckitt, esq. of a daughter.
 — Agra, the lady of G. H. M. Alexander, esq. of a son.
 — Mrs. J. P. Parker, of a son.
 31 The lady of J. D. Dow, esq. of a son.
 — Muttra, the lady of capt. Free, of a daughter.
 — Chandernagore, the wife of Mr. William Wilson, of
 a son.

DEATHS.

- Jan. 2 Mr. Thomas Mackintosh, aged 56 years.
 3 Mr. E. L. Turnbull, aged 29 years and 2 months.
 — Mr. R. G. Gibson, aged 28 years.
 4 Buknoro, Indigo Factor y. H. V. Lynch, esq. aged 28
 years.
 — Agra, Mrs. Charlotte Eliza Eillon.
 5 Mr. John Philip, aged 55 years.
 — Asso rghur, J. G. Deedes, esq. civil service.
 6 Mrs. Ann Cox, aged 26 years.
 7 Balloo Ghant, Mr. conductor M. Turvey, aged 44
 years.
 — Bandell, Mr. Robert Godinho, aged 60 years.
 — Benares, Mr. William Rawstorn.
 9 Mrs. Agnes Dunmore, aged 26 years.
 11 Etawah Mrs. S. Connell, aged 26 years.
 12 Chunar, the wife of Mr. S. Pannam, aged 42 years.
 18 Captain R. P. Field.
 16 Mr. J. H. Hickey, aged 39 years and 5 months.
 19 M. J. Bramley, esq. aged 34 years.
 — Mrs. Jessy Randolph, aged 29 years, 9 months and
 27 days.
 20 Master F. M. Carapiet, aged 3 years, 1 month & 5 days.
 23 Major J. Campbell, aged 47 years.
 — The revd. Fr. Joseph das Neves, aged 65 years and
 1 month.
 23 Cawnpore, W. C. Thomas, eldest son of Capt. R.
 Luxmore, aged 5 years and 9 months.
 24 The infant daughter of J. Revely, esq. aged 11 months.
 25 Mrs. Lusia Oliver, aged 43 years.
 — Mrs. S. D. Riddale, aged 25 years.
 26 Mrs. A. Verlaanes, aged 57 years, 4 months, and
 4 days.
 29 Mr. Charles David Nicholas, aged 18 years.
 — Lucknow, Mrs. revd. F. A. Dawson.
 30 Haswreebaugh, Lieutenant Colonel J. J. Bird, aged 78
 years and 9 months.
 (No date) Allahabad, Jessie, infant daughter of serjt. Bell, aged
 4 months and 6 days.

GENERAL REGISTER.

ADMINISTRATIONS TO ESTATES.

ESTATE OF	EXECUTORS, ADMINISTRATORS, &c.
Bramley, M. J., Esq.....	Registrar Supreme Court.
Brown, H	T. Brown.
Burnard, E. N., <i>Assistant Surgeon</i>	Mrs. E. Burnard of Agra.
DeSantos, Jonkim,	Registrar Supreme Court.
Gibson, R. O	W. Greenaway,
Grant, John Charles, <i>C. S.</i>	John Peter Grant.
Hannay, W. D. S. <i>Cornet 18th Light Cavalry</i>	Registrar Supreme Court.
Horabey, R., <i>Major 29th N. I.</i>	Registrar Supreme Court.
Lewis, T., <i>Esq. Civil Service</i> ..	Registrar Supreme Court.
Mannington, E., <i>Esq. Indigo Planter</i> ..	Registrar Supreme Court.
McMahon, Henry <i>Ensign</i>	Registrar Supreme Court.
Myline, James, <i>Captain 11th L. D</i>	Kenneth Macqueen.
Palmer, John, <i>Esq.</i>	Registrar Supreme Court.
Spiller, F. J., <i>Major 9th L. C.</i>	Registrar Supreme Court.
Sturrock, H., <i>Lieutenant of Arty.</i>	Mrs. A. S. M. Sturrock of Cawnpore.
Toulseram, <i>Merchant</i>	T. Dickens, Esq.

GENERAL REGISTER. CIVIL APPOINTMENTS, &c.

ORDERS BY THE HON'BLE THE GOVERNOR OF BENGAL.

FINANCIAL DEPARTMENT, 25TH JAN. 1837.

Mr. E. J. Harrington has been permitted to resign the Hon'ble Company's Civil Service from this date, in order to retire upon an Annuity of the year 1836-37.

GENERAL DEPARTMENT, 25TH JAN. 1837.

The Right Hon'ble the Governor General of India in Council is pleased to attach to the Bengal Presidency Mr. F. A. Lushington, Writer, reported qualified for the Public Service.

Mr. K. Murchison having taken his departure from this Presidency in the Ship "*Republie*," the Right Hon'ble the Governor of Bengal is pleased to make the following Appointments:

Mr. Samuel George Bonham to be Governor of Prince of Wales' Island, Singapore, and Malacca, to take effect from the date of Mr. Murchison's departure from India, viz. the 25th December last.

Mr. Thomas Church to be Resident Councillor at Singapore, vice Mr. Bonham from the present date.

Mr. William Balhetchet to be Assistant to the Resident Councillor of Prince of Wales' Island, from the date of his taking charge.

The Right Hon'ble the Governor of Bengal has complied with the application of Mr. T. O. Vibart, of the Civil Service, for leave to proceed to Europe on Furlough, in the present season.

Mr. Frederick Staines, of the Civil Service, obtained leave on the 20th July 1836, to proceed to England via Bombay and Alexandria, for one year, on private affairs, and reported his having left the limits of the Bengal Presidency on the 1st ultimo.

Mr. C. C. H. de embarked for the Cape of Good Hope, and Mr. R. W. Be-low for Europe, on Board the Ship "*Windsor*," Mr. R. W. Maxwell embarked for Europe on Board the Ship "*St. George*." These Vessels were left by the Pilots at Sea on the 21st instant.

Mr. F. A. Lushington, Writer, is reported qualified for the Public Service by proficiency in two of the Native Languages.

Messrs George F. Cockburn and Henry Mountford Reid reported their arrival as Writers on this Establishment, the former on the 17th and the latter on the 20th instant.

Erratum in the Orders of the Right Hon'ble the Governor of Bengal, dated the 11th January 1837, published in the *Gazette* of the 21st January appointing Mr. Campbell, 1st Assistant to the Collector of Govt. Customs at Calcutta—For "*John*" Campbell, read "*James*" Campbell.

1st FEBRUARY, 1837.

Mr. W. S. Alexander, of the Civil Service, embarked for Europe on board the Ship "*Robert Smack*," which Vessel was left by the Pilot at Sea on the 27th ultimo.

Mr. H. W. Reid has been permitted to proceed to Gya and prosecute his study of the Oriental Languages at that station.

The Right Hon'ble the Governor General of India in Council is pleased to appoint the following additional Lecturers and Establishment to the Medical College consequent on the demise of the late Principal Mr. Assistant Surgeon M. J. Bramley.

Mr. Assistant Surgeon C. C. Egerton to be Professor of Surgery and Clinical Surgery.

N. Wallich, Esq., M. D., Superintendent of the Botanic Garden, to be Professor of Botany.

Mr. Assistant Surgeon T. Chapman, M. D., to be Lecturer on Clinical Medicine. Mr. Assistant Surgeon McCosh to officiate for Dr. Chapman during his absence from the Presidency.

Mr. R. O'Shaughnessy to be Demonstrator to the Dissecting Room in the Medical College and to give assistance to the Chemical Lecturer.

Mr. David Hare to be Secretary to the Institution.

Mr. John Trotter, Optician Agent at Benares, has obtained an extension of the leave granted to him under date the 7th December last, for a further period of ten days.

6TH FEBRUARY 1837.

The Honourable the Lieutenant Governor is pleased to appoint Mr. Assistant Surgeon Charles McCurdy to be Civil Assistant Surgeon of Cawnpore.

The Right Hon'ble the Governor of Bengal is pleased to grant to Mr. W. Blacken, Deputy Collector of Customs, leave of absence for one month from the 22d instant.

15TH FEB., 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for February instant will be discharged by the Sub-Treasurer and Marine Paymaster respectively on or after Wednesday, the 15th proximo.

The Right Hon'ble the Governor of Bengal has complied with the application of Mr. Robert James Loughnan, of the Civil Service, for leave to proceed to Europe on Furlough in the present season.

Mr. Hew Dalrymple Hamilton-Ferguson reported his arrival as a Writer on this Establishment, on the 10th instant.

Mr. Robert Wigram Hughes, of the Civil Service, embarked for the Cape of Good Hope on the Ship "*Cornwall*," which Vessel was left by the Pilot at sea on the 14th instant.

Mr. George James Morris, of the Civil Service, embarked for England on board the Ship "*Jara*," which Vessel was left by the Pilot at sea on the 14th instant.

22D FEB., 1837.

The leave of absence granted on the 20th July 1836, to Mr. P. Cairnforth, of the Civil Service, to proceed to England for twelve months, on private affairs, is cancelled.

Mr. T. G. Vibart, of the Civil Service, embarked for England on board the Ship "*Broxbourghbury*," which Vessel was left by the Pilot at sea on the 19th ultimo.

PORT WILLIAM, LEGISLATIVE DEPT.,

10TH JAN. 1837.

The following Draft of a Proposed Act was read in Council for the first time on the 10th January, 1837:

ACT No.—OF 1837.

I. It is hereby enacted, that it shall be lawful for each of the Courts of Sudder Dewanny Adawlut, within the Territories subject to the Presidency of Port William in Bengal, to direct by an order authenticated by the official signature of the Registrar of such Court of Sudder Dewanny Adawlut, that the Cognizance of any Original Suit or of any Appeal which may be brought before any Zillah or City Court subordinate to such Court of Sudder Dewanny Adawlut, shall be transferred to any other Zillah or City Court subordinate to the same Court of Sudder Dewanny Adawlut.

II. Provided always, that whenever either of the said Courts of Sudder Dewanny Adawlut shall, in the exercise of the power given by the preceding Clause, direct the transfer of the Cognizance of any Suit, such Court of Sudder Dewanny Adawlut shall cause the reasons for such transfer to be recorded on its proceedings.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 6th day of March next.

23D JAN 1837.

Mr. F. Millet is appointed a Member of the Prison Discipline Committee.

POLITICAL DEPARTMENT, 26TH JANUARY 1837.

The Honourable W. H. L. Melville, Agent to the Governor General at Moorshedabad, has obtained ten days' leave of absence to proceed to the Presidency, on private affairs.

6TH FEB 1837.

Lieutenant J. D. Shakespeare, Extra Assistant to the Resident at Lucknow, has obtained six weeks' leave of absence, from the 18th instant, to visit the Presidency, on urgent private affairs.

20TH FEBRUARY, 1837.

Lieutenant Colonel Stewart, Resident at Hyderabad, made over charge of that Office to Captain Cameron on the 31st ultimo.

GENERAL REGISTER.

Lieutenant J. D. Shakespeare to officiate as Superintendent of Ajmere, during the absence of Mr. N. B. Edmonstone, or until further orders.

Captain H. W. Trevelyan to officiate as Political Agent at Kotah during the absence of Major Ross, or until further orders.

Captain J. Lindlow, 4th Assistant to the Agent to the Governor General in Rajpootana, to take charge of the Sambhur Lake.

Lieutenant R. Morrison, of the 82d Regiment N. I., to officiate until further orders, as an Assistant to the Agent to the Governor General in Rajpootana.

These appointments are to have effect from the date on which the above-mentioned Officers received charge respectively of their on-lating duties, under the orders of the Hon'ble the Lieutenant Governor.

27TH FEBRUARY, 1837.

The leave of absence for six weeks granted on the 6th instant to Lieutenant J. D. Shakespeare, Second Assistant to the Resident Lucknow, is cancelled at the request of that officer.

FOR T. WILLIAM, MILITARY DEPARTMENT,
16TH GEN., 1837.

Notice is hereby given, that the Pay, Batta and other Allowances for February 1837, of the Troops at the Treasury, and at the other stations of the Army, will be issued on or after Friday, the 10th proximo.

JUDICIAL AND REVENUE DEPARTMENT 17TH JAN. 1837.

Mr. G. Herkerts to be Deputy Collector in Zillah 24-Pergunnahs, under the Provisions of Regulation IX. of 1833.

24TH JANUARY, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. J. W. Tompler to officiate, until further orders, as Civil and Session Judge of Patna.

Mr. J. Staniforth to be Civil and Session Judge of Backergunge, vice Mr. Maxwell.

Mr. G. F. Brown to officiate, until further orders, as Commissioner of Revenue and Circuit of the 12th or Bhagnipore Division.

Mr. J. F. Cathcart to be Civil and Session Judge of Jessore, vice Mr. C. Phillips.

Mr. J. Dunbar to officiate, until further orders, as Civil and Session Judge of Bhagnipore, but to retain charge of the Office of Magistrate and Collector of that District till relieved by Mr. James.

Mr. H. F. James to officiate, until further orders, as Magistrate and Collector of Bhagnipore, continuing in charge of his present duties at Rangpur till relieved.

Mr. O. G. Dany to officiate, until further orders, as Civil and Session Judge of Saran.

Mr. F. Cardew to be Joint Magistrate and Deputy Collector of Monghyr, vice Mr. N. W. Barlow.

Mr. Joseph Reid to be an Assistant under the Commissioner of Revenue and Circuit of the 11th or Patna Division.

Mr. A. H. Snell has been authorized to exercise the powers of Joint Magistrate and Deputy Collector in the 24-Pergunnahs.

Mr. G. G. Mackintosh to officiate, until further orders, as Joint Magistrate and Deputy Collector of the second grade in Zillah Purnea, during the absence of Mr. F. E. Rea.

Mr. G. J. Gordon to be Third Commissioner of the Court of Requests, vice Mr. A. Dubbs resigned.

The following Officers have obtained leave of absence from their Stations :

Mr. W. Crangest, Civil and Session Judge of Dacca, for one month, in extension of the leave granted to him on the 4th October last, for the purpose of rejoining his Station.

Mr. T. G. Vibart, Civil and Session Judge of Nuddah, to remain at the Presidency for one month, preparatory to his applying for leave to proceed to England on Furlough.

Mr. J. B. Ogilvy, Joint Magistrate and Deputy Collector of Pabna, to the end of February next, on Medical Certificate, in extension of the leave granted to him on the 15th ultimo.

Mr. R. W. Hughes, Assistant to the Magistrate and Collector of Behar, to proceed to the Presidency, on Medical Certificate.

18TH JANUARY, 1837.

The Right Honorable the Governor of Bengal has been pleased, under the provisions of Act VII. of 1835, to transfer from the Commissioners of Circuit for the 12th, 14th, 15th, 16th, and 17th Divisions, to the Session Judges of the undermentioned Districts, the whole of the duties connected with Criminal Justice, appertaining to those Districts; viz.

Bhagnipore, including Monghyr, Purnea and Tirhoot, 17th Division.

Burdwan, including Bancoora, 14th Do.

Dacca, including Furroedpore, Mymensing and Sylhet, 15th Do.

24-Pergunnahs, including Sarany, 14th Do.

Midnapore, including Hidgelle, 16th Do.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. E. Bental to be Joint Magistrate and Deputy Collector of Bogra, vice Mr. F. Cardew; but he will continue to officiate as Magistrate and Collector of Dinagore till relieved.

Mr. T. Sandis to officiate, until further orders, as Magistrate and Collector of Dinagore; but he will finish his Settlement work of the season before leaving Shahabad.

Mr. G. Adams to be Joint Magistrate and Deputy Collector of Midnapore.

The District of Patna has this day been attached to the jurisdiction of Mr. A. Reid, Special Deputy Collector in Behar, for the investigation of Titles to hold Land free from the payment of Revenue.

Mr. J. H. Crawford to be Special Deputy Collector for the ditto ditto, in the Districts of Midnapore and Hidgelle.

Mr. G. T. Shakespeare, Commissioner in the Sunderbuns, has been invested with the powers of a Deputy Collector in Jessore, while conducting enquiries in regard to the Futtee Abady Talooks of that Zillah.

Mr. F. A. Lushington to be an Assistant under the Commissioner of Revenue and Circuit of the 13th or Beaulia Division.

Moulavee Syud Khyrat Ally to be Deputy Collector in Zillah Patna, under the provisions of Regulation IX. of 1833.

Moonshah Rulut Ally to be Deputy Collector in Zillah Patna, under the provisions of Regulation IX. of 1833.

Mr. Assistant Surgeon J. McClelland to take charge of the Medical duties of the Civil Station of Howrah, during the absence of Mr. Assistant Surgeon W. A. Green.

The Governor of Bengal has been pleased to assign the portion of the Deputy Collectorship of Furroedpore, lying to the South and West of the River Pudda, to the jurisdiction of the Special Deputy Collector of Jessore and Backergunge, and that lying to the North and East of that River to the jurisdiction of the Special Deputy Collector of Dacca and Mymensing.

The following Officers have obtained leave of absence from their Stations.

Mr. James Pattie, Senior Member of the Sudder Board of Revenue, for fifteen days, to commence from the date of his leaving Town.

Mr. T. Wyatt, Civil and Session Judge of Dinagore, for a fortnight, from the 1st proximo, on private affairs, and to enable him to rejoin his Station.

Mr. R. W. Hughes, Assistant to the Magistrate and Collector of Behar, to proceed to the Cape of Good Hope, for two years, on Medical Certificate.

Baboo Ramkomar Chowdry, Sudder Ameen of Rajshahy, from the 1st to the 8th proximo.

Baboo Ramlochan Ghose, Deputy Collector of Dacca, under Regulation IX. of 1833, for seven days, to enable him to join his Station.

7TH FEBRUARY, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. Assistant-Surgeon F. Funnell to perform the Medical duties of the Civil Station of Beerbhoom.

Mr. Assistant Surgeon K. M. Scott, confirmed in the appointment of Civil Assistant Surgeon of Gowahatee in Assam.

The Governor has been pleased, on the Report of the Court of Sudder Dewanny Adawlat, under the Rules of the 30th July last, to appoint Syud Sulaimut Allee to be Sudder Ameen in Zillah Tirhoot, vice Bakshish Ali dismissed.

The following Officers have obtained leave of absence from their Stations :

Mr. C. W. Smith, Junior Member of the Sudder Board of Revenue, for two years, to proceed to the Cape of Good Hope, on Medical Certificate.

Mr. T. Wyatt, Civil and Session Judge of Dinagore, a week's further leave of absence, in addition to the leave granted to him on the 1st ultimo, on private affairs, and to enable him to rejoin his Station.

Mr. James Shaw, Civil and Session Judge of Tipperah, for one month, on Medical Certificate, to proceed to the Presidency, preparatory to his applying for permission to proceed to Sea for

GENERAL REGISTER.

the benefit of his health Mr Shaw will make over charge of his current duties to Mr F Young or to Mr W J Money, the Officiating Magistrate and Collector, until the arrival of the former

Lieutenant A C Rainey, Junior Assistant to the Commissioner of Arakan, on private affairs, from the 13th December last to the 8th ultimo, the date on which he rejoined his Station at Akyah

Mr Assistant Surgeon (Macintyre, attached to the Civil Station of Ferozepore for five days, in extension of the leave granted to him on the 2d November last, on private affairs

11TH FEBRUARY, 1837

Mr James Curtis, Civil and Session Judge of Burdwan, to proceed to Khyak Phyo and Akyah, on the *Asterghur* Sloop Vessel on Medical Certificate

14TH FEBRUARY, 1837

The Right Honble the Governor of Bengal has been pleased under the Provisions of Act VII of 1835, to transfer from the Commissioner of Circuit of the 13th Division, to the Session Judges of the undermentioned Districts the whole of the duties connected with Criminal Justice appertaining to those Zillahs, viz

Dinagore including Ma da . . .	} 13th Division
Rangpoor	
Rajshahyee including Bogra and . . .	
Pubna,	

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments

Mr David Pringle to officiate until further orders as Civil and Session Judge of Tipperah continuing in charge of his present office until relieved by Mr Irwin

Mr E V Irwin to officiate, until further orders as Magistrate and Collector of Wymunah, in the room of Mr Pringle

Mr H C Metcalf to officiate, until further orders, as Magistrate and Deputy Collector of Rangpoor

Mr R R Sturt to officiate until further orders, as Joint Magistrate and Deputy Collector of Sylhet

The leave of absence granted to Mr J Patle, Senior Member of the Sudder Board of Revenue on the 31st ultimo for fifteen days is cancelled at his request

The following Officers have obtained leave of absence from their Stations

Mr H Walters Temporary Member of the Sudder Board of Revenue for fifteen days, to proceed to the Sand Heads, on Medical Certificate

Mr G J Morris Civil and Session Judge of Patna from the 9th instant, until the sailing of the ship *Jana* in extension of the leave granted to him on the 22d November last

Mr R J Longman late Superintendent of Khas Mehals in Behar from the 8th instant, preparatory to applying for permission to proceed to Europe on Furlough

21st FEBRUARY, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments

Mr I W Temple to be Civil and Session Judge of Patna vice Mr G J Morris who has proceeded to England

Mr T Bruce to be Joint Magistrate and Deputy Collector of Noakhilly, vice Mr C C Jackson proceeded to England

Mr A G Bidwell to be Deputy Collector for the investigation of Titles to hold Land free from the payment of Revenue in Zillah Tipperah, including the Mainland of Bulloah

Baboo Raseek Krishna Mullick to be Deputy Collector in Zillah Burdwan under the Provisions of Regulation IX of 1833

The following Officers have obtained leave of absence from their Stations

Mr R Macan, Officiating Judge and Additional Judge of Burdwan, for two months, to proceed to Sea on Medical Certificate.

Mr J F G Cooke, officiating Civil and Session Judge of Dacca, for three weeks, beyond the time allowed to join his appointment at Sylhet to commence from the date on which he may give over charge of the office of Judge of Dacca to Mr Orskot.

Mr F E Reat, Joint Magistrate and Deputy Collector of Purneah, for four months, to visit Singapore and China, on Medical Certificate, with permission to extend it to six months should he find it requisite for the recovery of his health, in extension of the leave granted to him on the 17th ultimo.

PORT WILLIAM, JUDICIAL (LAW) DEPT.,

20TH FEBRUARY, 1837

Mr Thomas Bruce Swinhoe, appointed by the Honble the Court of Directors, Solicitor to the East India Company at Calcutta, assumed charge of that Office on the 11th instant

ECCELESTIASTICAL DEPARTMENT

The Reverend William Ord Ruspin, A M, is appointed Garrison Chaplain of Fort William and to perform the duties of the General Hospital.

15TH FEB., 1837

The Right Honble the Governor of Bengal is pleased to appoint the Reverend Edward White, A M, Chaplain of Singapore The Reverend Charles Hawling, A M, reported his return to the Presidency, from England on the 11th instant.

The Reverend Henry Parish, D C L., Chaplain on the Bengal Establishment, embarked for England on board the ship 'Java' which Vessel was left by the Pilot at sea on the 14th instant

22nd FEB., 1837

The extension of leave granted under the Orders of Government dated the 9th Nov., 1836, to the Reverend Henry, Fisher, Junior, Presidency Chaplain to the 1st April next, is cancelled from the 19th instant, the date on which he resumed charge of his duties.

GENERAL DEPARTMENT AGRA,

10TH FEBRUARY, 1837

Mr C Macswen, Secretary to the Lieutenant Governor of the North Western Provinces, in the Judicial and Revenue Department is permitted to proceed to the Cape of Good Hope for the benefit of his health, and to be absent from Bengal on that account for a period of two years, from the date of the sailing of the *Brownbournbury*.

15TH FEBRUARY, 1837.

The Reverend R Chambers is permitted to be absent from his Station for twenty days, viz, from the 21st instant to the 11th proximo

18TH FEBRUARY, 1837.

Surgeon Hugh Guthrie, M D, is appointed to the Medical Charge of the Civil Station of Bareilly, in succession to Surgeon Cooper who has obtained permission to visit Europe on Furlough

POLITICAL DEPARTMENT, AGRA,

8TH FEBRUARY, 1837

The Honble the Lieutenant Governor is pleased to make the following Appointment

Mr C Fraser to officiate as Agent to the Lieutenant Governor in the Saugor and Nerbudda Territory

Lieutenant T H Phillips, Assistant to the Agent to the Lieutenant Governor at Dethie, has obtained an extension of leave to the 1st of December 1837, on account of ill health, and will appear before the Medical Committee ordered to assemble at Mussoorie during the current month, for the purpose of having his Certificate renewed

11TH FEBRUARY, 1837.

Mr R Bell, on Deputation to the Dohle Territory is permitted to be absent for 12 months, from the 1st Proximo, to visit the Hills, for the benefit of his health.

14TH JAN. 1837

Major Ross Political Agent at Kotah, is permitted to be absent for eleven months from the 18th ultimo, to visit the Hills, for the benefit of his health, inclusive of the leave for ten months, noticed in Orders of the 17th of November last

JUDICIAL AND REVENUE DEPT., AGRA,

AGRA, 31ST DEC, 1836

The unexpired portion of the leave of absence, for twelve months granted to Mr H S Bouderson, on the 8th November, is cancelled from the 20th Proximo

2D JANUARY, 1837

Mr A W Begbie to be Civil and Session Judge of Nympoorio Mr H N, Bouderson to be Commissioner of Revenue and Deputy of the 1st or Meerut Division

Mr J R Macchison ditto ditto of the 2d or Agra Division Mr R C Olyn to officiate as Civil and Session Judge of Meerut.

Mr G F Franco to officiate as Magistrate and Collector of Meerut.

3D JANUARY, 1837.

The unexpired portion of the extension of the leave of absence, for one month, granted to Mr J Lean, Deputy Collector in the 2d or Agra Division, on the 6th December last, is cancelled from the 30th idem, on which date he resumed charge of his Office.

GENERAL REGISTER.

7TH JANUARY, 1837.

Rankin, J. A. Abbott, 51st Regiment N I., to be an Assistant in the Revenue Survey Department

Mr. H Rose to officiate as Magistrate and Collector of Bareilly
9TH JANUARY, 1837.

Mr R E S Campbell to officiate as Joint Magistrate and Deputy Collector of Furruckabad.

9TH JANUARY, 1837.

The following Officers have obtained leave of absence

Hon'ble P J Shore, Officiating Commissioner, Sanger and Nerbudda Territories, for four months on Medical Certificate. Mr Shore has been desired to make over charge of his office to the Senior Assistant in the Division.

Mr J Carter Civil and Sessions Judge of Gornuckpore, for two months to visit the Presidency, on his private affairs, preparatory to applying for permission to retire from the Service on an Annuity of the present season.

Mr H Swetenham, officiating Civil and Session Judge of Furruckabad, for one month on his private affairs. Mr Swetenham to make over charge of the current duties of his office to Mr J Leah, who will conduct them until further orders.

Mr H Bonfield, Civil Assistant Surgeon Wynpore, for two months, from the 1st proximo, on Medical Certificate. Mr Bone field to make over charge of his Medical duties to Mr Assistant Surgeon D. Macnab M. D., of the 3d Regt N I

Mr. C W. Truscott to officiate as Magistrate and Collector of Allehabad.

The leave of absence granted to Mr W Ewer Judge of the Sudder Dewany and Nizamut Adawlut on the 24th ultimo, for six weeks, on his private affairs, is cancelled

37TH JANUARY, 1837

Mr. C H M. Alexander to exercise the powers of Joint Magistrate and Deputy Collector in the Seolundahkur District

30TH JANUARY, 1837.

Mr W F Benson to be Magistrate and Collector of Bareilly from the 16th instant. Mr Benson to continue to Officiate as Civil and Session Judge of Jaunpore until further orders

Mr H W Deane to be Magistrate and Collector of Banda from the 16th instant

Mr N H E Frowett to be Deputy Collector for the investigation of claims to exemption from the payment of the Land Revenue in the 3d or Bareilly Division

31ST JANUARY, 1837

Mr G W Bacon, Judge of Seharanpore, has obtained an extension of leave of absence for 3 months, on his private affairs
1ST FEBRUARY, 1837

Mr S J Becker to Officiate as Joint Magistrate and Deputy Collector of Banda
3D FEBRUARY, 1837.

Mr John Kinloch to be Joint Magistrate and Deputy Collector of Myspore.

6TH FEBRUARY, 1837

Mr Walter Ewer, Judge of the Court of Sudder Dewanny and Nizamut Adawlut, has obtained leave of absence for twelve months, on Medical Certificate to proceed to the Hills

Mr R Cathcart to be Civil and Sessions Judge of Jaunpore

8TH FEBRUARY, 1837

Mr C Fraser to officiate as Commissioner in the Sanger and Nerbudda Territory

Mr E A Road, Magistrate and Collector of Gornuckpore, has obtained leave of absence for 15 days, on his private affairs in extension of the period of one month granted to him by the Commissioner

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William 23d January, 1837

No. 17 of 1837. The Right Hon'ble the Governor General of India in Council is pleased to make the following Frimous

12th Regiment N I.—Captain Louis Bruce to be Major Lieutenant Andrew Barclay to be Captain of a company and Ensign Robert Wright Cope Dooina to be Lieutenant, from the 21s January, 1837, in succession to Major Ivis Campbell deceased

The undermentioned Officers of Infantry and Cavalry are promoted to the rank of Captain by Brevet, from the dates expressed opposite to their names

36th Regiment N I., Lieutenant Ferdinand Charles Milner, 18th Jan 1837; 36th Regiment N I., Lieutenant Henry Fitzmaurice, 18th Jan 1837; 6th Regiment N I., Lieutenant David Gabel Kellier, 19th ditto; 34th Regiment N I. Lieut Henry Moore, 19th ditto; 34 Regiment Light Cavalry, Lieutenant John Ingles, 19th ditto; 39th Regiment N I., Lieutenant Francis Winter, 19th ditto; 64th Regiment N I., Lieutenant Frederick Knysset, 19th Ditto.

Mr. William Edward Rose is admitted to the service, in conformity with his appointment by the Hon'ble the Court of Directors, as a cadet of Engineers on this Establishment, and promoted to the rank of 3d Lieutenant leaving the date of his commission for future adjustment.—Date of arrival at Fort William, 17th Jgs, 1837

Captain George Henry Robinson, of the 36th, and Lieutenant John Harding W. Mayow; of the 14th Regiment Native Infantry, are respectively permitted to proceed to Europe on Furlough, on account of their private affairs.

The permission granted to Lieutenant Nathaniel Dunbar Barton of the 6th Regiment Light Cavalry, in General Orders No. 33 of the 31st November last, to proceed to Europe on account of his private affairs, is continued to Furlough, on Medical Certificate.

Captain Henry Faith, of the 72d Regiment Native Infantry, is permitted to proceed to Ramboy on his private affairs, and to be absent from Bengal on that account for six months

Local Lieutenant R V Maling, attached to the Arracan Local Battalion, is permitted to resign his appointment in the service

Serjeant Samuel McMurray, of the Corps of Sappers and Miners is appointed an Assistant Overseer on the Canals West of the Jumna, to fill a vacancy in the Department

Serjeant Felix McGinness, of the European Artillery Invalids is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders, dated 6th February 1810, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend at the Presidency

No 18 of 1837.—Under instructions from the Hon'ble the Court of Directors, the Right Honorable the Governor General of India in Council directs, that, whenever a soldier educated for the Sappers and Miners, shall be allowed to purchase his Discharge Twenty Pounds he added to the Scale laid down in General Orders No 3, of the 3d instant, for the Discharge of a soldier of the Line with a view to reimburse the Company for the extra expense of the sapper's education

No 19 of 1837.—Lieutenant William Moultrie, of the 57th Regiment Native Infantry is permitted to proceed to Europe on Furlough, on account of his private affairs

The permission granted to Lieutenant and Brevet Captain Ferdinand Charles Milner, of the 16th Regiment Native Infantry, in General Orders No 247, of the 25th ultimo, to proceed to Europe on account of his private affairs, is continued to leave to the Cape of Good Hope, for two years on Medical Certificate

The unexpired portion of the leave of absence granted, respectively, to the undermentioned Officers, in General Orders No 171, of the 29th August, and No. 305, of the 24th October last, are cancelled from the 23d instant:

Lieutenant Henry Adolphus Shackburgh, of the 40th Regiment Native Infantry.

Lieutenant Hugh Boyd, of the 14th Regiment Native Infantry
The following Appointments were made in the Political Department under date the 9th instant.

GENERAL REGISTER.

Lieutenant Colonel and Brevet Colonel Henry Tufnell Roberts C. B. of the 5th Regiment Light Cavalry, to be a Brigadier of the 1st Class in the Nizam's Army, and to be the Commandant of the Aurangabad Division, vice Colonel W. C. Sadooley, C. B.

Lieutenant William Charles Birch, of the 5th Regiment Native Infantry, to officiate as an Assistant to the Superintendent of the Operations for the Suppression of Thuggee during the absence of Cornet Robinson, or until further orders.

The leave of absence granted by the Hon'ble the Lieutenant Governor of the North Western Provinces to Lieutenant F. Oberish, Junior Assistant to the Commissioner in the Saugor and Nerhudda Territories on the 14th October last, for three months, on his private affairs, is to commence from the 4th ultimo.

Fort William, January 25th, 1837.

No. 21 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointments:

Lieutenant Hugh Boyd, of the 15th Regiment Native Infantry Agent for Family Money, and Pay Master of Native Pensioners at Barrackpore, to act as Pay Master of Native Pensioners at Meerut and Hauppur during the absence of Captain J. Hoggan, or until further orders.

Captain John Iervia, of the 5th Regiment Native Infantry, to be Superintendent of Family Money and Pay Master of Native Pensioners in Oude and Cawnpore, vice Captain C. Hamilton promoted.

Captain Henry Carter of the 73d Regiment Native Infantry, to be Agent for Family Money and Pay Master of Native Pensioners at Barrackpore, vice Lieutenant H. Boyd.

Assistant Surgeon Donald Stewart M. D. 2d Assistant to the Presidency General Hospital to be Superintendent General of Vaccination, vice Surgeon A. B. Jackson, M. D.

Assistant Surgeon Henry Chipman of the Governor General's Body Guard to be 2d Assistant to the Presidency General Hospital, vice Assistant Surgeon D. Stewart M. D.

Assistant Surgeon F. H. Breit is permanently appointed by the Governor General to the Medical charge of the B. D. Guard.

Fort William 26th January, 1837.

No. 22 of 1837.—Assistant Surgeon Francis Thompson of the Medical Department is permitted to proceed to Europe on Furlough, on Medical Certificate.

Fort William 30th January 1837.

No. 27 of 1837.—2d Lieutenant William Jones of the Corps of Engineers, 2d Assistant is advanced to the situation of 1st Assistant in the Great Trigonometrical Survey on the usual Salary of Rupees 618 per mensem, from the 1st proximo.

Assistant Apothecary John Tynan, employed in the Hon'ble Company's Dispensary is, at his own request, permitted to resign his situation. Mr. Tynan is placed at the disposal of His Excellency the Commander in Chief.

Assistant Apothecary J. G. Scott officiating in the Hon'ble Company's Dispensary, is appointed a permanent Assistant in the Dispensary vice Mr. Tynan.

Mr. M. Kilfoyle is appointed an Assistant Overseer in the Department of Public Works, and placed at the disposal of the Superintending Engineer Lower Provinces.

Fort William, 1st February, 1837.

No. 28 of 1837.—1st Lieutenant Frederick William Cornish of the Regiment of Artillery, is permitted to proceed to Europe on Furlough, for one year, without Pay, on urgent private affairs.

No. 29 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions in the Army Commissariat Department.

Captain C. J. Lewis, Deputy Assistant of the 1st Class, to be Assistant Commissary General of the 2d Class, vice Major G. Hush who vacates his appointment in the Department on promotion to that rank.

Captain H. Doveton, Deputy Assistant of the 2d Class, to be Deputy Assistant Commissary General of the 1st Class, vice Captain C. J. Lewis.

Captain C. Haldane, Sub Assistant, to be Deputy Assistant Commissary General of the 2d Class, vice Captain H. Doveton. Surgeon Neil Maxwell, M. D., is permitted to retire from the Service of the East India Company, on the Pension of his rank, from the 1st instant.

The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions.

Medical Department.—Assistant Surgeon James Frederick Stewart, M. D., to be Surgeon, from the 1st February, 1837, vice Surgeon Neil Maxwell, M. D., retired.

Assistant Surgeon Edward William Clarribut, of the Medical Department, has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors.—Date of arrival at Fort William, 20th January, 1837.

Assistant Surgeon Adam Thomson, of the Medical Department, is permitted to proceed to Europe on Furlough, on Medical Certificate.

Fort William 6th February, 1837.

No. 30 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions:—

Regiment of Artillery.—Major James Tennant to be Lieutenant Colonel, Captain John James Farrington to be Major, 1st Lieutenant and Brevet Captain Edward Cumberland Thomas Bostock Hughes to be Captain, 2d Lieutenant Edward Grimsham Austin to be 1st Lieutenant, from the 27th January 1837, in succession to Lieutenant Colonel John Rodder retired.

Supernumerary 2d Lieutenant D. Oly Richard Bristow is brought on the effective strength of the Regiment.

74th Regiment N. I.—Captain Hector Mackenzie to be Major, Lieutenant Mark Hush to be Captain of a Company, Ensign George Parker to be Lieutenant from the 30th January 1837, in succession to Major Alexander Farquharson transferred to the invalid Establishment.

Assistant Surgeon Thomas Bernard Hart, of the Medical Department, is permitted to proceed to Europe on Furlough, via Bombay, on account of private affairs, the Furlough to commence from the date of his quitting the Frontier Station of Bengal.

Assistant Surgeon James Mainwaring Brander M. D., of the Medical Department is permitted to proceed to Europe on Furlough on Medical Certificate.

The Furlough to Europe granted to Captain William Pasmore, of the 19th Regiment Native Infantry, late Commanding a Detachment in Persia, in General Orders No. 184 of the 19th September last, is cancelled at the request of that Officer.

2d Lieutenant Edward Kaye, of the Regiment of Artillery, has leave of absence for six months, to visit Madras, on urgent private affairs.

The following Promotion is made in the Ordnance Commissariat Department.

Sub Conductor William Thornton to be Conductor, from the 7th January 1837, vice Turvey deceased.

No. 31 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointments:

Captain Thomas Timbrell, of the Regiment of Artillery, to be Agent for the Manufacture of Gun Powder, at Ishapore, vice Lieutenant Colonel J. Tennant who vacates his appointment on promotion to that rank. Lieutenant Colonel Tennant will continue to officiate in his present situation until relieved.

Surgeon David Renton to be a Superintending Surgeon on the Establishment, from the 25th December last, vice Superintending Surgeon W. A. Venour who has retired from the Service.

Assistant Surgeon Hugh Maclean attached to the Wharwarah Local Battalion, was appointed in the Political Department, under date the 23d ultimo to the Medical Charge of the Residency at Indore, vice Assistant Surgeon J. M. Brander, M. D. resigned.

The services of Assistant Surgeon Frederick Furnell are placed at the disposal of the Right Honourable the Governor of Bengal, for the Medical duties of the Civil Station of Serreeboom.

His Lordship in Council is pleased to confirm, as a temporary arrangement, the Station Orders issued at Neamath on the 15th ultimo, permitting Captain R. Woodward, Sub Assistant Commissary General to proceed to the Hills, on Medical Certificate, and directing him to make over charge of the Commissariat Office to Captain J. D. D. Bran, of the 23d Regiment Native Infantry, who will conduct the duties of the Department until the arrival of a Commissariat Officer on Capt. Woodward's responsibility.

No. 33 of 1837.—The following paragraph of a Military Letter, No. 61, from the Hon'ble the Court of Directors to the Governor in Council at Fort Saint George, dated the 2d October, 1833, is published for general information.

"Para. 48.—A Soldier who has purchased his discharge, or who has received a free discharge at his own request, is not, in the event of his being permitted to re-enlist, entitled to reckon his former service."

Fort William, 13th February, 1837.

No. 34 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Appointments.

GENERAL REGISTER.

1st Regiment Native Infantry—Lieutenant and Brevet Captain Charles Griffin to be Captain of a Company, and Ensign John Bostain to be Lieutenant from the 7th February 1837, in succession to Captain John Robson Worsam, retired.

1st Lieutenant Henry Goodwyns, Executive Engineer, 2d or Barrack-pore Division, to be Executive Engineer of the 2d or Bareilly Division of Public Works, vice Captain J T Boffeau proceeding to Europe.

The undermentioned Officers are permitted to proceed to Europe on Furlough.

Lieutenant Jeremiah Edward Grounds, of the 46th Regiment Native Infantry, on Medical Certificate.

1st Lieutenant George Borsias Tremeneers, of the Corps of Engineers, on account of private affairs.

Mr William May is admitted to the Service, in conformity with his appointment by the Honble the Court of Directors as a Cadet of Artillery on this Establishment, and promoted to the rank of 3d Lieutenant, leaving the date of his Commission for future adjustment, date of arrival at Fort William, 9th February, 1827.

Conductor Thomas Lithgow, of the Ordnance Commissariat Department, is permitted to proceed to Europe on Furlough on Medical Certificate.

Sergeant Major John Foley of the 37th Regiment Native Infantry, is admitted to the Honble the Court of Directors as a Minute of Council of the 11th January 1797 and General Orders dated 5th February 1820 subject to the confirmation of the Honble the Court of Directors, with permission to receive his Stipend at Dehli.

No 35 of 1837.—The following paragraphs of a Military Letter, No 66, from the Honble the Court of Directors to the Governor of the Presidency of Fort William in Bengal dated the 21st September, 1836, are published for general information.

"Para 2. Captain Newbery (permitted to return to his duty via Bombay) has been apprised that his Indian Allowances will not commence until he shall have reached the Presidency, or joined the Corps to which he belongs.

3 We have granted additional leave to the following Officers viz.

Lieutenant Colonels Thomas Dundas, G Williamson, and Major J Trevelyan, six months.

Captain J D Dyke to remain till January next.

Captain John Evans to remain till the ensuing winter.

Captain John Fitzgerald, Alban T Davis, and William A Smith, Lieutenants Edward Meade, and Francis Winter, Ensign J W C Chalmers, six months.

Ensign C A Hepburne twelve months.

4 We have permitted Captain Robert McMullin to retire from the service, this vacancy has effect from the 21st July 1835.

5 Surgeon Charles M Maricot, of the Invalid Establishment at your Presidency, has been placed upon the Retired Half Pay List.

6 We have accepted the resignation of Lieutenant Godfrey Greene, this vacancy has effect from the 15th July, 1835.

No 36 of 1837.—The following Lists of Rank of Cadets of Engineers, Cavalry and Infantry and of Assistant Surgeons, appointed for the Bengal Presidency, are published for general information.

No 4 of 1836.—Rank of Cadets for the Bengal Engineer, Cavalry and Infantry.

For the Engineers.—To rank from the 12th June 1835, being the day on which they passed their Public Examination the Ships on which they embarked having sailed from Gravesend within three months from the date when they completed their Studies under Lieutenant Colonel Paisley.

William Edward Ross, *Zen bin*, sailed 19th September 1836.
James Sutherland Broadfoot, *Robert's wall*, sailed 20th July 1836.

For the Cavalry.—To rank from the date of sailing from Gravesend of the Ships on which they embarked and in the following order viz.

Lieut. Heywood Hardyman, *Roxburgh Castle*, sailed 4th June 1836.

Montagu James Faraball, *Mountstuart Elphinstone*, sailed 20th June 1836.

Samuel Robinson, *London*, sailed 16th July 1836.

For the Infantry.—To rank from the 10th June 1836, the day on which they passed their Public Examination and in the following order, the ships by which they proceeded having sailed from Gravesend before the 10th September 1836.

Edward Hall, *Duke of Buccleugh*, sailed 21st August 1836.

David Clark Scott, *Isabella* sailed 6th September 1836.

Edward Locker, *Braunhurst*, sailed 1st August 1836.

Charles Wright, ditto ditto.

Gustavus William Alexander, *Windsor*, sailed 27th July 1836.

Edward Forbes, *Mountstuart Elphinstone*, sailed 20th June 1836.

James Montgomery, *Duke of Northumberland*, sailed 19th August 1836.

To rank from the 11th June 1836 agreeably to the Court's Resolution of the 4th December 1835, and in the following order, viz.

Allan Cameron (abroad), *Para* appd 30th March 1836, *para*

per Orient sailed 16th April 1836.

Robert Falthall, *Fanshawe*, appd 30th March 1836, *Orient*, ditto ditto.

Robert Andrew Smith, appd 26th April 1836, *Theresa*, sailed 16th May 1836.

Robert Henry Alexander, appd 11th May 1836, *Repube* sailed 2d June 1836.

To rank from the date of sailing from Gravesend of the Ships on which they proceeded, and in the following order, viz.

Walter Key Haslewood, *Barretto Junior*, sailed on 27th June 1836.

Samuel Hugh James Davies, *Mountstuart Elphinstone*, sailed 28th June 1836.

Frederick Moffat Baker, *Copeland*, sailed 6th July 1836.

George Maurice Freudergast, *Duke of Bedford*, sailed 20th July 1836.

East India House, 21st September, 1836.

(Signed) J SALMOND,
Maj Secy

East India House, London the 4th October 1836.

A true copy

(Signed) JAMES C MELVILL, Secy
(No 3 of 1836)

Rank of Assistant Surgeons for Bengal.

To rank from the sailing from Gravesend of the Ships on which they embarked, and in the following order, viz.

Alexander Gibbon, *Exmouth*, sailed 15th June 1836.

Henry John Tucker, M D, *True Briton*, sailed 20th June 1836.

John Campbell Brown, *Java*, sailed 5th July 1836.

East India House 21st September, 1836.

(Signed) J SALMOND,
Maj Secy

East India House London, the 4th October 1836.

(A true copy)

(Signed) JAMES C MELVILL, Secy

No 37 of 1837.—With reference to General Orders No 225, of the 14th of November 1836 the Governor General of India in Council is pleased to adjust the date of rank as Colonel by Brevet of the following Officers.

Colonels Charles Parker Artillery Henry Hathwaite 15th N I William Con ad Falthall, C B, 17th N I Thomas Wilson C B, 2d N I Felix Vincent Raper, 70th N I, George Swasey, Artillery George Pollock, C B, ditto, Alexander Lindsay C B ditto, James Alexander, 65th N I.—To take rank as Colonels by Brevet from the 5th of June, 1836 the date on which Lieutenant Colonel Peter Delamotte, of the Bombay Army, was promoted to the rank of Colonel Regimentally, and to stand above that Officer, in the General Gradation List of Colonels in the Service of the East India Company for promotion to the rank of Major General by His Majesty a Brevet.

No 38 of 1837.—Major John Bell of the 1st Regiment Native Infantry, is permitted to retire from the Service of the East India Company, on the Pension of his rank, from the 1st instant.

The Right Honble the Governor General of India in Council is pleased to make the following Promotions and Appointments.

1st Regiment Native Infantry.—Captain William Henry Sloo man to be Major, Lieutenant John Symes Gifford to be Captain of a Company, Ensign Condrick Armstrong Fisher to be Lieutenant from the 1st February, 1837, in succession to Major J Bell retired.

Lieutenant Hugh Boyd, of the 15th Regiment Native Infantry now acting as Adjutant of Native Invalids and Pay Master of Native Pensioners at Meerut and Muspur, is permanently appointed to that situation, in the room of Captain J. Hoggan resigned.

Lieutenant John Butler, of the 36th Regiment Native Infantry, to do duty with the Arakan Light Infantry, vice Ensign W. C. Erskine, of the 7th Regiment Native Infantry, resigned.

GENERAL REGISTER.

The undermentioned Gentlemen are admitted to the Service in conformity with their Appointment by the Hon'ble the Court of Directors, as Cadets of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment:

Infantry.—Mr. John William Henry Bownal, and Mr. Henry Ward, date of arrival at Fort William, 11th Feb. 1837.

Lieutenant Colonel John Craige, of the 41st Regiment Native Infantry, Member of the Military Board, is permitted to proceed to Europe on Furlough, on account of his private affairs.

The leave of absence granted to Sub-Lieutenant Peter Allen, Deputy Commissary of Ordnance in General Orders, No. 206 of the 6th November, 1834, is extended to the 11th instant.

His Lordship in Council is pleased to make the following appointment in the Subordinate branch of the Medical Department:

Gunner H. Bond, of the 3d Troop 1st Brigade Horse Artillery, to be an Assistant Seward, vice O'Sullivan who has been permitted to resign the Service.

Sergeant Major Charles Cunningham, of the 63d Regt. N. I. is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January, 1797, and General Orders of the 5th February, 1830, subject to the conformation of the Hon'ble the Court of Directors, with permission to receive his Stipend at Dinapore.

30 of 1837.—1st Lieut. John Dowdswell Shakspeare, of the Regiment of Artillery, Extra Assistant to the Resident at Lucknow, obtained in the Political Department, under date the 6th instant, six weeks leave of absence, from the 18th instant, to visit the Presidency, on urgent private affairs.

Leave of absence on private affairs was granted to the undermentioned Officers, in the Judicial and Revenue Department, on the 7th instant:

Lieutenant Arthur Grove Rainey, of the 25th Regiment Native Infantry, Junior Assistant to the Commissioner of Arracan, from the 13th December last to the 8th ultimo, the date on which he rejoined his Station at Akyab.

Assistant Surgeon Col Macintyre, attached to the Civil Station of Farroodpore, for five days, in extension of the leave granted to him on the 22d November last.

No. 40 of 1837.—The following paragraphs of a Military Letter No. 57, from the Hon'ble the Court of Directors to the Governor of the Presidency of Fort William in Bengal, dated the 14th September 1836, are published for general information.

Letter from, dated 17th August, 1835 (No. 94)

Transmit 5 Memorials from the Medical Officers of the Circles of Benares, Agra, Cawnpore, Presidency, and Meerut, appealing against the delay in filling up the Appointment of 3d Member of the Medical Board on the retirement of Mr. McDowell, and the reduction of the number of Superintending Surgeons, State that the delay complained of in filling up the vacancy in the Board was unavoidable pending the receipt of Court's decision on Mr. Munton's Case.

AND
Letter from, dated 19th October, 1835 (No. 121)

Transmitting a similar Memorial from the Medical Officers of the Birkind Division.

3. With respect to the other prayers, contained in the Memorials of the Medical Officers transmitted with the letters under reply, we have to inform you, that they cannot be complied with.

Fort William, 20th February, 1837.

No. 43 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank.

44th Regiment N. I.—Lieutenant and brevet Captain John Bartlemas to be Captain of a Company and Ensign Robert Grange to be Lieutenant, vice Captain Robert McMillan retired, with Rank from the 20th of January, 1837, vice Captain Thomas DesVoeux retired.

44th Regiment N. I.—Ensign Henry James Blunt (deceased), to be Lieutenant, from the 15th July 1835, vice Lieutenant, Godfrey Griens resigned.

Ensign Henry Davis Van Hornigh to be Lieutenant, from the 15th of July 1835, vice Lieutenant Henry James Blunt, deceased.

49th Regiment N. I.—Ensign George John Brickricks to be Lieutenant, from the 11th January, 1837, vice Lieutenant John Theodore Wilcox discharged from the service by the Sentence of a General Court Martial.

ALTERATION OF RANK.

44th Native Infantry—Capt. R. B. Pemberton, and Lieut. T. Goddard, from 21st July 1835, vice Capt. Robert McMillan retired.

Mr. David Clark Scott is admitted to the Service, in conformity with his appointment by the Hon'ble Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment, date of arrival at Fort William, 13th February 1837.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain Alexander McKinnon, of the 43d Regiment Native Infantry, date of arrival at Fort William, 8th Feb. 1837.

Lieutenant Charles Ekins, of the 7th Regiment Light Cavalry, ditto 11th ditto.

Lieutenant Charles Atkinson of the 10th Regiment of Light Cavalry, ditto 12th ditto.

The undermentioned Officers are permitted to proceed to Europe on Furlough.

Lieutenant Colonel John Colvin, of the Corps of Engineers, Superintendent of Canals, Delhi Territory, Major William Churcher Oriel, of the Invalid Establishment, and Lieutenant Archibald Robert Johnston, of the 32d Regiment, N. I., on account of private affairs.

Captain Charles Chester, of the 23d Regiment Native Infantry, and Captain Charles Howard Whitehead, of the 46th Regiment Native Infantry, on Medical Certificate.

Lieutenant Charles Enes Burton of the 40th Regiment Native Infantry, is permitted to proceed to the Cape of Good Hope, on Medical Certificate, and to be absent from Bengal on that account for two years.

The unexpired portion of the leave of absence granted to Capt. H. DeBude, Superintending Engineers, Cuttack Province, in General Orders No. 175, of the 5th September last, is cancelled from the 30th ultimo.

Hospital Apprentice Michael Healy, Acting Assistant in the Hon'ble Company's Dispensary, is, at his own request, permitted to resign that situation. Mr. Healy is placed at the disposal of His Excellency the Commander-in-Chief.

Assistant Apothecary John Taylor is appointed to officiate as an Assistant in the Hon'ble Company's Dispensary, vice Healy.

Sergeant Thomas Mason, of the European Regiment, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated the 5th February 1830, subject to the conformation of the Hon'ble the Court of Directors, with permission to receive his stipend at Agra.

No. 44 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to assign rank to the undermentioned 2d Lieutenants, Cornets, Ensigns, and Assistant Surgeons, from the dates specified opposite to their respective names:

Engineers.—2d Lieutenant William Edward Rees, 2d Feb. 1836.

2d Lieutenant James Sutherland Broadfoot, ditto.

Cavalry.—Cornet Lucius Heywood Hardymen, 22 Nov. 1836.

Cornets Montagu James Turbull, ditto, and Edmund Pattison, 12th ditto.

Infantry.—Ensigns Edward Hall, 20th August 1836; David Clark Scott, ditto; Edward Locker, ditto; Charles Wright, ditto; Gustave William Alexander, ditto; Edward Forbes, ditto; James Montgomery, ditto; Allan Cameron, ditto; Robert Fairfull Fanshag, ditto; Robert Andrew Smith, 20 October, 1836; Robert Henry Alexander, ditto; Walter Kay Haslewood, 4th November, 1836; Samuel Hugh James Davies, ditto; Frederick Moffat Baker, 13th ditto, and George Maurice Wredergast, 14th ditto.

Medical Department.—Assistant Surgeon Alexander Gibson, 16th June 1836.

Assistant Surgeon Henry John Tucker, M. D., 29th June 1836.

Assistant Surgeon John Campbell Brown, 5th July 1836.

No. 45 of 1837.—The following Appointment was made by the Hon'ble the Lieutenant Governor of the North Western Province, under date the 4th instant:

Assistant Surgeon Charles McCurdy, to be Civil Assistant Surgeon at Cawnpore.

GENERAL REGISTER.

Assistant Surgeon Henry Bousfield attached to the Civil Station at Singapore, obtained from the Hon'ble the Lieutenant Governor, under date the 30th ultimo, leave of absence for ten months, from the 1st instant, on Medical Certificate.

Fort William, 22d February, 1837.

No. 46 of 1837.—Captain John Theophilus Boileau, of the Corps of Engineers is permitted to proceed to Europe, on Furlough, on account of his private affairs.

Fort William, 27th February 1837

No 47 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointments:

1st Lieutenant B W Goldie, of Engineers to be Executive Engineer 2d or Berhampore Division of Public Works vice 1st Lieutenant H Goodwyn. Lieutenant Goodwyn will perform the duties of the Executive Engineer of the 2d or Berhampore Division until relieved by Lieutenant Goldie.

1st Lieutenant W H Graham, Executive Engineer Mhow Division, to be Executive Engineer of the 17th or Burdwan Division of Public Works, vice 1st Lieutenant W M Smith proceeded to Europe on Furlough.

1st Lieutenant H H Duncan, of Engineers in charge of the 8th or Bareilly Division, to be Executive Engineer of the Mhow Division of Public Works vice Lieutenant Graham. Lieutenant Duncan will perform the duties of the Executive Engineer of the 8th or Bareilly Division until relieved by Lieutenant Goodwyn.

The undermentioned Officers are permitted to proceed to Europe on Furlough:

Lieutenant Horatio Lawrell, of the 3d Regiment Light Cavalry Cornet Valpy Francis Thomas Turner, of the 1st Regiment Light Cavalry, and Assistant Surgeon Robert White Wrightson of the Medical Department, attached to the Civil Station of Kynh, on Medical Certificate.

Lieutenant Samuel Bileau Gold of the 1st Regiment Light Cavalry, via Bombay, on private affairs.

The Furlough of Lieutenant Gold is to commence from the 24th instant, or from such subsequent date as he may quit the Frontier Station of Bengal.

Lieutenant Henry Tod Tucker, of the 8th Regiment Native Infantry, Officiating Junior Assistant to the Commissioner of Assam is, at his own request placed at the disposal of His Excellency the Commander in Chief.

Sergeant W Wilson of the Corps of Sappers and Miners is appointed an Assistant Overseer in the Department of Public Works, on the Salary allowed for that rank and placed under the Orders of Captain Cautley, Superintendent of Doab Canals. This appointment is to have effect from the 14th June 1836.

No 48 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to promote the undermentioned Officers to the rank of Captain by Brevet, from the dates expressed opposite to their respective names.

60th Regiment Native Infantry—Lieutenant Rodrick Macdonald 23d February, 1837.

8th Regiment Native Infantry—Lieutenant Charles James Francis Burnett, ditto.

23d Regiment Native Infantry—Lieutenant Nathaniel Sneyd Nesbit, ditto.

56th Regiment Native Infantry—Lieutenant Daniel Bamfield 26th ditto.

The following Appointment was made in the Political Department under date the 20th instant.

Lieutenant B. Morrison, of the 52d Regiment Native Infantry, to Officiate, until further Orders as an Assistant to the Agent to the Governor General in Rhyopootana. This appointment to have effect from the date on which Lieutenant Morrison may receive charge of his Officiating duty.

Lieutenant J H Phillips, of the 43d Regiment Native Infantry, Assistant to the Agent to the Lieutenant Governor at Delhi, has obtained from the Lieutenant Governor of North Western Provinces, under date the 8th instant, on extension of leave to the 1st December, 1837, on account of ill health.

BY THE COMMANDER IN CHIEF.

Head quarters, Camp, Dhurapore, 10th January, 1837

Commander Frederick Mann, of the invalid pension establishment is permitted to reside and draw his pension at Dinapore.

The undermentioned officers have leave of absence.

7th Regiment of Artillery—Captain J S Kirby, 30th January to 30th January 1838, on medical certificate, to visit the hills north of Deyrah and Simla.

7th Regiment Light Cavalry—Colonel T Shubbiok, from 1st February to 1st November, to visit the hills north of Deyrah, on medical certificate.

5th Regiment Native Infantry [Captain J L Jones from 1st February to 1st February 1838, on medical certificate, to visit Simla.

Head Quarters, Camp, Dhurapore, 11th January, 1837.

The Presidency division order of the 27th ultimo, directing Hospital Apprentices John Gorman (1st) and James Thompson, attached to the general hospital to proceed to Dinapore, and do duty with His Majesty's 31st Regiment of foot, is confirmed.

The Presidency division order of the 27th ultimo directing Apothecary Charles Simons and Assistant Apothecary George Edward Poole to do duty, the latter as Steward, with a detachment of his Majesty's troops, proceeding to the upper provinces under the command of Captain Burchell, of His Majesty's 3d Regiment, is confirmed.

The Agra and Muttra district order of the 27th of October last, directing the employment of a Farmer and a Puckallie with the detachment of native cavalry, forming the escort of the Honourable the Lieutenant Governor of the north western provinces, is confirmed.

The undermentioned officers have leave of absence: 44th Regiment Native Infantry—Lieutenant Colonel J Holbrow from 15th January to 15th May, to visit Mirzapore and Benares, on private affairs.

1d local horse—Major R Hawkes from 1st January to 31st December, to visit the hills north of Deyrah, on medical certificate.

Head Quarters, Camp, Cumbher, 12th January 1837

His Excellency the Commander in Chief is pleased to make the following appointment:

73d Regiment Native Infantry—Ensign W C Esakur to be Adjutant vice Thomas permitted to resign that situation.

Head Quarters, Camp, Deeg, 13th January 1837

The Commander in Chief is pleased to confirm the following Presidency division orders issued by Major General J Watson, C. B. on the 28th and 31st ultimo.

28th December 1836.—Hospital Apprentice Anthony Defturly to act as Assistant Apothecary to the hospital of His Majesty's 9th Regiment as a temporary arrangement.

31st December, 1836.—Assistant Surgeon J S Sullivan, of the 4th Regiment Native Infantry, to proceed to Cherra Poonjee and assume medical charge of the 5th light infantry, during the absence on leave of Assistant Surgeon D Brown.

The Neemuch station order of the 4th instant, by Brigadier R Hampton directing Hospital Apprentice William George Bayley, who accompanied the 4th troop 1st brigade horse artillery from Veerut, to return with five European soldiers proceeding to wards Landour, is confirmed.

The undermentioned officer has leave of absence:

1st Regiment Native Infantry—Major J Bell, from 10th January to 10th May, to visit the Presidency, preparatory to submitting an application to retire from the service.

The Mhow station order of the 30th ultimo, appointing Assistant Surgeon J H Palgrave, of the 44th, to the medical charge of the 60th Regiment of Native Infantry, during the employment of Assistant Surgeon M. McN Wild at Indore, is confirmed.

The regimental order of the 25th ultimo, by Major A Carnegie, commanding the 15th Native Infantry, permitting Lieutenant and Adjutant D Ogilvy to proceed by water in charge of the 1d company, as an escort with thugs to the Presidency, and appointing Lieutenant G J Montgomery to act as Adjutant to the Regiment, during his absence, is confirmed.

The General Order of the 28th ultimo, appointing Lieutenant Colonel Abraham Roberts to the 31st Regiment of Native Infantry, is cancelled, and that officer is posted to the left wing of the European Regiment.

Lieutenant Colonel Joseph Orchard is removed from the left wing European Regiment, and posted to the 31st Regiment of Native Infantry.

The undermentioned officer has leave of absence:

Left wing European Regiment Colonel T. F. Smith, from 1st Feb to 1st Aug to visit Kurnal and Simla, on private affairs.

Head Quarters, Camp, Gurdwan, 14th January, 1837

The Presidency division order of the 28th ultimo, appointing Lieutenant D Wilkie, of the 4th, to act as Interpreter and

GENERAL REGISTER.

Quarter Master to the 56th regiment of native infantry, is con-
firmed.

The Cawnpore station order of the 27th ultimo, directing Apothecary George Dayley, and Hospital Apprentices, Richard Bean and Thomas McEvey to proceed by water with the sick and convalescents of His Majesty's 16th regiment, from Cawnpore to Meerut. (Apprentice Bean as acting Assistant Steward,) is confirmed.

The regimental order by Lieutenant Colonel J. Talloch, commanding the 69th Anti-Aircraft Brigade, under date the 3d instant, appointing Lieutenant G. F. White to act as Adjutant to the regiment, is confirmed as a temporary arrangement.

Head Quarters, Camp, Muttra, 17th January 1837.

His Excellency the Commander in Chief is pleased to order the following postings : Lieutenant Colonel James Caulfeild, C. B. superintendent of Mysore Princess, from the 9th to the 1st regiment of light cavalry.

Lieutenant Colonel Robert Ewhank Chambers (new promotion) to the 9th regiment of light cavalry.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers.

Surgeon Thomas Stoddart, (on furlough) from the 33d to the 49th regiment of native infantry.

Surgeon George Smith (new promotion) to the 33d regiment of native infantry.

Assistant Surgeon William Miller Buchanan, M D. (on furlough) to the 21st regiment of native infantry.

The undermentioned officer has leave of absence :

General Staff.—Brigadier E. Cartwright, commandant of the fortress and garrison of Agra, from 15 February, to 28th February, to visit the Presidency, on urgent private affairs.

Head Quarters, Camp, Rao, 18th January 1857.

1. At the recommendation of the Military Board, His Excellency the Commander in Chief is pleased to cancel the General Order of the 20th of December 1924, relating to returns furnished from corps, and to direct that, instead of quarterly returns of small arm equipment, ordnance ordnance stores, harness, and dory, &c half-yearly returns, dated the 1st of May and 1st of November of each year be in future regularly furnished to the Military Board office, by every corps and detachment, King's and Company's composing the entire army of the Bengal Presidency.

2 The returns are to be prepared on foolscap paper lengthwise, according to the annexed form, and to be despatched to the Military Board office as soon after the expiration of those dates as practicable.

3. The returns of the King's foot and dragon regiments are to be confined to the exhibition of the public stores, not the property of the Colonel of the regiment, such as fire arms, drums, flags, trumpets, bugles, camp equipage, soldiers' tools, &c.

4. Articles received from different sources of supply will, in the body of the return, be itemized together according to their nature. Non-merchandise, entered in the column headed "received during the half year," shall be added to the balance previously remaining in the column headed "received separately," specified and detailed at the foot of the return, showing the source whence received, and authority for each receipt of articles, in order to facilitate the check and identification of every transaction. Particularly care is to be taken that the articles to be accounted for in the half yearly return, shall strictly correspond with the several receipts granted by the Quarter Master, and counter signed by the commanding officer.

5. All articles issued must, in like manner, be entered in the column headed "issued during the half year," and deducted

from the balance previously remaining in store, in addition to being detailed at the foot of the return. Where the authority for and period of each issue must be fully specified, together with the name of the individual, corps, or department to which delivered. Strict attention is to be paid to procure receipts from parties to whom issues are made, into strict conformity with the entries of all such issue in the half yearly returns.

6. All transfers of public stores during the half year, from the head "serviceable" to either "separable" or "un-serviceable," must be supported by the report of a station or regimental committee of survey.

7. All changes and alterations in the half yearly return must be vouched in the manner hereinbefore described; and the half yearly return invariably accompanied by all such vouchers. All changes and alterations not so vouched, will not be admitted or recognized by the Military Board; and the commanding officer will continue to be held responsible for the same till the production of the required vouchers.

8. The material equipments of the artillery are not to be blended with the personal ones, but are to be accounted for in separate and distinct half-yearly returns.

Half yearly return of _____
attached to the _____ from the 1st November 1835.
to the 30th April 1836. _____
_____ 1st of May 1836.

[illegible]

Received during the half year.

Issued during the half year.

Transferred during the half year

Examined

Quarter Master.

Contig.

Head Quarters, Camp, Joar, 19th January 1887.

The Sindh division orders of the 10th instant, directing the following arrangements for the charge of remount horses from the Hissars stud, are confirmed.

Captain J. L. Tottenham, of the 3d light cavalry, in the charge of the horses for that regiment and the 3d brigade of horse artillery.

Lieutenant and Brevet Captain W. Benson, of the 4th light cavalry, to the charge of the horses for that regiment.

Lieutenant T. Quin, of the 4th light cavalry, to the charge of the horses for regiments serving at Muttra, Nussacabad and Nerinuch.

2d Lieutenant H. R. E. Trevor, of the horse artillery, to the charge of the horses allotted to the 1st and 2d brigades of horse artillery and the cavalry regiments serving at Meerut and Cawnpore.

The presidency division orders of the 3d instant, directing the following medical arrangements, are confirmed :

Assistant Surgeon W. Stevenson, (senior) of the Inf., to the medical charge of the 40th regiment of native infantry, vice Waukh reported sick.

Assistant Surgeon J. C. Brown, from the general hospital, is on duty with the artillery at Dum-Dum, during the practice season.

Assistant Surgeon R. Fullerton, M. D. of the 73d, to proceed and relieve Assistant Surgeon S. Lightfoot, from the medical charge of the 15th regiment of native infantry, on its march towards Barrackpore.

The leave of absence granted in General Orders of the 8th of November last, to Captain R. D. White, of the 69th regiment native infantry, Aide de Camp to Brigadier General Sir T. Ambrose, Kt C B is cancelled from the 8th instant, the date on which he joined his appointment.

Kaushee Sing, Native Doctor, who was ordered to Cawnpore in General Orders of the 11th November last, is appointed to the hospital of the 61st regiment of native infantry at Kurnaul, in the room of Bednary Rain deceased, and directed to join.

The undermentioned officer has leave of absence.

15th Regiment Native Infantry.—Surgeon J. Innes, M. D., from 21st December 1836 to 28th January, to remain at the Presidency, on medical certificate.

Head Quarters, Camp, Boolundshohur, 25th January, 1897.

The leave of absence granted to Brigadier E. Castwright, Commandant of Agri, in General Orders of the 17th August is to have effect from the 1st to the 31st of March, instead of from the dates therein specified.

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Head Quarters Camp, Colcutta, 20th January, 1837.

Applications for the discharge, by purchase, of European soldiers, are to be accompanied by descriptive rolls, showing the length of service of the men, and the reasons for which the indulgence is solicited.

The rolls are to be forwarded to the office of the Town Major in Fort William, for the purpose of being checked, and corrected if requisite, whence, during the absence of Head Quarters from the Presidency, they will be returned to the officers who forwarded them.

When Head Quarters are at the Presidency, the applications and rolls will be forwarded through the Town Major to the Adjutant General of the Army.

The Presidency division order by Major General James Watson, C. B. of the 11th instant, appointing Edwin Charles Wright, lately admitted into the service, to do duty with the 70th regiment of native infantry at Barrackpore, is confirmed.

The Commander in Chief is pleased to sanction the following removals and postings of warrant officers of the ordnance commissariat department.

Conductor George Forrest, from the Ajmere to the Agra magazine, vice Fairweather removed to the arsenal of Fort William.
Conductor Stephen Patman, from the Cawnpore to the Ajmere magazine, vice Forest.

Conductor Thomas B. Reilly (new promotion) to the Delhi magazine.

Conductor Joseph Green (new promotion) to the Chunar magazine.

Conductor Thomas Lithgow (new promotion) to the Saugor magazine.

Conductor James Feeney (new promotion) to the Delhi magazine.

Sub Conductors James Hind, John Ives and George Patton doing duty in the arsenal of Fort William, are posted, the former to the Allahabad magazine, and the two latter to the magazine at Chunar.

The appointment in General Orders of the 28th ultimo, of Sergeant William Price to be Quarter Master Sergeant to the 24th native infantry, is cancelled, and that individual is remanded to the artillery regiment.

The undermentioned officers have leave of absence:

22d regt N. I.—Captain R. E. Battley, from 16th Jan. to 15th Jan. 1837, to visit the hills north of Deyrah, on medical certificate.

37th regt N. I.—Captain J. A. Barstow, from 15th Jan. to 1st Nov. to visit Simla, on medical certificate.

Head-Quarters, Camp, Colcutta, 26th January 1837.

Magazine Sergeant George Mayhew, late of the establishment at Calcutta, is posted, as a supernumerary, to the magazine at Agra.

The undermentioned Officers have leave of absence:

83d regiment native infantry—Major N. Wallace, from 20th March to 20th July, to visit Almorah, on private affairs.

9th regiment light cavalry—Colonel W. F. Tylden, from 11th November 1836 to 26th December 1836, to remain at Saugor, Benares, on medical certificate.

Head Quarters, Camp, Khurkorda, 30th January, 1837

The following Presidency division orders of the 25th and 14th instant, are confirmed.

8th January, 1837.—Lieutenant F. Raleigh, of the 1st regiment of native infantry, lately returned from furlough, to take charge of the 40 recruits for the European regiment now in Fort William, and proceed in command of them by water to Agra.

14th January, 1837.—Assistant Steward James Parnell, lately arrived with a party of invalids, to do duty with the recruits proceeding by water to Agra, under the command of Lieutenant Raleigh, of the 1st regiment of native infantry.

The station order, issued at Almorah, on the 18th instant, appointing Lieutenant C. R. Gwatkin, of the 60th, to officiate as Interpreter and Quarter Master to the 44th regiment of native infantry, on the departure of Ensign Grange, on leave, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

26th Regiment Native Infantry.

Lieutenant R. Spencer to be interpreter and Quarter Master, vice Johnson promoted.

Lieutenant John William Bennett, of the right wing of the European regiment, is appointed to do duty with the Sylhet light infantry battalion.

The leave of absence, to visit the Presidency, granted to Captain F. Bealy, of the right wing of the European regiment, in General Orders of the 22d June last, is cancelled at his own request.

Sergeant Martin Castello, laboratory-man in the Chunar magazine, is transferred to the arsenal in Fort William, to fill an existing vacancy.

The undermentioned officers have leave of absence:

4th regiment native infantry—Lieutenant C. Boulton, from 20th January to 1st March, to visit Cawnpore, on private affairs.

43th regiment native infantry—Ensign Interpreter and Quarter Master R. Gange, from 30th January to 30th January 1837, to visit Mussoorie, on medical certificate.

Head Quarters, Camp, Meerut, 31st January, 1837.

With reference to the General Order by the Commander in Chief of the 4th November last, prescribing the mode in which the names of non-commissioned officers are to be brought to his notice, as fit persons for being placed on the list of candidates for warrants in the ordnance department, His Excellency is pleased to direct, that individuals, whose names had been enrolled previous to the above date, be called upon to prepare their own descriptive rolls, and to submit them to their commanding officers, for countersignature and transmission to the Adjutant General of the Army.

The descriptive rolls are invariably to show the date of promotion to the rank of Sergeant of the applicant, and to be signed as well as made out by him.

The following garrison and station orders, issued by Brigadier R. Outram, C. in command of Agra, on the 9th ultimo and 6th instant, are confirmed.

9th December 1836.—Directing Surgeon David Woodburn, Garrison Surgeon and medical store keeper at Agra, to take charge on the Superintending Surgeon's office on the departure of officiating Superintending Surgeon R. Brown from that station, and appointing Assistant Surgeon G. Paton, M. D., of the European regiment, to the medical charge of the 37th regiment native infantry.

14th January 1837.—Directing Native Doctor Ramrutt Lal, of the 27th regiment of native infantry, and Imam Oodeen, a student of the late medical institution, to proceed to Ahyghur, and place themselves under the orders of Lieutenant L. Hall, assistant superintendent of roads.

Captain F. G. Lister's battalion order of the 1st November last, appointing Assistant Surgeon Richard Campbell McConnaughy, officiating civil surgeon at Sylhet, to the medical charge of the Sylhet light infantry battalion, is confirmed as a temporary arrangement.

The Cawnpore station order of the 23d ultimo, directing Hospital Apprentice Edward Gibson attached to the 5th battalion of artillery, to act as Assistant Apothecary and Steward of the detachment of recovered men proceeding by water to the Presidency, is confirmed.

The undermentioned officer has leave of absence:

6th Regiment Light Cavalry—Captain R. L. Anstruther, from 18th Jan. to 18th Feb., to remain at Saugor, on medical certificate.

N. B. This cancels the unexpired portion of the leave of absence granted to him in General Orders of the 21st October last.

Head Quarters, Camp, Meerut, 1st February, 1837.

Gunner Robert Wilson, of the 1st Company 4th battalion of artillery, is transferred to the corps of sappers and miners, and directed to report himself to the Adjutant of engineers in Fort William.

William Flavets, who was discharged from His Majesty's service, and enlisted into that of the Honorable Company on the 26th of August last, is to be enrolled on the strength of the European Regiment, from that date.

Head Quarters, Camp, Meerut, 4th February, 1837

The Meerut division order by Major General the Honorable John Ramsay, under date the 22d ultimo, directing Apothecary Charles Billings, of His Majesty's 11th light dragoons, to proceed with the sick, women, and children of the regiment to Cawnpore by water, and Assistant Apothecary George Oliver, to act as Apothecary to the corps, during its march to that station, is confirmed.

The following removals and postings to take place in the regiment of artillery:

Captain R. G. Roberts (on staff employ) from the 2d company 5th battalion to the 1st troop 2d brigade.

Captain J. Alexander (new promotion) to the 2d company 5th battalion.

1st Lieutenant J. D. Shakespear, (on staff employ) from the 3d company 4th battalion to the 4th company 4th battalion.

GENERAL REGISTER.

1st Lieutenant A. Humphreys from the 1st troop 2d brigade to the 1st troop 3d brigade

Lieutenant Humphreys to do duty with the 1st troop 3d brigade until the drafts of the present season proceed to the upper provinces.

1st Lieutenant R. Walker (new promotion, and on staff employment) to the 1st troop 2d brigade.

2d Lieutenant D. Tied (on furlough) from the 4th company 4th battalion to the 3d troop 1st brigade

2d Lieutenant C. Douglas (brought on the strength) to the 4th company 4th battalion

Assistant Surgeon W. Bell, attached to the Kemaon local battalion is posted to the 30th regiment native infantry at Meerut, and directed to join on being relieved from his present charge.

The undermentioned officer has leave of absence.

1st local horse.—Local Lieut. James Turnbull, from 15th March to 15th December, to visit the Presidency, on private affairs.

Head Quarters, Camp, Meerut, 6th February, 1837.

The Aracan district order issued by Lieutenant Colonel W. H. Hewitt, on the 6th ultimo, directing Hure Bullah Misare, Native Doctor supernumerary with 49th, to join and do duty with the 67th regiment of native infantry, is confirmed.

The Narmah station order of the 26th ultimo, by Brigadier R. Hampton, appointing Assistant Surgeon Matthew Guerson, attached to the 23d, to the medical charge of the 49th regiment of native infantry is confirmed.

The Medical division order by Major General the Honorable John Ramsay, under date the 30th ultimo appointing Hospital Apprentice, James Fagin, of His Majesty's 11th light dragoons, to act as Assistant Apothecary, during the march of the corps to Cawnpore is confirmed.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers.

Surgeon Charles Bransby Francis, from the 13d to the 12th regiment of native infantry.

Assistant Surgeon George Jackson Berwick, M. D. (on furlough) from the 13d to the 12th regiment of native infantry.

Assistant Surgeon Archibald Colquhoun, from the 12th to the 43d regiment of native infantry.

His Excellency the Commander in Chief is pleased to make the following appointment.

3d brigade horse artillery.—Lieutenant and Brevet Captain F. Brand, to be Adjutant and Quarter Master, vice Alexander promoted.

Head Quarters, Camp, Meerut, 8th February, 1837.

The undermentioned officers have leave of absence.

6th battalion artillery.—Captain H. Gubert, from 1st February to 1st February 1838, to visit Simla, on medical certificate.

31st regiment native infantry.—Lieutenant Interpreter and Quarter W. P. Miller, from 5th February to 25th May, to visit the Presidency, preparatory to applying for furlough.

31st regiment native infantry.—Captain G. Gilman, from 1st March to 1st August, to visit the Presidency, on private affairs.

53d regiment native infantry.—Lieut. C. Windsor, from 1st March to 1st September, to visit the Presidency, preparatory to applying for furlough.

71st regiment native infantry.—Ensign C. M. Bristow, from 25th March to 5th October, to visit Calcutta, on private affairs.

63d regiment native infantry.—Assistant Surgeon J. Fender, from 20th January to 1st April, to remain at Agra, on medical certificate.

Head Quarters, Camp, Sirdkhan, 9th February, 1837.

The Allahabad garrison orders by Lieutenant General B. Marley, dated the 29th ultimo, directing Assistant Surgeon W. Shireff, doing duty with the 65th, to relieve Surgeon C. B. Francis from the medical charge of the 4th regiment of native infantry, and proceed with it to Cawnpore; Surgeon Francis, on being relieved, to join the 12th regiment of native infantry at Barrackpore and garrison Surgeon W. Watson to receive medical charge of the 65th regiment native infantry, until the arrival of Assistant Surgeon W. Bogue, M. D. are confirmed.

The Cawnpore station order of the 27th ultimo, directing 2d Lieutenant H. A. Carleton, of the 5th battalion of artillery, at the conclusion of the practice season, to proceed to Allahabad in command of the 4th company 6th battalion of artillery, is confirmed.

Major H. Norton's regimental orders of the 23d ultimo, directing Captain R. Garrett, to continue to act as Interpreter and Quarter Master to the 69th native infantry, till further orders, is confirmed.

The leave of absence for eight months, granted to Major C. Coventry, of the 32d regiment of native infantry, in General Orders of the 31st December last, is to commence on the 2d February, and terminate on the 2d of October, instead of the dates formerly specified.

The appointment in General Orders of the 1st of December last, of Lieutenant J. Shaw to be Interpreter and Quarter Master to the 2d native infantry, is cancelled.

His Excellency the Commander in Chief is pleased to make the following appointment.

2d Regiment Native Infantry.—Ensign T. F. Patterson to be Interpreter and Quarter Master.

Lieutenant and Adjutant A. Campbell, of the 1st regiment of light cavalry, having absented himself from his regiment, without leave, for nearly four months, His Excellency the Commander in Chief is pleased to remove him from that appointment, and he desires that the commanding officer of the 1st light cavalry will send in a recommendation of a successor.

Lieutenant Campbell is to be released from arrest, and return to his duty.

Magazine Sergeant George Mazon, doing duty as a supernumerary at Agra, is removed to the Hansi magazine, to fill a vacancy on that establishment.

The undermentioned officer has leave of absence.

Sirmoor local battalion.—Lieutenant Colonel F. Young, from 15th February to 20th February, to visit Kurnal, on private affairs.

Head Quarters, Camp, Nongawa, 10th February 1837.

The Military Board having reported that the ex-cutive engineers at the different stations of the army, occasionally experience difficulty in obtaining the letter of public stables and cattle sheds or stables for the use of the department of public works, His Excellency the Commander in Chief deems it necessary to notify, that Government has decided, that it shall be placed at the disposal of executive officers, and to require from officers in command of stations a compliance with the same.

The leave of absence granted to Conductor William Mumford, of the Allahabad magazine, in General Orders of the 10th October last, is cancelled from the 10th ultimo, and he is appointed to do duty in the arsenal of Fort William, from that date.

The appointment of Drill Corporal Peter Ryan, of the 2d battalion of artillery, to be Quarter Master Sergeant to the 23d regiment of native infantry, published in General Orders of the 28th December last, is cancelled on his own application.

Sergeant John Kimella, supernumerary laboratory man in the Delhi magazine, is transferred to the magazine at Ajmere, in the room of Roughan deceased.

His Excellency the Commander in Chief is pleased to sanction the transfer of Privates Laurence Woods and John Callaghan, from the European regiment to the regiment of artillery.

The undermentioned officers have leave of absence.

Right wing European regiment.—Lieutenant A. W. Taylor, from 1st March to 1st October, to visit the Presidency, on private affairs.

36th Regiment Native Infantry.—Lieutenant Interpreter and Quarter Master J. Lang, from 1st March to 15th November, to visit the hills north of Dehra Dhoon, on medical certificate.

39th Regiment Native Infantry.—Ensign J. Outley, from 15th March to 15th September, to visit the Presidency, on private affairs.

Left wing 59th regiment of native infantry.—Assistant Surgeon D. Gullan, from 15th March to 5th March 1838, to visit the hills in the vicinity of Simla, and eventually the Presidency, on medical certificate.

The regimental order by Lieutenant Colonel G. B. Bell, dated the 29th ultimo, appointing Lieutenant J. W. H. Jamieson to act as Adjutant to the 62d native infantry, during the indisposition of Lieutenant and Adjutant T. H. Shuldham, is confirmed.

The Dinapore division order by Brigadier General W. Richards, C. B. dated the 25th ultimo directing Hospital Apprentice William Henry Johnstone, attached to His Majesty's 49th, to proceed to Dinapore, and join the hospital of His Majesty's 31st regiment, is confirmed.

Head Quarters, Camp, Kurwah, 11th February, 1837.

The Presidency division order of the 29th ultimo, directing supernumerary 2d Lieutenant W. E. Rees, of engineers, lately admitted into the service, to proceed and to duty with the sappers and miners at Delhi, is confirmed.

The Cawnpore station order of the 23d ultimo, directing Assistant Apothecary John Silk, of the 2d brigade horse artillery, to proceed with a detachment of convalescents towards Landour, as Assistant Apothecary and Assistant Steward, is confirmed.

GENERAL REGISTER.

His Excellency the Commander in Chief is pleased to make the following removals :

Lieutenant Colonel E. Barton, from the 25th to the 40th regiment of native infantry.

Lieutenant Colonel W. H. Hewitt, from the 40th to the 25th regiment of native infantry.

Hospital Apprentice Thomas McHale having been reported unfit for the service, is to be discharged, from the date of publication of this order at the Presidency.

Staff Sergeant Daniel Mblin, of the 3d company 2d battalion of artillery, is transferred to the Town Major's list, and placed at the disposal of the resident at Gwalior.

Gunner William O'Grady O'Sullivan, of the artillery, is transferred to the European regiment.

The undermentioned officer has leave of absence :

General staff—Captain St. G. D. Showers, A. D. C. to Brigadier General W. Richards, C. B. from 1st February to 15th February, in extension, to enable him to rejoin.

ERRATUM—In General Orders of the 21st of October 1835, granting leave to 2d Lieutenant J. L. C. Richardson, of the 5th battalion of artillery, "in extension, to enable him to rejoin his company," read "in extension, on medical certificate, and to enable him to rejoin his company." The order books to be corrected accordingly.

Head Quarters, Camp, Shamlee, 13th February 1837.

As the march of the Commander in Chief into the dominion of His Highness the Maharajah Ranjeet Sing is occasioned by an invitation persons to His Excellency, he will not require any officers of the Staff, but those personally attached to himself, and one from each of the Adjutant General's and Quarter Master General's departments, to attend him.

The public offices and all the heavy baggage will proceed from Umballa direct to Simla, and the Sub Assistant Commissary General attached to head quarters, who is required to continue with His Excellency, will adopt the necessary measures for providing supplies for the detached portion of the camp, during its progress to the hills.

The Quarter Master General of the army will make suitable arrangements consequent on this separation, and will enter into the necessary communication with the political agent at Subattee, with a view to obtaining transport for the public establishments, &c. from the plains.

As pay for the months of February and March will become due at Ludianah, whilst the camp is in progress to Lahore and on its return, officers proceeding with His Excellency will forward to the Adjutant General of the army, a memorandum of the probable amount which they will require in cash to enable the agent in charge of the military chest at that post to make arrangements to meet the demands which may be made upon him.

The Commander in Chief thus early cautions all followers, that if any one is detected in endeavouring to carry any thing which is contraband into the Sikh territories, under the protection of his camp, he will punish them with severity.

In consideration of the long march which His Majesty's 16 h. lancers has recently made, an extra acre of grain per day will be issued to the horses of the detachment from that regiment, which is on duty at head quarters, until its return to Ludianah.

The undermentioned officers have leave of absence :

1st Brigade Horse Artillery—Captain H. Delamare, from 1st April to 1st July, to visit Mussoorie, on private affairs.

26th Regiment Native Infantry—Captain J. Aitchison, from 1st Feb. to 1st Feb. 1838, to visit the hills north of Dehra, on medical certificate.

16th Regiment Native Infantry—Ensign E. P. Impey, from 9th Feb. to 9th April, to remain at Meerut, on medical certificate.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE

- 6. 29 *Paquetot de Rio*, Cornellier, from Bourbon 7th December
- Ship *Bonne Amie*, Collas, from Bordeaux 19th July, and Bourbon 25th November.
- 31 Ship *Gabrielle*, C. Guenece, from Bordeaux 11th September, and the Cape of Good Hope 10th November.
- Feb. 1 Brig *Mary Taylor*, R. Farly, from the Mauritius 14th January.
- 5 Barque *Lutlow*, J. H. Frith, from the Isle of France 29th November.
- 6 Ship *Alona*, P. Gill, from Liverpool 19th October
- Bark *Balamian*, M. Tizard, from Mauritius 17th December
- Bark *Belmont*, J. Selwyn, from Mauritius 7th Dec.
- Bark *India*, W. Shaw, from Boston 8th October
- 7 Barque *Robert Surcouf*, E. Moucet, from Bourbon 12th and Mauritius 20th December
- 8 *Marseillais*, C. Ollich, from the Mauritius 24th December.
- Brig *Moulmein*, R. J. Morris, from the Mauritius 13th November, and Moulmein 27th January
- Brig *Mopoon*, R. Malcolm, from Moulmein 25th January.
- 9 Brig *Porter*, W. Sewright, from Liverpool 19th October.
- Ship *Roberts*, B. J. Elder, from Portsmouth 21st Sept. Cape of Good Hope 20th November, and Madras 16th Jan.
- Brig *Psyche*, G. Kennedy, from Portsmouth 20th Sept. and Cape of Good Hope 5th October.
- Ship *Larkins*, Chas. Ingram, from Deal 17th Oct.
- Ship *Hope*, A. McCullum, from Sydney 25th Nov.
- 10 Barque *Royal William*, T. Irwin, from Liverpool 14th September.
- Barque *Eliza*, J. E. Harris, from the Mauritius 29th November.
- Ship *Quendish Bentlick*, A. G. Mackenzie, from the Mauritius 11th December.
- Barque *Bright Planet*, T. W. Tingate, from Moulmein 27th January.

- Feb. 10 Ship *Isabella*, D. Brown, from London 5th and Portsmouth 11th September, and Cape 27th November.
- Barque *Fortfield*, J. Sly, from Bombay 9th December and Point de Galle 9th January
- Ship *Brenda*, J. Kinsman, from Boston 28th September, and Cape 2d December.
- Ship *Emerald Isle*, J. R. Ellis, from Moulmein 26th January.
- 11 Ship *Herefordshire*, H. S. H. Isaacson, from Portsmouth 10th August and Bombay 25th December.
- 12 Brig *Flora*, J. S. Danahy, from Moulmein 28th January.
- Barque *Susana*, J. P. Ridley, from Mauritius 8th January.
- Brig *Peter Fructor*, G. Barlow, from Colombo 13th January.
- 13 Barque *Prinsep*, W. D. Meyer, from Bombay 1st and Cochin 23d December.
- Barque *Caledonia*, J. Ellis, from Bombay 26th Dec.
- 15 Brig *Saugor*, Prentice, from Bombay 5th, and Point de Galle 19th January.
- Barque *Sumatra*, E. Whiffen, from Batavia 7th December, and Padang 23d January.
- 16 Ship *Houghly*, Gen. Bayly, from London 4th June, and Port Jackson 2d December.
- Brig *Egbert*, J. Paulin, from London 14th September and Mauritius 12th December.
- Schooner *Bassein Merchant*, R. Lindsay, from Rangoon 28th January.
- Barque *Nic France*, M. Dupeyrot, from Bourbon 18th and Isle of France 25th December.
- 17 Ship *Thalia*, W. Graham, from Liverpool 26th September
- 24 Barque *Isabella Robertson*, J. Hudson, from China 19th, and Singapore 30th January.

DEPARTURE FROM CALCUTTA.

- Jan 28 Ship *Gilbert Munro*, J. Duff, for the Mauritius
- Ship *Sulimany*, A. McFarlane, for China.
- Brig *Harsinger*, Nacoda, for Bombay.
- Ship *Cornwall*, W. Bell, for London.

GENERAL REGISTER.

- Jan. 29 Ship *Richmond*, N. McLeod, for London.
 30 Ship *Mallekal Bakar*, Nacoda, for Mocha.
 — Ship *Nouvelle Louise*, Leflock, for Havre.
 — Ship *Juddel Barry*, Nacoda, for Juddah.
 — Ship *Enterprise*, J. Roberts, for Liverpool.
 — Ship *La Laure*, T. Charles, for Havre de Grace.
- Feb. 1 Ship *Irma*, E. Le Roux, for Havre de Grace.
 2 Barque *Virginia*, J. Smith, for the Mauritius.
 — Ship *Fattle Barry*, Nacoda, for Juddah.
 4 Ship *Edward*, J. H. Cheyney, from Madras and Philadelphia.
 9 Schooner *Louisa*, J. H. Snowball, for Rangoon and Mouline.
- 10 Ship *Syria*, G. Currie, for Liverpool.
 — Ship *Oriental*, J. J. Pigneau, for Bordeaux.
 — Ship *Egide*, Peltier, for Nantes.
- 14 Ship *Broxbournebury*, A. Chapman, for London.
 16 Brig *Saudade*, F. J. Robeiro, for Rio de Janeiro.
 — Barque *Thetis*, C. C. Clarke, for Madras.
 — Ship *Brilliant*, J. Gilkison, for Liverpool.
 — Ship *Prince of Wales*, Nacoda, for Muscat.
- 18 Ship *Georgiana*, Thos. Thoms, for London via St Helena.
 — Barque *Haidée*, W. D. Messier, for Bombay.
- 18 *Indian Oak*, R. Rayne, for Mauritius.
 — Mary Taylor, R. Early, for the Mauritius.
- 19 *Elizabeth*, J. Mannock, for Montmeim and Rangoon.
 — *Pegasus*, R. Howlett, for the Mauritius.
- 21 *Duke of Northumberland*, R. McCarthy, for London.
- 22 *Selma*, D. Luckie, for Liverpool.
 — *Therence*, H. Calliol, for Bourbon.
- 23 *Washington*, W. H. Taylor, for Philadelphia.
 — *Shepherdess*, R. Glasgow, for Mauritius.
 — *Belmont*, John Salmon, for Mauritius.
 — *Bonne Aimer*, P. Callas, for Bourbon.
 — General Palmer, J. G. Down, for London.

ARRIVALS OF PASSENGERS.

Per Bahmian, for Mauritius—Mr. Scott, Civil Service.

Per India from Boston—Mrs. F. H. Ballard.

Per Larkins, from Gravesend—Mrs. Rawlins, Mrs. Ekins and Mrs. Jacobs; Miss Swinhoe; T. B. Swinhoe, Esq., solicitor to the Hon'ble Company; C. Rawlin, Esq., Chaplain ditto; Dr. Jacobs, Assistant Surgeon; Lieut. Ekins, 7th B. Cavalry; A. Gillet, Esq.; H. Fergusson, Esq., Writer; G. Friend, G. Greenwood, G. Douglas and D. Fyfe, Esqrs., Ensigns. H. M. 31st Regt.; H. Clarke, Esq., ditto 3d Buffs; H. Ward and H. C. Pownall, Esqrs., Cadets; Mrs. Ross and Mrs. Marmon, Steerage Passengers.

Per Roberts, from London—Major Minor, H. M. 16th Lancers; Capt. McKinnon, H. C. S.; Mr. Hay, cadet; Revd. J. Brasbery—*From the Cape*—James Sewright.—*From Madras*—Mr. Blake, Ensign; Mrs. James Peter and Mrs. Raw, Steerage Passengers.

Per Porter, from Liverpool—M. Montefiore Joseph, Esq.

Per Bright Planet, from Mouline—Mrs. Tingate and Child; Lieut. J. T. Hatchins, Ensign. T. R. Scott, and a Corporal and 3 Privates, H. M. 62d Regt.

Per Hope from Sydney—Volunteer Irwin, Esq. C. S., and Lt. Allen, B. S.

Per Brig Mouline—C. B. Mc Neale, Esq., late Commander of the *Phoenix* and George Gleeson, late Gunner ditto.

Per Cavendish Bentinck—Messrs. C. B. Bennet and W. H. Franklyn, Mariners.

Per Marseillais—Mr. De Fouche.

Per Isabella, from London and Cape—Mrs. Brown, Mrs. Ewhank; Mrs. Deane; Mrs. Sandys; 3 Misses Sandys; Messrs. Ewhank and Bell; Mr. Scott, Cadet; Lieutenant Atkinson, 10th Bengal Cavalry; Messrs. Deane, West, John Sandys, W. Sandys, and Smart; 2 Mr. Boyces.

Per Samatra from Batavia—Mrs. Whiffen, Capt. G. Whiffen and Mr. R. Roe.

Per Isabella Robertson, from China—W. Jackson, Esq. B. C. S.; Capt. McNabb, B. N. I.; H. Colquhoun and P. Marques, Esqrs.—*From Singapore*—Rev. Mr. Hughes, and Mr. Cameron, Country Service.

DEPARTURE OF PASSENGERS.

Per Ship Richmond, for London—Mrs. McLeod; Mrs. Ellis; Captain Sandys, Lieuts. French, Shipyard, Morgan, Cornish and Sutherland, F. Ross, Esq; Masters Brown and Crump, Misses Brown, Ellis and Cornish.

Per Scotia for London—Mrs. Watson, Mrs. Davis, Mrs. Brandon, Mrs. Downes, Mrs. Vanreuen, Mrs. Beckett and Mrs. Thomson Major Genl. Watson, C. S.; Mr. Jor Davis; Capt. Brandon; Capt. Watson, H. M. S. A. de C.; Dr. Downes; H. Lyaill, J. C. Beckett and C. Lane, Esqrs. Misses Graham, Vanreuen, E. Vanreuen, Beckett, Brown, J. Brown and C. Brown, Masters Wroughton and Lane.

Per Cornwall—Mrs. Cooper; Mrs. Stewart; Mrs. Finch; Mrs. Beadle; Mrs. Sim; Misses Pattle, V. Pattle, S. Pattle, Falconer, C. Finch, G. McArthur, and L. Bowers; Col. Pattle; E. Lee Warner, Esq.; Dr. Cooper; Dr. Finch; Major Robinson; Lieut. Tweedale; J. Turner; F. Hudson, Esq.; T. Wall; Masters C. Finch, A. Finch, W. Finch, F. O'Dowd, G. Edward, H. Edward, W. Edward, W. Duff, J. McArthur, J. W. Bowers and Pattle.

Per Java for England—Mrs. Parish; Mrs. Strange; Mrs. Smout; Mrs. Fleming; Rev. Dr. Parish; Capt. Strange and Fleming, H. M. 26th Regt.; Lieut. Shum, H. M. 26th Regt. Commanding Troops; Ensign Robins, H. M. 26th Regt.; W. H. Smout, Esq., Lieut. Moutree, B. N. I.; 2 Masters Strange; Miss Fleming, and 1 European Servant.—*For Madras*—Rev. Mr. Anderson; Messrs. Morris and Peters, M. C. S.; Capt. Cooper, H. M. 45th Regt.; Mr. Moorcroft, M. N. I. and Lieut. Baynes, M. Artillery.

Per Royal Saxon, for London Captain Auherjonois, 52d Regt. N. I.; and 2 Children; Lieut. Hagart, 52d Regt., Lieutenant, Meares, 42d Regt. N. I.

Per Broxbournebury, for London—Mrs. Macsween; Mrs. Vibart; Mrs. Hay; Mrs. Bell; Mr. Wm. Jackson; Mrs. J. W. MacLeod; Charles Macsween, Esq., B. C. S.; Chas. W. Smith, Esq., B. C. S.; Thos. G. Vibart, Esq., B. C. S.; Major W. E. Hay; Lieut. J. E. Grounds; Miss H. Macnaghten; Miss S. M. Vibart; Miss S. M. Vibart; Masters C. D. Forbes; J. R. Jackson, Alex. H. Macsween, Chas. Macsween, and W. G. Macsween; Misses J. Bell, E. E. Bell, E. B. Bell, and M. S. J. Bell; Master R. H. Bell; Misses J. Dashwood, E. Dashwood, and S. Dashwood; Master H. Dashwood and A. Macleod; Mrs. Revas; Mrs. Middleton; Mrs. Bridget Pigeon; Mrs. Kirkshaw; Mrs. Bradford; Mrs. Munro; Sibastian Nencia, (Mr. Macsween's servant) and Henry Da Costa.

Per Duke of Northumberland, for London—Mrs. Debnam; Mrs. Hughes; Mrs. Chester and 2 Children; Mrs. Knayott and 3 Children; Miss Debnam; Hugh Fraser, Esq., B. C. S.; Major Debnam; Capt. Hughes, Artillery, and Brown, 11th Dragoons; Major Bell, Capt. Chester; J. McClure, J. Irelin and Falmers, Esqrs.

Per Fergusson, for London—Mrs. Blagrove, Mrs. Bouderson, Mrs. Craigie, Mrs. Boileau, and Mrs. Debade; S. M. Bouderson, Esq., C. S.; Col. Craigie; Col. Colvin, Capt. Boileau and Lieut. Tremeneheere, Engineers; Misses Craigie, M. Craigie, Debade, Boileau and Fisher; Masters Blagrove, Bouderson, Craigie, Colvin, Fowles, Debado, Boileau, Boileau, and Stewart.

Per Bhaguratty for Allahabad—Mrs. Fene and two Children; Miss Fene; Mrs. Warlow; and Mrs. G. Lewis, Miss Barclay; Mrs. Captain Thompson; Miss Gole; Miss Carme; Miss Ellen Carme; Miss Smith.—*For Benares*, Mr. Riddle.—*For Chazepore*, Dr. and Mrs. I. Jackson. *For Dinapore*, A. Child. *For Bhagulpore*, Mrs. Brown and Child; and Miss Gane.

GENERAL REGISTER.

DOMESTIC OCCURRENCES.

BIRTHS.

- Dec. 26 Mhow, Malwa, the Lady of Lieutenant George P. Whist, of the 60th Regiment, of a Son.
- Jan. 17 Allahabad, the Lady of J. Dunsmure, Esq. Civil Service of a Daughter.
- 20 Cawnpore, the Lady of Captain G. Huish, A. C. G., of a Daughter.
- 29 Kurnaul, the Lady of Capt. Ashe, 62d N. I., of a Daughter.
- 30 Agra, the Lady of G. H. M. Alexander, Esq. Civil Service, of a Son.
- 31 Muttra, the Lady of Captain Free, 10th Light Cavalry, of a Daughter.
- Feb. 1 Meerutt, the Lady of Lieutenant J. C. Rouse, "Buff.", of a Daughter.
- 2 Lucknow, Mrs. Thomas Catania, of a Daughter.
- 4 Kurnaul, the Lady of Captain John McDonald, 61st N. I., of a Daughter.
- 5 Mhow, the Lady of Lieutenant R. P. Bryant, 68th Regiment Native Infantry, of a Daughter.
- 6 Bareilly, the Lady of D. Pollock, Esq., of a Daughter.
- Kidderpore Mrs. Thomas Watkins, of a Son.
- 8 Barrackpore, the Lady of Capt. W. Beckett, 9th Regt. N. I., of a Son.
- 9 Azimgurb, the Lady of J. Thomason, Esq., Civil Service, of a Daughter.
- 14 Cawnpore, the Lady of Captain E. M. Blair, 5th Light Cavalry, of a Son.
- 16 The wife of Mr. D. Gomes, of a Son.
- The Lady of R. C. Bell, Esq., of Monday, of a Daughter.
- 17 the wife of Mr. M. Rodrigues, Assistant to Messrs D'Souza and Co., of a Son.
- 18 Dinapore, Mrs. W. B. Tytler, of a Son.
- 22 Mrs. Charles Bremner, of a Son.

MARRIAGES.

- Feb. 14 R. Richards, Esq., (of Swansea Glamorganshire), Miss Ann Sophia Boardman, of Calcutta.
- 15 Jaffray, to Cecilia, second Daughter of the late Major Phillip Cudd.
- 19 Barrackpore, by the Revd Chas. Wimberley, G. Saiter, Esq., 4th N. I. Adj., to Mrs. Wortham.

DEATHS.

- Jan. 5 Mhow, the infant daughter of Lieutenant E. P. Bryant, of the 68th Regiment Native Infantry.
- 12 Barrisaul. Mr. John Carapiet Aratoon, aged 23 years, 1 month and 13 days.
- 13 Dacca, Miss Henrietta Eliza, aged 18 years, 8 months and 25 days.
- 18 Mrs. E. Sage, aged 24 years.
- 19 Balisore, Anne, wife of Revd. J. Stubbins, G. B., Missionary to Orissa.
- 22 Malda, Juliana, aged 41 years.
- 23 Henry John, the infant Son of Capt. F. and Mrs. Palmer, aged 8 months.
- The Lady of J. H. Crawford, B. C. S., of a Son.
- 24 Ensign W. K. Fullarton, of the 69th Regt. N. I.
- Feb. 6 Delhi, Mr. Lumley.
- 9 Hazareebaur, Assistant Surgeon Alexander Campbell, of H. M.'s 49th Regt., aged 27 years and 6 months.
- 12 Dacca, Madame la Comtesse De Framond.
- 14 Miss Harriet Ronald Wilkinson, Esq., aged 21 years, 1 month and 5 days.
- Gouripur, Chunsurah, Mde. Vc. de Lavalette, aged, 65 years.
- 16 Mrs. Juliana Thompson, aged 41 years and 5 months.
- Mrs. Anna Woodhouse, aged 50 years.

ADMINISTRATIONS TO ESTATES.

ESTATE OF

Aratoon, Catharine, Mrs.

Beck, Francis George, Lieut. 13th Regt. N. I.

Blunt, Henry James, Ensign 48th Regt. N. I.

Campbell, Ivo, Major,

Hay, James, Esq., formerly Opium Agent at Boglepore.

Meuzes, Robert, Capt. of the Invalid Establishment.

Morgan, Robert Williams, Esq., Indigo Planter.

Plantagenet, Ringsted Field, Capt. in the Invalid Establishment

Vardon Moorntacon Vardon, Indigo Planter.

Weston, Frederick Alexander, Lt. Col.

EXECUTORS, ADMINISTRATORS, &c

Baillie and Molloy.

Registrar Supreme Court.

Registrar Supreme Court.

Registrar Supreme Court.

Registrar Supreme Court.

Registrar Supreme Court.

Henderson and Marshall.

R. Swinhoe.

Baillie and Molloy.

Sandee.

GENERAL REGISTER. CIVIL APPOINTMENTS, &c.

ORDERS BY THE HON'BLE THE GOVERNOR OF BENGAL.

GENERAL DEPARTMENT, 1ST MARCH, 1837.

Mr. W. B. Jackson, Civil Servant of the Bengal Presidency, employed under the Lieutenant Governor for the N. W. Provinces, reported his return from Sea on the 22d ultimo.

Mr. George Ramsay Campbell, of the Civil Service, having been permitted to proceed to Europe on board the Ship "*Duke of Northumberland*," preparatory to his resignation of the Service upon the retiring Annuity for a Junior Servant embarked on that Vessel, which was left by the Pilot at Sea on the 28th ultimo.

8TH MARCH, 1837.

Mr. Hugh Fraser, Senior, of the Civil Service, embarked for England on board the Ship "*Duke of Northumberland*," which Vessel was left by the Pilot at Sea on the 28th ultimo.

Mr. S. M. Boulton, having been permitted to resign the Hon'ble Company's Service, and to retire upon an Annuity of the year 1836, embarked on board the Ship "*Ferguson*," which Vessel was left by the Pilot at Sea on the 4th instant.

Mr. William Cracroft, a Civil Servant of the Bengal Presidency, reported his return from Sea on the 10th of January last.

15TH MARCH, 1837

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for March instant, will be discharged by the Sub-Treasurer and Marine Pay Master respectively, on or after Saturday the 15th proximo.

22D MARCH, 1837.

Mr. Charles Smith has been permitted to resign the Hon'ble Company's Civil Service from the 1st instant, and to retire upon an Annuity of the year 1836.

FORT WILLIAM, MILITARY DEPARTMENT, 16TH MARCH, 1837.

Notice is hereby given, that the Pay, Batta, and other Allowances for March 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Saturday the 8th proximo.

POLITICAL DEPARTMENT, FORT WILLIAM, 27TH FEB, 1837.

Lieutenant E. P. Lynch of the 15th Regiment Bombay Native Infantry, has been appointed to do duty with the British Detachment serving in Persia.

JUDICIAL AND REVENUE 21ST FEBRUARY, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. R. P. Nisbet to be Civil and Session Judge of Nuddea vice Mr. T. G. Vibrat, who has proceeded to England on furlough

Mr. F. W. Russell to be Civil and Session Judge of Moorsheedabad, vice Mr. Nisbet.

28TH FEB. 1837.

The Governor of Bengal, with the sanction of the Governor General of India in Council, has been pleased to make the following Appointments :

Mr. C. Tucker to officiate as a Member of the Sudder Board of Revenue in the room of Mr. C. W. Smith who has proceeded to the Cape of Good Hope on Medical Certificate.

Mr. C. Harding to officiate as a temporary Judge of the Courts of Sudder Dewanny and Nizamut Adawlut, in the room of Mr. Tucker.

The following Appointments have been made by the Right Honorable the Governor of Bengal :—

Mr. E. R. Barwell to officiate, until further orders, as special Commissioner under Regulation III. of 1828 for the division of Calcutta.

Mr. H. P. Russell to officiate, until further orders, as Civil Judge of Zillah Burdwan, including the superintendence of all the Subordinate Courts.

Mr. A. F. Donnelly is appointed Collector of Midnapore and Hidgelee, as one District.

Mr. M. S. Gilmore to be Magistrate of do. do. as do.

Bahoo Seeb Chunder Paulit to be Deputy Collector in Zillah Rajshahy, under the provisions of Regulation IX. of 1833.

Bahoo Obey Churn Mallick to be Deputy Collector in Zillah Chittagong, under the provisions of Regulation IX. of 1833.

The following Officers have obtained leave of absence from their Stations :

Mr. W. Cracroft, Civil and Session Judge of Dacca, till the 3d proximo, in extension of the leave granted to him on the 24th ultimo, to enable him to rejoin his station.

Mr. J. H. Crawford, Special Deputy Collector of Midnapore, from the 21st to be 30th ultimo, on private affairs.

Mr. F. A. Lushington, Assistant under the Commissioner of Revenue and Circuit of the 13th or Baulnah Division, extension of leave of absence, on private affairs, and the *Jellinghee* Steamer by which he proposes to proceed to join his Station, reach Baulnah.

The Right Hon'ble the Governor of Bengal has been pleased to appoint the following Officers,—now severally employed in the conduct of Revenue Surveys,—to be Deputy Collectors under Regulation IX. of 1833, for the special and exclusive duty of deciding boundary disputes, within the limits of their operations as Surveyors, as specified opposite to their names respectively : viz.

Lieutenant H. Siddons, Zillah Chittagong.

Lieutenant J. S. Phillips, Pergunnah Balakhal, Zillah Tipperah.

Lieutenant J. F. Egerton, Pergunnah Furkooah, Zillahs Bhagulpore and Monghyr.

Lieutenant C. Ellis, Pergunnahs Rajgeer and Amcerthoo, Zillah Monghyr and Behar.

Lieutenant H. E. L. Thuillier, the Jynta Territory attached to Zillah Sylhet and Cychar.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. P. G. E. Taylor to be Deputy Register of the Courts of Sudder Dewanny and Nizamut Adawlut, and Preparer of Reports, vice Mr. Donnelly.

6TH MARCH, 1837.

2d Lieutenant Norman Macleod, of Engineers, is appointed 3d Assistant to the Superintendent of Canals West of the Jumna.

7TH MARCH, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Captain H. M. Ramsay, Assistant to the General Superintendent of the Operations for the Suppression of Thuggee, has been authorized to exercise the powers of a Joint Magistrate in Zillahs Bhagulpore, Purnea, and Malda, in addition to his present charge, Captain Ramsay will likewise exercise concurrent jurisdiction with Captain Lewis in Moorshebad and with Lieutenant Sleeman in Dinagepore.

Captain N. Lewis, Assistant to the General Superintendent of the Operations for the Suppression of Thuggee, has been authorized to exercise the powers of a Joint Magistrate in Zillahs Hughly, Jessore, Backergunge, 2d Pergunnahs, and Manuhoom, in addition to his present charge, from which the Districts noted * *Bhagulpore*, § *Transferred to the jurisdiction on the margin** *Malda*, § *Portion of Capt. Ramsay* ... have been detached. *North East Rungpore*, § *Transferred to the jurisdiction of Capt. Low* *Dacca*, § *jurisdiction of Lieutenant is will likewise* *Furzedpore*, § *Sleeman* exercise concurrent jurisdiction with Lieutenant Sleeman in Zillahs Moorshebad, Nuddea, and Jessore, and with Captain Ramsay, in Bhagulpore.

Lieutenant J. Sleeman, Assistant to the General Superintendent of the Operations for the suppression of Thuggee, has been authorized to exercise the powers of a Joint Magistrate in Zillahs Dinagepore, Rungpore, Rajshahy, Pubna, Furzedpore, Duam Sylhet, Mymensingh, North East Rungpore, Tipperah, and Chittagong. Lieutenant Sleeman will likewise exercise concurrent jurisdiction with Captain Lewis in Zillahs Moorshebad, Nuddea, and Jessore, and with Captain Ramsay in Malda.

Mr. W. Cracroft to officiate, until further orders, as Civil and Session Judge of the 2d Pergunnahs, making over charge of the current duties of his Office of Civil and Session Judge of Dacca to Mr. W. Bell, who will conduct those duties until further orders.

GENERAL REGISTER.

In consequence of recent Orders issued in the *Orissa* Gazette of the 4th ultimo, annexing Patna to Mr A. Reid's jurisdiction, the Governor of Bengal has this day been pleased to appoint Mr R. N. Farquharson to be Special Deputy Collector of the investigation of Titles to hold Land free from the payment of Revenue in Zillah Patna retaining charge of the Magistrate till relieved by Mr Jennings.

Mr. A. Forbes to exercise the powers of Joint Magistrate and Deputy Collector in the Central Division of Cuttack, from the 24th ultimo.

Mr. C. H. Trevor to be Joint Magistrate and Deputy Collector of Jessore.

Mr. J. Alexander to officiate, until further orders, as Joint Magistrate and Deputy Collector of Shahabad, from the date on which Mr. Sandy's shall leave that District to proceed to Dinapore.

The following Officers have obtained leave of absence from their Stations:

Mr. W. R. Jennings, Magistrate of Patna for seven days in extension of the leave granted to him on the 20th December last, to enable him to rejoin his Station.

Mr. J. F. M. Reid Register of the Courts of Sudder Dewanny and Nizamat Adawlut, to be absent from the duties of his Office for fifteen days, from the 7th instant, on private affairs.

Mr. J. S. Ogilvy, Joint Magistrate and Deputy Collector of Fuzma, further leave of absence to the end of the current month on Medical Certificate, in extension of the leave granted to him on the 24th January last.

Moulavee Mahomed Kulleem Sudder Ameen in Zillah Berhoom, further leave of absence for two months and a half in extension of the leave granted to him on the 6th December last, on account of illness.

The unexpired period of the leave of absence granted to Mr. H. Walters, a Temporary Member of the Sudder Board of Revenue, on the 14th ultimo, is cancelled at his request.

The unexpired portion of the leave of absence granted to Mr. T. G. Scott Magistrate and Collector of Balasore, on the 27th Sept last, has been cancelled from the 33d ultimo the date on which he resumed charge of his Office.

11TH MARCH 1837

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. Robert Barlow (Civil and Session Judge of Rajshah) to take charge of the current duties of the Office of Commissioner of Revenue and Circuit of the 13th or Buleah Division, until further orders, in consequence of Mr. Hawkins illness retaining charge at the same time of the Judge's Office.

14TH MARCH, 1837

Mr. R. Hampton is authorized to relieve Mr. G. U. Yule deputized to the performance of a special duty from the charge of the Joint Magistracy and Deputy Collectorship of Bngal and to continue to conduct the duties thereof until further orders.

The following Officers have obtained leave of absence from their Stations:

Mr. Wigram Honey, a Temporary Judge of the Courts of Sudder Dewanny and Nizamat Adawlut, for five days from the present date, on private affairs.

Mr. A. Smelt, Officiating Second Additional Judge and Sessions Judge of Suriwan, during the ensuing Mohurram Vacation, for the purpose of visiting the Presidency on private affairs.

Mr. James Shaw, Civil and Session Judge of Tippera, to proceed to the Mauritius, on Medical Certificate, for eight months, from the date of the sailing of the Ship *Harcourt*, in extension of the leave granted to him on the 7th ultimo.

Mr. G. W. Boulton to officiate as Collector of Zillah Behar, and Mr. J. N. Danvers to officiate as Magistrate of Ditto, Mr. Boulton shall be able to resume charge on the 1st instant.

The following Officer has obtained leave of absence from his Station:

Mr. F. Wright, Officiating Magistrate and Collector of Behar for a period of three months, from the 2d instant, on Medical Certificate.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

MARCH 14, 1837.

Mr. M. Kemmway to be Magistrate and Collector of Nizamat.

Mr. A. P. Currie to be Magistrate and Collector of Chakrapore.

Mr. James Loan to officiate as Magistrate and Collector of Nizamat.

Mr. C. W. Kinloch to officiate as Deputy Collector, for the investigation of claims to exemption from payment of Land Revenue in the 2d or Agra Division.

Mr. T. H. Symson to exercise the powers of Joint Magistrate and Deputy Collector in North Moradabad.

17TH MARCH, 1837

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. J. F. G. Cooke to officiate, until further orders, as Civil and Session Judge of Dacca.

Mr. R. B. W. Ramsay, Assistant under the Commissioner of Revenue and Circuit of the 12th of Cuttack Division, is transferred under the Commissionership of the 12th or Bhawalpore Division.

Mr. J. W. Alexander to be Third Commissioner of the Court of Requests vice Mr. G. J. Gordon resigned.

MARCH 18, 1837

Mr. R. N. C. Marmion to be Civil and Sessions Judge of Dohore.

Mr. G. F. Brown to be Magistrate and Collector of Subahaw.

Mr. C. R. Tulloh to be Magistrate and Collector of Jaunpore.

Mr. H. B. Harrington to be Joint Magistrate and Deputy Collector of Jaunpore.

The foregoing Appointments to have effect from the 1st instant.

Mr. H. H. Stott to be Commissioner of Revenue and Circuit of the 31st or Bareilly Division.

Mr. R. C. Glynn to be Civil and Sessions Judge of Meerut.

Mr. G. F. Franco to be Magistrate and Collector of Meerut.

Mr. W. Crawford to be Magistrate and Collector of Mozuffernagar.

Mr. W. P. Masson to be Joint Magistrate and Deputy Collector of Band.

The foregoing Appointments to have effect from the 5th instant.

THE 21ST MARCH, 1837

Mr. Assistant Surgeon E. W. Clarributt to perform the Medical duties of the Civil Station of the 13th or Buleah Division, vice Mr. Assant Surgeon H. W. Wright on proceeding to England, on furlough.

The Right Honorable the Governor of Bengal has this day been pleased to extend the Provisions of Regulation XII of 1831, regarding the selection, appointment and remuneration of authorized Pleaders to the Zillah Court of Mynapore.

The following Officers have obtained leave of absence from their Stations:

Mr. J. H. D. O'Leary, Civil and Session Judge of Beerbhoom, for fifteen days, from the 8th proximo, on private affairs.

Mr. R. B. W. Ramsay, Assistant under the Commissioner of Revenue and Circuit of the 12th or Bhawalpore Division, for six weeks, from the 1st proximo, on Medical Certificate, in extension of the leave granted to him for one month, by the Commissioner of the 19th Division.

Mr. T. Luckner, Officiating Junior Assistant to the Commissioner of Assam, from the 31st December last to the 1st instant on Medical Certificate, in extension of the leave granted to him on the 2d August last.

Moulavee Niamut Ali Khan, Additional Principal Sudder Ameen of Behar, from the 17th to the 2d instant, and also during the ensuing Mohurram Vacation.

Moulavee Futeh Ali Khan Principal Sudder Ameen and Moulavee Ashraf Hussain Khan, Sudder Ameen of Behar, during the ensuing Mohurram Vacation.

22D MARCH, 1837

The Right Honorable the Governor of Bengal has been pleased to make the following Appointment:

Mr. H. Moore to be Civil and Session Judge of Chittagong, from the 1st instant being the date of Mr. Charles Smith's resignation of the Service.

ECCLIASTICAL DEPARTMENT, 15TH MARCH, 1837

Leave for ten days has been granted to the Reverend H. R. Shepherd, District Chaplain at Dinon, by the Venerable the Archbishop of Calcutta, to take effect from the 30th instant.

22D MARCH, 1837

The Reverend William Ord Hospital, M. A., Garrison Chaplain of Fort William, reported his arrival at the Presidency on this day.

GENERAL REGISTER.

PORT WILLIAM, ENGINEERING DEPARTMENT, MARCH 6, 1837.

Resolution—Since the abolition of the Town Duties in April last year, the Government has directed its attention to the best means of replacing the loss thereby occasioned in the fund which had as circumstances permitted, been considered available towards the improvement of the large Towns in the interior of the country.

From the information collected from the Magistrates of Bengal and the North Western Provinces, it appears that the object in view may be accomplished with the least annoyance to the people, and with the least disturbance of existing institutions, by rendering the Assessment which is leviable under Regulation XXII. 1816, for the maintenance of Chokeedars of Police applicable, like the similar Assessments levied in Calcutta and the other Presidencies, to the cleansing and repairing, as well as to the watching of the Towns in which the Tax is levied.

There is reason to believe also that the maximum of the Tax viz. One Rupee, authorized to be fixed by the Panchaite of each Division of the Towns under the aforesaid Regulation is too small to admit of an equitable adjustment of the rates. On this account a higher maximum has been fixed for individuals, but no charge has been made in the maximum of aggregate amount of the Assessment, authorized to be levied under the Regulation. The effect of this alteration will be to relieve the poor, and to make a small addition to the contribution of those who are best able to contribute.

The following Draft of a proposed Act is accordingly notified for general information.

ACT No. — of 1837

I It is hereby enacted that from the day of its passing it shall be lawful for the several Magistrates and Joint Magistrates within the Presidency of Port William in Bengal to appropriate a portion of the Tax levied under Regulation XXII. 1816 of the Bengal Code to the purpose of cleansing and repairing the Towns in which that Tax is levied.

II And it is hereby enacted in lieu of the maximum rate prescribed by the annual appointment referred to in section X of the above mentioned Regulation that after the day of its passing it shall be competent to the Panchaite appointed by the said annual to fix the rate of Assessment to be levied from the Proprietor or principal occupier of any shop or habitation at two Annas, or Rupees per Mensem.

Ordered that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 20th day of April next.

The following Draft of a proposed Act was read in Council for the first time on the 6th March 1837.

ACT No. — of 1837

I It is hereby enacted that no Native of India shall embark from any Port within the Presidency of Port William in Bengal for any part of the United Kingdom as a Merchant vessel without a Permit for an Officer authorized by the Governor General of India in Council to grant such Permits.

II And it is hereby enacted, that the Officer aforesaid shall before granting such permit require that the party engaging such Manual Servant, shall execute a Bond with two householders of Calcutta as Sureties thereto, binding himself and them in a penalty of Rupees 1000 to reimburse at the demand of such Officer, any sum that may be expended by the East India Company or by any Officer or Agent of the East India Company in maintaining such Servant, and procuring him, or her the means of return to Calcutta, and if the Officer empowered to grant such Permit shall not be satisfied with the Sureties tendered, it shall be competent for him to require that a deposit of 1000 Rupees of a Government Promissory Note for that amount shall be made in the General Treasury of Calcutta for every such servant, and if such deposit be so required the prescribed Permit for that embarkation of such Servant shall not be granted until there shall be produced to the Officer empowered to grant the same, a Certificate under the signature of the Sub-Treasurer of Calcutta, that the deposit has been duly made.

III And it is hereby enacted, that every such deposit shall be restored by the Sub-Treasurer of Calcutta on production of a Certificate by any Officer authorized to grant such Permits as aforesaid, which Certificate shall set forth either that the Manual Servant on account of whom the deposit was made is returned, or that such Servant is dead, or that the Officer certifying is satisfied, that such Servant cannot be a cause of expence to the East India Company.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 20th day of April next.

Resolution—The attention of the Government having been drawn to the condition of the Indian Labourers, who have proceeded in large numbers upon Contracts of service to the Island

of Mauritius inquiries were made from the Authorities in that Colony, and through the means of Public Officers of this Government who have visited Mauritius, as to the arrangements under which the Labourers have ordinarily been conveyed from India, and to the measures proper to be taken by the Government for ensuring to its subjects embarking in such undertakings, all due assistance and protection.

The communications received in reply to these inquiries, have been taken into consideration, and the Governor General in Council acknowledges with much satisfaction the attention which has been bestowed by His Excellency the Governor of Mauritius upon this interesting subject, and he has no doubt that upon any representation of defects in the existing laws of that Colony, or of the manner in which they are administered, all attention will be given by His Excellency to proposals for their amendment. His Lordship in Council is also happy to learn from the Honble the Administrators of the French Establishments in Bengal, that this subject has not escaped the notice of the Government of Bourbon.

It is shown, however that from the novelty of these Contracts, from the circumstances that the parties proceeding as Labourers are, for the greater part, of a rude and ignorant class, and from their destination to places where their language is little understood the Emigrants suffer under serious difficulties. It is not in all cases certain that they fully understand the terms of the Contracts by which they bind themselves, or that they are really willing to proceed, for long periods, to a distance from their Native Country. It is also incumbent on the Public Authorities in India, while they in no respect restrict the liberty of private Agreements, to see that all the Contracts of service purporting to be executed by such individuals, are duly consented to and voluntarily agreed to by them. The compliance of such Contracts by the Public Officers, has been felt to be so advantageous to all parties that the practice of exhibiting Contracts before the Chief Magistrate of Calcutta has been very generally adopted by the Agents by whom the Labourers are hired for service. It is now judged necessary, upon all the information which has been received by the Supreme Government to confirm this practice, and to give it the force of Law. It is further expedient, on the general grounds above stated, that all Contracts of this description should be made terminable at the option of either party after certain reasonable periods, and that the parties hiring such Labourers should be bound to ensure their passage back to their country on the expiration of their engagements of service.

Without enacting fixed rules of minute regulation and detail, it is also thought desirable, that a control should be exercised by the Officers of Government with the view of securing fit accommodation and care for the Labourers while on their voyage from India.

His Lordship in Council is not of opinion that any legislative provisions for the protection of Emigrant Labourers need be adopted beyond such as are required for securing the objects above mentioned. Under the powers which are already possessed by the Executive Government of India, either singly or in conjunction with the Governments of the Settlements for which the Labourers are engaged it will be able to arrange all other safeguards which are thought to be requisite.

The following Draft of a proposed Act is accordingly published for general information.

ACT No. — of 1837.

I It is hereby enacted, that from the day of its passing no Native of India except as hereinafter excepted, who makes a Contract of Service to be performed without the said Territories, shall embark in pursuance of such Contract on board of any ship at any place within the Territories subject to the Presidency of Port William in Bengal without an order from the Governor of the said Presidency, or a Permit from an Officer, authorized by the Governor of the said Presidency to act in that behalf.

II And it is hereby enacted, that before any such Permit shall be granted by any such Officer, such Native, and also the person with whom such Native has contracted, or an authorized Agent of that person, shall personally appear before that Officer, and shall exhibit a Memorandum of the Contract written both in English and in the mother tongue of such Native, which Memorandum shall specify the nature, the term, and the wages of the service as settled by the Contract.

III And it is hereby enacted, that no such Permit shall be granted unless the Contract of Service shall be made determinable on the expiration of one term of not more than five years, to be reckoned from the date of the Contract, or of successive terms, none of which shall exceed five years, and unless such Contract shall contain a stipulation that such Native shall be conveyed back to the Port at which he is embarked free of charge to himself at the expiration of his Service.

IV And it is hereby enacted, that it shall be lawful for the said Officer to examine the said Native and the person with whom that Native has contracted, or the Agent of that person, touching the terms of the Contract, and shall cause those terms to be distinctly explained to the said Native.

V And it is hereby enacted, that if the said Officer shall be satisfied that the said Native fully understands the terms of the

GENERAL REGISTER.

Contract, and is desirous to fulfil the same the said Officer shall make an entry on the back of the written Memorandum of the said Contract, and the said Officer shall be responsible for the same. And it is hereby enacted, that the said Officer shall be responsible for the same. And it is hereby enacted, that the said Officer shall be responsible for the same.

VI And it is hereby enacted, that if application is made for Permits authorizing more than twenty Natives to embark on board of any one Ship, it shall be lawful for the Officer aforesaid to summon the person in charge of that Ship, and to examine that person as to the accommodations, food, and medical attendance provided for such Natives on board of that Ship, and to inspect that Ship, or by an order under his hand, to depute any other person to inspect the same.

VII And it is hereby enacted, that the Officer aforesaid shall not grant Permits authorizing a greater number of Natives than twenty to embark on board of any one Ship, unless he is satisfied that the accommodations, food and medical attendance provided for such Natives on board of that Ship, will be sufficient for their health.

VIII And it is hereby enacted, that the Officer aforesaid shall keep a Register of all Natives of whom he shall grant such Permits as aforesaid, which Register shall specify their names, the periods of the Contracts, the dates of the Permits, the places of their destination, and the ship on board of which they are permitted to embark.

IX And it is hereby enacted, that for every such Permit it shall be lawful for the Officer aforesaid, to require that a fee not exceeding One Rupee, shall be paid by the person with whom the Native in whom the Permit relates has contracted, or by the authorized Agent of that person.

X And it is hereby enacted, that whoever being in charge of any Ship at any place within the Territories subject to the Presidency of Fort William in Bengal, shall knowingly suffer any such Native as is aforesaid, to embark on board of that Ship in pursuance of any such Contract as is aforesaid, without either an order from the Governor of the said Presidency, or such a Permit as is aforesaid, being produced to him by the Native so embarking, shall, on conviction thereof before a Magistrate, be punished with a fine not exceeding Two Hundred Rupees for every Native so suffered to embark, and in default of payment of such fine, with imprisonment for a term not exceeding thirty days for every Native so suffered to embark.

XI Provided always, that nothing in this Act contained, shall be taken to apply to any Native Seaman who shall embark on board of any Ship in pursuance of a Contract to navigate that Ship, or to any person who shall embark as a Mutual Servant.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 26th day of April next.

THE 19TH MARCH 1837

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 18th March 1837, is hereby promulgated for general information.

Act No 181 of 1837.

I It is hereby enacted, that it shall be lawful for each of the Courts of Sudder Dewanny Adawlut, within the Territories subject to the Presidency of Fort William in Bengal, to direct by an order authenticated by the official signature of the Magister of such Court of Sudder Dewanny Adawlut that the cognizance of any Original Suit or of any Appeal which may be brought before any Zillah or City Court subordinate to such Court of Sudder Dewanny Adawlut, shall be transferred to any other Zillah or City Court subordinate to the same Court of Sudder Dewanny Adawlut.

II Provided always, that whenever either of the said Courts of Sudder Dewanny Adawlut shall, in the exercise of the power given by the preceding Clause direct the transfer of the Cognizance of any Suit, such Court of Sudder Dewanny Adawlut shall cause the reasons for such transfer to be recorded on its proceedings.

The following Draft of a proposed Act was read in Council for the first time on the 13th March, 1837.

Act No — of 1837

A. It is hereby enacted, in modification of Section XVIII Regulation V, 1831, of the Bengal Code that from the day of the establishment of any Zillah or City Court within the Territories subject to the Presidency of Fort William in Bengal, shall be provided, by reason of the amount or value of the property for the recovery of which a Suit is instituted from referring that Suit to any Criminal Sudder Ameen.

B. It is hereby enacted, that if any Suit which according to the provisions of the said Regulation V, 1831, would be Appealable to the King in Council, shall under the authority of this Act, be referred to a Principal Sudder Ameen, the Appeal from the decision of such Sudder Ameen shall be direct to the Court of Sudder Dewanny Adawlut, and shall be conducted in all respects according

to the same rules as if it were an Appeal from the decision of a Zillah Judge to the said Court of Sudder Dewanny Adawlut.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 26th day of April next.

GENERAL DEPARTMENT, AGRA 26TH FEB. 1837.

Mr R. H. Scott to officiate as Secretary to the Lieutenant Governor of the North Western Provinces in the Political and General Departments.

Mr C. G. Mansel will continue in charge until relieved by Mr Scott.

26 MARCH, 1837

Mr J. Thomason to officiate as Secretary to the Lieutenant Governor of the North Western Provinces in the Judicial and Revenue Departments.

Mr C. G. Mansel, will con in us in charge until relieved by Mr Thomason.

11TH MARCH, 1837.

Mr. Assistant Surgeon Mark Richardson, M. D., in Medical Charge of the Civil Station of Delhi, is, at his own request placed at the disposal of His Excellency the Commander in Chief.

16TH MARCH, 1837

Mr Assistant Surgeon G. Patin, M. D., is temporarily appointed to the Medical charge of the Civil Station of Allypore, during the absence, on Medical Certificate, of Mr Tritton, or until further orders.

JUDICIAL AND REVENUE DEPT. AGRA, 11TH FEB 1837

Mr H. Armstrong to be Magistrate and Collector of Futtahpore.

Mr W. S. Donnanthorne to be Joint Magistrate and Deputy Collector of Futtahpore.

Mr Colin Mackenzie to be Joint Magistrate and Deputy Collector of Agra.

Mr W. P. Mason to officiate as Joint Magistrate and Deputy Collector of Banda.

Mr J. A. Crane to exercise the powers of Joint Magistrate and Deputy Collector of Bulahawa.

Mr W. Crawford to officiate as Magistrate and Collector of Mozuffernuggur.

21ST FEBRUARY, 1837

Mr C. W. Truscott to be Civil and Session Judge of Azamghur.

Mr Colin Mackenzie to officiate as Magistrate and Collector of Agra.

Mr A. Cumming to be Magistrate and Collector of Allypore.

Mr W. H. Woodcock to be Magistrate and Collector of Mirzapore.

Mr P. C. Trench to be Joint Magistrate and Deputy Collector of Mirzapore.

Mr R. J. Taylor to officiate as Civil and Session Judge of Gorakhpore.

Mr R. B. Vorgan to officiate as Joint Magistrate and Deputy Collector of Humnaspore.

22ND FEBRUARY, 1837

Mr. E. Tritton, Civil Assistant Surgeon of Allypore, has obtained leave of absence from the 10th of March to the 30th of November next, on Medical Certificate, to visit Landour.

23RD FEBRUARY, 1837.

Mr W. H. Benson has been authorized to make over charge of the current duties of the Office of Civil and Session Judge of Jaunpore to Mr. H. B. George Tucker, who will conduct them until the arrival of Mr. Cathcart.

24TH FEBRUARY, 1837.

Fattah Goolah Khan, Deputy Collector under Regulation of 1833, in the District of Banda, has obtained extension to the 31st instant, of the leave of absence granted to him on the 20th December 1836.

27TH FEBRUARY, 1837.

Mr C. Allan to officiate as Magistrate and Collector of the North Western Division of Moradabad.

Mr Rowland Hodge to officiate as Deputy Collector for Settlements in the Southern Division of Moradabad.

Mr C. W. Fagan to the separate charge of Futtahpore and Thakurdwara in the Northern Division of Moradabad, and to exercise the powers of Joint Magistrate and Deputy Collector.

GENERAL REGISTER.

Mr W Hunter to exercise the powers of Joint Magistrate and Deputy Collector of Beharunpore.

Mr E. J Taylor, Officiating Civil and Sessions Judge of Gorakhpore, has obtained leave of absence from the 17th to the 31st Proximo, on his private affairs. Mr Taylor to make over charge of the current duties of his Office to the Head Assistant to the Magistrate and Collector, and if none present, to the Joint Magistrate and Deputy Collector of Gorakhpore.

30 MARCH 1837

Mr R Montgomery to Officiate as Magistrate and Collector of Azimghur.

Mr H C Tucker, authorized to perform the duties of Joint Magistrate and Deputy Collector of Azimghur.

Mr W R Kennaway, Magistrate and Collector of Ghazipur has obtained leave of absence to the 1st December next, to remain in the Hills, on Medical Certificate in extension of the leave granted to him on the 21st January last.

POLITICAL DEPARTMENT, AGRA 6TH MARCH 1837

Pandit Bisambur, 2d Principal Sudder Ameen of Meerut stationed at Boolundshahar, has obtained leave of absence for 15 days on his private affairs.

Mr C R Cartwright to officiate as Magistrate and Collector of Allahabad.

9TH MARCH, 1837

Mr R N C Hamilton to officiate as Commissioner of Revenue and Circuit, of the 2nd or Agra Division.

Mr Colin Lindsay to officiate as Civil and Sessions Judge of Dehlee. Mr Lindsay will continue in charge of his present Office of Magistrate and Collector of Dehlee, as well as of that of Civil and Sessions Judge, until further orders.

11TH MARCH, 1837.

Mr T J Turner to officiate as Commissioner of Revenue and Circuit of the 3d or Bareilly Division.

Mr R Lowther to officiate as Commissioner of Revenue and Circuit of the 4th or Allahabad Division.

8TH OF MARCH, 1837

Captain I Manners Commissioner with Bajeo Rao has obtained leave of absence for fifteen days, from the 14th instant, to visit Lucknow, on private affairs.

GENERAL DEPARTMENT, HOLUNESTICAL, AGRA, 27TH FEB, 1837.

The Honble the Lieutenant Governor is pleased to appoint the Revd Richard Chambers to be Chaplain at Agra, vice the Revd Henry Farish, D O L., embarked for England on Furlough.

The above Appointment is to take effect from the 15th instant.

Assistant Surgeon J W Knight to the Medical charge of the Civil Station of the Southern Division Moradabad.

Mr Knight will continue to perform the duties of his present Office at Bijnour, until relieved by his successor.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL

Fort William, 27th February 1837

No 49 of 1837.—The Governor General of India in Council is pleased to re-publish, for the information of the Army, that on the occurrence of a failure in the supply of good Bread to the European Troops at any Station, a seer of Rice per Man is to be issued in substitution for the ration of Bread in accordance with General Orders dated the 29d December 1809.

Fort William 1st March 1837

No 50 of 1837.—The Right Honble the Governor General of India in Council is pleased to appoint the undermentioned Officers to be Sub Assistants Commissary General, to fill existing vacancies in the Department.

Captain Hugh Johnson of the 29th Regiment Native Infantry.

Lieutenant James Coise Scott, of the 30th Regiment Native Infantry.

The undermentioned Students, of the late Medical Institution are admitted to the Service as Native Doctors. Imman O'Deen and Madar Bukah.

Fort William, 6th March, 1837.

No 51 of 1837.—The Right Honble the Governor General of India in Council is pleased to make the following Promotion and Appointment.

36th Regiment N I.—Ensign Joseph Towgood to be Lieutenant, from the 17th February 1837, vice Lieutenant Henry Carter deceased.

Major Thomas Mathew Taylor, of the 5th Regiment Light Cavalry, to be a Member of the Military Board, in the room of Lieutenant Colonel Craige. This appointment is to have effect from the 14th instant, the date of departure of the ship on which Lieutenant Colonel Craige embarked for Europe.

The following appointment made by the Right Honble the Governor General of India, is published in General Orders.

Colonel Eschist Station; Deputy Quarter Master General, to be Town and Fort Major of Fort William, vice Major T M Taylor.

Assistant Surgeon William Jacob of the Medical Department, has returned to his duty on this Establishment, without prejudice to his rank by permission of the Honble the Court of Directors. Date of arrival at Fort William, 11th February 1837.

No 52 of 1837.—Lieutenant John Butler, of the 55th Regiment Native Infantry, is removed from the Assam Light Infantry, and appointed to do duty with the Assam Sepoody Corps.

The services of Assistant Surgeon George Paton, M D, doing duty with the 37th Regiment Native Infantry, are temporarily placed at the disposal of the Honble the Lieutenant Governor, North Western Provinces, for Civil employ.

The leave of absence for six weeks granted on the 6th ultimo to Lieutenant J D Shakspear, Second Assistant to the Resident at Lucknow, has been cancelled in the Political Department.

Lieutenant W J B Kayvett, Officiating Adjutant, Oudutta Native Militia obtained general leave from the Governor General from the 28th February to the 3d March, (instant.)

Assistant Surgeon Henry Roe, of the Medical Department, is permitted to resign the Service of the East India Company.

Fort William, 13th March, 1837

No 53 of 1837.—The Right Honorable the Governor General of India in Council is pleased to make the following Promotion:

25th Regiment N I.—Ensign Augustus Hart Dyke to be Lieutenant from the 24th February 1837 vice Lieutenant Richard Long deceased.

The undermentioned Officers of the Infantry are promoted to the rank of Captain by Brevet, from the dates expressed opposite to their respective names.

23d Regiment N I.—Lieutenant the Honorable Henry Gordon, 61st Regiment N I.—Lieutenant David Ross, 9th Regiment Native Infantry.—Lieutenant Edward Dupre Townsend, 21st Regiment N I.—and Lieutenant John Dyson 10th March 1837.

Ensign Charles Drummond Bailey, of the 56th Regiment Native Infantry, is permitted to proceed to Europe on Medical Certificate.

Surgeon Joseph Langstaff, 1st Member of the Medical Board, is permitted to proceed to New South Wales, via the Isle of France on Medical Certificate, and to be absent from Bengal on that account for two years.

The leave of absence granted to Captain John Theophilus Hallau, Executive Engineer 5th or Bareilly Division, in General Orders No. 234, of the 17th October last, is extended from the 30th to the 29d ultimo.

GENERAL REGISTER.

The leave of absence obtained by Lieutenant and Brave Captain Edward John Botta, of the 70th Regiment Native Infantry in General Orders No 331, of the 28th November last, is further extended to the 1st ultimo.

The unexpired portion of the leave of absence granted to Lieutenant J. Gifford executive Engineer Kumaon Division of Public Works, in General Order No. 184, of the 19th September 1837, is cancelled from the 1st ultimo, at the request of that Officer.

No 55 of 1837—The Right Honourable the Governor General of India in Council is pleased to make the following Promotions

Right Wing European Regiment.—Captain George Warren to be Major, Lieutenant Arthur William Taylor to be Captain of a Company, Ensign Andrew Edward Dick to be Lieutenant, from the 28th February, 1837, in succession to Major Major Henry Peter Carlsson retired

Colonel William Chaston Baddley, C B, of the 74th Regiment Native Infantry has leave of absence for one year, with permission to visit the Nellocherry Hills, on Medical Certificate

The undermentioned Officers are permitted to proceed to Europe on Furlough

Lieutenant William Peel Milner, of the 31st Regiment N I on account of private affairs

Assistant Surgeon John Harb Warrie Waugh, of the Medical Department, on Medical Certificate

3d Lieutenant Norman McLeod, of the Corps of Engineers, was appointed in the Revenue Department, under date the 6th instant, 3d Assistant to the Superintendent of Canals West of the Jumna

Fort William, 6th March, 1837.

No 54 of 1837—A Sudder Bazar has been authorized, from the 1st ultimo, to be re-established at Secrole, Benares.

Fort William, 16th March 1837

No 57 of 1837—The Pay, Batta, and other Allowances for March 1837, of the troops at the Presidency, and at the other Stations of the Army, will be issued on or after Saturday, the 8th proximo

Fort William, 18th March, 1837.

No 58 of 1837—Ensign Alexander Ollanders, of the 54th Regiment Native Infantry, is permitted to proceed to the Cape of Good Hope, and eventually to New South Wales, on Medical Certificate and to be absent from Bengal on that account for two years

Fort William, 20th March, 1837.

No 59 of 1837—The Right Honble the Governor General of India in Council is pleased to make the following Appointments

3d Lieutenant J. A. Mount, of Engineers, to be executive Engineer of the 14th or Saugor Division of Public Works, vice Lieutenant J. W. Robertson

Lieutenant and Brevet Captain J. L. Mowatt, of the Regiment of Artillery, to officiate as a Commissary of Ordnance at Cawnpore, during the absence of Captain Roberts, or until further Orders, vice Captain D Ewart resigned.

The services of Assistant Surgeon E W Clarnibati doing duty with the Troops in Arracan, are placed at the disposal of the Right Honble the Governor of Bengal, to perform the Medical duties of the Civil Station of Akyah, vice Assistant Surgeon R. W. Wriggleson, proceeding to Europe on Furlough

The undermentioned Officer is promoted to the rank of Captain by Brevet, from the date expressed opposite to his name
4th Regiment Light Cavalry—Lieutenant Gilbert Coventry Strayham Master, 17th March 1837

Lieutenant Colonel William Stuart Bantson, of the 7th Regiment Light Cavalry, and Commissary General is permitted to proceed to Europe, on Furlough, on Medical Certificate.

3d Lieutenant Vincent Rye, of the Regiment of Artillery, is permitted to proceed to the Mauritius, on Medical Certificate, and to be absent from Bengal on that account for six months

Brevet Major Charles Dalby, of the 47th Regiment Native Infantry, is admitted to the benefits of the Pension sanctioned by the Council of the 11th January 1797, and General Order dated 3th February 1830, subject to the confirmation of the Honble the Court of Directors, with permission to receive his Batta at Cawnpore.

The following Promotions made by the Right Honble the Governor General, are published in General Orders:
Jemadar Mulla, Jemadar Jemadar Chab to be Subadar, and Mulla Ragoobur Pandey to be Jemadar from the

14th March 1837, in succession to Subadar Shakti Koodrat Ally deceased.

No 60 of 1837—The following paragraphs of a Military Letter, No 63 from the Honble the Court of Directors to the Government of the Presidency of Fort William in Bengal, dated the 18th October, 1836, are published for General Information.

"Para 2 We have granted additional leave to the following Officers, viz

Captain Charles Griffiths, and Assistant Surgeon John Menzies for six months

3. Mr Edward Maybery of the Pension List on your Establishment, having furnished Certificates of his inability to reside in India, has been placed upon the Pension List in this Country. You will therefore remove his name from the Pension List of your Establishment"

No 61 of 1837—The following paragraph of a Military Letter, No 62, from the Honble the Court of Directors to the Governor of the Presidency of Fort William in Bengal, dated the 18th October 1836, is published for general information

G O G O 16th August, 1816 "In our Military Letter of 17th April, 1816 (paragraphs 3 to 5) We directed that the first arrival at your Presidency

of the Artillery Cadets educated at Addiscombe in any one season 'shall decide the period from which the arrival of the Engineers Cadets of the same season also educated at Addiscombe shall be supposed to have taken place, had they not been detained in England by sea.' The principle of this Regulation is equally or rather more strongly applicable with reference to the Cadets appointed to the List after having been educated at Addiscombe. We therefore desire that it may be applied both prospectively and retrospectively, so as to ensure to the whole of the Cadets as passing at Addiscombe, whether for the Engineers, the Artillery, or the Line, Seniority in Army Rank when first Commissioned, corresponding with their relative rank when reported qualified at the Seminary.

No 62 of 1837—Surgeon William Pitt Maston of the Medical Department, having reported his return to the Presidency on the 17th instant, is, under instructions from the Honble the Court of Directors re-appointed to the situation of Apothecary to the East India Company.

Surgeon John Giant is appointed a Supernumerary Presidency Surgeon

No 63 of 1837—Assistant Surgeon Hugh Maclean, attached to the Bhairwarrah Local Battalion, has been permitted in the Political Department, under date the 18th instant, to decline his appointment to the Medical charge of the Residency at Indore, which was notified in General Orders No. 31, of the 6th ultimo

Assistant Surgeon Edmund Tritton, of the Civil Station of Allypore, has obtained from the Honble the Lieutenant Governor of the North Western Provinces under date the 2nd ultimo, leave of absence from the 11th March to the 30th November next, on Medical Certificate, to visit Landour.

Fort William, 25th March, 1837

No 64 of 1837—Ensign Henry Cadogan Hastings, of the 65th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate

Fort William, 27th March, 1837

No 65 of 1837—The Right Honble the Governor General of India in Council is pleased to make the following Promotions

Infantry—Lieutenant Colonel (Brevet Colonel) Edgar Wyatt to be Colonel, from the 9th March 1837, vice Major General Sir John Withington Adams, K C B, deceased.

Major John Taylor to be Lieutenant Colonel, from the 9th March 1837, vice Lieutenant Colonel (Brevet Colonel) Edgar Wyatt promoted

3d Regiment N I—Ensign Thomas Francis Pattenzo to be Lieutenant, from the 7th March 1837, vice Lieutenant George Dymott deceased

19th Regiment N I—Captain William Pasmore to be Major, Lieutenant James Drummond to be Captain of a Company, and Ensign William Kelly Wollen to be Lieutenant, from the 9th March, 1837, in succession to Major John Taylor promoted.

60th Regiment N I—Ensign Henry Murray Secher to be Lieutenant from the 19th November, 1836, vice Lieutenant Simon John Nicolson deceased

His Lordship in Council is pleased to make the following Appointment

Lieutenant James Neunth Marshall, of the 72d Regiment Native Infantry, to do duty with the Assam Light Infantry, vice Lieutenant J. Butler transferred to the Assam Security Corps.

GENERAL REGISTER.

Lieutenant Walter Hore, of the 35th Regiment Native Infantry, is permitted to proceed to Europe on furlough, on Medical Certificate.

No 44 of 1837.—Captain George Gillman, of the 31st Regiment Native Infantry, having furnished a Medical Certificate, stating that he is permanently disqualified for the performance of further effective duty, is permitted to retire, if in the service of the East India Company, on the half pay of his rank, from this date.

The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Adjustments of Rank.

31st Regiment Native Infantry.—Lieutenant William Foot Miller to be Captain of a Company, and Ensign Thomas Charles Birch to be Lieutenant, from the 27th March, 1837, in succession to Captain George Gillman, retired on the half pay of his rank.

44th Regiment Native Infantry.—Ensign Arthur Sanders to be Lieutenant, from the 12th March, 1837, vice Lieutenant Henry Abbott deceased.

BY THE COMMANDER IN CHIEF

Head Quarters, Camp, on the Right Bank of the Jemna, 15th February, 1837

Major J Charter's regimental order of the 1st instant, appointing Lieutenant J C Salkeld to act as Adjutant to the 6th regiment of native infantry, vice Birch appointed to the shuggee department, is confirmed.

Quarter Master Sergeant William Bradshaw, of the 22d native infantry is appointed Sergeant Major to the regiment, vice Knight who has been transferred to the pension establishment.

The undermentioned officers have leave of absence

European Regiment.—Captain G Warren from 15th March to 15th September, to visit the Presidency, on private affairs.

8th Regiment Native Infantry.—Lieutenant J F Farquharson from 1st March to 1st May, to visit Needhuch, on private affairs.

40th Regiment Native Infantry.—Assistant Surgeon J H W Waugh from 16th January, to 26th March, to visit the Presidency on medical certificate, and apply for furlough.

Head Quarters Camp Kurnaul February 16 1837

The district order by Lieutenant Colonel W H Hewitt, under date the 16th ultimo appointing Lieutenant and Adjutant M Cotton, of the 67th native infantry, to the situation of district and station affairs in Atracan is confirmed.

Major G R Pemberton's regimental order of the 30th ultimo appointing Lieutenant D Bainfield to act as Inter preter and Quarter Master to the 56th regiment of native infantry, during the absence, on duty, of Lieutenant Younger, is confirmed.

His Excellency the Commander in Chief is pleased to appoint Surgeon J Griffiths of the 5d native infantry to the medical charge of the 9th light cavalry during the absence, on leave of Surgeon Dalrymple, or until further orders.

The Brigadier commanding the Rajpootannah field force will make suitable arrangements for the performance of the medical duties of the 52d native infantry whilst Surgeon Griffiths is employed with the 9th cavalry.

The undermentioned officers have leave of absence

2d Regiment Native Infantry.—Lieutenant G Dyar, from 1st March to 1st September, to visit Kurnaul, on private affairs.

16th Regiment Native Infantry.—Lieutenant Colonel T Madock, from 9th February to 30th April, to visit Munsoorie, on private affairs.

73d Regiment Native Infantry.—Lieutenant H J Michell from 15th March to 1st August, on private affairs.

Head-Quarters, Camp, Thanaasir, 16th February 1837

His Excellency the Commander in Chief is pleased to make the following removals and Postings in the regiment of artillery.

Captain T Timbrell, (on staff employ) from the 4th troop 3d brigade to the 4th troop 3d brigade of horse artillery, and Captain H Timmins from the latter to the former troop, which he will join without delay.

The undermentioned officers have leave of absence

31st Regiment Native Infantry.—Captain N Campbell from 1st March to 1st December, on extension, to remain in the hills north of Deyrah, on medical certificate.

26th Regiment Native Infantry.—Ensign C R Larkins, from 30th December 1836, to 31st December 1836, to remain at Calcutta, on private affairs.

Head Quarters, Camp, Shalabad, 19th February, 1837.

Major S D Riley's regimental order of the 3d instant, directing Captain John Butler to continue to act as Adjutant to the 3d native infantry, is confirmed as a temporary arrangement.

Feb 19.—His Excellency the Commander in Chief is pleased to make the following appointment.

3d Regiment of Native Infantry.—Lieutenant William Charles Hicks to be Adjutant, vice Butler promoted.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers.

Surgeon William Dyer, on furlough, from the 59th to the 5th regiment of native infantry.

Surgeon James Frederick Stewart, M D, new promotion to the 59th regiment of native infantry.

Surgeon Henry Cooper, on furlough, to the 51st regiment of native infantry.

Assistant Surgeon Francis Thompson, on furlough, to the 27th regiment of native infantry.

Assistant Surgeon Cuthbert Finch, M D, on furlough, from the 13th to the 33d regiment of native infantry.

Assistant Surgeon William Bait doing duty with the 13th regiment of native infantry, is posted to that corps.

Assistant Apothecary John Tynan, who was relieved from his duties in the Honorable Company's dispensary, and placed at the disposal of the Commander in Chief, in Government General Order of the 30th ultimo, is directed to join and do duty in the general hospital.

Quarter Master Sergeant Matthew Morris, of the 3d light cavalry is appointed Sergeant Major to the regiment vice Lasbury transferred to the pension establishment.

Staff Sergeant Joseph Richardson of the 1st troop 1st brigade horse artillery is transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 2d regiment of light cavalry, vice Morris appointed Sergeant Major.

The Cawnpore division order of the 11th instant by Brigadier General A Stevenson, C B, directing Assistant Surgeon A Cighton M D, of the 6th light cavalry, to receive medical charge of the 43d regiment of native infantry from Assistant Surgeon W Shuriff until the arrival of Assistant Surgeon A Colquhoun, is confirmed.

Lieutenant Colonel G B Bell's regimental order of the 3d instant appointing Lieutenant J W H Jamieson to act as Adjutant to the 52d native infantry, vice Shuldham promoted, is confirmed.

The following division orders issued on the 8th inst, by Brigadier General R Stevenson, C B, commanding the Cawnpore division, are confirmed.

Appointing Assistant Surgeon D MacNab, M D of the 3d regiment of native infantry, to perform the medical duties of the civil station of Mynpoore, from the 1st instant, during the absence of Assistant Surgeon H Boufield on sick leave, and directing super-numerary Native Doctors Ishwarr Prasad and Shri Sahany Singh, doing duty with the 62d and 71st regiments of native infantry to proceed the former to Allahabad and place himself under the orders of the medical officer of the 65th regiment of native infantry for the purpose of doing duty in the hospital of that corps, and the latter to join and do duty in the jail hospital at Cawnpore, in the room of Darnon Lall deceased.

4th regiment light cavalry.—Colonel G Becker, from 15th Feb, to 15th June, in extension, to remain at the Presidency, on private affairs.

36th regiment native infantry.—Ensign J Waterhouse, from 14th March to 14th September, to visit Benares, on private affairs.

Head Quarters, Camp, Umballa, 20th February, 1837.

The 3rd division order of the 12th instant, by Brigadier General A Duneau, directing Assistant Apothecary Abraham Boston of the 3d brigade of horse artillery, to accompany the detachment of His Majesty's 17th light infantry, proceeding to Loodianah, and appointing Hospital Apprentice Thomas Shaw to act as Assistant Steward to the detachment, is confirmed.

Superintending Surgeon David Boston, promoted in Government General Orders No 31 of the 6th instant, is posted to the Benares circle of superintendence.

Head-Quarters, Camp, Rajpootannah 21st February, 1837.

The 4th division order of the 9th instant, directing the following arrangements, are confirmed.

Assistant Apothecary G. Bayley to act as Assistant Apothecary and Assistant Steward to a squadron of His Majesty's 10th lancere.

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Imam Khan, Native Doctor, to do duty with the 48th regiment native infantry.

William David Singh, Native Doctor, of the 48th native infantry to join and do duty with the 36th regiment at Meerut, until further orders.

The district order by Lieutenant Colonel W. H. Hewitt, under date the 3d inst., directing Assistant Surgeon E. W. Wright, to afford medical aid of the 49th regiment native infantry, until its arrival at Chittagong, or until further orders, is confirmed.

Lieutenant Colonel W. H. Hewitt's regimental order of the 29th ult., directing Lieutenant A. DeFountain to act as Adjutant to the 48th regiment native infantry, during the absence, on leave, of Lieutenant and acting Adjutant Erskine, or until further orders, is confirmed.

The Presidency division order of the 6th inst., directing Assistant Surgeon E. W. Clarributt, of the 28th regiment native infantry, to proceed to Arracan, and do duty with the troops there, is confirmed.

The Presidency division order of the 30th December last, directing Assistant Apothecary G. E. Poole, to proceed to the upper provinces with Captain Birchall's detachment of His Majesty's troops, and apprentice J. Thompson to act as Assistant Steward to the party, is confirmed.

Part Sergeant Bryon Carolan is appointed Armourer Sergeant in the arsenal of Fort William, in succession to Sergeant South deceased; and Sergeant Neal, now a laboratory man in the department, is nominated Part Sergeant, in the room of Carolan.

Drum Major Michael Collins, of the veteran company at Chunar, is, with the sanction of Government, permitted to reside and draw his allowances at Allahabad.

The undermentioned officers have leave of absence:

23d Regiment Native Infantry.—Major C. Hamilton, from 1st March to 1st September, to remain at Lucknow, on private affairs.

40th Regiment Native Infantry.—Lieutenant J. Erskine, from 28th January to 28th May, to visit the Presidency, on medical certificate.

40th Regiment Native Infantry.—Lieutenant C. E. Burton, from 28th January to 28th May, to visit the Presidency, on medical certificate, preparatory to applying for leave to proceed to the Cape of Good Hope, and eventually to Europe.

42d Regiment Native Infantry.—Lieutenant W. P. Mears, from 10th November, 1836, to 10th March 1837, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

72d Regiment Native Infantry.—Ensign W. C. Erskine, intending duty with the Assam light infantry, from 20th November 1836, to 31st January 1837, to remain at the Presidency, on private affairs.

8th Regiment Light Cavalry.—Captain R. D. H. Macdonald, from 15th January to 28th January, in extension, to enable him to rejoin his regiment.

43d Regiment Native Infantry.—Captain J. Nash, from 27th February to 16th April, on private affairs, and to rejoin his corps at Cawnpore.

Head-Quarters, Camp, Kunha Ke Serai, 24th Feb. 1837.

The Presidency division order of the 11th inst., directing Assistant Steward C. Marshall to accompany Lieutenant Whitworth's detachment of His Majesty's troops by water to Cawnpore, and Assistant Apothecary M. Hackard to accompany a detachment of His Majesty's 49th foot by land to Hazareebaug, is confirmed.

The Dinapore division order of the 14th inst., directing Hospital Apprentice J. Gorman (1st) to join His Majesty's 49th regiment at Hazareebaug, is confirmed.

His Excellency the Commander-in-Chief is pleased to make the following appointment:

36th Regiment Native Infantry.—Lieutenant R. Spencer to be Adjutant, vice Taylor promoted.

The undermentioned officers have leave of absence:

Artillery.—Colonel G. Parker, from 1st March to 31st December, to remain at Simla, on medical certificate.

Artillery.—Captain W. J. Macville, from 10th March to 10th July, to visit the Presidency, on urgent private affairs.

9th Regiment Light Cavalry.—Surgeon W. Jackson, from 25th February to 25th March, in extension to remain at the Presidency, and rejoin his corps.

64th Regiment Native Infantry.—Captain P. C. Anderson, from 13th November, 1836, to 9th December 1836, to enable him to join his corps.

The Hana station order of the 10th of December 1836, issued by Colonel J. Skinner, C. B., directing Lieutenant T. E. Colebrook, Adjutant to the Hurrianah light infantry, to act as station

staff, on the departure of Ensign H. Milne, with the detachment of the 1st regiment native infantry, is confirmed.

Gunner A. Kelly, of the 3d company 3d battalion of artillery, reported unfit for further service by a special medical committee, is to be sent to the Presidency furnished with the pay and other certificates required by General Orders of the 24th June 1835, and made over to the Town Major, Fort William, to be sent to Europe, not entitled to a pension.

The undermentioned officers have leave of absence:

76th Regiment Native Infantry.—Captain H. Johnson, from 26th April to 20th October, to visit the hills north of Deyrah, on private affairs.

16th Regiment Native Infantry.—Surgeon, D. Campbell, from 23rd February to 15th April, in extension, to enable him to join his regiment.

1st local horse.—Surgeon W. E. Oates, A. B., from 15th March to 1st December, to visit Simla, on medical certificate.

Head Quarters, Camp, Tihara, 26th February, 1837.

The Cawnpore division order of the 18th inst., appointing supernumerary Native Doctor Kooma Prasad, (doing duty with the 62d native infantry) to the 3d troop 2d brigade horse artillery, in the room of Meer Jaun deceased, is confirmed.

The district order issued by brigadier W. Burgh to the Rajpootanah field force, on the 17th inst., directing Conductor G. Forrest to continue to do duty in the Ajuere magazine, until further orders, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings of medical officers:

Assistant Surgeon A. Walker, (2d) from the 61st regiment native infantry to the Kamaoia local battalion, vice Bell appointed to the 30th native infantry.

Surgeon W. S. Charteris, M. D., from the 71st to the 61st native infantry.

Assistant Surgeon R. Fullerton, M. D., from the 73d to the 71st native infantry, and Assistant Surgeon A. Chalmers, M. D., (on furlough) from the latter to the former corps.

Assistant Surgeon George Paton, M. D., from the European regiment to the Hurrianah light infantry, vice Thompson, Dr. Paton will join his new corps on being relieved from the medical charge of the 37th native infantry.

Assistant Surgeon F. Fleming, at present doing duty under the orders of the Superintendent Surgeon at Meerut, is directed to proceed to Shahjhpore, and relieve Assistant Surgeon D. Gullan (who has obtained leave) from the medical duties of the left wing of the 59th native infantry.

Assistant Surgeon A. Mackean, doing duty with the artillery at Nusseerabad, is posted to the 9th light cavalry.

Assistant Surgeon W. Brydon is posted to the 4th light cavalry, and will join and assume medical charge of the squadron of that regiment at head quarter.

Mr. Brydon will retain medical charge of the two companies of His Majesty's 13th light infantry, with which he was detached from Kurraul, and on his return to cantonments, will continue to do duty with the same regiment, until his services can be dispensed with.

Assistant Surgeon George Hodgson, doing duty with His Majesty's 44th foot, is posted to the 6th light cavalry at Mhow, which he will proceed and join when his services are no longer required at Ghazepore.

The undermentioned officers have leave of absence:

6th Regiment Light Cavalry.—Captain E. L. Anstruther, from 18th February to 18th March, in extension, to enable him to rejoin his regiment.

72d Regiment Native Infantry.—Lieutenant G. H. Rose, from 20th March to 20th August, to visit Bareilly, on urgent private affairs.

10th Regiment Light Cavalry.—Captain C. D. Blair, from 1st March to 1st December, in extension, to remain at Musoorie, on medical certificate.

10th Regiment Light Cavalry.—Lieutenant J. Hicky, from 1st March to 15th November, to visit the hills north of Deyrah, on medical certificate.

General Staff.—Captain C. G. Ross, Deputy Judge Advocate General, western division, from 1st March to 1st January, 1838, in extension, to remain at Simla, on medical certificate.

Head-Quarters, Camp, Shirag, 4th March, 1837.

The Agra garrison and station order of the 16th ult., directing Surgeon D. Woodburn to receive medical charge of the 67th regiment native infantry from Assistant Surgeon T. B. Hart,

GENERAL REGISTER.

proceeding on leave, is confirmed as a temporary arrangement.

The Benares division order of the 14th ultimo, directing Lieutenant G. Murray, of the 8th light cavalry, to proceed to Cawnpore in charge of 63 remount horses, is confirmed.

The Sirhind division order of the 26th ultimo, directing Assistant Apothecary Thomas Beam, of the artillery, to proceed with the convalescents to Landour, is confirmed.

Ensign C. D. Bailey, of the 26th regiment native infantry, is permitted to resign the officiating appointment of Interpreter and Quarter Master to the 67th regiment.

His Excellency the Commander in Chief is pleased to appoint Lieutenant William Here, of the 18th regiment native infantry, to officiate as Interpreter and Quarter Master to the 8th light cavalry, until further orders.

W. D. Salt, late an Hospital Apprentice, who was discharged the service, at his own request, in General Orders of the 25th of October last, is re-appointed to the subordinate medical department, with his former standing, and directed to join the hospital of His Majesty's 31st regiment at Dinapore.

Arrears of pay are not to be drawn on account of the Apprenticeship, and he will only be entitled to salary from the date on which he may report himself to Superintending surgeon Marshall.

Head-Quarters, Camp, Kuttanah, 7th March, 1837.

His Excellency the Commander in Chief is pleased to make the following appointment:

26th Regiment Native Infantry—Lieutenant James Duncan, to be Interpreter and Quarter Master, vice Spencer.

The leave of absence granted to Captain S. L. Anstruther, of the 6th regiment light cavalry, in General Orders of the 28th ultimo, is cancelled.

With the sanction of Government, Captain J. W. M. Turner, of the invalid establishment, is permitted to reside for 1 year at Kurnaul, and to draw his allowances at that station.

The undermentioned officers have leave of absence:

6th regiment light cavalry.—Captain R. Aitken, from 21st February to 1st February 1838, to remain in the hills north of Deyrah, on medical certificate.

26th regiment native infantry.—Captain J. Ferris, from 14th April to 14th October, to visit Musorie, on private affairs.

61st regiment native infantry.—Lieutenant and Adjutant H. Le Mesurier, from 1st April to 31st May, to visit Saharunpore and Simla, on private affairs.

71st regiment native infantry.—Lieutenant W. J. Rind, from 1st March to 1st December, to remain in the hills, north of Deyrah, on medical certificate.

SHIPPING REGISTER.

ARRIVALS AT KEDGERREE.

- Feb. 26 Barque *British Monarch* W. Purvis, from the Mauritius 2d January.
- 28 Ship *Henry Parcher*, J. Hart, from London 4th August and Hobart Town 21st December.
- March 1 Ship *Surry*, G. Sinclair, from Kyook Phyeo 12th and Chittagong 17th February.
- Schooner *Elizabeth*, H. Spooner from Penang 6th February.
- 4 H. M. Brig *Algerine*, Lieut. W. T. Thomas, from Colombo 3d February.
- 8 H. M. Brig *Zebra*, Capt. McCreagh, from Trincomalie (no date.)
- 9 English Ship *Ajax*, John Bruton, from Port Louis (Mauritius) 15th January.
- Barque *Elepanta*, J. Buchanan, from the Mauritius 10th January.
- Barque *Amphetrile*, Collet, from Nantes 14th June, and Bourbon 6th January.
- Barque *Comala*, D. McNeill, from Liverpool 25th October.
- 13 Barque *Sir Herbert Taylor*, Wm. Poole, from Madras 27th December and Moulmein 29th February.
- 14 Ship *Mary Somerville*, Thos. Jackson, from Canton 28th January, and Singapore 9th February.
- 15 Ship *Colombo*, D. Mackellar, from London 27th October and the Cape of Good Hope 5th January.
- Ship *John Bagshaw*, H. Blyth, from the Mauritius 29th January.
- Ship *Laming*, F. L. Morae, from Marseilles 29th June and Bourbon 29th January.
- 16 Bark *Mary Ann*, F. Anderson, from the Mauritius 26th January.
- 17 Bark *Clarissa*, G. Andrie, from Madras. 7th March.
- Bark *Abelle*, Bardie, from Bourbon 28th January.
- Barque *Courrier de Saint Pierre*, from Madras (date not mentioned).
- 19 Ship *Carnatic*, D. Froodfoot, from China 7th Nov. and Rangoon 1st March.
- Brig *Jessy*, J. Auld, from Penang 25th February.
- Ship *Jaune Laure*, (F) Lamo, from Bourbon 1st February.
- 20 Ship *Lord William Bentinck*, H. Hutchinson, from China 26th January and Singapore 6th February.

- March 20 Bark *Henry Tanner*, S. Fergusson from the Mauritius 3d February.
- Brig *Cecilia*, P. Roy, from Singapore 17th and Penang 26th February, and Vizagapatam 10th March.
- 21 Ship *Forth*, Landers, from Rangoon 3d March.
- 22 Bark *Earl Grey*, James Talbot, from England 27th August Sydney, 26th January and Madras 10th March.
- Schooner *Olivia*, W. Roome, from the Cape of Good Hope 16th January.
- Brig *Antonio Pereira*, W. O. Young, from China 22d February, Singapore 2d, and Malacca 8th March.
- Brig *Luckie Bulas*, Muckim Seiang, from Kianapatam 15th March.
- 24 Bark *Eudora*, S. Addison, from Hobart Town 21st Jan. and Swan River 13th February.
- Brig *Brigand*, Thos. Lloyd, from Singapore 21st and Penang 27th February.
- Brig *Sarah*, R. S. Pearson, from Rangoon 6th March.

DEPARTURES FROM CALCUTTA.

- Feb. 25. *Peter Proctor*, G. Barlow, for the Mauritius.
- *Ernaad T. Hill*, for the Persian Gulph.
- 26 *Pestonjee Bomanjer*, Jas. Thompson, for Bombay.
- *Marsellais*, C. Ollion, for Bourbon.
- 28 *Eleanor*, T. B. Timms, for Bombay.
- *Orator*, J. Toury, for London.
- March 1 *Amelia*, R. J. Morris, for the Mauritius.
- *Adelaide*, A. Steel, for the Mauritius.
- *Susana*, J. P. Ridley, for the Mauritius.
- *Bengal*, J. Marjoram, for London.
- *Bahamian*, M. Tizard, for Liverpool.
- *London*, W. Hoodless, for Liverpool.
- *Oriental*, J. Seales, for Liverpool.
- *Isavie*, Nacoda, for Juddah.
- 2 *Fergusson*, A. Young, for London.
- *John Adam*, E. D. O. Eales, for the Persian Gulph.
- *Hercules*, F. J. Rand, for New York.
- *India*, Truquett, for, Havre de Grace.
- *Robert Surcouf*, M. Mousset, for Bourbon.
- 4 *Hope*, A. McCulloch, for the Mauritius.
- 5 *Porter*, Seagrigh, for Liverpool.
- *Benoolen*, A. Brown, for China.

GENERAL REGISTER.

March 5 *Ludlow* W. H. Frith, for London.

— *Merton* W. L. Pope, for London.

7 *Narvada*, F. Patrick, for the Mauritius.

— *Sandany*, Nasoda, for Judda.

8 *Psyche*, G. Kennedy, for China.

— *Pekes*, J. Gillies, for Liverpool.

9 *Wm. Grey*, W. Bartoll, for Boston.

10 *Brighton*, W. J. Dore, for Boston.

12 *Bolton*, W. Compton, for London.

— *Royal William*, T. Irvin for Liverpool.

14 *Prinsep*, J. Lyther, for the Mauritius.

16 *Bright Planet*, R. Malcolm, for Penang and Singapore.

17 *Fortfield*, J. Sly, for the Mauritius.

20 *British Monarch*, W. Parvis, for Bourbon and Mauritius.

22 *India*, Wm. Snow, for New York.

— *Congress*, J. G. Towne, for Boston.

23 *Sumatra*, E. Whiffin, for Pondicherry and Batavia.

— *Cashmere Merchant*, R. E. Smells, for the Mauritius.

ARRIVALS OF PASSENGERS.

Per Riper Steamer Mattabhangha.—The Right Revd. Lord Bishop of Calcutta.

Per Surry, from Kyout Phyo.—C. B. Bailey, Esq., Ensign 66th Regt.; Miss Jane Bowman, Masters McGuard and Alfred Tinney, for School.

Per Elizabeth, from Penang.—Mrs. C. Noyet and Son.

Per Sir Herbert Taylor.—Mr. Jno. Biale, Free Mariner.

Per Mary Somerville from Liverpool.—Mrs. Jackson. From Canton. —Follett, Esq., Merchant. From Singapore.—E. Steel, Esq.

Per Colombo, from London.—Mrs. Sanderson; Mrs. Sparling; Miss Sparling; Mr. Muston, Medical Department; Mr. James Sanderson, Assistant Surgeon; Mr. Henry Chinnery.

Per John Bagshaw.—Mrs. Blyth and Child.

Per Clarissa, from Madras.—Mrs. Dunbar; Mrs. Andrie; Lieut. Dunbar, H. M. 51st Regt.; Mr. Morrison, Merchant; Mr. Flower and Mr. Phillips.

Per Ocelot.—From Singapore.—Mrs. Poynton and family. From Penang.—Misses Judah and F. Judah.

Per Antonio Pereira, from Limerick.—W. F. Livingston, Esq., Merchant.

Per Rudora, from Hobart Town.—Mr. and Mrs. Aubury.

Per Brigand, from Penang.—Mr. F. Wood, Mariner.

DEPARTURES OF PASSENGERS.

Per Jellinghee, to Allahabad.—C. R. Cartwright, Esq.; Mrs. Cartwright; Mrs. Wells; Mrs. Parks; Miss Dunbar; Capt. and Mrs. Watson; Miss Watson; Lieutenant Atkinson, and Mr. Jackson. To Singapore.—W. R. Jennings, Esq. To Chupra.—O. Uday, Esq. and Mrs. Uday. To Gussapore.—Mr. J. G. Waller and Miss Waller. To Balesah.—Mr. Lushington.

Per Oriental, for Liverpool.—Mrs. Seales and Mrs. Haworth.

Per Bahamian, for Liverpool.—G. Coles, Esq.

Per Zeaobia, for London.—Mrs. Milner; Miss Sloane; —Sloane, Esq.; Capt. Pearson, 16th Lancers, Milner, and Laurel, Cavalry.

Per Braccoon, for Singapore and China.—Mrs. Green; —Road, Esq., C. S., and E. Harding, Esq.

Per Pekos, for Liverpool.—Mrs. Luchman; Revd. John Luchman, and Mr. James Luchman.

Per Duke of Rutland.—Lady H. Gordon and 3 Children; Mrs. Salmon; Mrs. Garrett; Mrs. Hodger and Child; Major Day; Captain Garrett; Mrs. Maxwell and Thomson; Capt. A. Henderson; Messrs. Delamaino and Alberville; Master Shadwell. *Per Bolton for Madras*.—Capt. O'Leary and Sedley; Misses White Binny, Macan, Bannister and Thomas; Lieuts. Berge and Pollock.

Per Clyde for London.—Mr. Thos. Lethgow; Mrs. E. Downe and Child, and Master W. H. Cox.

Per Marion for England.—Mrs. Colonel Welber; Miss Fitzgerald and two Children; Mrs. J. H. Swinhoe and an infant; Mrs. Brander and an infant Mrs. Rousac; Major C. Fitzgerald, Bengal Army, and Dr. Brander, Bengal Establishment.

Per Larkins for London and Cape.—For London.—Mrs. Halford; Mrs. Burton and 4 Children; Mrs. Turner and 3 Children J. Carter, R. J. Loughnan and Lushington, Esqrs., B. C. S.; Capt. Halford, 41st Regt. N. I.; Capt. Milner, 31st Regt. B. N. I. Lieut. Turner, 1st B. L. Cavalry, W. Wrightson and J. H. Waugh, Assistant Surgeons, B. S.—For Cape.—Capt. Sparks, 49th Regt. H. M.; Lieut. Burton, 40th B. N. I.; Lieut. A. Gillanders, 54th N. I.

Per Herefordshire.—Mr. and Mrs. Shaw and Family; Lieut. and Mrs. Eyre and Family, Bengal Artillery; Mrs. Kemp and Family; Dr. Longstaff, and Mr. C. Brette.

DOMESTIC OCCURRENCES.

BIRTHS.

Dec. 26 Mhow, the wife of Serjeant T. Stubbs, Dept. Pub. Works, of a Daughter.

Jan. 10 Cawnpore, the Lady of Lieut. J. Richardson, of Arty., of a Son.

Feb. 14 Mrs. Eckford, of a Son.

15 Meerut, the Lady of Lieut. D. Shaw, 34th Regt. N. I., of a Daughter.

19 Muttra, the Lady of Capt. J. Woore, 10th Regt. Cavalry, of a Son.

23 Bellary, the Lady of Capt. Flowden, Deputy Judge Advocate General, of a Son.

24 The Lady of J. R. Martin, Esq., of a Daughter.

— The Lady of Pierce G. E. Taylor, Esq., B. C. S., of a Daughter, still-born.

25 The Lady of Capt. R. Boileau Pemberton, of a Son.

26 The Lady of Lieutenant T. A. Souter, His Majesty's 44th Regiment, of a Daughter.

— Berhampore, the Lady of Captain Hugh Sibbald, of the 41st Regt. N. I., of a Daughter.

27 Benares, the Lady of Major W. Martin, 57th Regt. N. I., of a still-born Son.

Feb. 27 Kurnaul, the Lady of Lieut. Hippesly Marsh, of the 3d Regt. Light Cavalry, of a Son.

March 1 Mrs. James Solist, of a Son.

2 Tirhoot, the Lady of John Gale, Esq., of a Son and Heir.

— Benares, the Lady of G. Mainwaring, Esq., of the Civil Service, of a Daughter.

3 The wife of Mr. D. M. DeSilva, Zemindar of Sheebpore, in the District of Backergunge, of a son and Heir.

7 Mussoorie, Mrs. Mackinnon, of a Son.

8 Gya, the Lady of G. D. Wilkins, Esq., Civil Service, of a Daughter.

— Jaunpore, Mrs. Daniel Trasham, of a Son.

9 Mrs. Jas. Ogilvie, of a Daughter.

— Mrs. C. J. Sutherland of a Son.

— Hazareebaugh the Lady of Capt. G. Thompson, Engineers, of a Daughter.

10 Mrs. Palliologus, wife of Nicholas Palliologus, Esq., Solicitor, of a Daughter.

— Mrs. Geo. Higginson, of a Son.

14 The Lady of H. Walster, Esq., C. S., of a Daughter.

15 Bandel, Johannah Fernandez, of a Son and Heir.

GENERAL REGISTER.

March 15 Mrs. M. Payne, of a Son.
 — Chinsurah, the Lady of Lieut. Edmunds, His Majesty's 9th Foot, of a Daughter.

19 Mrs. R. H. Watling, of a Son.
 20 Mrs. J. F. Witchlow, of a Daughter, still born.
 — The Lady of Henry Beeton, Esq., of Cuttack, of a Daughter.

— The Lady of Capt. Battanahaw 7th Regt. N. I., of a Son.
 21 The Lady of Capt. C. B. McNeale, of a Daughter.
 23 Mrs. H. M. Smith, of a Son.
 24 Mrs. L. M. Delanongerede, of twin daughters.

Europe.—Belcour St. Heliers, Jersey, on the 4th July 1836, the Lady of Lieut. J. H. Lane, of the 30th N. I., of a Son.

MARRIAGES.

Feb. 4 By the Rev. T. Robertson; John Hudges, Esq., to Miss Flora S. A. Wiltshire youngest Daughter of the late C. Wiltshire, Esq., of Calcutta.

— Kuvuan, Mr. William Scott, Merchant, of Meerut, to Mrs. Sarah Taylor.

25 Delhi, at St. James' Church, by the Revd. Everest Serjeant William Wilson, Assist. Overseer, Dokub, Causal, to Miss Mary Ann Davis.

27 At the Old Church, by the Rev. A. Garstin, Mr. William Clark, to Miss Jane Gunning.

29 At the Old Church, by the Revd. A. Hammond, Town Serjeant James Kennedy, to Miss Susan Adams.

March 3 Jungpore, by the Revd. Mr. Morton, J. C. M. Miller Esq., of Shahzadapore, to Georgiana, Daughter, of J. Mueyck Esq.,

6 Moonghyr by special license, by the Revd. W. Moore, William Moffat Gray, Esq., of N. thpore, Indigo Planter and Zemindar, to Maria, relict of the late Mr. M. B. Morrison.

— Bombay, at Christ's Church, Byculla, by the Venerable the Archdeacon, Frederick Stainforth, Esq., of the Bengal Civil Service, to Catherine, 2d Daughter of John Awdry, Esq., of Notton, Wilts.

14 At the Cathedral, by the Revd. H. Fisher, Mr. William Jones, to Mrs. Maria Chiens.

15 By the Revd. James Charles, Mr. J. Curnin, to Mary (only) daughter of Mr. S. Clarke.

— By the Revd. T. Robertson, Lieut. Joseph Charles Sage, to Miss Marian Ellison Methold, eldest daughter of Captain Henry Methold.

16 Mark Jones, Esq., Civil Engineer, to Mrs. Eliza Augustus Noyes.

17 Gorruckpore, by the Revd. W. Wilkinson J. McCullum Esq., to Miss Porter.

Europe.—At Park Lodge, Stirling, on 19th October, by the Rev. Mr. Cupples, Archibald Sconce, Esq., B. C. S., to Caroline, youngest daughter of the late Nathan Ather-ton, Esq., Calne, Wiltshire.

Also at the same time, Henry Atherton, Esq., B. C. S., to Harriet, third daughter of the late Robt. Sconce, Esq., Writer, Stirling.

DEATHS.

Dec 16 M. S. Shakur, Esq., aged 56 years.

Feb. 12 Near Monghyr, Augusta Cornelia, the infant daughter of Lieutenant and Adjutant J. E. Codd 46th Regiment, aged 1 year and 19 days.

18 Chinsurah, Harriet, the wife of Lieut. W. B. Farrant His Majesty's 9th Regiment.

24 John Alexander, the only child of Mr. and Mr. John Abelle, aged 6 months.

25 Lieut. Richard Long, of the 25th Regt N. I.

26 Suk-Sangor, Mr. Arnaud Henry, Quana, aged 33 years.

27 Mr. George Graham, Tide-walker, aged 34 years.

— Jubbulpore, the infant Son of Mr. and Mrs Russell, aged 3 months and 6 days.

Mar. 1 Miss Mary Bradley, aged 10 years and 4 months.

2 Master John Herbert Bennett aged 6 months.

— Mrs. Henry Healy, aged 23 years, 3 months and 14 days

3 Miss Emma Toris, aged 15 years, 5 months and 15 days

4 Mr. George Barlow.

6 William Edward, the only child of Mr. Edward Bowen, H. C. Marine, aged 1 year, 2 months and 13 days.

7 Mrs. Charlotte Smart, the wife of Mr. J. B. Smart, H. C. Marine, aged 26 years, 8 months and 8 days.

— Near Hammecorpore, Dr. Fender, Assistant Surgeon, 53d Native Infantry, aged 39 years.

— Mr. C. Turner, aged 25 years.

8 Mr. Samuel Rose, aged 30 years.

9 Richard Thomas Kiernan, Esq., B. A., Trinity College, Dublin, aged 28 years

— Dacca, Mr. Francis J. D. M. Sinace, aged 19 years,

— Sabathoo, Major-General Sir John Withington Adams, K. C. B., Colonel of the 16th Regiment Bengal Native Infantry, aged 74 years.

11 months and 5 days.

12 Dacca, Mr. Auguste Comte De Framond.

13 Mr. Henry C. Urag, aged 21 years and 9 months.

14 Mrs. Catherine Haynes, aged 62 years and 6 months.

15 On the march from Rewah towards Mirzapore, at Low, the beloved wife of Captain E. Hawkins, Bengal Army.

16 Mr. Jas. Blechynden, aged 39 years.

17 Miss Eleanor, Cynthia Fleming, aged 6 months and 6 days.

— The wife of Mr. Thomas Lowder, Engineer of the Steamer *Forbes*, aged 25 years, 10 months and 27 days.

22 Georgiana, infant Daughter of the late Mr. John Harris, aged 10 months and 22 days.

23 Revd. Ter Marcar Ter Carapiet, Vicar of the Armenian Church, aged 60 years.

28 Master Arratoon Joseph Camell, the only Son of Mr. Joseph A. Camell, aged 9 years and 16 months.

29 Delhi, Ensign Henry Ralfe, of the 39th Regt. N. I.

ADMINISTRATIONS TO ESTATES.

ESTATE OR

EXECUTORS, ADMINISTRATORS, &c.

Baldwin, William John, Mr., Indigo Planter.....

Elizabeth, Grace, Mrs.....

Hamilton, Henry, Mr., formerly Surveyor-General's Office.....

Manro, Walter Ross, Esq. Member Medical Board.....

Norton, Frances, Mrs. Chandernagore.....

Sago, Elizabeth, Mrs.....

Poulson, Jonathan, Mr., Indigo Planter.....

Registrar Supreme Court.

Registrar Supreme Court.

Registrar Supreme Court.

Registrar Supreme Court.

GENERAL REGISTER.

CIVIL APPOINTMENTS, &c.

ORDERS BY THE HON'BLE THE GOVERNOR OF BENGAL,

GENERAL DEPARTMENT, 29TH MARCH, 1837.

The Right Hon'ble the Governor of Bengal is pleased to grant the Hon'ble F. J. Shore, a Civil Servant of the Bengal Presidency, employed under the Lieutenant Governor in the North Western Provinces, leave of absence for ten months to proceed to Sea, on Medical Certificate.

5TH APRIL, 1837.

Mr. Joshua Carter, having been permitted to resign the Hon'ble Company's Civil Service, and to retire upon an annuity of the year 1836 37, embarked on board the Ship "*Larkins*," which Vessel was left by the Pilot at Sea on the 28th ultimo.

Mr. George Tod resigned the Hon'ble Company's Civil Service on the 31st ultimo.

Messrs. Henry Lushington and Robert James Loughman, of the Civil Service, embarked for England on board the Ship "*Larkins*," which Vessel was left by the Pilot at Sea on the 28th ultimo.

Mr. Assistant Surgeon John Jackson is appointed to the Office of Opium Examiner and 1st Assistant to the Opium Agent at Benares, from the 20th ultimo.

The Right Hon'ble the Governor of Bengal has sanctioned the appointment of Mr. Kemmi to be Deputy Post Master at Raepore.

15TH APRIL, 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for April, instant, will be discharged by the Sub Treasurer and Marine Paymaster respectively, on or after Monday, the 15th Proximo.

19TH APRIL, 1837

Notice is hereby given, that the Right Hon'ble the Governor of Bengal, acting under the authority conferred on him by sec. VI. of Act No. XIV. of 1836, has prescribed and fixed in modification of the Notice of this Department issued on the 30th May, 1836, that during the South West Monsoon the commencement and close of which will be notified by the Board of Customs at Calcutta, Diamond Harbour shall be the station on the River Hoogly where inward bound Ships are required to deliver their Manifests for transmission to the Collector of Customs at Calcutta. The Station of Hedgepore will continue as fixed by the Notice of 30th May last, to be the Station for the remainder of the year.

PORT WILLIAM, FINANCIAL DEPARTMENT, 15TH JUNE, 1836.

Notice is hereby given, that under Instructions just received from the Honourable Court of Directors, the following Terms and Conditions for making Advances upon the Goods and Merchandise of Individuals intended for Consignment to England repayable to the Court of Directors of the East India Company, have been substituted for those contained in the Advertisement of this Department, dated the 27th October 1834.

1st.—The parties to whom Advances may be made shall agree that the respective Consignments be delivered into such Warehouses as the Court of Directors may approve, and that they be subject to the Control of the Court of Directors until the lien of the Company upon the Consignment shall have been satisfied.

2d.—Upon each consignment, the value of which is to be ascertained by the Officers of the Indian Governments, or Authorized Agents of the East India Company, an Advance not exceeding two-thirds of such ascertained value will be made.

3d.—For re-payment of the Advance, Bills of Exchange to be drawn in triplicate, at six months sight, at the rate of—

a. d.	Per Company's Rupee for Advances made
at.....	Bengal.
Ditto.....	Ditto..... Madras.
Ditto.....	Ditto..... Bombay.
For Spanish Dollar, Ditto.....	China.

4th.—The Parties will be required to place in the hands of the Board of Customs, Salt and Opium, Bills of Lading of the

Consignment and Policies of Insurance effected thereon, both in triplicate. Bills of Lading must be drawn deliverable to the East India Company, or endorsed to the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, and the Parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this Country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the Goods, for the purpose of re-paying the Company the amount of the Advances made thereon, including Freight and any other charges or expenses which the Company may have incurred on account of the Consignment, together with interest, should any have accrued; the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the Consignor; and if in India or China by the Government or Agents from whom he received the Advance, at the rate of exchange at which the Company may at the time be drawing Bills upon such Government or Agents

6th.—An Agent in England shall be appointed for each Consignment, to whom the Court of Directors shall be empowered to make over the Goods, subject to all the conditions agreed upon with the Company, on payment of the Bills; and with whom they shall be authorized to transact generally all business relating to such Goods. The Consignor shall be at liberty to make provision, in case of the Party upon whom the Bill is drawn, (being also the Agent) having failed to accept the Bill, for the substitution of another Agent.

7th.—After the arrival of the Goods in England and when they shall have been placed in such deposit as may have been agreed upon, the Agent may be put into possession of them before the Bills become due, upon the amount of such Bills (less discount) being paid, together with the Freight and any other charges and expenses which the Company have paid or may be subject to on account of the Goods.

8th.—The rate of Discount to be allowed by the Company shall be the same as that charged by the Bank of England.

9th.—It is expected that Parties or their Agents will cause the Goods to be insured from fire, such Insurance to take effect from the date of the termination of the Sea risk; as the East India Company will not undertake to effect any Insurance upon them.

10th.—Parties receiving Advances, to address in each instance a Letter in quadruplicate to the Court of Directors, amounting to a form which will be furnished by the Officers of Government (or authorized Agents of the East India Company), signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the Goods by the Company (without either notice to or concurrence of any person whomsoever) at any period after default shall be made either in acceptance or payment of the Bills; also authorizing, in such cases the re-paying to the Company the Advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the Goods, and appointing the Agent in England for each transaction.

• 10TH APRIL, 1837.

Notice is hereby given, that the Board of Customs, Salt and Opium at Calcutta, have been authorized to accept tenders for advances to be made upon Bills drawn on London and secured in the manner described and provided in the Advertisement of this Department, dated the 15th June 1836, at the rate of exchange of (2s 2d) two shillings and two pence for the Company's Rupee. Orders for the amount advanced will be issued by the Board payable at the General Treasury at Calcutta, twenty days after sight.

PORT WILLIAM, MILITARY DEPARTMENT, 17TH APRIL, 1837.

Notice is hereby given, that the Pay, Batta, and other allowances for April 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Wednesday, the 10th proximo.

POLITICAL DEPARTMENT, 10TH APRIL, 1837.

Mr. Assistant Surgeon J Bruce, of the 28th Regt. N. I., is appointed to the Medical charge of the Residency at Indoor, vice Mr. Assistant Surgeon H. Maclean, whose appointment to that situation has been cancelled at his own request.

GENERAL REGISTER.

17TH APRIL, 1837.

The Right Honourable the Governor General of India in Council has been pleased to confer the Titles of Maharajah and Bahadour upon Bahoo Chutterdasee Sahoe of Patna

PORT WILHELM LEGISLATIVE DEPARTMENT, 17TH APRIL, 1837.

The following Draft of a proposed Act was read in Council for the first time on the 17th April, 1837:

ACT No. — of 1837.

It is hereby enacted that whenever any Foreign State in Asia or Africa shall permit within the Dominions of such State, the importation or exportation of Goods in British Vessels on the same terms on which it permits the importation or exportation of Goods in Vessels belonging to the subjects of such Foreign State, it shall be lawful for the Governor General of India in Council, by an order in Council, to direct that Goods may be imported into the Territories of the East India Company or exported thence in vessels belonging to the subjects of such Foreign State, on the same terms on which such Goods are imported into the said Territories or exported thence on British Vessels.

Ordered, that the Draft now read be published for General information.

Ordered, that the said Draft be re-considered at the first meeting of the Legislative Council of India after the 6th day of June next.

The Right Hon'ble the Governor General in Council is pleased to direct that the following Dispatch from the Hon'ble the Court of Directors No. 3, dated the 1st of February 1837, be published for general information.

1. "We now reply to paras. 78 and 79 of your letter dated 24th August 1835, No. 2, in which you request our early decision on a proposed law for enabling Europeans to acquire and hold lands in perpetuity or otherwise in the same manner in which they are now held by the Natives of India."

2. "Referring to the provisions of the Act of the 3d and 4th William 4th, Cap. 85, Sec. 86, and concurring in the opinion so generally expressed by the Public Boards and Officers in the Documents which you have sent us, that it is desirable to encourage Europeans to hold lands in India, we approve of the law which you have proposed with the substitution of the words of the Act of Gul. 4, Cap. 85 'Subjects of His Majesty' for those of 'Persons of whatever nation,' not doubting that you will take care under the imperative authority of the 86th Clause of that Act to make such provision as may be required for the adequate protection of the Natives of India."

3. "In reference to the holding of lands by Aliens, on which subject your Government has addressed us in a letter dated the 1st August last, we intend to reply to you in a separate dispatch."

Resolution—To meet the views of the Hon'ble the Court of Directors as expressed in the above Dispatch, His Lordship in Council has been pleased to resolve that the Draft of the Act, published originally under date the 25th of May 1835, in the *Calcutta Gazette* of the 3d day of June following, shall at once be passed into a law with the substitution directed.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 17th April 1837, is accordingly promulgated for general information.

ACT No. IV. of 1837.

I. It is hereby enacted, that after the 1st day of May next, it shall be lawful for any subject of His Majesty to acquire and hold in perpetuity or for any term of years property in land or in any emoluments issuing out of land in any part of the territories of the East India Company.

II. And it is hereby enacted that all rules which prescribe the manner in which such property as is aforesaid may now be acquired and held by Natives of the said Territories, shall extend to all persons who shall under the authority of this Act, acquire or hold such property.

JUDICIAL AND REVENUE DEPARTMENT, 29TH MARCH, 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments:

Mr. E. E. H. Repton to be Special Deputy Collector for the investigation of Titles to hold Land free from the payment of Revenue throughout the Province of Cuttack.

Mr. R. Houston to be Joint Magistrate and Deputy Collector of the 31. Pergunnahs.

Mr. J. G. Campbell to be Joint Magistrate and Deputy Collector of Tihoot.

Mr. G. Loch has been authorized to exercise the powers of a Joint Magistrate and Deputy Collector in Zillah Sylhet.

Mr. J. A. Pontet to be Deputy Collector in the District of Shaughipore, under the Provisions of Regulation IX. of 1833.

Baboo Chunder Seker Deo to be Deputy Collector in Zillah Chittagong, under the Provisions of Regulation IX. of 1833.

Syud Ahmed Bukah to Officiate as Principal Sudder Ameen of Nuddea, during the absence of Syud Izzut Ali.

The following Officers have obtained leave of absence from their stations:

Mr. J. F. Cathcart, Civil and Session Judge of Jessore, during the ensuing Mohurrum Vacation, from the 7th to the 21st proximo, on private affairs.

Mr. R. B. W. Ramany, Assistant under the Commissioner of Revenue and Circuit of the 12th or Bhagulpore Division, for six weeks, beyond the period granted to him by the Orders of the 21st instant, on Medical Certificate.

Baboo Hurrenchurn Ghose, Principal Sudder Ameen, and Baboo Hyeenath Sen, Sudder Ameen of Jessore, during the ensuing Mohurrum Vacation.

Moulavee Mohammad Khorsheid, Sudder Ameen of Mourahadabad, during the ensuing Mohurrum Vacation.

Moulavee Syud Izzut Ali Principal Sudder Ameen of Nuddea, for three months, on Medical Certificate.

30 APRIL, 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointment:

Mr. H. P. Russell to officiate as First Additional Judge of Burdwan, during the absence of Mr. R. Macan.

The following Officers have obtained leave of absence from their stations.

Mr. G. W. Battrey, Joint Magistrate and Deputy Collector of Madras, for one month, on Medical Certificate — Mr. E. Laetour will conduct the duties of the above Officers, until further orders.

4TH APRIL, 1837.

Mr. C. G. Udny, Officiating Civil and Session Judge of Suvaun, for ten days, in addition to the time allowed to join his Station.

Tenant B. W. Goldie has been relieved, on Medical Certificate, from the Special Surveying duty on which he was deputed to Zillah Backergunge, and is permitted to remain at the Presidency till the 25th instant, to prepare his plans.

Mr. T. Hugon, Sub-Assistant to the Commissioner of Assam, to remain at Goalahaty for a fortnight, from the 20th ultimo, on Medical Certificate.

Mr. C. Mackay, Sudder Ameen of Dinagopore, during the ensuing Mohurrum Vacation, on private affairs.

Baboo Chunder Shikar Chowdry, Sudder Ameen of the 2. Pergunnahs for one week, after the expiration of the ensuing Mohurrum Vacation.

Roy Radhagovind Baboo, Sudder Ameen of Hoogly, for two weeks, from the 25th February, last on Medical Certificate.

11TH APRIL, 1837.

The Right Honourable the Governor of Bengal has been pleased, under the Provisions of Act VII. of 1835, to transfer from the Commissioner of Circuit of the 13th Division, to the Session Judge of Rungpore, the whole of the duties connected with Criminal Justice, appertaining to the Joint Magistracy of Bogra.

This Order supersedes that assigning Bogra to Rejshahy, which appeared in the *Gazette* of the 18th February last.

The Right Honourable the Governor of Bengal has been pleased under the Provisions of Act VII. of 1835, to transfer from the Commissioner of Circuit of the 16th Division, to the Session Judges of the undermentioned Districts, the whole of the duties connected with Criminal Justice, appertaining to those Zillahs, viz.

Tipperrah, including Bulloa and Chittagong, 16th Division.

GENERAL REGISTER.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. H. Stainforth to officiate as Civil and Session Judge of Sylhet, retaining charge of his present appointment, until further orders.

Mahomed Farook Khan Bahadur to be Deputy Collector in Zillah Cuttack, under the provision of Regulation IX. of 1833 to take effect from the 28th of February last.

The following Officer has obtained leave of absence from his Station :

Mr. Wigram Money, a Temporary Judge of the Courts of Sudder Dewany and Nizamut Adawlut, to proceed to Singapore, on Medical Certificate, for six months, to commence from the date of the sailing of the Vessel on which he may take his passage. e

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments :

Mr. Henry Torrens to Officiate, until further Orders, as Collector of Rungpoor.

18TH APRIL, 1837.

Mr. W. J. Allen has been authorized to exercise the powers of a Joint Magistrate within the limits of the Bulda Khai Estate, in Zillahs Dacca and Mymensing.

Syud Imdad Ullee to Officiate as Additional Principal Sudder Ameen in Patna, until further Orders.

Mr. H. P. Payne to be Deputy Collector in the Southern Division of Cuttack, under the Provisions of Regulation IX. of 1833.

Bahoo Oogurnarain Singh Roy Behadur to be Deputy Collector in Zillah Behar, under the Provisions of Regulation IX. of 1833.

Bahoo Chunder Sein to be Sudder Ameen in Zillah Durrung in Assam.

The following Officers have obtained leave of absence from their Stations :

Mr. J. P. Cathcart, Civil and Session Judge of Jessore, for nine days, from the 21st ultimo, in extension of the leave granted to him on the 28th ultimo.

Bahoo Hurrynarain Ghose, Principal Sudder Ameen of Jessore, for ten days, in extension of the leave granted to him by the Orders of the 28th ultimo, during the Mohurrum Vacation.

Syud Munower Alee, Principal Sudder Ameen in Shahabad, for ten days, from the 11th to the 21st current, during the Mohurrum Vacation.

The Right Honorable the Governor of Bengal has this day been pleased to extend the Provisions of Regulation XII. of 1833, regarding the selection, appointment and remuneration of Authorized Pleaders, to the Districts mentioned below, viz.

Beerbhoom, Behar, Bhagulpore, Burdwan, Cuttack, Dinagore, Hooghly, Moorshedabad, Nuddea, Patna, Rajeshahye, Rungpoor, Saran, Shahabad, Sylhet, Tipperah, and Tirhoot.

PORT WILLIAM, ECCLIESIASTICAL DEPARTMENT, 1ST APRIL, 1837.

The Right Hon'ble the Governor of Bengal is pleased to permit the Revd J. Bell, District Chaplain at Mhow, to proceed to the Straights of Malacca for six months, for the benefit of his health.

5TH APRIL, 1837.

The Right Hon'ble the Governor of Bengal is pleased to appoint the Revd. A. Hammond, District Chaplain of Patna, from the date of the Reverend Mr. White's removal, viz the 15th February last.

Mr. Hammond will continue to do duty of the Old Church vice the Revd. R. B. Boyes, until further orders.

GENERAL DEPARTMENT, AGRA, 25TH MARCH, 1837.

Mr. Charles Macswain, of the Civil Service, embarked for the Cape of Good Hope on board the ship "*Broxborough*," which Vessel was left by the Pilot at Sea on the 19th ultimo.

27TH MARCH, 1837.

Major P. L. Pew, of the Artillery, to Officiate as Deputy Post Master at Dehlee.

3D APRIL, 1837.

In pursuance of the Orders of the Hon'ble the Lieutenant Governor of the 25th February last, Mr. E. H. Scott has this day received charge of the office of Secretary to the Lieutenant Governor in the Political and General Department from Mr. C. G. Mansel.

12TH APRIL, 1837.

Captain E. S. Hawkins, of the 38th Regiment of Infantry, is placed at the disposal of His Excellency the Commander-in-Chief.

JUDICIAL AND REVENUE DEPARTMENT, AGRA, 16TH MARCH, 1837.

The unexpired portion of the extension of leave of absence for two months granted to Mr. G. W. Bacon, Civil and Sessions Judge of Saharanpore, on the 31st January last, is cancelled from the 9th instant, on which date he resumed charge of his Office.

20TH MARCH, 1837.

Mr. A. P. Currie, while Magistrate and Collector of Humeerpore, obtained leave of absence for three months, on Medical Certificate, to commence from the 7th instant, the date on which Mr. Rowing received charge of the Offices of Magistrate and Collector from Mr. Currie.

Mr. H. W. Drane, Magistrate and Collector of Banda, has obtained leave of absence for twelve months, to proceed to the Hills, on Medical Certificate.

Lieutenant H. M. Lawrence, Revenue Surveyor, Eastern Division, Goruckpore, has obtained leave of absence for seven months, on Medical Certificate, Ensign S. A. Abbott is authorized to conduct the duties of the Survey, till the return of Lieutenant Lawrence.

Mr. G. H. Smith, Collector of Customs, North Western Frontier, Delhi, has obtained leave of absence for six months, on Medical Certificate. Mr. E. Wilnot, Deputy Collector of Customs at Horul, is appointed to officiate in the room of Mr. Smith until further orders.

23RD MARCH, 1837.

Mr. R. Alexander to exercise the powers of Joint Magistrate and Deputy collector at Mozuffnuggur.

27TH MARCH, 1837.

Mohammad Uleem Oodsen Khan to be Principal Sudder Ameen at Etawah and Mooftee of the Civil and Criminal Courts in that District.

Moultee Mohammad Uleem Nukkee Zawur to be Principal Sudder Ameen at Azimgahr and Mooftee of the Civil and Criminal Courts in that District.

Mooftee Gholam Mohammad to be Principal Sudder Ameen of Bundelcund and Mooftee of the Civil and Criminal Courts in that District.

29TH MARCH, 1837.

Mr. P. C. Trench to officiate as Magistrate and Collector of Dehly.

Mr. T. K. Loyd to officiate as Joint Magistrate and Deputy Collector of Mirzapore.

Mr. W. S. Donalithorne to officiate as Magistrate and Collector of Banda.

Mr. S. J. Becher to officiate as Joint Magistrate and Deputy Collector of Futtehpore.

1ST APRIL, 1837

In pursuance to the Order in the General Department, dated the 2nd ultimo, Mr. J. Thomsen has this day received charge from Mr. C. G. Mansel, of the office of the Secretary to the Lieutenant Governor of the North Western Provinces in this Department.

ECCLIESIASTICAL, AGRA, 25TH MARCH, 1837.

The Reverend Robert Everest, Chaplain at Dehlee, is permitted to visit the Hills North of Deyrah, for the benefit of his health, and to be absent on that account for a period of eight months, commencing from the 1st instant.

The Reverend C. Rawlins, A. B., to be Chaplain at Ghaseepore, vice the Revd W. O. Ruspini, A. M., transferred to the Garrison Church of Fort William.

GENERAL REGISTER.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 3d April, 1837.

No. 70 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointments:

Ensign Theodore George Leth, of the 64th Regiment Native Infantry, to do duty with the Arracan Local Battalion.

Assistant Surgeon John McClelland, to the Medical charge of the Lower Orphan School, in the room of Assistant Surgeon C. C. Egerton resigned.

The undermentioned Officer is promoted to the rank of Captain, by Brevet, from the date expressed opposite to his name:

38th Regiment Native Infantry.—Lieutenant William John Baptist Kuyett, 28th March, 1837.

Conductor William Mumford, of the Ordnance Commissariat Department, having been declared incapable of performing the active duties of his profession, is transferred to the Invalid Pension Establishment.

Ahmed Aliex, a Student of the late Medical Institution, is admitted to the Service as a Native Doctor, and placed at the disposal of His Excellency the Commander in Chief.

Fort William, 5th April, 1837.

No. 72 of 1837.—The Governor General of India in Council is pleased to publish for general information, the following Extract, Paragraphs 6 and 7, of a Letter from the Hon'ble the Court of Directors, dated the 29th December last, and to fix the 1st of May, proximo, as the date from which the Orders therein conveyed, are to have simultaneous effect at the Three Presidencies:

Para. 6. "We are of opinion that one uniform principle ought to regulate the grant of Field Allowances at all the Presidencies."

7. "We have therefore resolved, that the European Commissioned Officers at all the Presidencies shall receive Full Batta when posted at any Station exceeding Two Hundred Miles of direct distance from the Seats of their respective Governments, and Half Batta (when in Garrison or Cantonment) within that distance."

2. The only Cantonments occupied by Bengal Troops at which the Allowances of Officers will be affected by the rule now laid down, are Dinapore, where Full Batta Bill in future be granted; and Midnapore, Dacca, Baccorah and Jamanipore, which will become Half Batta Stations.

3. The Officers at Dinapore will be allowed the benefit of the new arrangement from the 1st proximo; but Midnapore, Dacca, Baccorah and Jamanipore are not to be considered Half Batta Stations, until the Corps now occupying those Posts, shall have been relieved.

Fort William, 10th April, 1837.

No. 73 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Appointment to complete the Department of the Quarters Master General of the Army.

Captain William Garden, 1st Assistant, to be Deputy Quarter Master General of the Army, with the Official Rank of Major, vice Barton appointed Town and Fort Major of Fort William.

Captain Robert Becher, Second Assistant, to be First Assistant Quarter Master General, vice Garden.

Captain John Allan Drummond, Deputy Assistant of the first class, to be Second Assistant Quarter Master General vice Becher.

Captain Henry Walter Bellaw, Deputy Assistant Second Class, to be Deputy Assistant Quarter Master General of the First Class vice Drummond.

Captain Robert Codrington, Officiating Deputy Assistant, to be a Deputy Assistant Quarter Master General of the Second Class vice Bellaw.

Lieutenant Robert Henry Meckler, of the 44th Regiment Native Infantry, is permitted to proceed to Europe, on Furlough, via Bombay, on Medical Certificate; the Furlough commencing from the 26th February last, the date on which he quitted the Frontier Station of Bengal, in anticipation of his application being complied with.

The leave of absence granted in General Orders No. 342, of the 19th December last, to Captain Richard Woodward of the 3d Regiment Native Infantry, Sub-Assistant Commissary General, to visit the Hills North of Dryrah, on Medical Certificate etc, to be commuted to leave to visit Simlah on the same account.

Lieutenant David Ogilvy, of the 18th Regiment Native Infantry is permitted to proceed to Van Dieman's Land, on Medical Certificate, and to be absent from Bengal on that account for two years.

Assistant Apothecary James Christie, of the Subordinate Medical Department, is permitted, at his own request, to resign the Service.

No 74 of 1837.—With reference to the 8th Clause of General Orders No. 170, of the 12th September, 1837, the Governor General of India in Council directs, that, when the Commanding Officer of the Station is an interested party, the next Senior Officer shall be nominated one of the Committee of Arbitration in his stead.

Fort William, 12th April, 1837.

No 76 of 1837.—The Governor General of India in Council is pleased to make the following Promotion in the Army Commissariat and Stud Departments.

Captain W. Burlton, Deputy Commissary General, to be Commissary General, vice Lieutenant Colonel W. S. Beaton proceeded to Europe on Furlough.

Major J. D. Parsons, Assistant Commissary General of the 1st Class, and Supervisor of the Hissar Stud, to the Deputy Commissary General, vice Captain W. Burlton.

Captain J. Satchwell, Assistant Commissary General of the 2d Class, to be an Assistant of the 1st Class, vice Lieutenant Colonel Taylor, who vacates his appointment on promotion to that grade.

Captain W. J. Thompson, Assistant Commissary General of the 2d Class, to be an Assistant of the 1st Class, vice Major Parsons.

Captain F. T. Boyd, Deputy Assistant Commissary General of the 1st Class, to be an Assistant of the 2d Class, vice Captain Satchwell.

Captain F. S. Hawkins, Deputy Assistant Commissary General of the 1st Class, to be an Assistant of the 2d Class, vice Captain Thompson.

Captain A. Watt, Deputy Assistant Commissary General of the 2d Class, to be Deputy Assistant of the 1st Class, vice Captain Boyd.

Lieutenant J. Ramsay, Deputy Assistant Commissary General of the 3d Class, to be Deputy Assistant of the 1st Class, vice Captain Hawkins.

Captain R. Woodward, Sub-Assistant, to be Deputy Assistant Commissary General of the 3d Class, vice Captain Watt.

Lieutenant W. Swatman, Sub-Assistant to be Deputy Assistant Commissary General of the 2d Class, vice Lieutenant Ramsay.

Captain J. Hailes, 2d Assistant of the Central Stud, to be Supervisor of the Hissar Stud, vice Major J. D. Parsons.

Captain C. T. Thomas, Sub-Assistant in the Stud Department, to be 2d Assistant, vice Captain Hailes.

Fort William, 17th April, 1837.

No. 77 of 1837.—The Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

Regiment of Artillery.—Lieutenant Colonel and Brevet Colonel James Fullarton Dundas to be Colonel, from the 16th of January 1837, vice Colonel James Dodington Sherwood deceased.

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Major Isaac Pereira to be Lieutenant Colonel, vice Lieutenant Colonel and Brevet Colonel James Farrington Dundas promoted: Captain George Brooke to be Major, vice Major Isaac Pereira promoted: 1st Lieutenant and Brevet Captain Henry Clerk to be Captain, vice Captain George Brooke promoted and 2d Lieutenant Edward William Smyth Bout to be 1st Lieutenant, vice 1st Lieutenant and Brevet Captain Henry Clerk promoted, with rank from the 27th of January 1837, in succession to Lieutenant Colonel John R. Aber retired.

Supernumerary 2d Lieutenant Nathaniel Alexander Staples is brought on the effective strength of the Regiment.

67th Regiment N. I.—Lieutenant Henry Cotton to be Captain of a Company, and Ensign Charles Elliot Good to be Lieutenant from the 30th March 1837, in succession to Captain George Little deceased.

ALTERATION OF RANK

Regiment of Artillery.—Lieutenant Colonel J. Tennant, to Rank from 18th January 1837, vice J. F. Dundas promoted: Major J. F. Farrington, ditto, ditto, J. Tennant promoted: Captain E. C. T. B. Hughes, ditto, ditto, J. J. Farrington promoted: and 1st Lieutenant E. G. Austin, ditto, ditto, E. C. T. B. Hughes promoted.

Ensign Edward Samuel Capel, of the 53d Regiment Infantry, is permitted to proceed to Ceylon, on his private affairs, and to be absent from Bengal on that account for four months.

The permission granted by the Bombay Government to Colonel William Clinton Ruddle, C. B., of the 74th Regiment Bengal Native Infantry, to proceed thence to the Cape of Good Hope, on Medical Certificate, for two years, is confirmed by the Government of India.

No. 78 of 1837.—The following paragraphs of a Military Letter, No. 5, from the Hon'ble the Court of Directors to the Governor of the Presidency of Fort William in Bengal, under date the 18th January 1837, are published for general information:—

"Para 1. We have permitted the undermentioned Officers to retire to their duty; viz.

Brevet Captain W. F. Benson, overland, in March next.

Lieutenant Nathaniel S. Nesbitt, overland.

These Officers have been apprized, that their Indian allowances will not commence until they shall have reached the Presidency, or joined the Corps to which they belong.

2. We have granted additional leave to the following Officers, viz.

Brevet Colonel George Hunter, C. B., Ensign Charles G. Landon, and Assistant Surgeon H. H. Spry M. D. for six months.

3. We have accepted the resignation of Captain John Dixon Dyke. This vacancy has effect from the 18th of June 1835.

4. We have permitted Lieut. Thomas Edwards to retire from the service. This vacancy has effect from the 10th March 1836."

No. 79 of 1837.—The Pay, Batta, and other Allowances for April 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Wednesday the 10th proximo.

No. 80 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Temporary Appointments in the Medical Department:

Surgeon John Swiney, M. D., 2nd Member, to Officiate as 1st Member of the Medical Board, vice Langstaff proceeded to New South Wales.

Surgeon John Sowers, 3rd Member, to Officiate as 2nd Member of the Medical Board, vice Swiney.

Superintending Surgeon Thomas Smith to Officiate as 3rd Member of the Medical Board, vice Sowers.

Surgeon James Nellis, M. D., to Officiate as a Superintending Surgeon, vice Smith.

No. 81 of 1837.—The following Warrant, and Extract of a Warrant, regulating the Pay of Pay Masters, in His Majesty's Service, received from the Hon'ble the Court of Directors, are published for general information:

"Whereas we have deemed it expedient to improve the advantages of Paymasters of Regiments, and of Recruiting Districts, —Our Will and Pleasure is, that the Pay of the said Officers shall be respectively as follows, viz.

Twelve Shillings and Six Pence a day, on first appointment to this Commission.

Fifteen Shillings a day, after the completion of five years' service on Full Pay in that Rank.

Seventeen Shillings and Six Pence a day, after the completion of fifteen years' service on Full Pay in that Rank.

Twenty Shillings a day, after the completion of twenty years' service on Full Pay in that Rank, or after the completion of twenty-five years' service on Full Pay as Commissioned Officers, not less than fifteen years of which shall have been as Regimental or District Pay Master.

Twenty two Shillings and Six Pence a day, after the completion of twenty five years' service on Full Pay in that Rank, or after the completion of thirty years' service on Full Pay as Commissioned Officers, not less than fifteen years of which shall have been as Regimental or District Paymaster.

Provided nevertheless, that all Paymasters already appointed, may now be in receipt of higher pay than Twelve Shillings and Six Pence a day, shall not, though of less than 5 years' service in that Rank, be reduced to the said rate, in consequence of the new Regulations of this Warrant.

And provided also, that Our Secretary at War shall be satisfied with the manner in which any Paymaster who shall be recommended to Us for any higher rate of Pay than that of Twelve Shillings and Six Pence a day, has performed his duties.

Given at Our Court at Brighton, this 24th day of December 1835, in the sixth year of Our Reign.

By His Majesty's Command,

(Signed) HOWICK"

Extract of a Warrant, dated 24th December, 1835.

"An Officer on Half-Pay who may have served less than 5 years as Paymaster, will be eligible for re-employment on Full Pay, either in that situation, or in his former rank; and if removed to full pay as paymaster, his previous service will be allowed to reckon."

No. 82 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointment:

Lieutenant George Bard Reddie, of the 90th Regiment Native Infantry, to be a Sub-Assistant Commissary General, vice Captain R. Woodward promoted.

The undermentioned Appointment was made in the Political Department, under the date specified.

Political Department, 10th April 1837.—Assistant Surgeon James Bruce, of the 28th Regiment Native Infantry, to the Medical charge of the Residency at Indoor, vice Assistant Surgeon H. Maclean, whose appointment to that situation has been cancelled at his own request.

Lieutenant Henry Montgomery Lawrence, of Artillery, Revenue Surveyor Eastern Division, Goruckpore, has obtained from the Hon'ble the Lieutenant Governor North Western Provinces, under date the 20th ultimo, leave of absence for seven months, on Medical Certificate.

Fort William; 10th April, 1837.

No. 75 of 1837.—The following paragraphs of a Military Letter No. 12, from the Hon'ble the Court of Directors to the Governor General of India in Council, under date the 19th October 1836, and His Majesty's Warrant there in referred to, are published for general information.

MILITARY DEPARTMENT.

No. 12 of 1836.

To Our Governor General of India in Council,

Para. 1. We have received from the Secretary at War a copy of His Majesty's Warrant "regulating a system of Rewards by a distinctive mark of merit and by additions to the rates of Pay and of Pension on discharge to be obtained by the well conducted Soldier."

Dated 18th Augt. 1836. 2. We forward a copy of this Warrant, and we desire that you will take immediate measures for bringing it into operation in His Majesty's Forces serving in India.

3. We also desire that such of its provisions as may be applicable to the European Soldiers of our Service; viz. those

GENERAL REGISTER.

specified in Clauses 1, 2, 3, 12, 13, 14, and 15, may be introduced without delay into our Service.

4. We shall give directions that all Soldiers hereafter to be enlisted into our Service whether for the Artillery or the Infantry, shall from the 1st of November 1836, be enlisted on the terms specified in the above named Warrant, and all Soldiers who in our Service who may be willing to relinquish the additional pay to which they are entitled by length of service, shall likewise be allowed the benefit of the above named Regulation.

We are, &c.

London the 9th October, 1836.

WILLIAM R.

Whereas it has been represented to Us, that it would materially tend to the encouragement of good conduct in the Army, if a reward, to be attained only by well conducted Soldiers, were substituted for the additional pay now granted to Soldiers who have completed certain periods of service, Our will and pleasure is, that all Soldiers who shall enlist into our Service on or after the 1st day of September 1836, shall have no claim to additional pay after any period of Service; but that a reward of additional pay for good conduct shall be granted to such Soldiers under the following rules.

1. Soldiers who shall have completed seven years' service shall be entitled to claim 1d. a day, and to wear a ring of lace round the right arm, provided their names shall not be entered in the Regimental Defaulter's Book for at least two years immediately preceding such claim.

2. Soldiers who shall have completed 14 years' service shall be entitled to claim a further reward of 1d. a day, and to wear two rings of lace round the right arm, provided they shall have been uninterrupted in the enjoyment of the 1d. a day for at least two years immediately preceding such further claim.

3. Soldiers who shall have completed 21 years' service shall be entitled to claim a further reward of 1d. a day, and to wear three rings of lace round the right arm, provided they shall have been uninterrupted in the enjoyment of the 2d. a day for two years immediately preceding their claim to the third penny.

4. Soldiers who by their good conduct shall have obtained the distinction of one or more rings shall be entitled to have the full rate of that good conduct pay, of which they shall have been in uninterrupted possession for five years immediately preceding their discharge added to the rate of pension, whether temporary or permanent, to which they may have a right under the provisions of our Warrant of the 7th February 1833.

5. Soldiers who have been in the possession of some one or other of the rates of good conduct pay for five years uninterruptedly, but who have only been in possession of either of the higher rates for some period not less than two years immediately preceding their discharge, shall be entitled, if discharged with two rings, to an addition of 1d. a day, if discharged with three rings, to an addition of 2d. a day, as an augmentation of the pension to which their services will entitle them.

6. Soldiers who shall have been in the uninterrupted possession of good conduct pay for at least three years immediately preceding their discharge for disability, or by reduction, and who shall not have obtained claims to pension, or who shall be entitled only to temporary or conditional pensions shall have their names registered at Chelsea Hospital; and upon their attaining 60 years of age, shall receive, as a reward for their former good conduct, a pension of 1d. a day, if discharged with one ring, and of 2d. a day, if discharged after having been twelve months in possession of two rings; and this reward for former good conduct shall also be extended to Soldiers who may be permitted to obtain leave of absence at their own request, as an indulgence, after certain periods of service, as described in the 10th Article of this Warrant.

7. All Soldiers now in our Service who enlisted since the 1st March 1833, shall have the option of relinquishing all right to the additional pay of 2d. a day to which they are now entitled after the completion of 14 years' Infantry or of 7 years' Cavalry service, and shall then be entitled by their good conduct, to claim the 1d. a day after 7 years' service, and shall be in all respects entitled to all the advantages both of good conduct pay while serving, of pension on discharge, and of deferred pension, which are hereby granted to Soldiers hereafter enlisting.

8. All Soldiers now serving who enlisted on or before the 1st March 1833, shall, by relinquishing their right to additional pay for length of service, be entitled to claim all the advantages of good conduct pay while serving, which are hereby granted, but on the warrants which were in force at the time of their original

enlistment give them a right to higher rates of pension on discharge than those which are to be granted to Men enlisted after the 1st March 1833, they will not be entitled to have their good conduct pay added to their pensions on discharge.

9. In special cases, however, of Men enlisted on or before the 1st March 1833, who by their good conduct have obtained the distinction of one or more rings, and who after short service, may be discharged for disabilities or by reduction either without pension, or without temporary, or conditional, or permanent pensions (not exceeding those granted for similar disabilities) and service under Our Warrant of the 7th February 1833, the good conduct pay, may, by the consent of our Secretary at War, be added to their pensions; and such Men, if not placed upon permanent pensions, may be registered as pensioners, for the deferred pension under the same rules as the Men enlisted after the 1st March 1833.

10. Soldiers who shall have obtained the distinction of one or more rings, and who may be permitted to purchase or to obtain free discharge at their own request shall be allowed free discharges upon the following terms, instead of those prescribed by the Warrant of Our late Royal Brother of the 14th November 1829, and by Our Warrant of the 7th February 1831, but the conditions, limitations and regulations for granting discharges by indulgence laid down in the said Warrants shall in the cases of all other Soldiers remain in full force.

Cavalry. Infantry.

Under 5 years' service.....	230	230
After 5 years' service, and with 2 years absence from the Defaulter's Book.....	35	18
After 7 years with one ring.....	20	15
After 10 „ ditto.....	15	10
After 12 „ ditto.....	10	5
After 14 „ ditto.....	5	Free.
After 16 „ ditto.....	Free with the right of registry for deferred pension of 1d. a day.	
After 16 „ with two rings, having possessed the 2d at least 12 months.....		
	Free, with the right of registry for deferred pension of 1d. a day.	

11. Soldiers enlisted since the 1st March 1833, who are in the enjoyment of two or three rings, and of the good conduct pay, may obtain permanent pension as an indulgence, at the rate fixed in the Warrant of 7th February 1833, two years earlier than other men who have not earned this distinction, and may further receive the same amount of good conduct pay which would have been added to their ordinary pension under the rules laid down in the Warrant, if they had been discharged as unfit for further service or by reduction.

12. As it is Our will and pleasure that this reward shall be strictly an honourable distinction, to be conferred only upon the well conducted Soldier, the Commanding Officers of Regiments are specially enjoined to enter in the Regimental Defaulter's Book the name of every Soldier, who in consequence of any misconduct whatever shall have been confined in the guard house, or subjected to any punishment, and the commission of every offence; which shall impose upon the Commanding Officer the necessity of recording the Soldier's name in the Regimental Defaulter's Book, shall render the man ineligible for this reward for two years from that date, and if he be already in possession of this distinction shall deprive him of his ring and good conduct pay for one year; and a second recorded offence within twelve months shall render two years of uninterrupted good conduct necessary to obtain a restoration of such reward.

13. The Soldier having two or three rings shall in like manner for the first and second recorded offences forfeit one ring, and the good conduct pay allowed with it for one year for each offence; and if a third offence be recorded against him in the Regimental Defaulter's Book within twelve months he shall forfeit all claim in consequence of his previous good conduct, and shall only be entitled to obtain a restoration of his honourable distinctions by subsequently serving with uninterrupted good conduct for two years to obtain one ring, for four years to obtain two rings, and for six years to obtain three rings.

14. Any Soldier who by having been recorded in the Regimental Defaulter's Book shall have been adjudged to have been guilty of an offence by which he is to forfeit the whole or a part of his reward for previous good conduct, shall if he renounces the commission of such offence, have the right of appeal to a Court Martial.

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15. A Soldier may, for a first offence of a serious nature, be adjudged by the sentence of a Court Martial, to forfeit all or any part of the advantages he had derived from his previous good conduct, either absolutely, or for a longer or shorter period, according to the circumstances which shall have appeared in evidence.

16. The distinction and the rewards granted by this Warrant will be extended to Corporals and Drummers both as regards pay and pension; but Sergeants and other Non-Commissioned Officers will not be allowed, while serving any addition to their established pay, but on their discharge they may, for peculiarly good conduct, on the special recommendation of Our General Commanding in Chief and by the consent of Our Secretary at War communicate to the Commissioners of the Chelsea Hospital, be allowed additions of 1d, 2d or 3d a day to their pensions, provided that the aggregate pension shall in no case exceed for a sergeant 1s 10d for a Quarter Master Sergeant 2s 1d, and for Sergeant Major 2s 4d, a day.

Given at Our Court at Windsor this 15th day of August 1836, in the Seventh Year of Our Reign.

By His Majesty's Command,

CIRCULAR No 801 (Signed) HOWICK

War Office, 13th September, 1836

72 920 Sir—I am directed to enclose instructions consequent upon His Majesty's Warrant of the 18th August 1836 and a Form (No 1) for stating the claims of Men belonging to the Regiment under your command who have been entitled to pay for good conduct since the 15th August, 1836

The statement when properly completed, and supported in each instance by the certified copy of the Soldier's Record, and by a special Certificate from you according to the Form prescribed may be immediately transmitted in duplicate for consideration one copy will be retained with the necessary authority for the insertion of the proper charges in the Regimental Pay List

A Form will be inserted in the next supply of Pay Lists in which authorized charges may be easily be stated. In the mean time such charges as shall be authorized are to be stated in a blank sheet with the Pay List according to the enclosed Form

(No 2)

Officer Commanding

I have, &c.

Regiment of

(Signed) L. SULLIVAN

Instructions consequent upon His Majesty's Warrant of the 18th August, 1836

1. The rules established by the Warrant in regard to Soldiers who shall enlist on or after the 1st September 1836, will apply to Men who shall re-enlist after that date

2. The service requisite to entitle Corporals, Drummers, Trumpeters, Fifers, Buglers, and Private Men to the distinction and rewards granted by this Warrant may include former service in all ranks after the age of eighteen

3. Men discharged on reduction or for disability, and re-enlisting within three years after the date of their discharge may reckon their former service, provided that they shall declare such former service at the time of re-enlistment, but Men purchasing their discharges, or receiving free discharges shall not reckon former service

4. The forfeiture of service now attaching to individuals in respect of additional pay, in consequence of the sentence of a Court Martial or of conviction for desertion, will equally attach to them in respect of good conduct pay

5. All Soldiers now serving who enlisted on or before the 1st March 1833, and who have completed twenty-one years' service, may, on relinquishing their right to additional pay, receive 3d per diem good conduct pay, provided their names shall not have been entered in the Regimental Defaulter's Book for at least six years immediately preceding the exchange.

6. Soldiers of less than twenty-one years' service, already in the receipt of additional pay at 3d a day for length of service, may, on relinquishing their right to additional pay, continue to receive the same amount as good conduct pay provided their names shall not have been entered in the Regimental Defaulter's Book for at least four years immediately preceding the exchange.

7. Soldiers who are already in the receipt of additional pay of 1d a day for length of service may, on relinquishing their right

to additional pay continue to receive the same amount as good conduct pay, provided their names shall not have been entered in the Regimental Defaulter's Book for at least two years immediately preceding the exchange.

8. Soldiers not yet in the receipt of additional pay for length of service may, by relinquishing their right to the same, receive good conduct pay, on completing their respective periods of seven, fourteen and twenty-one years, provided their names shall not have been entered in the Regimental Defaulter's Book. In the first case, for at least two years, in the second case, for at least four years, and in the third case for at least six years immediately preceding

9. Soldiers who were present at the Battle of Waterloo shall be allowed to reckon two years in addition to their actual service, and those who were enlisted before the 1st December 1839, shall be allowed to reckon two years for one of actual service after the age of 18, in the East and West Indies (in other than West India Regiments)

10. Soldiers enlisted before the 1st September 1836, shall be entitled to the distinction of rings under the provisions of the Warrant whether they accept or not the option of relinquishing additional pay for good conduct pay, and they shall be entitled to the same addition to their pensions for the number of rings they may severally possess at the period of their discharge as is allowed under the provisions of the Warrant, to Men in receipt of good conduct pay

(Signed) HOWICK.

War Office, 13th September, 1836

(No 1)

REGIMENT OF

Statement of the claims to good conduct pay of Soldiers enlisted before 1st March 1833, who are willing to relinquish their right to additional pay for length of service under the provisions of His Majesty's Warrant of the 18th August, 1836

	Number of the Separate Vouch- ers accompanying this claim
	Regt No of the Soldier
	Rank
	Name.
	Total number of years Service after the age of 18.
	Rate of good conduct pay to which the Soldier is considered to be entitled.
	Remarks

N B The claim of the Soldier is in each instance to be accompanied by a Certified copy of his record, and by a Certificate from the Commanding Officer according to the Form enclosed

The names are to be stated according to ranks in alphabetical order.

GENERAL REGISTER.

(No. 2.)

ACCOUNT OF PAY FOR GOOD CONDUCT.

Carried to the Receiptation	No. of the authority annexed. Regt. No. of the Soldier.		Rank.		Name.		Periods for which pay- ment has been made.		No. of days for which good Conduct Pay has been issued.		Portion of good Conduct Pay in any instance sub- quent to the first grant thereof.		Date of Court Mar- tial at ad- judging for forfeiture.	
	From	To	At 1st.	At 2d.	At 3d.	Entry in								
			per	per	per	Book.								
			Diem.	Diem.	Diem.									

I Certify that the above Account of Good Conduct Pay is correct in every particular, and that every instance of Entry in the Regimental Defaulter's Book, or of Forfeiture of Good Conduct Pay by sentence of Courts Martial, respecting the Men included in the said Account is correctly recorded against the name of the Soldier.

Date at this day of 183 } Commanding Officer.

N. B. The Names are to be stated according to Ranks in Alphabetical Order, and an Authenticated Copy of the sentence of the Court Martial, adjudging Forfeiture in any instance, is to be transmitted.

CERTIFICATE.

IN SUPPORT OF THE CLAIM TO GOOD CONDUCT PAY.
I Certify that I have carefully inspected the Regimental Defaulter's Book and the Name of is not entered therein for any Offence committed since the 1st of 183 } Commanding Officer.

Dated at this day of 183 } Commanding Officer.

N. B. The Commanding Officer is requested to complete the Certificate in his own hand-writing in every instance.

His Excellency the Commander in Chief will be pleased to issue such Subsidiary Orders as may be necessary for giving effect to His Majesty's gracious intentions and the instructions of the Hon'ble Court.

WM. CASEMENT, Col.

Secy. to the Govt. of India Milly. Dept.

Fort William, 17th April, 1837.

of 1837.—Recommendations submitted by His Excellency the Governor General and Commander-in-Chief in India, William Cavendish, Esq., for improving the condition of Native Soldiers, having received the consideration of the Hon'ble the Court of Directors; the Governor General of India in Council has high gratification in announcing to the Army, that

the following Resolutions have been passed by the Honorable Court, and they are hereby published for information in General Orders.

1st. For the reasons urged by you in support of the measure, we authorize you to grant an Extra Allowance of One Rupee a Month to every Native Private in the Army after sixteen years service and an additional Rupee after twenty years' service such increase of pay must however be dependent on good conduct.

2d. For the reasons given in support of it, we also sanction the proposed institution of the two Orders of Honorary distinction for the Native Soldier, with the titles and personal distinction recommended.

The "Order of British India," (to be given to Subadars and Jemadars for long and honorable service,) is to consist.

The first Class of 100 Subadars, with an Allowance of Two Rupees a day each, in addition to their Regimental Allowance or Retiring Pensions, and

The second Class of 100 Native Commissioned Officers, with an Allowance of One Rupee a day each, in addition to their usual Allowances and Pensions.

Three-sixths of these Appointments are to be allotted to the Bengal Native Officers, two-sixths to those of Madras, and one-sixth to those of Bombay.

The "Order of Merit," for distinguished service in action, is to be prospective only, as recommended, and divided into three classes

Every Commissioned or Non-Commissioned Officer or Soldier of the Native Army who obtains admission into the "Order of Merit," will receive—

In the 3d Class, one-third of his full Pay, over and above the Pay or Pension he may otherwise by the Rules of the service be entitled to.

In the 2d Class, two-thirds of his full Pay, in addition to his Ordinary Pay or Pension, and

In the 1st Class, double Pay or full Pay, in addition to his Ordinary Pension,

His Lordship in Council directs, that the additional Pay for length of service authorized in the first of the foregoing Resolutions shall have effect from the 1st proximo, and Muster Rolls of Troops and Companies are to exhibit the dates of entitlement opposite the names of such men as are entitled to the increase.

As the reward of additional Pay is only to be conferred on well conducted Native Privates of the Line Commanding Officers of Corps are strictly enjoined to exclude the undeserving from the benefit thereof, and such men as may not in the first instance merit the distinction, or who may hereafter forfeit it by misconduct, are to have a remark to that effect inserted against their names in the Muster Roll, and a report of the circumstance made to Head Quarters, for the information of His Excellency the Commander in Chief, whose concurrence in the propriety of the exclusion will be final.

The details of the Rules and Regulations established for the "Order of British India," and "Order of Merit," and the measures to be taken for the immediate nomination to the former Class of deserving Native Officers, will be published hereafter.

His Lordship in Council desires, that the increase of Pay, the reward of prolonged service and good conduct, as well as the institution of the honorary distinctions specified above with their pecuniary advantages, may be particularly explained to every Native Corps of the Line at the three Presidencies paraded for that purpose.

Fort William, 17th April, 1837.

No 84 of 1837.—The Right Hon'ble the Governor General of India in Council directs the publication in General Orders, of the following Resolutions contained in a Military Letter from the Hon'ble the Court of Directors, No. 2 of 1837, dated the 1st February last, viz.

1st. That the Pay, Allowances and Retiring Pensions now established for the Native Officers and Soldiers of the Bengal Army, (with the exception of the Pay and Allowances of Subadars) be the standard for India; but in all cases in which the Pay and Allowances of Pensions of the Native Troops of the other Presidencies exceed those of Bengal, the reductions are to be prospective only, and not in any manner to effect either in his immediate receipts or in his future prospects, any individual at present in the Service.

2nd. That the Allowance of Extra Batta made at Madras to Native Officers and Soldiers, when not marching or in the Field be discontinued.

In furtherance of these Resolutions, His Lordship in Council directs, that such of the grades of the Cavalry, Artillery, Infantry of the Line, or Sappers and Miners at Madras and Bombay,

GENERAL REGISTER.

as are in receipt of a smaller Monthly Allowance than Native Soldiers of the same Rank in Bengal, be admitted to the benefits of the new arrangement from the 1st Proximo, and that on every occasion of enlistment into the Madras or Bombay Native Army subsequent to that date, it be clearly explained to the Recruit, that, his Pay, Allowances and Pension are to be regulated by the Bengal Standard.

The Allowance of Extra Batta to the Madras Native Troops in the Cantonments of Hyderabad, Jaulnah and Nagpore is to be discontinued from and after the first relief of Corps respectively now occupying those stations, when compensation in lieu of grain will be allowed whenever the price exceeds the rate which authorizes such to be drawn in Garrison.

for the performance of the Medical Duties of the Jail Hospital at Bogra.

Serjeant James Sullivan, of the Commissariat Department, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1877, and General Orders dated 5th February 1870, subject to the confirmation of the Hon'ble the Court of Directors with permission to receive his Stipend at the Presidency.

No. 87 of 1837.—The Governor General of India in Council is pleased to make the following Appointment:

Lieutenant Arthur Hall, of the 5th Regiment Light Cavalry, to be a Sub-Assistant in the Central Stud, vice Captain G. T. Thomas promoted.

BY THE COMMANDER IN CHIEF.

Head Quarters, Camp, Lahore, 14th March, 1837.

His Excellency the Commander in Chief has been pleased to confirm the Presidency division order of the 21st ultimo, directing the undermentioned Ensigns, recently admitting into the service, to join and do duty with the Corps specified opposite their respective names.

Ensigns J. W. H. Pownall, with the 73d native infantry; H. Warl, with the 73d native infantry; and D. C. Scott, with the 15th native infantry.

The following unposted Ensigns are appointed to be corps specified opposite their respective names, and directed to join.

Ensigns E. Hall, 52d regt native infantry; D. C. Scott, 3d ditto ditto; E. Locker, 52d ditto ditto; C. Wright, 44th ditto ditto; G. W. Alexander, 60th ditto ditto; E. Forbes, 26th ditto ditto; J. Montgomery, 60th ditto ditto; A. Cameron, 74th ditto ditto; R. F. Fanshawe, Right wing European regt.; R. A. Smith, 19th regt. native infantry; R. H. Alexander, 5th ditto ditto; W. K. Haslewood, Left wing European regt.; S. H. J. Davies, 51st regt. native infantry; P. M. Baker, 65th ditto ditto, and G. M. Penderaast, 3d ditto ditto.

The undermentioned officers have leave of absence.

27th regiment native infantry—Lieutenant Colonel G. P. Wymer, from 30th April to 30th October, to visit Simla, on urgent private affairs.

31st regiment native infantry—Lieutenant W. R. Dunmore, from 1st March to 1st September, to visit the Presidency, on urgent private affairs.

20th regiment native infantry—Ensign S. T. A. Goad, from 30th March to 16th August, to remain at Simla, on medical certificate.

Head Quarters, Camp, Lahore, 17th March, 1837.

The Cawnpore division order of the 14th of February last, directing Mohammad Muneem, Native Doctor, doing duty with the 71st native infantry, to proceed to Fultehpore, and place himself under the orders of the civil surgeon of that station, is confirmed as a temporary arrangement.

The Benares division order of the 2d instant, directing Lieutenant W. Hore, of the 18th native infantry, to officiate as Interpreter and Quarter Master to the 8th light cavalry, on the departure of Lieutenant Hicks, is confirmed.

The regimental order by Major C. Godby, of the 1st instant appointing Lieutenant A. Grant to officiate as Interpreter and Quarter Master to the 36th regiment native infantry, during the absence, on leave, of Lieutenant Lang, is confirmed.

The regimental order by Lieutenant Colonel D. Dowie, under date the 2d January last, directing Ensign T. F. Patterson to officiate as Interpreter and Quarter Master to the 2d regiment native infantry, during the indisposition of Lieutenant Shaw, is confirmed.

The leave of absence, for four months, granted to Captain W. J. Macvine, of the 4th company 3d battalion artillery, in General Orders of the 24th ultimo, is to commence from the 16th proximo, instead of the 10th instant.

His Excellency the Commander in Chief is pleased to make the following appointment.

52d regiment native infantry—Lieutenant J. W. H. Jamieson to be Adjutant, vice Shuldham promoted.

Meer Ruyah Allee, Native Doctor, at present doing duty under the Superintending Surgeon at Benares, is appointed to the garrison hospital at Allahabad, and directed to join.

The undermentioned officers have leave of absence:

48th regiment native infantry—Brevet Captain Edward Brown, from 1st March to 1st November, to remain in the hills north of Deyrah, on a medical certificate.

	Pay including Half Batta	Extra Batta when Marching or in the Field.	PENSIONS.	
			After 15 years' Service.	When disabled by Wounds or for very long Service, not less than 40 years.
<i>Cavalry or Native B. Artillery</i>	<i>Rs. per Month.</i>	<i>Rs. per Month.</i>	<i>Rs. per Month.</i>	<i>Rs. per Month.</i>
Subadar Major, .....	.....	.....	25	40
Subadar, .....	.....	.....	12	20
Jemadar,	32	8	7	12
Havildar,	20	5	7	12
Nalik,	16	4	7	12
Trumpeter,	16	4	7	12
Trooper,	9	1 8	4	7
<i>Infantry or N Foot Artillery</i>				
Subadar Major, .....	.....	.....	25	40
Subadar, .....	.....	.....	12	20
Jemadar,	24 8	7 8	7	12
Havildar,	14	5	7	12
Nalik,	12	5	7	12
Drummer,	11	5	4	7
Private,	7	1 8	4	7

Fort William, 24th April, 1837.

No 85 of 1837.—The Right Honourable the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank.

Regiment of Artillery 2d Lieutenant Richard Moule to be 1st Lieutenant, vice 1st Lieutenant Thomas Edwards retired, with rank from the 27th of January 1837, vice 1st Lieutenant and Brevet Captain Henry Clerk promoted.

Supernumerary 2d Lieutenant Edward Kaye is brought on the effective strength of the Regiment.

4th Regiment of Light Cavalry. Lieutenant and Brevet Captain Henry Clayton to be Captain of a Troop, and Cornet Charles Edward White to be Lieutenant, from the 18th of June 1835 in succession to Capt. John Dixon Dyke resigned.

Supernumerary Cornet William Wyld is brought on the effective strength of the Cavalry.

N. B.—The rank of Captain by Brevet granted to Lieutenant H. Clayton, of the 4th Light Cavalry, in General Orders No. 10, of the 18th January 1836, is cancelled.

ALTERATION OF RANK.

Regt. of Aty.—1st Lt. R. H. Baldwin, from 10th March 1836, vice 1st Lieutenant T. Edwards retired.

Ditto.—1. Innes, from 11th May 1836, vice 1st Lieut. and Brevet Captain C. Dallas promoted.

Ditto.—R. C. Shakespear, from 14th May 1836, vice 1st Lieut. H. Sturrock deceased.

Ditto.—R. Walker, from 7th Oct. 1836, vice 1st Lieut. and Bt. Capt. E. Horsford promoted.

Ditto.—E. G. Austin, from 21st Dec. 1836, vice 1st Lieut. and Bt. Capt. J. Alexander promoted.

Ditto.—E. W. S. Scott, from 18th Jan. 1837, vice Capt. E. C. T. B. Hughes promoted.

No 86 of 1837.—The services of Assistant Apothecary John Taylor, Officiating as an Assistant in the Hon'ble Company's Dispensary, are placed at the disposal of the Governor of Bengal,

GENERAL REGISTER.

42d regiment native infantry—Captain J. Leeson, from 1st March to 31st December, to remain in the hills north of Deyrah, on medical certificate.

37th regiment native infantry—Lieutenant W. C. P. Collinson, from 1st March to 31st December, to remain at Simla, on medical certificate.

12th regiment native infantry—Lieutenant J. Remington, from 8th January to 31st January, to remain at Berhampore, on medical certificate, and rejoin.

1st brigade horse artillery—Surgeon E. B. Penington, from 1st April to 31st December, to visit Simla, on medical certificate.

2d regiment native infantry—Lieutenant John Shaw, from 25th January to 15th July, to visit the Presidency, on medical certificate.

8th regiment native infantry—Lieutenant H. T. Tucker, from 1st March to 31st December, to visit the hills north of Deyrah, on medical certificate.

51st regiment native infantry—Lieutenant J. Boutein, from 1st March to 1st April, to remain at Ludlow, on medical certificate.

62d regiment native infantry—Ensign H. Bishop, from 20th April to 20th October, to visit Mow and Saugor, on private affairs.

Head-Quarters, Camp, Lahore, 21st March, 1837.

The Loodianah station orders of the 1st and 25th ultimo the former directing Assistant Surgeon P. F. H. Raddeley to receive medical charge of the 17th regiment native infantry, on the departure of Surgeon I. Jackson, appointed member of a medical committee at Simla, and the latter directing him to afford medical aid to the detachment of the 17th and 26th regiments proceeding on escort duty with His Excellency the Commander in Chief, are confirmed.

Captain G. Hick's detachment order of the 3d instant directing Ensign W. A. J. Maylew, of the 3d regiment native infantry, to act as Adjutant to a troop of cavalry and 2 companies of native infantry, on escort duty with treasure, is confirmed.

The Cutchack station order of the 25th ultimo, by Colonel R. Roope, commanding, directing Lieutenant W. Smith Adjutant of the 10th native infantry, to act as station staff, is confirmed.

Lieutenant R. S. Trevor, of the 3d light cavalry, is permitted to resign the acting appointment of Interpreter and Quarter Master to that regiment.

Lieutenant G. M. Hall, Interpreter and Quarter Master of the 17th regiment native infantry, is appointed Station staff at Loodianah, vice Scott.

Mirza Aliyar Beg, late a Native Doctor in the 50th regiment native infantry, is restored to the service, and directed to proceed and do duty under the orders of the Superintending Surgeon at Kurnaul.

The undermentioned officers have leave of absence

26th Regt N. I.—Captain J. L. Taylor, from 1st May to 1st Nov. to visit the hills north of Deyrah, on private affairs.

39th Regt N. I.—Lieutenant S. R. Wallace, from 7th March to 7th March 1838, to visit the hills north of Deyrah, on medical certificate.

73d Regt. N. I.—Ensign R. C. Lawrence, from 1st April to 15th October, to visit Meerut and Simla, on private affairs.

15th Regt. N. I.—Surgeon J. Innes, M. D. from 26th January to—, to await the arrival of his corps at Barrackpore.

His Excellency the Commander in Chief, with the sanction of Government, is pleased to grant to the native army, the indulgence of leave of absence, from the 1st proximo, under the following restrictions and limitations. Where circumstances may prevent this indulgence from being granted to the full extent authorized, a report is to be made to head quarters.

To the troops stationed in Arracan and Assam, at Dacca and Chittagong, leave is granted to the extent of 4 native officers and 24 non-commissioned officers per regiment, and 15 privates per troop or company, to cease on the 1st January 1838.

To all other corps in the Presidency division, except those enumerated above to corps in the Saugor division, in the Malwa Meywar, and Rajpootannah field forces, and in the Sindhu division, leave is granted to the same number, to cease on the 15th November next.

To the hill corps stationed at Subathoo, Deyrah, and in Kemaon, leave is granted to the same number, to cease on the 15th December next.

To the troops of the line stationed in Kemaon, leave is to be granted to the same number, from the 10th October next to the 10th April 1838.

To the corps stationed in the Dinapore, Benares and Cawnpore divisions, at Allahabad, and in the Meerut division, (excepting

Kemaon) leave is granted to 3 native officers and 16 non-commissioned officers per regiment, and 10 privates per troop or company, until the 15th October next.

Commanding officers will be careful that leave is granted with strict regard to priority of claims, and will limit the time granted to individuals, with reference to the distance of their homes, and the nature of their business, so as to allow as full a participation as possible in the indulgence.

Officers and men going on furlough, are to be reminded of the penalties attached to the oversailing of their leave, as well as the necessity of giving notice to their regiments, if sickness should detain them at their homes.

The General Order of the 2d April 1810, containing precautionary directions to native troops, when travelling to or from their regiments, is to be particularly explained to the officers and men of every regiment, previous to their departure on leave.

The attention of commanding officers is directed to General Orders of the 19th February 1831, regulating the mode of granting, the leave now authorized, as regards non-commissioned officers.

The following removals and postings are made in the regiment of artillery.

Lieutenant Colonel G. E. Gowan, (on staff employ) from the 4th battalion to the 3d brigade.

Lieutenant Colonel J. Tennant (new promotion) to the 4th battalion.

Major J. C. Hyde, (on furlough) from the 2d brigade to the 6th battalion.

Major G. N. C. Campbell, (on furlough) from the 3d to the 7th battalion.

Major J. J. Farrington (new promotion) to the 2d brigade.

Captain R. G. Roberts, (on staff employ) from the 1st troop 2d brigade to the 2d company 7th battalion.

Captain R. W. Maidman, from the 2d company 4th battalion to the 3d troop 3d brigade.

Captain D. Ewart, from the 2d company 7th battalion to the 4th troops 2d brigade.

Captain E. C. T. B. Hughes (new promotion) to the 2d company 4th battalion.

1st Lieutenant G. G. Channer, (on furlough) from the 1st company 5th battalion to the 7th company 6th battalion.

First Lieutenant R. Walker, (on staff employ) from the 1st troop 2d brigade to the 2d company 2d battalion.

First Lieutenant E. G. Austin (new promotion) to the 1st troop 2d brigade.

Second Lieutenant T. J. W. Hungerford, (on furlough) from the 7th company 7th battalion to the 1st troop 2d brigade.

Second Lieutenant J. W. Kaye, (on furlough) from the 4th company 6th battalion to the 7th company 7th battalion.

Second Lieutenant D. O., R. Bristow (brought on the effective strength, to the 1st company 5th battalion.

The undermentioned officers have leave of absence:

3d troop 2d brigade horse artillery—Lieutenant G. L. Cooper, from 4th February to 15th December, to remain at Mussorie, on medical certificate.

7th Regt. I. C.—Cornet R. Boulton, from 26th March to 26th July, to visit the Presidency, on private affairs.

1st Regt N. I.—Ensign E. S. Capel, from 20th March, to 26th June, to visit Calcutta, preparatory to applying for leave to Ceylon, on private affairs.

Head-Quarters, Camp, Lahore, 23d March, 1837.

Captain R. Becher, Assistant Quarter Master General, attached to the Sindhu division, is directed to proceed by water from Kurnaul, and to assume charge of the Quarter Master General's Office at the Presidency.

Until the arrival of Captain Becher, all reports and documents hitherto sent to Colonel Boulton, are to be addressed to Lieutenant Colonel T. J. Anquetil, Deputy Adjutant General of the Army at the Presidency.

Head-Quarters, Lahore, 24th March, 1837.

The Dinapore order of the 10th instant, directing Lieutenant Y. Lamb, of the 51st regiment native infantry, to receive charge of a detachment of drafts for the European regiment from Lieutenant F. Raleigh, of the 1st native infantry, who is unable from indisposition to continue with it, is confirmed.

The station order of the 7th instant, by Brigadier H. Bowen, commanding the Malwa field force, appointing Lieutenant M. M. Gurnell, 68th native infantry, to act as Interpreter and Quarter Master to the 44th regiment native infantry, is confirmed.

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The Singapore division order of the 10th instant, appointing Assistant Steward J. Parnell to the 3d company 3d battalion artillery, and Assistant Apothecary W. Brookes to join and do duty with Lieutenant Raleigh's detachment of drafts, in progress by water to the upper provinces, is confirmed.

The Presidency division order of the 6th instant, directing Bhalrow, Patuck, Native Doctor, to do duty in the hospital of the 73d regiment native infantry, from the 30th December last, is confirmed.

The Cawnpore division order of the 14th instant, directing Assistant Surgeon S. Holmes, of the 62d, to afford medical aid to the 71st regiment native infantry, until the arrival of Assistant Surgeon R. Fullarton, M. D., appointed to that corps by General Orders of the 28th ultimo, is confirmed.

The detachment order by Captain J. H. Clarkson, of the 6th regiment native infantry, under date the 22d January last, appointing Lieutenant R. Mathison to act as Adjutant to four companies of the corps on detached duty, is confirmed.

Major G. H. Johnston of the Invalid establishment, is permitted to reside with his family north of Deyrah and draw his allowances from the Meerut pay office.

Assistant Surgeon T. Sibbald, at present attached to His Majesty's 26th foot, is appointed to do duty with the troops in Arracan, and will proceed to join without delay.

Assistant Steward H. Bond, lately promoted, is appointed to the hospital of His Majesty's 3d buff, at Meerut.

Hospital Apprentice M. Healy is directed, to do duty in the general hospital.

The undermentioned officers have leave of absence.

19th regt. N 1—Colonel B. Roope, from 1st April, to 1st June, to visit Poore, on private affairs.

26th regt. N 1—Ensign T. C. Blagrove, from 16th March to 6th Nov., to visit the hills north of Deyrah, on medical certificate.

Head-Quarters, Camp, Lukput Bar, Ke Kote, 28th March, 1837

The Meerut division order of the 14th instant, directing Assistant Apothecary F. O'Sullivan to do duty in the convalescent depot at Lucknow, until further orders, is confirmed.

Assistant Surgeon P. F. H. Baddeley, of the 4th troop 3 brigade of horse artillery, with official medical aid to the wing of the 1st native infantry, on duty at head quarters, until further orders, and Assist. Surgeon W. Brydon, of the 4th light cavalry, will afford medical aid to the squadron of His Majesty's 16th Lancers, under the command of Major Cureton.

The leave of absence granted, in General Orders of the 10th instant, to Assistant Surgeon W. Spencer, of the 14th regiment native infantry, to visit the Presidency, preparatory to applying for furlough to Europe, is cancelled at his request.

Lieutenant R. Cantley, of the 10th regiment light cavalry, is permitted to resign the situation of Interpreter, and Quarter Master to that corps.

Madar Baksh Native Doctor, admitted into the service by Government General Orders of the 1st instant, is appointed to the 3d troop 3d brigade horse artillery.

The undermentioned officers have leave of absence.

47th regiment native infantry—Captain T. Bolton, from 10th April to 16th October, to visit Almorah, on private affairs.

14th regiment native infantry—Captain R. Thorpe, from 30th April to 30th October, to visit Simla and Mussoorie, on private affairs.

3d regiment native infantry—Capt. J. D. D. Bean, from 25th June to 25th December, to visit Simla, on urgent private affairs.

37th regiment native infantry—Lieutenant T. Hutton, from 25th February to 31st December, to remain at Simla on medical certificate.

74th regiment native infantry—Ensign A. Cameron, from 21st February to 21st April to remain at Futehpore, on medical certificate, and resign.

29th regiment native infantry—Lieutenant T. D. Martin, from 1st May to 1st November, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

60th regiment native infantry—Lieutenant and Adjutant F. E. Smith, from 8th September, 1836 to 8th September to remain at Simla, on medical certificate.

Head-Quarters, Camp, Gunda Sing, Right Bank of the Sutlege 31st March, 1837.

The Presidency division order issued by Major General J. Watson, C. B., on the 6th ultimo, directing all reports of the division to be made to Brigadier G. R. Penny, is confirmed as a temporary arrangement.

His Excellency the Commander in Chief is pleased to make the following appointment.

[2nd regiment native infantry—Ensign H. P. Budd, of the 17th native infantry, to act as Interpreter and Quarter Master.

Quarter Master Sergeant John Moget, of the 27th native infantry, is appointed Sergeant Major to the corps, vice Foley pensioned.

Sergeant Thomas Craven, of the 4th company 2d battalion of artillery, is transferred to the Town Major's list and appointed Quarter Master Sergeant to the 27th native infantry, vice Moget promoted.

The undermentioned officers have leave of absence:

General staff.—Brig. Genl. C. Brown, C. B., comp. the Benares division, from 15th April to 15th July, to visit Calcutta, on urgent private affairs.

3d regt. Light cavalry—Captain G. C. Smith, from 15th April to 15th Feb 1838, to visit the hills north of Deyrah, on medical certificate.

5th regt. light cavalry.—Captain W. Alexander, from 30th April to 30th October, to visit the hills north of Deyrah, on urgent private affairs.

69th regt. native infantry.—Captain R. Garrett, from 15th March, to 15th Feb 1838, to visit Simla, on medical certificate.

1st regt. native infantry—Ensign G. P. Good, from 9th February to 14th March, on medical certificate, and to enable him to join his corps.

Head Quarters Camp, Ferozepore, 1st April, 1837.

At a general court martial assembled at Kuraul, on Wednesday the 1st day of March 1837, Lieutenant Henry Clinton Baddeley, of the 61st regiment of native infantry, was arraigned on the following charge, viz.

Charge—"For conduct unbecoming an officer and a gentleman, in the following instances

"First At Kuraul, on the 29th December 1835, Lieutenant Baddeley made a match with Donald Macleod, Esq., to run his mare against Lieutenant Alfred Henry Corfield's horse, for five gold mohurs and, on the same day Mr Macleod left Kuraul, having appointed Lieutenant Richard Lowry to act for him, and deposited the stake in his hands. On the 1st of January 1837, Lieutenant Baddeley agreed with Lieutenant Lowry that the race should be run on the evening of the 4th of January; notwithstanding such agreement, Lieutenant Baddeley walked his mare over the course on the morning of the 4th of January, and in the forenoon, claimed the stake; not from Lieutenant Lowry who held it, but from Lieutenant Corfield, who was neither principal nor agent in the transaction; but concluded with agreeing, that the matter should be referred to arbitrators, one of whom was to be appointed by Lieutenant Lowry. Nevertheless on the evening of the same day (the 4th of January) Lieutenant Baddeley, knowing that Lieutenant William Wynne Apperley had been appointed arbitrator on the part of Lieutenant Lowry, addressed two notes to Lieutenant Corfield, insinuating, in threatening and insulting language, on the immediate payment of the stake of five gold mohurs.

"Second. On the morning of the 5th of January, Lieutenant Baddeley, knowing that Lieutenant Corfield had appointed Captain George Carmichael Smith to act as his friend in the quarrel, which Lieutenant Baddeley had thus forced upon him on the preceding evening, and without any previous communication with Captain Smith, post Lieutenant Corfield in a billiard-room and at the racked coat.

"Third. On the same day, (the 5th of January) Lieutenant Baddeley refused to give satisfaction to Lieutenant Corfield, for the posture to which he had thus unjustifiably resorted, on the pretence that Lieutenant Corfield had thereby incurred the disgrace of having been posted; and yet offered to withdraw that objection, if Lieutenant Corfield would pay the five gold mohurs, which were not in his hands, but in those of Lieutenant Lowry, and which Lieutenant Baddeley had not fairly won.

"Fourth. On the 6th of January, it came to the knowledge of Lieutenant Lowry, that Lieutenant Baddeley had submitted, a written statement to some of the officers of the 61st regiment native infantry, containing the following passage: "Mr. Lowry still persisting in saying that such was the case," (meaning that Lieutenant Lowry had said, on the 4th of January, that Lieutenant Baddeley had agreed with him, that the race should be run on the evening of that day.) "I told him, in the most distinct terms, in the presence of Mr. Corfield, that what he had uttered was false, to which I received no reply, either at the time or since." No such words had been addressed to Lieutenant Lowry, on the 4th of January, and on the 6th of January, Lieutenant Baddeley refused either to contradict the statement, or to give satisfaction, on the pretence, that Lieutenant Lowry, had not sooner resented the false and insulting imputation contained in a statement made behind his back."

Finding—"The court, upon the evidence before it, finds that the prisoner Lieutenant Henry Clinton Baddeley, of the 61st regiment native infantry, at Kuraul, on the 29th December 1836, made a match with Donald Macleod, Esq. to run his mare against Lieutenant Alfred Henry Corfield's horse, for five gold mohurs, and on the following day, Mr. Macleod left Kuraul, having appointed Lieutenant Richard Lowry to act for him, and deposited the stake in his hands. On the 1st of January 1837, Lieutenant

GENERAL REGISTER.

Baddely agreed with Lieutenant Lowry, that the race should be run on the evening of the 4th of January. Notwithstanding such agreement, Lieutenant Baddely walked his mare over the course on the morning of the 4th of January, and in the afternoon claimed the stake; not from Lieutenant Lowry, who held it but from Lieutenant Corfield, who was neither principal nor agent in the transaction. He (Lieutenant Baddely) having agreed in the forenoon that the matter should be referred to arbitrators, one of whom was to be appointed by Lieutenant Lowry nevertheless, on the evening of the same day, (the 4th of January) Lieutenant Baddely, knowing that Lieutenant William Wynne Apperley had been appointed arbitrator on the part of Lieutenant Lowry, addressed two notes to Lieutenant Corfield, insisting in threatening and insulting language, on the immediate payment of the stake of five gold mohurs.

"And, therefore, that he is guilty of so much of the first instance of the charge.

"That he is guilty of the second instance of the charge.

"That he is guilty of the third instance of the charge.

"That he is guilty of the fourth instance of the charge.

"The court is further of opinion, with regard to the preamble, that the conduct of which it has found Lieutenant Henry Clinton Baddely, guilty, was unbecoming the character of an officer and a gentleman.

Sentence.—The court sentences the prisoner Lieutenant Henry Clinton Baddely, of the 61st regiment native infantry, to be discharged from the service."

Approved

(Signed) H. P. F. General, Commander in Chief, East Indies, 31st March 1837.

The sentence to have effect from the day of its promulgation at Kurrul.

Head-Quarters, Camp, Moodkee, 4th April, 1837.

His Excellency the Commander in Chief is pleased to make the following removals and postings of medical officers

Surgeon Donald Campbell, from the 16th to the 36th regiment native infantry, and Surgeon W. P. Muston, (on staff employ) from the latter to the former corps

Assistant Surgeon McK. Clark, from the 36th to the 52d regiment native infantry, and Assistant Surgeon D. W. Nash, (on furlough), from the latter to the former corps

His Excellency the Commander in Chief is pleased to make the following removals:

Colonel (Brigadier) J. W. Fast, from the 40th to the 25th regiment native infantry.

Colonel T. Newton, from the latter to the former corps.

The undermentioned officers have leave of absence:

30th Regiment Native Infantry.—Captain T. McSherry, from 15th April to 15th October to visit the hills north of Deyrah, on private affairs.

18th Regiment Native Infantry.—Captain C. Gale, from 21st February to 11th March to enable him to rejoin his corps.

Head-Quarters, Camp, Bussacan, 7th April, 1837.

The Cawnpore division order of the 28th ultimo, directing Assistant Surgeon H. J. Tucker, M. D. to join and do duty with the 5th battalion of artillery, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointments.

40th Regiment Native Infantry.—Lieutenant J. Erskine to be Adjutant, vice Reynolds proceeded to Europe.

3d Regiment Light Cavalry.—Lieutenant H. Marsh to be Interpreter and Quarter Master, vice Trevor permitted to resign.

The undermentioned officer has leave of absence:

40th regt. N. I.—Lieutenant Intr and Qr. Mr. R. Chitty, from 1st March to 1st February, 1838, to remain in the hills in the vicinity of Deyrah, on medical certificate.

Assistant Surgeon Mark Richardson, M. D., recently placed at the disposal of His Excellency the Commander in Chief, posted to the Huamab light infantry battalion, vice Patou, whose appointment has not taken place.

The undermentioned officers have leave of absence

40th regt. N. I.—Colonel T. Newton, late of the 25th native infantry, from 20th Dec. 1836 to 15th April 1837, to visit the Presidency.

2d troop 1st brigade horse artillery.—Captain T. Croxton, from 10th April to 1st March 1838, to visit Simla and the hills north of Deyrah, on medical certificate.

35th regt. N. I.—Lieutenant J. Towgood, from 30th May to 30th Oct. to visit Moradabad, on urgent private affairs.

5th regt. N. I.—Ensign H. C. Hastings, from 15th March to 15th May, to visit Calcutta on medical certificate, preparatory to applying to permission to proceed to Europe, for the recovery of his health.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

March 25	Bark <i>Sunbrow</i> , W. Smith, from Singapore 18th and Malacca 21st February, and Penang (no date)	April 6	Barque <i>Sophia</i> , Jas. Rapson, from Rangoon 21st March.
27	Ship <i>Saracen</i> , (Amr.) J. P. Thomson, from Boston 23d November, and Madras 2d March.	8	Barque <i>Britannia</i> , S. Leith, from the Mauritius 27th January.
28	Ship <i>Lady Fitzherbert</i> , J. Fernier, from the Mauritius 28th January, and Madras 23d March.	—	Brig <i>Elizabeth</i> , J. Manook, from Rangoon 20th March.
30	Barque <i>Gentoo</i> , James Black, from Greenock 8th, and Rothsay Bay 12th November	—	<i>Margaret</i> , W. Spain, from Rangoon 20th March.
31	Ship <i>La Belle Alliance</i> , G. Arkell, from London 19th October, Madras 24th, and Vizagapatam 28th March.	9	Schooner <i>Louisa</i> , J. H. Snowball, from Rangoon 19th March.
April 2	H. C. Pilot Vessel <i>Kishnah</i> , C. Kail, from Bombay 22d February, and Madras 26th March	—	Schooner <i>John Hepburne</i> , B. Robertson, from Moulin (no date) and Rangoon 23d March
3	H. M. French Corvette <i>Bonite</i> , A. Vaillant, from Tonkin 7th February, and Pondicherry 7th March	—	H. M. Sloop <i>Andromache</i> , H. D. Chads, from Acheen 24th March.
—	Barque <i>Fortitude</i> , J. C. Wilson, from the Mauritius 5th February, and Pondicherry 26th March.	—	Barque <i>Rosabella</i> , (Amr.) B. G. Green, from Boston 17th October, Padang 19th February, and Amherst 22d March.
5	Brig <i>Arethusa</i> , J. Canby, from Madras 13th, Manipaliam 20th, and Vizagapatam 30th March, and Bimlipatam 1st April.	11	Bark <i>Resolution</i> , A. R. Dixon, from Bombay 28th February and Allepee 18th March.
—	Ship <i>Albatross</i> , Clark, from Bombay 22d February, and Allepee 13th March.	—	Bark <i>Ruparell</i> , W. Butler, from Bombay 26th February, and Cannanore 6th, Tellicherry 8th, and Cochin 18th March.
		12	Barque <i>Jupiter</i> , W. McK. Galbreath, from Greenock 21st November.
		—	Barque <i>Jane Blane</i> , J. Macallister, from Greenock 16th November.

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- 13 Bark *Dalla Merchant*, A. Reid, from Moulmein and Rangoon 21st February, and Madras 6th April.
- 14 Bark *De Javan*, (Dutch,) J. P. Meyer, from Batavia 4th March.
- 17 Bark *Rob Roy*, J. McKinnon, from China 17th and Singapore 20th March.
- Bark *Water Witch*, H. Reynell, from China 15th and Singapore 20th March.
- 18 Ship *Mermait*, J. Roche, from China (no date) and Madras 14th April.
- 20 Ship *Surat*, (Amr.) C. Pratt, from Boston 16th Dec.
- 22 Bark *Bengal Packet*, V. Steward, from London 14th December.
- Bark *Hindoe*, S. McGill, from Liverpool 25th Dec.
- Brig *Meg Merritts*, J. Skinner, from the Cape of Good Hope 20th February.
- Brig *Ceres*, A. J. Gordon, from Madras 16th April.
- Brig *Allison*, J. R. Burnett, from Bombay 19th Jan. Tellicherry, Cochin, Alleppey and Colombo (no date).
- 23 Ship *Tapley*, W. Mallory, from London 8th December.
- Ship *Crossader*, J. G. Wickham, from Liverpool 21st November.
- Barque *Fanny*, Sheriff, from China 1st March.
- Barque *La Esalite*, (Fr.) B. E. Coindet, from Bourbon 24th February and Pondicherry 17th April.
- Brig *Naiade*, (Fr.) B. Guillard, from Bourbon 8th March.
- 24 Ship *Fatty Salam*, J. L. Gillett, from Bombay 23d March and Allippee 3d April.
- Ship *Lord Auckland*, J. Willie, from China 28th Jan., Singapore and Penang (no date) and Rangoon 7th April.
- Brig *Highland Chief*, J. Paddon, from Moulmein 8th April.
- Ship *Sultana*, Thos Powell, from Bombay 28th March, Tellicherry 2d, and Alleppey 7th April.
- Bark *Janet*, P. H. Holmes, from Bombay 14th and Cochin 24th March, and Madras 20th April.
- Barque *Earl Pows*, D. Spittal, from Liverpool 23d December.

DEPARTURES FROM CALCUTTA.

- March 20 Mopoon, G. M. Koentis, for Moulmein, from Cooley Bazar.
- 20 William Goddard E. Smith, for New York.
- 21 John Bagshaw, H. Blyth, for the Mauritius.
- April 4 Eghert, J. Paulin, for the Mauritius.
- 5 Serpy, G. Sinclair, for London.
- 8 Clarissa, G. Andrie, for the Isle of France.
- Will Watch, W. Barrington, for Singapore.
- Earl of Clare, J. Scott, for Bombay.
- 9 Syph, Thos. Vialo, for China.
- 9 Luminy, Morano, for Bourbon.
- Elizabeth, J. Glass, for Madras.
- 10 Jean Laure, J. Lannua, for Bourbon.
- Henry Porcher, J. Hart, for London.
- 11 Mary Ann, Anderson, for the Mauritius.
- Brigard, J. Marshall, for Singapore.
- Syph, Thos. Viall, for China.
- 13 Mary Somerville J. Jackson, for Liverpool.
- 15 Thalia, W. Graham, for Liverpool.

- Antonio Pereira, W. O. Young, for China.
- 20 Comala, D. McNeil, for Liverpool.
- Flora, J. E. Dunahay, for Bombay.
- 22 Fortitude, J. C. Wilson, for the Mauritius.
- 25 Colombo, D. MacKeller, for London.

ARRIVALS OF PASSENGERS.

- Per *Eudora*, from Hobart Town.—Mr. and Mrs. Aubury.
- Per *Brigand*, from Penang.—Mr. P. Wood, Writer.
- Per *Saracen*, from Boston.—Mrs. Thomson, and Mr. Moss, Supercargo.
- Per *Lady Fitzherbert*.—Mrs. Ferrier and Misses Kennedy and S. Kennedy.
- Per *La Belle Alliance*, from Madras.—Drs. Sterling and Huffling; and Messrs Currier and Lamb.
- Per *Bhagarutti*.—From Allahabad.—Mrs. Bushby; G. A. Bushby, Esq.; 2 Masters Bushby; Mrs. Fender, Mr. J. B. Dorret; Mr. Brierly; Private Lund, H. M.'s Buffs. From Garzeepore.—Miss Ryan, Dr. Green. From Buxar.—Mrs. Maxton; Mrs. Van; 5 Misses Van.
- Per H. C. Pilot *Brig Kistnah*, from Bombay.—Col. Stewart, Political Resident of Hyderabad; Mr. G. Boomgardt Merchant; John Smith, Seamen, 2 Volunteers, from H. M. 20th Regiment. From Madras.—Mr. G. Lambert, Officer in Country Service; Mr. J. B. Dalmelde.
- Per *Hark Postinde*, from Mauritius.—Mrs. Underhill; Mrs. Coquin; Mr. Uquiu, Chief Judge at Chanderuagore.
- Per *Margaret*.—Mr. H. P. Twentyman, Mariner; Mr. Jacob Stephens and Ezkel Zindoh, Merchants.
- Per *Elizabeth*.—J. O. Lucas, Esq.; and Mr. Z. G. Shachnazer, Merchants.
- Per *Jupiter*, from Greenock.—Messrs. James and Helen Stevenson.
- Per *De Javan*, from Batavia.—Mr. Condray, and Mr. J. Jeffreys, Mariner.
- Per *Mermait*, from Madras.—Mrs. Devonish; Mrs. Roche; Miss Tounarch.—Devonish, Esq.; Macan, Esq., B. C. S.—Ruler, Esq., R. Thomas, Esq., F. Burmes.
- Per *Meg Merritts*.—J. M. Vanvi China [non, Esq., Capt., in the Army.
- Per *Bengal Packet*.—Mr. Frederick Althaus, Civilian.
- Per *Allison*, from Cochin.—Mrs. Kemp and Child. From Colombo.—Messrs. Andooty and A. De Soram.
- Per *Highland Chief*.—1 Corporal, 3 Privates, and 1 Prisoner H. M. 62d Regt.
- Per *Sultana*.—J. A. Shaw, Esq.; C. S.
- Per *Janet*.—Mrs. Holmes.

DEPARTURES OF PASSENGERS.

- Per *Herefordshire*.—Mr. and Mrs. Shaw and Family; Lieut. and Mrs. Eyre and Family, Bengal Artillery; Mrs. Kemp and Family, Dr. Langstaff, and Mr. C. Bretta.
- Per *Robarts*, for London.—Mr. Todd, C. S.; Col. Beaton; Major Cauran; Capt. and Mrs. Gillman; Capt. and Mrs. Whitfield and 3 Children, Messrs. Bailey and Hoare, and Master Low.
- Per *Isabella*, for London.—Capt. Welland; Messrs. Disandt, Ephraim and Boucher, Mr. S. Rawson, H. C. M.; Master Warden.
- Per *Will Watch*, for Singapore.—Mrs. White; Revd. E. White; Revd. J. Bell, and J. Almedie, Esq.
- Per *Matabangha*.—For Allahabad.—Capt. and Mrs. Maiden; Miss Bristow.—For Benares.—Mr. and Mrs. Ewbank.—For Dinapore.—Lieut. Basely; Mrs. Duhan and 5 children.—For Rajmahal.—Mr. Gale.
- Per *Henry Porcher*, for London.—Lieut. and Mrs. Pearce.
- Per *Mary Somerville*, for Liverpool.—Misses McDonald and Pyke, and Messrs. McDonald and Pyke.
- Per *Colombo*, for London.—Messrs. Lowe, Gilmore and Whitson.

DOMESTIC OCCURRENCES.

BIRTHS.

- Feb. 20 Sangor, the Lady of Lieut. Anderson, 2d Local Horse, of a Daughter.
- March 3 Muttra, the Lady of W. H. Tyler, Esq., Civil Service, of a Son.
- 6 Macao, the Lady of John Stephen Mendes, Esq., of a Daughter.
- 12 Agra, the Lady of Lieut. C. Boulton, 47th Regt. Native Infantry, of a Son.
- 15 Sangor, Central India, the Lady of Capt. G. H. Boisragon, 72d Regiment, of a Daughter.
- Lucknow, the Lady of P. G. Cornish, Esq., of the 8th Regt. N. I., of a Son.
- Deesa, the Lady of Lieut.-Colonel G. T. Gordon, of the 3d Light Cavalry, of a Daughter.
- 16 Humeerpore, the Lady of George Wood, Esq., of a Son.
- 19 Deesa, the Lady of R. R. Sturt, Esq., C. S., of a Daughter.

- 20 Sangor, Central India, the Lady of Lieutenant James Flyter, 64th Native Infantry, of a Daughter,
- 22 Cawnpore, the Lady of George Reid, Esq., of a Daughter.
- 23 Cawnpore, the Lady of Lieut. Gascoyne, 5th Regt. Light Cavalry, of a Son.
- 24 In Park Street, Mrs. Robert Smith, of a Son.
- Purneah, the Lady of A. J. Forbes, Esq., of a Son.
- 35 Cawnpore, the Lady of Lieut. Wm. Ashmore, of H. M. 16th Regt., of a Daughter.
- Nussorabad, the Lady of Lieut. Jackson, Adjutant 9th Cavalry, of a Daughter.
- 26 Purneah, Mrs. William Hyde, of a Son.
- 27 Chanderuagore, Mrs. C. J. Hackworth, of a Son.
- 29 Mrs. John Mendes, of a Son.
- Rajshahye, Mrs. E. S. D. Labet, of a Daughter.
- 31 Cawnpore, the Lady of Capt. J. Hendy Smith, 62d Regt. N. I., of a Son.
- The Lady of Lieut. G. T. Graham, of a Son.

GENERAL REGISTER.

- April** The Lady of J. F. M. Reid Esq. of a Daughter
 — Thibout, the Lady of Capt J. H. Hies, of a Daughter
 2 Elizabeth Ragsdale, the Lady of Mr A. F. Damsler, Superintendent, of a Daughter
 — Agnes, Mrs James Bode, of a Son
 — Gosh, the Lady of W. H. Urquhart, Esq., of a Son
 3 Bazar, the Lady of A. Matthews, Esq., of a Son
 4 The wife of Mr John Grief, of a Daughter
 6 Senares, the Lady of the Revd. J. A. Schurmann, of a Son
 10 The Lady of J. A. Walker, Esq., of a Daughter
 — Mrs A. D. Young, of a Daughter
 13 Decca, the Lady of James Barker, Esq., Surgeon of the 66th Regt N. I., of a Daughter
 — The wife of Mr Charles Perry, of a Son
 — At her Father's house, the wife of Mr. E. Clifton, of the Commissariat Office, Agri., of a Son
 — The Lady of Charles Noyes, Esq., of a Daughter
 15 The Lady of George Udny, Esq., of the Civil Service, of a Daughter
 16 The Begum of Nawab Fawher Jung, of a Son
 17 Mrs Dickson, of a Son
 — Mrs Henry Cooke, of a Daughter
 — The Lady of the Revd W. Robinson, of a Daughter
 18 Mrs C. P. Fison, of a Daughter
 19 Madame Dupuis, of a Son.
 20 Mrs A. L. Davis, of a Daughter
 21 The Lady of J. P. Grant Esq., C. S., of a Son.
 22 The Lady of Capt H. B. Henderson of a Daughter
 23 The Lady of Capt A. B. Clapperton, Assistant Master, Attendant of a Son

MARRIAGES.

- Dec** 29 St. Pancras Church, A. A. Mackey Esq. of Calcutta to Marie Antoinette, fourth and youngest Daughter of Mrs. Hitchings of Bernard Street Russell Square and grand Daughter of the late Capt Tasker, of Upton (Little Pembr. kenshie
- March** 20 Mr J. C. Nickels to Miss A. L. F. Gonzales
- April** 8 Radkissenpote by the Revd W. Moron Captain Arthur William Taylor, European Regiment, to Eliza, youngest Daughter of the late Wm Jones Esq. of Sleppore
 — St. John's at school by the Revd T. Robertson, John Chamber Bails Esq. Son of Dr J. Hills of Suffolk to Miss Amelia Caroline Howe second Daughter of H. C. A. Howe, Esq.
 7 At the Principal Roman Catholic Church, by the Revd Mr. Barthe, and at the Cathedral by the Revd F. Robertson, Charles Augustus Kretzing, Esq. Son of His Excellency the late Colonel Kretzing Knight of the Royal Order of Dannebrog, an Governor of the Danish possessions in Bengal, to Miss Ann Maria Castello.
 9 Schore, Captain William Reddell, of the 6th Regt N. I., to Margaret, youngest Daughter of the late Capt John Wilkie, of the Bengal Army
 12 St. Andrew's Church, by the Revd James Charles William Edward Lowe, Esq., to Miss Eliza O'Hanlon
 15 At the Cathedral, by the Revd H. Fisher, Mr. Alexander George Gibson, to Miss Elizabeth Esther Russell
 22 At the Roman Catholic Church of Bonetannah, by the Revd Fr. Joaquim da Virgin Maria, Mr John Balbhayson to Miss Francis Phillips
 24 Capt William Philoit of the H. C. Invalid Establishment to Miss Elizabeth Ann Fowler second Daughter of the late Melchior Portner, formerly of Calcutta, Merchant

DEATHS.

- Feb** 28 Banchypore, Assistant Surgeon William Bolton Davies, of the Assam Light Infantry
 27 Arracon, W. S. Bernard Esq., a junior Assistant to the Commissioner of the Province, he being the 3d officer in regular succession who has perished in the charge of the fatal station
 — Moughry, Mrs Rebecca Farnell, the wife of Mr James Partell, Assistant-Seward to the Hospital of the European Regiment at Agni, aged 16 years and 2 months
 — Mrs Ann Slaughter, aged 75 years and 4 months
- March** 14 Lieut Henry Abbott, 44th Regt N. I., doing duty with the 1st Assam Soubahy Corps,
 20 Hansi, John, second Son of the late Major Robt Skinner, aged 19 years
 22 Singapore Alexander Mackie, Esq., of Calcutta, aged 27 years
 23 Delhi, Samuel the Son of Capt Ramsey, Major of Brigade, aged 1 year 10 months
 26 Eliza Mary Ann, Cowley, aged 1 year and 2 months
 27 Miss Mary Holmes, aged 13 years and 4 months
 29 Cawnpore Caroline Felicie Wyndham youngest child of Capt Hodge 5th Light Cavalry, aged 17 months
 31 Benares Mr Henry Thomas Stag, aged 23 years
 — Patna, W. R. Jennings Esq., of the Civil Service
- April** 1 Chanderpore, Mr DeVile, an ancient Clerk of Chinsurah Church, aged 87 years
 3 Sarkies the infant Son of I. N. Melchus Esq., aged 14 months and 11 days
 4 Mhow Amelin the youngest Daughter of Capt A. G. Ward 68th N. I., aged 1 year, 5 months and 2 days
 — Midnapore Miss Margaret Mac Dougall aged 75 years
 5 Allahabad Sophia the Lady of William Watson Esq.
 8 John William the infant Son of W. and Mrs. M. B. Richardson aged 1 year 6 months and 17 days
 9 Roxina Julia, the infant Daughter of the Reverend J. Lincke aged 1 month and 15 days
 — Nussersahid George Auchmuty, only Son of Lieut Colman, a Junior 9th Cavalry, aged 2 years and 5 months
 — Londinab Emily Senna Henrietta Chicheley, the only child of Rev Capt J. C. Clowdon, 19th N. I., aged 10 months and 13 days
 — Benares Frederick William the infant Son of Lieut Birkinyoung, 5th Regt N. I., aged 7 months and 17 days
 13 Elmstead David Erskine, Esq., aged 65 years and 9 months
 14 Monsieur Michael Guyot aged 62 years
 17 Mr W. C. Wool aged 13 years
 18 Isabella A. nee the infant Daughter of Mr Thomas Feven aged 11 months and 8 days
 — Meenat, Vivian Whish the infant Son of Capt Corri, 5th Regt N. I., aged 9 months
 21 Walter Jackson second Son of Mr James Bolst, aged 1 year 9 months and 17 days
 — The Lady of J. P. Grant Esq., C. S., of a Son
 25 Mrs Maria D. Rivas aged 89 years
 26 James Meik Esq. M. D., aged 78 years, 3 months and 15 days
 — Mr John Picachy aged 37 years and 6 months
- Europe** — In Ireland, on the 17th Oct. 1836 Mrs Anne Reynolds Daughter of the late Colonel Wood, C. S., of the Bengal Engineers, and relict of the late Captain W. Thomas, Reynolds
Nov 22 Brighton Adelitte, second Daughter of Thomas Brack on Esq., aged 4 years and 8 months
Dec 28 Hillhead, near Glasgow, James Lamb, Esq., aged 71 years
Europe — Dundee, Sophia only Daughter of Lieut Col Beaton, Commissary General, Bengal, aged 19 years
 Near Bradford White Hastings Dore, Esq., Colonel in the Bengal Army, aged 61 years.

ADMINISTRATIONS TO ESTATES.

ESTATES OF

- Alexander, James William, Esq.,
 Arakel, Gregory Arakel, Portrait painter,
 Arrathoon, Catherine, Mrs
 Bayles, William Bolton, Assistant Surgeon,
 Graham John, Merchant, in Holland
 Hinkle, Maciel, Merchant at Meerut
 Joseph, Elias Jacob,
 Nawab Fawher Jung Bahadur,
 Regucide, Anne, Mrs
 Scott, George Henry,
 Tuckie, Corwin La, Esq.,
 Whitlock, George Stephen,

EXECUTORS, ADMINISTRATORS, &c.

- Baillie and Molloy,
 Registrar Supreme Court,
 Baillie and Molloy
 Waddington and Wilson,
 Registrar Supreme Court,
 Registrar Supreme Court,
 Registrar Supreme Court,
 Waddington and Wilson,
 Geo. E. Hudson,
 Registrar Supreme Court.

GENERAL REGISTER.

CIVIL APPOINTMENTS, &c.

ORDERS BY THE HON'BLE THE GOVERNOR OF BENGAL.

GENERAL DEPARTMENT, 26TH APRIL, 1837.

The Right Honourable the Governor General of India in Council is pleased to attach to the North Western Provinces, Mr F. S. Head, Writer, reported qualified for the Public Service.

The Right Hon'ble the Governor of Bengal is pleased to place the services of Mr. A. C. Heyland, at the disposal of the Hon'ble the Lieutenant Governor North Western Provinces.

Mr. H. R. Alexander is reported qualified for the Public Service by proficiency in two of the Native languages.

Mr. F. S. Head, Writer, is reported qualified for the Public Service by proficiency in two of the Native languages.

The following Resolution, passed by the Right Hon'ble the Governor of Bengal, is published for general information:

The Right Hon'ble the Governor of Bengal being of opinion that Public Officers are entitled to expect that their Allowances shall be made payable at the Station where they may at any time be employed by Government, and that any inconvenience of account that may result from the Salary of local Officers not being born amongst the Charges of the Stations and Districts in the accounts rendered by District Officers may and ought to be remedied by the adjustment of such payments as remittance, is pleased to direct that when an Officer holding office at one Station shall be appointed to do duty at another the Salary of such Officer shall, unless, otherwise ordered by Government, be audited by the Civil Auditor payable at the Treasury of the Station where such Officer is appointed to do duty, from the date of the Deputation the payment of the fixed Salary of officers when so made at a different Station is to be adjusted by the Officers of account as a remittance.

3D MAY, 1837

Mr. William Wollen has been permitted to resign the Hon'ble Company's Civil Service from the 1st instant.

17TH, MAY 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for May, instant, will be discharged by the Sub Treasurer and Marine Paymaster respectively, on or after Thursday the 15th proximo.

Erratum in the Orders of the Right Hon'ble the Governor General of India in Council, No. 61, dated the 10th May 1837, published in the *Gazette* of the 13th May—

For "T. C. Trotter," read "T. C. Loch."

The Right Hon'ble the Governor of Bengal is pleased to appoint Captain F. W. Birch, or the Superintendent of Police for the time being, to be the Officer for granting Permits for the embarkation of Native Labourers under the Rules contained in Act V. of 1837.

24TH MAY, 1837.

The Right Hon'ble the Governor of Bengal is pleased to place the services of Mr. E. T. Tucker, at present an Assistant under the Commissioner of the Patna Division, at the disposal of the Hon'ble the Lieutenant Governor North Western Provinces, from this date.

Mr. A. Sconce, of the Civil Service, reported his return to the Presidency from England on board the Ship "*Albion*," which Ship passed Kedgees on the 16th instant.

Mr. Nathaniel Smith, of the Civil Service, reported his return to the Presidency from England via Bombay, on the 16th instant, Mr. Smith's return is to be dated from the day of his reaching the Frontier of the Bengal Presidency.

Mr. F. E. Read, of the Civil Service, reported his return from Aea on the 23d instant.

Mr. J. P. Ward has been permitted to resign the Hon'ble Company's Civil Service from the 1st instant.

Mr. G. A. Bushby, of the Civil Service, having been permitted to visit the Cape of Good Hope, embarked on board the Ship "*La Belle Alliance*," which Vessel was left by the Pilot at Sea on the 17th instant.

JUDICIAL AND REVENUE DEPARTMENT, 15TH APRIL, 1837.

The following Officer has obtained leave of absence from his Station:

Mr T. C. Scott, Magistrate and Collector of Salsore, for four months, on Medical Certificate.

25TH APRIL, 1837.

The following Officers have obtained leave of absence from their Stations.

Mr. J. F. M. Reid, Register of the Sudder Dewanny and Nizamut Adawlat, for four days, to proceed on the *Forbes Steamer* to the Sand Heads.

Mr. C. W. Truscott, Civil and Session Judge of Azeemghor, to proceed to the Cape of Good Hope for two years, on Medical Certificate, reckoning from the date of the sailing of the Ship "*La Belle Alliance*," subject to the approbation of the Honourable the Lieutenant Governor of the North Western Provinces.

Mr. J. B. Ogilvy, Joint Magistrate and Deputy Collector of Pubna, to the end of the current month, on Medical Certificate, in extension of the leave granted to him on the 7th ultimo.

2D MAY, 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments:

Mr. T. Bruce to officiate as Magistrate and Collector of Backergunge, in the room of Mr. H. Stainforth.

Mr. C. T. Davidson to officiate, until further orders, as Joint Magistrate and Deputy Collector of Neacolly, vice Mr. Bruce.

Mr. F. Skipwith to be Magistrate of Patna vice Mr. Jennings deceased.

Mr. J. B. Ogilvy to officiate as Magistrate and Collector of Burdwan, vice Mr. Skipwith.

Mr. W. M. Drom to officiate until further orders, as Magistrate and Collector of Rajeshah, in the room of Mr. A. C. Heyland.

Mr. A. Forbes to be Joint Magistrate and Deputy Collector of the Central Division of Cuttack.

Mr. W. J. Allen to be Joint Magistrate and Deputy Collector of Tipperah.

3D MAY, 1837.

Mr. C. E. Trevelyan to officiate as Additional Secretary to the Sudder Board of Revenue during Mr. Halliday's employment on special duty, or until further orders.

16TH MAY 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments:

Captain A. Bogle to be Commissioner of Arrakan, vice Major T. Dickinson.

Captain J. Anthie, Principal Assistant to the Commissioner of Assam, to be stationed at Gowshatty.

Ensign T. Brodie, to be a Principal Assistant to the Commissioner of Assam, vice Captain Bogle.

Lieutenant F. G. Backhouse to be a Junior Assistant to the Commissioner of Assam, vice Ensign Brodie.

Mr. J. S. Torrens to be Joint Magistrate and Deputy Collector of Burdwan but to retain charge of the Office of Joint Magistrate and Deputy Collector of Pubna, until further orders.

Mr. T. C. Loch to be an Assistant under the Commissioner of Revenue and Circuit of the 18th or Jessore Division.

Sheikh Abdulah Khan Bahadur to be Deputy Collector in Zillah Midnapore, under the provisions of Regulation IX. 1833.

Bahadur Gorindoo Chunder Sen Roy Bahadur to be Deputy Collector in Zillah Dittu, under the provisions of Dittu.

23D MAY, 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments:

Mr. C. J. H. Grubb to officiate until further orders, as Joint Magistrate and Deputy Collector of Rajeshah.

GENERAL REGISTER.

Wahidur Mahomed Idris Khan Bahadur to be Principal
Scribe, writing in English & Urdu

Patel Sambhooanath Rao Bahadur to be ditto ditto in Mohr-
asthedan

James Gaudotti Burdole to be Sudder Ameen in English Now-
gong in Assam.

The following Officers have obtained leave of absence from
their Stations

Mr W. H. Valpy Magistrate and Collector of Sarun, for six
months from the 15th or 24th proximo, on Medical Certificate.

Mr. W. Dent, Civil and Session Judge of Shahabad, for a
period not exceeding two months on Medical Certificate

Mr C. B. Ogilvy, Officiating Magistrate and Collector of
Burdwan, on Medical Certificate up to the 12th instant, the date
on which he assumed charge of the above Office, the extension of
the leave granted to him on the 26th ultimo

Mr C. W. Truscott, Civil and Session Judge of Ayrerghur,
embarked for the Cape of Good Hope on the Ship *La Belle Alliee*,
which Vessel was left by the Pilot at Sea on the 17th
instant.

POLITICAL DEPARTMENT, 24TH OF APRIL, 1857

Assign Henry J. C. Shakespeare, 24th Regiment N. I., to
be placed at the disposal of the Resident at Hyderabad

FINANCIAL DEPARTMENT, 30 MAY 1857

Mr John Jackson, of the Hon ble Company's Financial Agen-
cy at Canton retired from the Hon ble Company's service un-
der permission of the Hon ble Court of Directors on the 22d
November 1856.

17TH MAY, 1857

The following Resolution passed by the Right Hon ble the
Governor General of India in Council is published for general
information

Resolution—The Right Hon ble the Governor General of In-
dia in Council remarks that the principle of the Rule recently
established for Bengal under which the Salary of Officers de-
puted to other Stations of the same Presidency will be Adjusted
variable at the place where they may be employed applies
equally to the case of Officers of one Presidency employed tem-
porarily, either under the Supreme Government or in another
Presidency, with or vacating the substantive office to which they
are attached under their own Presidency—but the Rule cannot be
established in the same form, because the Auditor of one
Presidency cannot Audit Salary Bills and adjust the fund de-
ductions, &c. of another. In order to give to Servants in this
predicament the same advantage of drawing all their Allowances
at the place where they may be employed, the Right Hon ble the
Governor General of India in Council determines that the fol-
lowing Rule shall be established. Whenever a Servant attached to
one Presidency shall obtain temporary employment and remain
in that Presidency, and shall desire to draw the Allowance of his
substantive Office at the place or in the Presidency to which he
has been deputed, he shall apply to the Government of his Pre-
sidency for an order to the Civil Auditor to grant him a Certi-
ficate of the amount Salary less deductions to which he is en-
titled, and the Civil Auditor of the Presidency in which he is
doing duty, shall, on the strength of that Certificate pass to him
a monthly sum on account, as the Civil Auditor of the other Pre-
sidency, the amount so passed to be made payable at the Treas-
ury of the place where the Officer is employed upon duplicate
or triplicate receipts, and to be adjusted in account by the Ac-
countant or Accountant General of the Presidency as a remittance
in the debt of the Presidency on account of which it is paid.
With respect to Divisions of the same Presidency as the Col-
lectors of one Division are in the habit of granting Bills on those
of the other, which are adjusted through the two Offices of
Account, the Governor General of India in Council adopting the
suggestion of the Accountant General determines that when an
Officer of the North Western Provinces may be deputed to offi-
ciate within those under the Governor of Bengal or vice versa the
Salary Bill of his substantive Office being transmitted for Audit
to the Auditor of the proper Division, shall by him be forwarded
to the Collector of the District where it is ordinarily payable and
the Collector shall if it be duly receipted, issue and transmit to the
Treasury a Bill for the amount as per Audit payable to the In-
dian Treasury of the place where he may be employed upon
duplicate receipts, to be granted at par without any charge of
exchange.

SECRETARY DEPARTMENT, 30TH MAY, 1857

The following Orders, sent the Proprietors and others allow-
ing the use of the Troops at the Presidency, and the
use of the Troops, will be issued in accordance with
the orders.

MOOREHEADS DEPARTMENT, 24TH MAY, 1857.

Leave for one month, from the 26th instant, has been granted
to the Reverend Richard Arnold Minister of the Gospel at Oudkoot,
by the Right Reverend the Lord Bishop of Calcutta.

MOOREHEADS DEPARTMENT, 24TH MAY, 1857.

The Lord Bishop of Calcutta has appointed the Reverend Hen-
ry Pratt, M. A. Chaplain, to be Successor to the late and the
Reverend William Starrook, A. B. Chaplain, to be Successor to
Deacons in the above Archdeaconry for granting Licenses of
Marriage.

PORT WILLIAM LEGISLATIVE DEPARTMENT, 1ST MAY, 1857

The following Act passed by the Right Hon ble the Governor
General of India in Council on the 1st May 1857, is hereby pro-
mulgated for general information

Act No V of 1857.

I It is hereby enacted that from the 1st day of June next,
no Native of India except as hereinafter excepted who makes a
Contract of Service to be performed without the said Territories
shall be received in pursuance of such Contract on board of any
Vessel at any place within the Territories subject to the Presi-
dency of Port William in Bengal without an order from the
Governor of the said Presidency or a Permit from an Officer
authorized by the Governor of the said Presidency to act in that
behalf

II And it is hereby enacted that before any such Permit
shall be granted by any such Officer such Native and also the
person with whom such Native has contracted or an authorized
Agent of that person shall personally appear before that Officer
and shall exhibit a Memorandum of the Contract (written both
in English and in the mother tongue of such Native or in some
language understood by such Native) which Memorandum shall
specify the nature of the term, and the wages of the service as
settled by the Contract.

III And it is hereby enacted that no such Permit shall be
granted unless the Contract of service shall be made determin-
able on the expiration of one term of not more than five years, to
be reckoned from the date of the Contract or of successive terms,
none of which shall exceed five years and unless such Contract
shall contain a stipulation that such Native shall be conveyed
back to the Port at which he is embarked free of charge to him-
self at the expiration of his service

IV And it is hereby enacted that it shall be lawful for the
said Officer to examine the said Native and the person with whom
that Native has contracted or the Agent of that person touching
the terms of the Contract in which shall cause those terms to be dis-
tinctly explained to the said Native

V And it is hereby enacted, that if the said Officer shall be
satisfied that the said Native fully understands the terms of the
Contract and is desirous to fulfil the same, the said Officer shall
make and sign on the back of the written Memorandum aforesaid
a note to the effect that the said written Memorandum has been
inspected by him the said Officer, and such Note shall be a
Permit authorizing the said Native to embark, and the Memo-
randum of Contract with the Permit so written thereupon shall
be delivered to the Native to be kept by him during his service

VI And it is hereby enacted that if application is made for
permits authorizing more than twenty Natives to embark on
board of any one Vessel, it shall be lawful for the Officer aforesaid
to summon the person in charge of that Vessel, and to exam-
ine that person as to the accommodations, food and Medical
attendance provided for such Natives on board of that Vessel,
and to inspect that Vessel, or by an order under his hand to de-
pute any other person to inspect the same

VII And it is hereby enacted, that the Officer aforesaid shall
not grant Permits authorizing a greater number of Natives than
twenty to embark on board of any one Vessel unless he is satis-
fied that the accommodations, food and Medical attendance pro-
vided for such Natives on board of that Vessel will be sufficient
for their health.

VIII. And it is hereby enacted, that the Officer aforesaid shall
keep a Register of all Natives to whom he shall grant such
Permits as aforesaid, which Register shall specify their names,
the periods of the Contract, the date of the Permits, the place
of their destination, and the Vessel on board of which they were
permitted to embark.

IX And it is hereby enacted, that for every such Permit
shall be lawful for the Officer aforesaid to require that a sum not
exceeding one Rupee shall be paid by the person with whom the
Native to whom the Permit relates has contracted or by the
authorized Agent of that person.

GENERAL REGISTER.

X. And it is hereby enacted that whoever being in charge of any Vessel at any place within the Territories subject to the Presidency of Fort William in Bengal, shall knowingly suffer any such Native as is aforesaid to embark on board of such Vessel in pursuance of any such Contract as is aforesaid, without either an order from the Governor of the said Presidency or such a Permit as is aforesaid to be produced to him by the Native concerned, shall on Conviction thereof before a Magistrate, be punished with a fine not exceeding 500 Rs for every Native so suffered to embark, and in default of payment of such fine with imprisonment for a term not exceeding thirty days for every Native so suffered to embark.

XI. Provided always that nothing in this Act contained shall be taken to apply to any Native Seaman who shall embark on board of any Vessel in pursuance of a Contract to navigate that Vessel, or to any person who shall embark as a Menial Servant.

The following Act passed by the Right Honble the Governor General of India in Council on the 1st May 1837, is hereby promulgated for general information :

Act No VI, of 1837

I. It is hereby enacted, that every Malgooniar in the Province of Outlack and every body of Malgooniar in the said Province having as such body, joint engagements with the Government and being persons acknowledged as the proprietors or possessors of a permanent interest in the Mehaut for which they have engaged shall be answerable for the Jamma fixed by the terms of the settlement now existing for every Mehaut of such Malgooniar or body of Malgooniar until a new settlement of such Mehaut shall be completed and confirmed according to the provisions of Regulation VII of 1822, and Regulation IX. of 1823 of the Bengal Code.

II. Provided always that if any such Malgooniar or body of Malgooniar shall before the 1st day of August 1837, notify to the Collector of the District within which any Mehaut of such Malgooniar or body of Malgooniar is aforesaid may be situated that it is the intention of such Malgooniar or body of Malgooniar to relinquish the existing engagements of such Malgooniar or body of Malgooniar in respect of such Mehaut at the expiration of the term for which those engagements have been made it shall be lawful for such Malgooniar or body of Malgooniar to relinquish the said engagements at the expiration of the said term.

The following Extract from the Proceedings of the Right Honble the Governor General of India in Council, in the Legislative Department under date the 1st of May 1837, is published for general information.

Read a second time the Resolution and Draft of a proposed Act published under date the 6th of March 1837 in the *Calcutta Gazette* of the 15th following authorizing Magistrates and Joint Magistrates to appropriate a portion of the tax levied under Regulation XXII 1816 for repairing and cleansing the Town in which such tax is levied and to raise the maximum of that Tax to Two Company a Rupees per Month.

Read a letter from the Officiating Secretary to the Lieutenant Governor N. W. P. in the Judicial Department under date the 24th March last notifying the existing anomaly which exempts European British subjects from assessment of the Chowkedars Tax.

Resolution—The Right Honble the Governor General of India in Council is pleased to resolve that the said Draft be published for general information with the following amendment and that the amended Draft be brought up for reconsideration at the first Meeting of the Legislative Council of India which may be held after the Eighteenth day of June next.

Resolution and Draft—Since the abolition of the Town Duty in April last year the Government has directed its attention to the best means of replacing the loss thereby occasioned in the fund which had as circumstances permitted, been considered available towards the improvement of the large Towns in the interior of the Country.

From the information collected from the Magistrates of Bengal and the North Western Provinces, it appears that the object in view may be accomplished with the least annoyance to the people and with the least disturbance of existing institutions, by enacting the amendment, which is verbiage under Regulation XXII 1816 for the maintenance of Chowkedars of Police applicable like the similar assessments levied in Calcutta and the other Provinces to the cleansing and repairing as well as to the improvement of the Towns in which the Tax is levied.

There is reason to believe also that the maximum of the Tax, viz. One Rupee, authorized to be fixed by the Panchabats of the Division of the Towns under the aforesaid Regulation, is not sufficient to permit of an equitable adjustment of the Tax, On this subject a higher maximum has been fixed for individuals but no change has been made in the maximum of aggregate amount of the assessment authorized to be levied under the Regulation.

The effect of this alteration will be to relieve the poor and to make a small addition to the contribution of those who are best able to contribute.

The following Draft of a proposed Act is accordingly notified for general information.

Act No ——— of 1837.

I. It is hereby enacted, that from the _____ day of _____ it shall be lawful for the several Magistrates and Joint Magistrates within the Presidency of Fort William in Bengal to appropriate a portion of the Tax levied under Regulation XXII 1816, of the Bengal Code to the purpose of cleansing and repairing the Towns in which that Tax is levied.

II. And it is hereby enacted, in lieu of the maximum rate prescribed by the Second of appointment referred to in Section X of the above mentioned Regulation, that after the _____ day of _____ it shall be competent to the Panchabats appointed by the said Council to fix the rate of assessment to be levied from the proprietor or principal occupier of any shop or habitation at Two Company's Rupees per mensem.

III. And it is hereby enacted, that no person whatever shall either by reason of place of birth or by reason of descent be exempted from the payment of any assessment under Regulation XXII, of 1816, of the Bengal Code or under this Act.

The following Extract from the Proceedings of the Right Honble the Governor General of India in Council, in the Legislative Department under date the 1st May 1837, is published for general information.

Read the following paragraph (12) of a Dispatch from the Honble the Court of Directors to the Governor General of India in Council, in the Legislative Department, No. 2 (26th October) of 1836.

12. "It does not appear from the papers forwarded by you whether there existed any objection to a provision authorizing the several Supreme Courts to permit any convict recommended by them to His Majesty for pardon pending the reference for that purpose, to be at liberty on his own recognizance. If unobjectionable we are of opinion that according to the suggestion of the Judges a provision to that effect should be passed by the Legislative Council. The object would have been answered by the enactment of the IV Clause of the proposed Act, omitting only the proviso with which it concludes."

In conformity with the suggestion contained in the foregoing paragraph the following Act was passed, and was ordered to be published for general information.

Act No VII of 1837.

It is hereby enacted, that it shall be lawful for any of the Courts established by His Majesty's Charters, in any case in which such Court shall have recommended to His Majesty the granting of a free pardon to any Convict, to permit such Convict to be at liberty on his own recognizance.

8TH MAY, 1837.

The following Act passed by the Right Honble the Governor General of India in Council on the 8th May, 1837, is hereby promulgated for general information.

Act No VIII of 1837.

I. It is hereby enacted that from the 1st day of July, 1837, the Districts of Anang and Changanacherry shall from a separate jurisdiction, which shall belong to the Western Division of the Territories, subject to the Government of the Presidency of Fort St. George.

II. And it is hereby enacted, that from the said day, the British Resident in Travincore shall exercise the powers of Justice and Criminal Judge within the said jurisdiction, and under the Court the parties and proceedings in cases to be tried by the Court of Circuit, and that the said Resident shall also exercise within the said jurisdiction, all the powers of a Magistrate, any thing contained in the Regulations of the Madras Code to the contrary notwithstanding.

15TH MAY, 1837.

The following Act passed by the Right Honble the Governor General of India in Council on the 15th May 1837, is hereby promulgated for general information:

Act No IX. of 1837.

I. It is hereby enacted, that from the 1st day of June, 1837, all immovable Property situate within the jurisdiction of any of the Courts established by His Majesty's Charter shall, as regards the transmission of such Property on the death and intestacy of any Person having a beneficial interest in the same, or by the last Will of any such Person, be taken to be and to have been of the nature of Chattels real and not of freehold.

GENERAL REGISTER.

21. It is further alleged, that in any Act or Law which might be passed, or intended for the recovery of such Intestate's Property, or for the purpose, no advantage shall be taken of the effect of the transmission of the transmission of such Property upon death and minority of any Person having a beneficial interest in the same, or by the last Will of any such Person, which transmission took place before the said First day of June, 1867, and if such transmission were either according to the Rules which regulate the transmission of freehold Property, or else took place with the acquiescence of all persons to whom any interest in that Property would according to the Rules which regulate the transmission of Chattels real, have accrued upon the death of such Person.

The following Draft of a proposed Act was read in Council for the first time on the 15th May 1887

Ad No ~~1837~~ OF 1837.

3. It is hereby enacted, that from the day of
 session XV 1817, of the Bengal Code, shall be repealed

11. And it is hereby enacted, that when the Customs Duties fixed to be levied upon Goods Exported by Sea from any Port of the Presidency of Bengal shall *ad valorem*, each value shall be declared by the Exporter in the manner prescribed by Regulation VI 1855 of the Bengal Code for Goods Imported into Calcutta by Sea, and the Rates and provisions of that Regulation for cases of Assessed value (saving and excepting Section IV thereof which provisions the levy of duty when the Goods are taken for Government) shall apply and be in force in respect to Goods intended to be Exported by Sea in like manner as for Imported Goods and the value so to be declared by the Exporter shall include the packages or materials in which the Goods may be packed or contained.

111 And it is hereby enacted that it shall be lawful for the Governor of the Presidency of Fort William in Bengal from time to time, by notice in the Official Gazette, to take a value for any Article liable to ad valorem Duty and that the value so set by the Governor of the said Presidency shall still altered by a similar notice, be taken to be the value of such Article for the purpose of levying Duty on the same

IV And it is hereby enacted, that every Master of a Vessel who shall remove from such Vessel, or put on board thereof any Goods, or cause or suffer any Goods to be removed thence, or put on board thereof between sun rise and sun set or on any day when the Custom House is closed for business, shall be punished with a fine not exceeding 500 Rupees.

V. And it is hereby enacted, that when upon application from the Commander of any Vessel, the Customs House Officer shall be removed from on board thereof under the provisions to that effect contained in Sec. XVI of the Act XIV of 1856 if the Commander of such Vessel shall, before a Customs House Officer have again been placed in such Vessel put on board of such Vessel or on any other vessel to be put on board of such Vessel any Goods whatever, such Commander shall be punished with a fine not exceeding 1000 Rupees and the Goods shall be liable to be retained for examination at the expense of the shippers upon requisition to that effect from the Collector of Customs.

VI And it is hereby enacted, that the Commander of every Vessel who is bound to receive a Custom House Officer on board of such Vessel, shall also be bound to receive on board one or more of such Officers, and to provide such Officer and such or such with suitable shelter and accommodation and likewise with a due allowance of fresh water if necessary; and with the means of cooking on board; and if any Commander of a Vessel shall wilfully disobey the directions contained in this Section he shall be punished with fine not exceeding 500 Rupees

[illegible]

And it is hereby enacted, that when Goods shall be found on board any Ship for the purpose of being hunted and purchased by the Indians, there shall be sent with each such load or other quantity of such Goods a Boat containing the number of Packages and the names and residences of other persons thereon, and such Boat shall be signed by an Officer of the Vessel and forwarded to the Customs Officer that may be on board, and if such Goods be found in a Boat containing no load of such Goods, or if being accompanied by a Boatman; they may be taken on shore, and the proper track between the Ship and the Customs Officer, or the Officer of the Office at which they have been taken, may be marked, the Boat containing such Goods may be taken to any wharf or pier, or by any Officer of the Preventive

Service of the Customs House, this instrument to the Collector of Customs, and under the seal of Customs is returned to the satisfaction of the Officers of Customs, the undersigned is hereby in confession.

IX. And it is hereby enacted that when Goods shall be brought to be passed through the Custom House, either for Importation or Exportation by Sea, if the Packages to which the same shall be consigned, shall be found not to correspond with the Number of them given in the Application for passing them through the Custom House, or if the contents thereof be found not to be here correctly described in regard to sort, quality or quantity, or if any Goods not stated in the Application be found concealed in or mixed up with the aforesaid Articles, all such packages, with the whole of the Goods contained therein, shall be confiscated.

'K And it is hereby enacted that if any person after Goods have been landed and before they have been passed through the Customs House removes or attempts to remove them with the intention of defrauding the revenue, the Goods shall be liable to confiscation.

XI And it is hereby enacted, in modification of the article of Schedule B of Act No. XIV of 1859 which provides, that any Sugar or Gum shall be exported to any British Bottoms to any British possession, no Duty shall be levied thereupon, and if in foreign Bottoms a duty of 3 per cent duty shall be levied, (and the said exemption from duty and advantage of Duties shall hold or apply to the case of Sugar exported to any British Possession or Settlement on the Continent of India (including the Port of Bombay), but Duties shall be levied on such Exports in the same manner as upon Sugar and Gum exported to other places, and the amount of Duties so levied shall be credited to the adjustment of any Import Duty to which the Sugar so exported from Bengal, may be subject at any place of import within the possessions of the East India Company

XI And it is hereby enacted in modification of Section XVIII of the Act XIV of 1836 that when Goods shall be shipped after Port Clearance, if the same be Imported Goods entitled to drawback such drawback shall be forfeited, but no export duty shall be levied thereon.

XIII And it is hereby enacted in modification of Section XV of Act No. 1836, that if Goods be landed at the Custom House be not claimed and cleared from the Custom House within three months from the date of entry of the Ship in which such Goods were imported it shall be competent to the Collector to sell the Goods on account of the duties, freight and other charges incurred and due thereon

XIV And he hereby enacted that no payment shall be made of draw back upon any Goods exported from any Port of Bengal, unless the export be made within two years from the date of the import in the Custom House Registers nor unless the claim to receive such drawback be made at the time of exportation nor unless the amount due thereupon be demanded within one year from the date of entry for shipment in the Custom House Registers.

XV And it is hereby enacted, that drawback shall not be allowed upon Goods shipped in Dhomes and Native Craft not navigated by Pilots and not having Customs House Officers on board

XVI And it is hereby enacted In modification of Section LX Regulation LX of 1810 that the Board of Customs Salt and Opium shall have power to fix, and from time to time to alter the rates of Wharfage and Gilghani Rates, Charges, and to determine the time for which Goods shall be all wad to remain on the Wharfs or in the Godowns of the Custom House free of charge, while the Goods are being paid for import or export by sea.

XXVI And it is hereby enacted that it shall be lawful for the Collector of Customs, whenever he shall see fit to require that Goods brought by Sea and stowed in bulk, shall be weighed on board ship before being sent to land and to levy Duty according to the result of such weighing.

XVIII And it is hereby enacted, that whoever shall intentionally offer any obstruction to the weighing directed by the preceding Section shall be punished with a fine not exceeding 500 Rs.

Ordered that the Draft now read be published for general information.

Ordered that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 6th day of June next.

The following Draft of a proposed Act was read in Council for the first time on the 18th May, 1957

Art No. 4-10-100

4. It is hereby enacted, that every person who shall be required by any Regulation of any Presidency or by an Act of

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the Indian Government to make Oath, to the truth of any State made made to any Collector of Sea or Land Customs or of Town Duties, a written Declaration subscribed by that person to the same effect with the Oath which that person is now required to make, shall be received by such Collector of Customs instead of such Oath.

8. And it is hereby enacted, that whoever in any written Declaration made and subscribed under the authority of this Act instead of an Oath, shall knowingly make an untrue shall be punished on conviction before a Magistrate with imprisonment for a term not exceeding one year or fine or both.

Ordered that the draft now read be published for general information.

Resolution—The Governor General of India in Council having taken into consideration the recommendations, and Drafts of Acts, relative to the future regulation of the Post and Bazaar Conveyances in India, which have been submitted to him by the Committee assembled in Calcutta for the investigation of this subject, has resolved to publish for general information the enclosed Draft of Rules as appearing to him, upon mature deliberation, to be the best suited to introduce a just principle of uniformity in this branch of the Administration in the several Presidencies, and to recommend generally, a due attention to the convenience of the Public, with a regard for the financial interests of the Government.

3. The effect of the proposed enactment, in its main provisions will be to do away with the entire division which has hitherto existed between the Post Office Rules and Establishments of the different Presidencies—to equalize the rates of Letter Postage, by raising, in some degree, those of Bengal, and reducing those of Madras, and, in a still greater degree, those of Bombay,—to diminish to some considerable extent the Newspaper Postage of all the Presidencies, especially for extreme distances, at which the high existing rates of Postage are found to bear with excessive, and, in many cases prohibitively pressure upon circulation, to allow letters to be sent bearing Postage, as well as parcels as to revise the scale of ship Letter Postage, which has hitherto been levied in a manner inconvenient to the public and in an undue proportion to the service performed by the Post Office.

3. It is not necessary to recapitulate in this Resolution the detailed Rules for amending and aiding the practice of the Department, and for the more effectual control of its officers. It had been the intention of the Government that the revenue at present derived from the Post Office but little exceeding its expenses should not be diminished by any new arrangement of rates, but though it has been found necessary to submit to some loss of public income, more particularly in the just consideration of a proper scale of Ship Letter Postage, in all other cases it may be confidently hoped that an ample compensation will, at no distant period, be obtained in an improved circulation of intelligence and correspondence, and, in this confidence, the Governor General in Council will only farther record his wish to extend, as far as may be consistent with prudent administration, the advantages given to the community by this Department.

4. It has been deemed necessary also, with a view to secure the full advantages to the Government and the public contemplated in this Act, to declare the exclusive power of conveying letters by post for hire to be vested in Government, but it is not the intention of the Governor General in Council to act exclusively on the power given him for the suppression of private Dawks, and he will feel disposed to grant licences generally to existing private Dawks where sufficient cause for the indulgence may be shown. The period of two months has been granted for all parties who may entertain objections to the proposed Draft to make such objections, and a further period of three months has been allowed for the Proprietors of any Private Dawks that may now exist to apply for licences for the continuance of such Private Dawks.

The following Draft of a proposed Act is accordingly notified for general information, and that the said Draft be brought up for reconsideration at the first meeting of the Legislative Council of India which may be held after the 10th day of July next.

ACT No. — of 1857.

1. It is hereby enacted, that from the day of the Assumption of 1857, of the Bombay Acts, shall be repealed.

2. And it is hereby enacted, that after the expiration of three months from the passing of this Act, the exclusive right of conveying letters by post for hire from place to place within the territories of the East India Company, shall be vested in the Government of India in Council.

III. Provided always that it shall be competent to the said Governor General of India in Council, and to any authority thereto empowered by the said Governor General in Council, to grant to any person or persons a licence permitting such person or persons to convey letters by post for hire from place to place within the said Territories, and that it shall be lawful for any person or persons having such licence to convey letters in conformity with the terms of such licence.

IV. And it is hereby enacted, that it shall be lawful for the said Governor General in Council, and for any authority thereto empowered by the said Governor General in Council, to grant any such licence as is described in the foregoing section, to revoke such licence at pleasure.

V. And it is hereby enacted, that whoever otherwise than under the authority of the said Governor General in Council, or in conformity with the terms of such a licence as is aforesaid, knowingly conveys any letter by post for hire from place to place within the said Territories, or receives any letter or packet or letters, in order to such conveyance, or delivers any letter according to its direction knowing the same to have been so conveyed, or is accessory to such conveyance receipt or delivery, shall be punished with fine not exceeding 50 Rs. for every letter so conveyed, received or delivered.

VI. And it is hereby enacted that inland postage duties shall be levied on the conveyance of letters and packets by the Government Post at the rates set forth in the Schedule marked A which is annexed to this Act, and that the full postage shall be paid either on receipt or on delivery at the option of the sender, and that if the thing conveyed be transferred from a Post Office in one Presidency to a Post Office in another Presidency, no additional charge shall be made on account of such transfer.

VII. And it is hereby enacted, that when there is a banyan established on a line of road, no person shall be entitled to demand that any letter or packet exceeding 12 tolas in weight shall be conveyed by the letter post on that line of road.

VIII. And it is hereby enacted, that when there is no banyan established on a line of road letters and packets exceeding 20 tolas in weight, and not exceeding 40 tolas in weight, shall be conveyed on that line of road by the letter post, and every such letter or packet shall be charged with the postage of a letter or packet of the same description of twelve tolas weight sent by letter post.

IX. And it is hereby enacted that no packet of the description mentioned in Table 2 of Schedule A shall contain any writing whatever other than writing which is necessarily part of the documents which such packet is stated to contain, by attestation on the cover of such packet, and that whoever shall send any such packet by the Government Post knowing that it contains any writing not necessarily part of the documents which such packet is stated to contain by attestation on the cover, shall be punished with a fine of Fifty Rupees.

X. And it is hereby enacted that no packet of the description mentioned in Table 3 of Schedule A shall contain any writing whatever, except the direction on the cover, and that whoever shall send any such packet by the Government Post, knowing that it contains any writing other than the direction on the cover, shall be punished with a fine of Fifty Rupees.

XI. And it is hereby enacted, that proof sheets marked as such may be sent by letter post at the rates set forth in Table 2 of Schedule A provided they be brought to the Dispatching Office open, and be sealed in presence of the person in charge of such Office.

XII. And it is hereby enacted, that the said Governor General in Council shall frame a scale of distances as nearly as practicable according to the distance by the nearest road between Post Office Stations, and that the rates of inland postage shall be calculated according to this scale.

XIII. And it is hereby enacted, that Steam Postage, according to such rates as may from time to time be fixed by the Governor General in Council, shall be levied on all letters and packets sent or received by any Government Steam, and that such Steam Postage shall be in excess of any inland postage to which such letters or packets may be liable.

XIV. And it is hereby enacted, that Ship Postage, according to the rates fixed in Schedule B, annexed to this Act, shall be levied on all letters or packets sent or received by sea through any Government Post Office, and not liable to Steam Postage.

XV. And it is hereby enacted, that when any Vessel is ordered by sea at any place within the said Territories, or when ordered by a Government Post Office, the Commander of such Vessel shall, as speedily as possible, convey every letter and packet on board such Vessel which is directed to that place, and which is specially entrusted for separate delivery, to be delivered at the Post Office or to some Officer of the Post Office directed to receive the same; and that if there be no Officer of the Post Office directed to any other place, and not specially entrusted for

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separate delivery, the said Commander shall as speedily as possible, report the same to the Post Master General of Post offices of the place at which he has arrived, and shall act according to such directions as he may receive from such Post Master General or Post Master, and that the receipt of such Post Master General or Post Master shall discharge such Commander of all responsibility in respect of such letter or packet.

XVI And it is hereby enacted that every Commander of a Vessel who shall wilfully disobey any of the directions contained in the preceding Section shall be punished with fine not exceeding 2,000 Rupees.

XVII And it is hereby enacted, that for every letter or packet delivered by a Commander of a Ship, in conformity with the directions of Section XV of this Act, the Officer in charge of the Post Office shall pay to the said Commander the sum of One Anna.

XVIII And it is hereby enacted, that whenever any letter or packet is transhipped for transmission to any other place within the said Territories the Commander of the Vessel, which originally brought such letter or packet, shall be entitled to receive One Anna for every such letter or packet, and that the Commander of the Vessel into which the letter or packet is transhipped, shall be entitled to receive Half an Anna from the person in charge of the Post Office at the place of delivery provided that the said last mentioned Commander delivers the same in conformity with the directions contained in Section XV of this Act.

XIX Provided always that no payment shall be made to the Commander of any Vessel on account of the delivery of any letter or packet unless the claim of such Commander shall be preferred before the Vessel leave the place at which the letter or packet was delivered, or before the expiration of three months from the date of the arrival of the packet at the place of ultimate delivery.

XX And it is hereby enacted that the Commander of every Vessel leaving any place in the said Territories by sea, shall receive on board of such Vessel every letter and packet which he shall be required to receive by any Officer of the Post Office and shall sign a receipt for all letters and packets, and that every Commander of a Vessel who shall wilfully disobey any direction of this Clause shall be punished with a fine not exceeding 1,000 Rupees.

XXI And it is hereby enacted that whenever any letter or packet the postage of which has not been paid, shall be delivered by any person employed by the Post Office, the person to whom it is delivered shall not be bound to pay the postage if he returns the letter or packet unopened, but if he opens the same he shall be bound to pay the postage due thereon, provided always, that if the letter or packet shall appear to have been maliciously sent for the purpose of annoying the person to whom it is directed, the Post Master General or Post Master of the Office from which the delivery took place shall remit the said postage.

XXII And it is hereby enacted, that every letter or packet which is rejected unopened by the person to whom it is directed shall be returned by post to the sender, and that the said sender shall be bound to pay the return postage thereon unless direct postage has already been paid thereon.

XXIII And it is hereby enacted that whenever any letter or packet, the sender of which is unknown shall be rejected unopened by the person to whom it is directed such letter or packet shall be opened by the Officer in charge of the Post Office from which such letter or packet was delivered to that person.

XXIV And it is hereby enacted that if any person shall refuse to pay any postage which he is legally bound to pay for any letter or packet, it shall be lawful for the Officer in charge of the Post Office from which such letter or packet was delivered to withhold from the person so refusing till such postage be paid, any letter directed to that person upon which postage has not been paid by the sender.

XXV And it is hereby enacted, that all letters and packets which have remained three months unclaimed at any Post Office shall be transmitted to the General Post Office of the Presidency.

XXVI And it is hereby enacted, that at intervals not exceeding three months, lists of all unclaimed letters and packets which are in the General Post Office of any Presidency, shall be published in the Official Gazette of that Presidency.

XXVII And it is hereby enacted, that every letter and packet which may have remained eighteen months unclaimed in the General Post Office of any Presidency, shall be opened by the Post Master General of that Presidency, and that all valuable property which such letter or packet may contain shall be paid into the Government Treasury for the benefit of any party who may have a right thereto, and that where twelve months shall have elapsed since the opening of such unclaimed letter or packet, it shall be lawful for the said Post Master General, if such letter or packet still continues to be unclaimed, to destroy the same.

XXVIII And it is hereby enacted, that the privilege of sending all letters and packets by letter post, free of postage, and of sending and receiving letters and packets by banghy on the public service free of postage, shall be allowed to the persons hereinafter mentioned, viz.

His Majesty's Principal Secretaries of State.

President and Secretaries of the Board of Control
The Chairman, Deputy Chairman and Directors of the India Company.

Secretary, Deputy Secretary and Assistant Secretary at the India House.

The Governor General
The Governors of Bengal, Madras and Bombay.

The Governor of Ceylon.

The Lieutenant Governor of the North Western Provinces.

The Chief Justices of Bengal, Madras and Bombay.

The Bishops of Calcutta, Madras and Bombay.

The Members of the Supreme Council.

The Members of Council of Madras and Bombay.

The Judges of the Supreme Courts of Bengal, Madras and Bombay.

The Recorder of Prince of Wales Island, Singapore and Malacca.

The Commander in Chief of His Majesty's Naval Forces.

The Commander in Chief of the Army in India.

The Commanders in Chief of the Army at Madras and Bombay.

And that the letters and packets sent by any of the persons aforesaid shall be franked in such manner as may be directed by the Governor General of India in Council.

XXIX And it is hereby enacted that it shall be competent to the said Governor General of India in Council, by an order in Council, to grant to any person or body of persons the privilege of sending or receiving letters or packets either by letter post or banghy free of postage on such conditions and under such rules as he said Governor General in Council may direct.

XXX And it is hereby enacted, that if any Post Master General or Post Master shall suspect that any letter or packet lying for delivery at his Post Office contains any contraband article or any article on which duty is owing to Government or that any letter or packet lying for delivery at that Post Office contains any writing in contravention of the provisions of Sections IX and X of this Act, it shall be lawful for such officer to summon the person to whom the letter or packet is directed to attend at that Post Office by himself or Agent within forty eight hours after the arrival of the letter or packet at that Post Office, and to open the letter or packet in the presence of the person to whom the letter or packet is directed, or of that person's Agent, and if that person shall not so attend by himself or Agent, then to open the letter or packet in the absence of that person.

XXXI And it is hereby enacted, that the Government shall not be responsible for any loss or damage which may occur in respect of any thing entrusted to the Post Office for conveyance, and that no person employed by the Government in the Post Office Department shall be responsible for any such loss or damage unless that person had caused such loss or damage maliciously or fraudulently.

XXXII And it is hereby enacted that all fines incurred under any of the preceding provisions of this Act may be levied on conviction before any Magistrate or Justice of the Peace, or before any person exercising the powers of a Magistrate provided always that no person not a Post Master General or Post Master shall be competent to institute any prosecution for any violation of any of the preceding provisions of this Act.

XXXIII And it is hereby enacted, that whoever being in the employ of the Government in the Post Office Department, or being in the employ of any person or persons who may contract with the Government to convey letters or packets by Post for hire, shall fraudulently appropriate any letter or packet which may have been entrusted to him, or any thing contained in any such letter or packet, or shall open any such letter or packet, or any banghy box with the intention of fraudulently appropriating any thing therein contained shall be punished with imprisonment with or without hard labor for a term not exceeding seven years, and shall also be liable to fine.

XXXIV And it is hereby enacted, that whoever being in such employ as is described in the last Section and being entrusted to receive money for postage duty, shall fraudulently appropriate the same, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labor for a term not exceeding two years, and shall also be liable to fine.

XXXV And it is hereby enacted that whenever being in such employ as is described in Section XXXIII shall fraudulently put any wrong mark on any letter or packet, or shall fraudulently alter or cause to disappear any mark which is on any letter or packet, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labor for a term not exceeding two years, and shall also be liable to fine.

XXXVI And it is hereby enacted that whoever being in such employ as is described in Section XXXIII and being entrusted with the preparing or keeping of any document, shall, with a fraudulent intention, prepare that document incorrectly, or alter that document, or secrete or destroy that document, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labor for a term not exceeding two years, and shall also be liable to fine.

XXXVII And it is hereby enacted, that whoever being in such employ as is described in Section XXXIII puts any letter or packet into the Wallets of the Post Office intending thereby to defraud the Government of the postage duty on such letter or packet, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labor for a term not exceeding two years, and shall also be liable to fine.

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1.
Schedule A. of Postage duties on Letters, Parcels,
Newspapers, &c. and of Banghy Postage.

Letters.

MILES.	SINGLE.	DOUBLE.	
	Not exceeding One Tola.	Exceeding One Tola and not exceeding Two Tolas.	
	Annas.	Rupess.	Annas.
20	1	0	2
50	2	0	4
100	3	0	6
150	4	0	8
200	5	0	10
250	6	0	12
300	7	0	14
400	8	1	0
500	9	1	2
600	10	1	4
700	11	1	6
800	12	1	8
900	13	1	10
1,000	14	1	12
1,200	15	1	14
1,400	1 Rupee	2	0

And upwards—Single Postage being added for each additional Tola.

2.
Law Papers, Accounts and Vouchers attested as such with the full signature of the Sender.

MILES.	SINGLE.	DOUBLE.	
	Not exceeding 3½ Tolas.	Exceeding 3½ Tolas and not exceeding 6 Tolas.	
	Annas.	Rupess.	Annas.
20	1	0	2
50	2	0	4
100	3	0	6
150	4	0	8
200	5	0	10
250	6	0	12
300	7	0	14
400	8	1	0
500	9	1	2
600	10	1	4
700	11	1	6
800	12	1	8
900	13	1	10
1,000	14	1	12
1,200	15	1	14
1,400	1 Rupee	2	0

And upwards—Single Postage being added for every 3 additional Tolas.

3.

Newspapers, Pamphlets and other printed or engraved Papers, packed and proof sheets in short covers open at each end.

DISTANCE.	Newspapers, Pamphlets, &c., printed in India Weight.			Imported Newspapers, Pamphlets, &c. Weight.	
	Not exceeding 3½ Tolas.	Exceeding 3½ Tolas and not exceeding 6 Tolas.	Exceeding 6 Tolas and not exceeding 9 Tolas.	Not exceeding 6 Tolas.	Exceeding 6 Tolas and not exceeding 12 Tolas.
	Annas.	Annas.	Annas.	Annas.	Annas.
Not exceeding 20 miles,.....	1	2	3	1	2
400 miles,.....	2	4	6	2	4
"Above" 400 miles,.....	3	6	9	3	6
Single Postage being added for every additional 3 Tolas.			Single Postage being added for every additional 6 Tolas.		

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4.

Packages sent by the Public Banchy not exceeding 600 Tolas in weight, nor 15 Inches long by 12 deep, and 12 broad, or 2160 Cubic Inches in size.

Not exceeding Miles.	WEIGHT.—NOT EXCEEDING TOLAS.											
	50	100	150	200	250	300	350	400	450	500	550	600
	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.
50	0 6	0 12	1 2	1 8	1 14	2 4	2 10	3 0	3 6	3 12	4 2	4 8
100	0 9	1 2	1 11	2 4	2 13	3 6	3 15	4 8	5 1	5 10	6 3	6 12
150	0 12	1 8	2 4	3 0	3 12	4 8	5 4	6 0	6 12	7 8	8 4	9 0
200	0 15	1 14	2 13	3 12	4 11	5 10	6 9	7 8	8 7	9 6	10 5	11 4
250	1 2	2 4	3 6	4 8	5 10	6 12	7 14	8 16	9 18	10 20	11 22	12 24
300	1 5	2 10	3 15	4 20	5 25	6 30	7 35	8 40	9 45	10 50	11 55	12 60
400	1 8	3 0	4 8	6 0	7 8	8 16	10 0	11 12	12 24	13 36	14 48	15 60
500	1 11	3 6	5 1	7 12	8 18	10 24	11 30	12 36	13 42	14 48	15 54	16 60
600	1 14	3 12	5 10	7 18	8 24	10 30	11 36	12 42	13 48	14 54	15 60	16 66
700	2 1	4 2	6 3	8 8	10 10	12 12	14 14	16 16	18 18	20 20	22 22	24 24
800	2 4	4 8	6 12	8 16	10 20	12 24	14 28	16 32	18 36	20 40	22 44	24 48
900	2 7	4 14	6 19	8 24	10 29	12 34	14 39	16 44	18 49	20 54	22 59	24 64
1,000	2 10	5 4	7 14	9 18	11 22	13 26	15 30	17 34	19 38	21 42	23 46	25 50
1,200	2 13	5 10	7 11	9 14	11 16	13 19	15 22	17 25	19 28	21 31	23 34	25 37
1,400	3 0	6 0	8 0	10 0	12 0	14 0	16 0	18 0	20 0	22 0	24 0	26 0

5.

Books, Pamphlets, Packets of Newspapers and any other printed or engraved Papers sent by the Public Banchy, not exceeding 40 Tolas in Weight and packed in short covers open at each end.

Not exceeding Miles.	Not exceeding 20 Tolas.	Exceeding 20 Tolas and not exceeding 40 Tolas.	
	Annas.	Rupers.	Annas.
100	2	0	4
200	3	0	6
300	4	0	8
400	5	0	10
500	6	0	12
600	7	0	14
700	8	1	0
800	9	1	2
900	10	1	4
1,000	11	1	6
1,100	12	1	8
1,200	13	1	10
1,300	14	1	12
1,400	15	1	14
Upwards.	1 Rupee	2	0

B

Ships Postage to be levied in addition to Land Postage on letters received or sent by Sea.

LETTERS.		Newspapers, Pamphlets and other printed Papers packed in short covers open at each end	Parcels not exceeding 300 Tolas Weight.
Outward.	Inward.		
Not exceeding 3 Tolas.	Not exceeding 3 Tolas.	Not exceeding 6 Tolas Weight.	Not exceeding 100 Tolas Weight
Annas. 2	Annas. 3	Annas. 1	Annas. 3
An Anna being added for every additional Tola.		Two Annas being added for every additional 5 Tolas Weight.	
		Two Annas being added for every additional 100 Tolas up to 300 Tolas beyond, which no Parcel will be received.	

GENERAL REGISTER.

22d MAY, 1837.

Resolution.—The Governor General in Council having had under his consideration the present state of the administration of Affairs in the Settlements of Prince of Wales' Island, Singapore and Malacca, his attention has been particularly directed to the condition of the landed proprietors, and to the tenure by which lands are held in those Settlements. The Regulation which prescribes, the mode of authenticating titles in one of the Settlements has been declared by the Recorder's Court to be invalid. The validity of other Regulations on the same subject is considered by high Authority as questionable,—and whether these Regulations be valid or not, it is certain that many persons who have a fair claim to landed property within those Settlements, would be unable to make out a legal title to that property.

The Governor General in Council has reason to believe that many Estates in those Settlements have been acquired under circumstances which though they might not be considered by a Court of Law as sufficient to create a right of property, give the holders a strong claim on the justice of the Government, and he is satisfied that no advantage which could be obtained by rigidly enforcing the claims of the State against such persons, would compensate for the evils which would be the effect of such a course of policy.

The Governor General in Council has therefore determined to avoid taking any measure which can possibly shake the security of property, or diminish the confidence which is reposed in the public faith. He has determined to put an end to all disputes respecting the legality of the existing Regulations which relate to this subject, by repealing those Regulations. He has determined to confirm by an Act of unquestionable legality all the rights which those Regulations bestowed on individuals. He has determined to institute an inquiry into claims to which the provisions of the existing Regulations did not extend for the purpose of giving validity to all which appear to be well grounded, and at the same time of enforcing the rights of the State in cases only in which they may have been wilfully or fraudulently infringed.

It is the intention of the Governor General in Council that this inquiry shall be conducted in an impartial and liberal manner. It is not the wish of Government to scrutinize in a litigious spirit the claims which may be brought forward or consider itself as placed in the situation of an adverse party with regard to any person who occupies land under any pledge express or implied on the part of the State. The Commissioner by whom the inquiry is to be conducted will be placed under the authority of the Government of Bengal, and that Government will be requested to give directions for making public the instructions which the Commissioner may receive for his guidance in the determination of questions affecting the rights of the Government, or of individuals in Land.

With these views the Governor General in Council has passed the following Act.

ACT No. X OF 1837.

I. It is hereby enacted, that from the date of the passing of this Act, Regulations I. and IX. of 1830, passed by the Governor General in Council of Prince of Wales' Island, Singapore, and Malacca, and likewise, Regulation I. of 1831 passed by the Vice President in Council, shall be repealed.

II. And it is hereby enacted, that it shall be lawful for the Governor General of India in Council to appoint one or more Commissioners for the purpose of enquiring into and deciding upon claims to hold lands within any of the Settlements of Prince of Wales' Island, Singapore and Malacca, whether the said claims be founded on grants or titles registered in conformity with the Provisions of any of the Regulations repealed by the foregoing Clause or not; provided nevertheless that every person holding land in any of the Settlements aforesaid, under a grant or title registered in conformity with the provisions of the said Regulations, shall be entitled to hold such land for such terms and on such conditions as are specified in such grant or title.

III. And it is hereby enacted, that on the arrival of any such Commissioner in any of the said Settlements, it shall be lawful for such Commissioner to require that all claims and applications to hold lands in that Settlement, which may be pending before the Resident Councillor, Collector or Superintendent of Land Revenue, shall be transferred to the said Commissioner to be dealt with by him according to the powers vested in him by authority of this Act.

IV. And it is hereby enacted, that it shall be lawful for any such Commissioner whenever he may be within any of the said Settlements, to cause a survey or measurement to be made of any lands within that Settlement, in such manner as he may deem proper, and to require by a summons under his hand any person resident within that Settlement to attend before him and to produce any document relating to the right to any land or interest in land within that Settlement, and it shall further be competent to the said Commissioner to examine any such person upon Oath touching the right to any such land or interest in such land.

V. And it is hereby enacted, that whenever any such Commissioner being within any of the said Settlements, shall in prose-

cution of the duties assigned to him by this Act discover that any person owing, or occupying lands within that Settlement under any grant or title registered in conformity with any of the Regulations repealed by Section I. shall be in possession of more land than is specified in such grant or title, it shall be competent to the Commissioner aforesaid to declare the land so held in excess to be liable to separate assessment.

VI. And it is hereby enacted, that if any person shall hold or occupy land within any of the Settlements aforesaid, by a grant or title which shall not have been registered in conformity with the provisions of any of the Regulations repealed by this Act, and such person shall prefer a claim to hold or occupy the same, or if such claim shall arise out of any proceeding or inquiry held by the Commissioner under this Act, it shall be competent to the said Commissioner to investigate the claim; and in every case in which the said Commissioner shall be of opinion, that the claim is a *fact* one, the said Commissioner shall make a decree assigning the land to which there may be such fair claim to the party who has such fair claim on such conditions, and for such term as may be prescribed under the Rules laid down for the guidance of the said Commissioner, and such decree shall constitute a good title against the Government to the land therein assigned on the conditions and for the term therein specified.

VII. And it is hereby enacted, that whenever the Commissioner aforesaid under the power vested in him by Section IV. of this Act shall require the attendance of any person or the production of any document by any person, he shall cause such person to be served with a notice under the hand of the said Commissioner, stating the purpose for which the attendance of such person is required, the documents (if any) which such person is to bring with him, and the period within which such person is to attend, and if such person cannot himself be found, the notice shall be affixed at his usual place of residence.

VIII. And it is hereby enacted, that if any person shall wilfully omit to obey any lawful Summons to attend before the said Commissioner or to produce any document which he is required by the said Commissioner in the exercise of the lawful powers of the said Commissioner to produce, or to answer any lawful question put by the said Commissioner, it shall be competent to the said Commissioner to impose upon the person so wilfully omitting, for every such wilful omission, a fine not exceeding 50 Rs. commutable if not paid, to imprisonment by order of the Commissioner in the Civil Jail for a period not exceeding one month.

IX. And it is hereby enacted, that whoever shall forcibly resist or cause to be resisted any such Commissioner or any person employed by such Commissioner, in the performance of any thing which such Commissioner is by this Act authorized to perform, or to cause to be performed, shall on conviction before a Magistrate, be punished with imprisonment for a term not exceeding one year, or fine, or both, in addition to any punishment to which such offender may be liable by reason of any other offence committed in the course of such resistance.

X. And it is hereby enacted, that whoever being under examination before any such Commissioner either on oath or on a declaration received instead of an oath, knowingly and deliberately affirms that to be true which he knows to be false, touching any point material to the question which the Commissioner is investigating, shall be taken to be guilty of perjury and be dealt with accordingly.

XI. And it is hereby enacted, that all Orders and Decrees passed by any such Commissioner by which the possession of any land within any of the Settlements aforesaid shall be altered or affected, shall be final.

XII. Provided always, that if any party objects to any Decree or Order of the said Commissioner on the ground that such Decree or Order deprives that party of a legal right to land or to some interest in land, it shall be lawful for that party at any time within six weeks after the making of such Decree or Order, to move the Court of Judicature of Prince of Wales' Island, Singapore and Malacca, to quash such Decree or Order, which Court shall try the question whether such Decree or Order be or be not inconsistent with any legal right of the party moving, and if the said Court shall decide that such Decree or Order is inconsistent with any such legal right, the Decree or Order of the Commissioners shall be quashed by the said Court and shall be of no effect.

XIII. And it is hereby enacted, that the said Court of Judicature shall not decide whether a Decree or Order of any such Commissioner shall or shall not be quashed except when the Recorder is sitting in the said Court if there be at that time a Recorder.

XIV. And it is hereby enacted, that no Decree or Order of any such Commissioner shall be executed until six weeks shall have elapsed from the date of such Decree or Order. And it is further hereby enacted, that if any application shall be made to the said Court of Judicature as provided for in Section XII. of this Act, in that case the Decree or Order with respect to which such application is made, shall not be executed until such application shall be finally disposed of by the said Court.

GENERAL REGISTER.

XV. And it is hereby enacted, that if no such application to the Recorder's Court as aforesaid, shall be made within the period fixed in Section XII. of this Act, the said Commissioner shall proceed to execute the Order or Decree passed by him in the same manner as the decrees of the Recorder's Court are executed; and all Sheriffs, Magistrates, Constables, and other public Officers, are hereby enjoined and required to be aiding and assisting in the execution of the same.

XVI. And it is hereby enacted, that every Commissioner appointed under this Act, shall be guided in the performance of the duties confided to him under the provisions of this Act by such instruction as he shall from time to time receive from the Governor of Bengal.

JUDICIAL AND REVENUE DEPARTMENT, AGRA, 10TH APRIL, 1837.

Mr. W. B. Jackson to officiate as Judge of Goruckpoor.

Mr. C. La Touche to officiate as Judge of Azim Ghur, on being relieved of his present duties as acting Magistrate and Collector of Ghaseepore.

Mr. H. B. Harrington re-appointed to officiate as Register of the Court of Sudder Dewanny and Nizamut Adawlut.

13TH APRIL, 1837.

Mr. Hugh Fraser to be Commissioner for the Suppression of Dacoity, Mr. Fraser will continue to officiate as Magistrate and Collector of Mynpoory, till relieved by Mr. E. F. Tyler.

Mr. A. Cumming to be Magistrate and Collector of Mynpoory.

Mr. R. J. Tayler ditto ditto of Ally Ghur. Mr. Tayler will continue to officiate as additional Civil Judge of Goruckpoor.

Mr. A. Fraser ditto ditto of the District of Panoepul.

Mr. C. Gubbins to be Joint Magistrate and Deputy Collector of the District of Rohuck.

Mr. E. F. Tyler to officiate as Magistrate and Collector of Mynpoory.

14TH APRIL, 1837.

Mr. W. B. Jackson to be Judge of Goruckpoor.

Mr. H. B. Harrington to be Register of the Courts of Sudder Dewanny and Nizamut Adawlut.

Mr. G. Lindsay to be Magistrate and Collector of Bijnore. Mr. Lindsay will continue to perform his present duties as officiating Additional Judge of Benares.

Mr. M. C. Ommamey to be First Junior Assistant in the Allahabad District.

The foregoing Appointments to have effect from the 29th ultimo.

Mr. C. R. Cartwright to be Magistrate and Collector of Allahabad from the 31st ultimo.

Mr. J. Lean to be Joint Magistrate and Deputy Collector of Benares. Mr. Lean will continue to officiate as Magistrate and Collector of Humeerpoor.

Mr. R. K. Dick to be Joint Magistrate and Deputy Collector of Jaunpore. Mr. Dick will continue to officiate as Reviser of Revenue Settlements in the District of Mozniffernuggur.

Mr. C. W. Kinloch to be Deputy Collector for the investigation of claims to hold Lands exempt from payment of the Land Revenue in the Agra Division.

Mr. Moseley Smith to be ditto in the Allahabad Division.

Mr. C. R. Tulloh to officiate as Judge of Azim Ghur, until further orders.

Mr. H. St. G. Tucker to officiate as Magistrate and Collector of Jaunpore.

20TH APRIL, 1837.

Mr. D. H. Crawford, to officiate as Joint Magistrate and Deputy Collector of Muttra.

22D APRIL, 1837.

Mr. Hugh Rose to officiate as Deputy Collector of Cawnpoor from the 17th instant.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 27th April, 1837.

No. 89 of 1837.—Captain Thomas Timbrell, of the Regiment of Artillery, having reported his arrival at the Presidency, will receive charge of his Appointment of Agent for the Manufacture of Gun Powder at Ishapore, from Lieutenant Colonel Tennant.

Fort William, 1st May, 1837.

No. 90 of 1837.—The Governor General of India in Council is pleased to make the following Promotion and Appointment:

61st Regiment N. I.—Ensign Charles Mordaunt Shalry to be Lieutenant, from the 12th April 1837, vice Lieutenant Henry Clinton Baddeley discharged from the Service by the Sentence of a General Court Martial.

Captain George Thomson, of the Corps of Engineers, to be Garrison and Executive Engineer at Delhi.

Lieutenant Henry Lyell, of the 43d Regiment Native Infantry; is promoted to the rank of Captain by Brevet, from the 25th April 1837.

Captain John Heyming Vauvresan, of the 27th Regiment Native Infantry, has returned to his duty at this Establishment, from a Furlough to the Cape of Good Hope, on account of his private affairs, date of arrival at Fort William 23d ultimo.

Surgeon Robert Grahame, of the Medical Department, having been declared incapable of performing the active duties, of his profession, is at his own request, transferred to the Invalid Establishment.

No. 91 of 1837.—The following paragraphs of Military Letters to the Hon'ble the Court of Directors to the Governor of Bengal, are published for general information:

Letter No. 71, dated 23d November, 1836.

“Para 1. We have permitted the undermentioned Officer to return to his duty; viz.

Ensign C. G. Landon, everland.

Ensign Landon has been apprized, that his Indian Allowances will not commence until he shall have reached the Presidency, or joined the Corps to which he belongs.

2. We have granted additional leave to the following Officers; viz.

Major Richard Benson, Lieutenant Henry Drummond, Superintending Surgeon G. G. Campbell Six months.”

Letter No. 79, dated 20th December, 1836.

“Para 2. We have granted additional leave to the following Officers; viz.

Lieutenant and Brevet Captain E. H. Ludlow, Lieutenant J. W. Cade, Lieutenant Charles K. Grant, and 2d Lieutenant Thomas Bacon, Six months.

3. We have accepted the resignation of Lieut. Robert Wright. This vacancy has effect from the 31st October, 1836.

4. We have permitted Lieutenant James Woods to retire from the Service. This vacancy has effect from the 16th October, 1834.”

No. 93 of 1837.—Ensign Henry John Childe Shakespear, of the 26th Regiment Native Infantry, was placed in the Political Department under date the 24th ultimo, at the disposal of the Resident at Hyderabad.

Captain Joseph Graham, of the 56th Regiment Native Infantry, was appointed by the Hon'ble the Lieutenant Governor of the North Western Provinces, on the 13th ultimo, to be Assistant to the Agent to the Lieutenant Governor at Delhi.

Captain Edward Simeon Hawkins, of the 34th Regiment Native Infantry, was placed by the Hon'ble the Lieutenant Governor under date the 18th ultimo, at the disposal of His Excellency the Commander in Chief.

No. 94 of 1837.—In continuation of General Orders, No. 53 of 1837, the Right Hon'ble the Governor General of India in Council directs, that the following Rules and Regulations be established, for the “Order of British India” and “Order of Merit,” the institution of which has been sanctioned for the Native portion of the Indian Army.

GENERAL REGISTER.

"Order of British India."

This Order is to be conferred by the Governor-General of India in Council, on Native Commissioned Officers of the Indian Army, for long, faithful and honorable service.

The 1st Class is to be composed exclusively of Subadars and 50 for Bengal, the corresponding grades in the Irregular Cavalry, and limited to 100 members, with an allowance of two Rupees a day each, in addition to their Regimental Allowances or Retiring Pensions.

The 2d Class of Native Commissioned Officers indiscriminately, with the same limitation as to number, and an allowance of one Rupee a day for Bombay each, in addition to their usual Allowances and Pensions.

The Native Officers on whom the Order of British India may be conferred, in the first instance, will be entitled to the Extra Allowance going with that distinction, from this date.

The Insignia of the Order to consist of a Gold Star pendent on an a sky-blue ribbon, one inch and a half broad, to be worn round the neck on the outside of the collar of the Coat, on full dress parades and other occasions of particular ceremony. In the centre of the Star is to be inscribed in English only, "The Order of British India."

Subadars of the 1st Class will receive the title of "Surdar Bahadour," and Native Officers of the 2d Class that of "Bahadour."

A descriptive Roll, specifying in a column for remarks, the general conduct, character, and Services of every Subadar and emdar in the Armies of the three Presidencies, will be immediately forwarded, (and a similar Roll transmitted annually on the 1st of May; by Commanding Officer of Corps respectively, through the prescribed channel of Military correspondence, to the Secretary to the Government of India in the Military Department, for the information of the Governor General in Council.

In forwarding these Rolls, His Excellency the Commander in Chief in India, and the Commanders in Chief at Fort Saint George and Bombay, are respectively requested to offer such recommendations grounded on the statements of conduct, character and services of each Native Officers reported upon, as may facilitate the selection by the Supreme Government of the most deserving of them, for a participation in the honorary rewards and solid emoluments attached to the Order. The Rolls from Fort Saint George and Bombay will be transmitted through the Local Governments of those Presidencies.

Native Officers of Cavalry, Artillery and Infantry of the Line of the Sappers and Miners, and of the Irregular Cavalry of Bengal and Bombay, are eligible for admission into the Order of British India.

The number of both classes being fixed and permanent, every vacancy which may occur after the completion in the first instance of the whole promotion, will be filled up by the Supreme Government from the Rolls recorded in their Secretary's Office.

Vacancies can only occur from death or removal for misconduct and admissions into the Order will be announced in General Orders by the Government of India.

"Order of Merit."

The object of this Institution is to afford personal reward for personal bravery, without reference to any claims founded on mere length of service and general good conduct.

The Order is to consist of three classes; the two junior to be distinguished by a badge of Silver, and the Senior by a badge of Gold in the shape of a Military Laurelled Star, bearing in its centre, the inscription, "The reward of valour."

This badge is to be worn on the left breast pendent from a dark-blue ribbon with red edge.

3rd Class.

Is to be obtained by any conspicuous act of individual gallantry on the part of any Native Officers or Soldiers, in the Field or in the attack or defence of Fortified places, without distinction of rank or grade.

2nd Class.

Is to be obtained by those only who already possess the third, and for similar services.

1st Class.

Is to be obtained in like manner only by those who already possess the third and second classes.

Admission to each of these classes is to be obtained upon application to the Governor General of India in Council, with whom alone the competency of conferring the Order rests.

The original recommendations must particularly specify the act of gallantry for which the Soldier is supposed to have claims to this high distinction, and the preparatory steps to obtaining it, are to be as follows:

After an action, in which particular acts of gallantry have been performed, which may be considered as entitling a Soldier to the "Order of Merit," a representation of the circumstance is to be made through the Commanding Officer of the Regiment, by the Captain or Officer Commanding the Troop or Company, to the General Officer Commanding the Division, who will order a Court composed of Europeans and Native Officers, and consisting of one Field Officer, two Captains and two subadars (the proceedings to be conducted by an Officer of the Judge Advocate General's Department if available) before which the individual recommended will be brought, when witnesses will be called and examined as to what they saw the Soldier perform in the action referred to.

Should there be any failure of proof, the claim is not to be allowed, but on the other hand, should the particular gallantry of the Soldier recommended for the distinction appear to have been conspicuous and undoubted, the report of the Court will be forwarded in Bengal, through His Excellency the Commander in Chief in India, and at each of the other Presidencies through the Commander in Chief and Local Government, to the Governor General of India in Council, who has nevertheless the power of rejecting the claim for reasons to be recorded at the time.

A record in each case of the particular act of gallantry for which the Star has been conferred will be kept in the Office of the Secretary to the Government of India in the Military Department, and a Certificate from that functionary, detailing the grant of the order, and its concomitant advantages, will be given to each individual on his admission to, or advancement in it.

Admission into the Order of Merit, will confer on a Member an additional allowance, equal in the 3d Class to one third, in the 2d to two-thirds, and in the 1st to the entire of the ordinary pay of his rank, over and above that pay, or the Pension he may be entitled to on retirement.

The Widow of a Member will be entitled to receive the Pension conferred by the Order upon her Husband, for three years after the date of his decease; and in the case of a plurality of Wives the first married is to have the preference.

No claim founded on acts of gallantry antecedent to the date of this General Order, shall be considered admissible under any pretence whatsoever.

Head-Quarters, Camp, Bark, 18th April, 1837

Hospital Apprentice D Wedgberry, attached to the 4th battalion of artillery, is placed at the disposal of the Honorable the Lieutenant Governor north western province, for the purpose of being appointed to act as an Assistant Apothecary under the Civil Assistant Surgeon at Allahabad

The undermentioned officers have leave of absence:

2d regiment light cavalry—Brevet Captain G. St. P. Lawrence, from 1st May to 30th October, to visit Simla, on urgent private affairs.

2d regiment light cavalry—Lieutenant E. Vibart, from 1st May to 30th October, to visit Simla, on urgent private affairs.

30th regiment native infantry—Lieutenant R. S. Ewart, from 1st May to 15th October, to visit the hills north of Deyrah, on private affairs.

61st regiment native infantry—Captain R. Stewart, from 28th April to 28th October, to visit Simla, on private affairs.

Fort William, 14th May, 1837.

No. 95 of 1837.—In continuation of General Orders, No. 193, of the 5th October 1836, the following paragraph of a Military Letter No. 14, from the Honorable the Court of Directors to the Governor General of India in Council, dated the 23d November last, is published for general information.

"We have to announce that we have extended to the Medical Branch of our Army, the benefits of the Regulation, communicated to you in our Military despatch dated the 11th May 1836, (No. 3.) allowing Officers who are compelled to quit the service by Wounds received in Action, or by ill health contracted on duty, after three years service in India, to retire on the half pay of their rank; on the production of the usual Certificates that their health will not permit them to serve in India."

No. 96 of 1837.—Lieutenant Nathaniel Dunbar Barton, of the 6th Regiment Light Cavalry, is promoted to the Rank of Captain by Brevet from the 1st May, 1837

The resignation of Lieutenant Edward Lacon Ommanner, of the Corps of Engineers of his situation in the Great Trigonometrical Survey, is accepted by His Lordship in Council, and that Officer is placed at the disposal of His Excellency the Commander in Chief.

Fort William, 8th May, 1837.

No. 97 of 1837.—The Governor General of India in Council is pleased to make the following Promotions and Alterations of Rank

GENERAL REGISTER.

26th Regiment N. I.—Ensign Charles William Duffin to be Lieutenant, vice Lieutenant Robert Wright resigned, with rank from the 12th January 1837, vice Lieutenant John Lewis Taylor promoted.

32d Regiment N. I.—Ensign Thomas Scott Horsburgh to be Lieutenant, vice Lieutenant James Woods retired, with rank from the 19th September 1836, vice Lieutenant William Mitchell promoted.

Medical Department.—Assistant Surgeon Alexander McKenzie Clark to be Surgeon, from the 1st May 1837, vice Surgeon Robert Graham transferred to the Invalid Establishment.

Alteration of Rank.—26th N. I.—Lieut. James Duncan, from 31st Oct. 1836, vice Lieut. Wright resigned.

Ditto, Lieut. James Gundy Galtchell, from 1st Jan. 1837, vice Lieut. Hugh Johnson promoted.

32d N. I.—Lieut. Ernest Charles Francis Beaumont, from 16th Oct. 1834, vice Lieut. James Woods retired.

Ditto, Lieut. Lionel Richard Keane, 23d Feb. 1835, vice Lieut. and Brevet Capt. Charles Haldane promoted.

Ditto, Lieut. Wright Westcott Davidson, from 3d April 1835, vice Lieut. Alfred Lewis promoted.

The services of Lieutenant Samuel Richard Tickel, of the 31st Regiment Native Infantry, doing duty with the Ramghur Light Infantry Battalion, are placed at the disposal of the Right Honorable the Governor of Bengal, for Political and Civil employment in the Colleen, under Captain Wilkinson.

Cornet John Staples, of the 7th Regiment Light Cavalry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

Cornet William Henry Hepburne, of the 5th Regiment Light Cavalry, at his own request, permitted to resign the so vice of the East India Company, from the 20th current.

Mr. Thomas Francis Hobday having satisfied Government on the points of qualification prescribed by existing Regulations, is admitted to the service as a Cadet of Infantry on this Establishment, agreeably to instructions from the Hon'ble the Court of Directors. Mr. Hobday is promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Sergeant Major James Shepherd, of the 59th Regiment Native Infantry is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated the 5th February 1820 subject to the confirmation of the Hon'ble the Court of Directors with permission to receive his Stipend at Cawnpore.

Fort William, 15th May, 1837.

No. 100 of 1837.—The Governor General of India in Council is pleased to make the following Promotions:

Regiment of Artillery.—Lieutenant Colonel and Brevet Colonel John Andrew Bligh to be a Colonel, Major Charles Graham to Lieutenant Colonel, Captain Thomas Lumsden to be Major, 1st Lieutenant and Brevet Captain Edward Fitzcerald Day to be Captain, and 2d Lieutenant Ralph Smyth to be 1st Lieutenant, from the 27th April 1837, in succession to Colonel Charles Parker deceased.

Superannumerary 2d Lieutenant Charles Alexander Green is brought on the effective strength of the Regiment from the 27th April 1837.

Cavalry.—Major Edward John Honeywood to be Lieutenant Colonel, from the 13th April 1837, vice Lieutenant Colonel William Stuart Beaton, deceased.

7th Regiment Light Cavalry.—Captain Robert Adrian Stedman to be Major, Lieutenant and Brevet Captain Henry Halhed to be Captain of a Troop, and Cornet Robert John Hawthorne to be Lieutenant, from 13th April 1837, in succession to Major Edward John Honeywood promoted.

Superannumerary Cornet Lucius Heywood Hardymen is brought on the effective strength of the Cavalry.

24th Regiment Native Infantry.—Ensign Alexander James William Haik to be Lieutenant, from the 8th May 1837, vice Lieutenant Herbert Maynard retired on the Half Pay of his rank.

The undermentioned Officers of the Regiment of Artillery are promoted to the rank of Captain, by Brevet, from the date expressed opposite to their names:

Regiment of Artillery.—1st Lieutenants Robert Guthrie McGregor; John Holman; Henry Montgomery Lawrence; James Horsburgh McDonald; Samuel Watson Fenning; John Fordyce and George James Cookson, from 10th May, 1837.

Mr. John Drummond having satisfied Government on the points of qualification prescribed by existing Regulations, is admitted to the service as an Assistant Surgeon on this Establishment, agreeably to instructions from the Hon'ble the Court of Directors.

Captain John Heyning Vanrenen, of the 25th Regiment Native Infantry, is permitted, at his own request, to resign the service of the East India Company.

Mr. William Palmer is appointed an Assistant Overseer in the Department of Public Works, on the Salary allowed for that rank, and attached to the Barrack Division.

Assistant Overseer Khasen Mohun Mullick is permitted at his own request, to resign that situation.

The following Students of the late Medical Institution are admitted to the Service as Native Doctors, and placed at the disposal of His Excellency the Commander in Chief.

Yar Mahomed, Harreechurn Sing and Khawajah Bukah.

The Right Honorable the Governor General has been pleased to make the following Promotions in the Calcutta Native Militia: Jemadar Ramrutton Sing to be Subadar; Havildar Bhyant Khan to be Jemadar, from the 1st May 1837, in succession to Subadar Esmah Khar, invalided.

No. 101 of 1837.—The Pay, Batta, and other Allowances for May 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Saturday the 16th Proximo.

Fort William, 22d May, 1837.

No. 103 of 1837.—The Governor General of India in Council is pleased to make the following Promotions:

25th Regiment N. I.—Lieutenant Thomas Ormby O'Beirne to be Captain of a Company, and Ensign Charles James Richards to be Lieutenant, from the 18th May 1837, in succession to Captain John Heyning Vanrenen resigned.

Superannumerary Cornet Montague James Turnbull is brought on the effective strength of the Cavalry.

Lieutenant Colin Campbell Jackson Scott, of the 32d Regiment Native Infantry, has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors.—Date of arrival at Fort William 19th May 1837.

The undermentioned Gentlemen are admitted to the service in conformity with their Appointment by the Hon'ble the Court of Directors, as Cadets of Infantry and Assistant Surgeons on this Establishment: the Cadets are promoted to the rank of Ensign, leaving the date of their Commissions for future adjustment.

Infantry.—Mr. Francis Henry Thomas, and Mr. John Douglas Willan, date of arrival at Fort William 17th May 1837.

Medical Department.—Mr. John Balfour, ditto 17th May 1837, and Mr. William James Loch, ditto 19th ditto.

Lieutenant William Hollis, of the 36th Regiment Native Infantry, on the Madras Establishment, is permitted to proceed hence to Europe on Furlough, on Medical Certificate.

His Lordship in Council is pleased to make the following Promotions:

Ordnance Commissariat Department.—Sergeant Major Alexander McGregor, of the 31st Regiment Native Infantry, to be Sub-Conductor, from the 7th January 1837, vice Thurston promoted.

Sub-Conductor James Gower to be Conductor, and Sergeant Major John Harrison, of the 18th Regiment Native Infantry, to be Sub-Conductor, from the 26th March 1837, in succession to Thurston deceased.

Sub-Conductor Alexander Bethune to be Conductor, and Quarter Master Sergeant Robert Tilbury, of the 41st Regiment Native Infantry, to be Sub-Conductor, from the 2d April 1837, in succession to Mumford transferred to the Invalid Pension Establishment.

Subordinate Medical Department.—Hospital Apprentice James Dempsey to be an Assistant Apothecary, from the 10th April 1837, vice Christie permitted to resign his situation.

Conductor Thomas Fuller, of the Army Commissariat Department, is permitted to retire from the service of the East India Company, on the Pension of his rank.

Sergeant Thomas Nestor of the Arsenal Department, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend at the Presidency.

No. 104 of 1837.—The Governor General of India in Council is pleased to make the following Appointment:

Captain George Barney, of the 38th Regiment Native Infantry to be Commandant of the Arracan Local Battalion.

Lieutenant F. G. Backhouse, of the 68th Regiment Native Infantry, doing duty with the Assam Light Infantry, has been appointed in the Judicial and Revenue Department, under date the 19th instant to be a Junior Assistant to the Commissioner of Assam, vice Esau Brodie.

GENERAL REGISTER.

The following Non-Commissioned Officers are appointed as Assistant Overseers in the Department of Public Works, on the Salary allowed for that rank:

Sergeant J. E. Bell, of the Corps of Sappers and Miners for the Benares Road.

Sergeant David Gair, of the Corps of Sappers and Miners, for the Delhi and Allahabad Road, under Captain Drummond.

BY THE COMMANDER-IN-CHIEF

Head-Quarters, Camp Meerut, 11th April, 1837.

The Benares division order of the 19th August last, directing Captain S. Swayne, of the 5th regiment native infantry, to act as Judge Advocate to an European general court martial held at Seerole, Benares, is confirmed.

The regimental order of the 1st instant, by Colonel C. W. Hamilton, appointing Lieutenant C. Grissell to act as Adjutant to the 61st regiment native infantry, during the absence, on leave of Lieutenant R. Lesseur is confirmed.

The Ludhiana station order of the 1st instant, directing Assistant Surgeon W. L. McGregor, M. D. 4th troop 2d brigade horse artillery, to proceed towards Ferozepore, and afford medical aid to a detachment under the Command of Captain Wilson, 17th native infantry, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointments:

Captain George Thomson, of the corps of engineers, is appointed to the command of the corps of sappers and miners.

10th Regiment Light Cavalry.—Lieutenant J. J. Hamilton, of the 36th regiment native infantry, to act as Interpreter and Quarter Master.

31st Regiment Native Infantry.—Ensign W. F. Hammersley of the 41st regiment native infantry, to act as Interpreter and Quarter Master.

40th Regiment Native Infantry.—Lieutenant G. O. B. Otley, of the 6th regiment native infantry, to act as Interpreter and Quarter Master.

The leave of absence granted in General Orders of the 21st ultimo, to Corporal E. Boulton, of the 7th light cavalry, is cancelled at his request.

Head-Quarters, Simla, 3d May, 1837.

With reference to Government General Orders No 75, under date the 10th ultimo, publishing an extract from a military letter from the Honorable the Court of Directors, dated the 19th of October last, notifying their desire to extend to the European Soldiers of their service, the advantages conferred on His Majesty's troops, by the Royal warrant of the 18th of August 1835, "regulating a system of rewards, by a distinctive mark or merit, and by addition to the rates of pay and pension on discharge, to be obtained by the well conducted soldier."

His Excellency the Commander in Chief is pleased to desire, that the officers commanding brigades and battalions of artillery, and the European regiment, shall fully explain to the soldiers under their orders, the paragraphs of the warrant which are quoted by the Honorable Court, as applicable to their troops so that their men may be made fully aware of the advantages which will arise out of steady good conduct.

As the Honorable Court, in the 4th paragraph of their letter have intimated their desire that soldiers now in the service shall be permitted the benefit of the present regulation, on relinquishing the additional pay to which they are entitled by their standing in the army, officers commanding corps will take measures to ascertain the wishes of the men on this point, and communicate the names of those who may avail themselves of the option, to the departments of pay and audit.

The names of the men accepting the new terms, are to be entered in a book kept for the purpose in each troop and company, and these entries are to be made in the presence of the soldier, and attested by the signature of a witness.

Patterns of distinguishing marks to be worn by well-behaved soldiers, under this regulation, will be deposited the agents of army clothing, and will be made known to regiment hereafter.

The Benares division order of the 17th ultimo, directing Assistant Surgeon T. Smith, M. D., of the 8th regiment of light cavalry, to proceed to Ghazepore, and afford medical aid to His Majesty's 44th regiment, is confirmed.

The following individuals are appointed Hospital Apprentices, to fill existing vacancies in the subordinate medical department, and directed to report themselves, within two months from this date, to the nearest Superintending Surgeon:

James Graham, William John Gash, Francis Louis Young, Henry Dodd Chick, Henry Vermeulen, Charles Fortner, Edward

Moore, William Marshall, John Henry Bowser, George John Proctor, Thomas Noton, John Fitzpatrick, Peter MacDonald, Henry Hampton, Joseph Anthony Passes, and George Matthews.

After these youths shall have served for six months in any European hospital, special reports of their talents and acquirements are to be made to Head Quarters, by the Superintending Surgeon of the division in which they may be stationed, and should it appear that any of them are not likely to become efficient subordinate medical attendants, such individuals as may be so considered will either be discharged the service, or disposed of as His Excellency the Commander in Chief may hereafter determine.

This is to be distinctly explained to the Apprentices on their joining an hospital.

Head Quarters, Simla, 4th May, 1837.

The Nussacabad station orders of the 19th ult directing Surgeon J. Griffiths, of the 32d, to afford medical aid to the 13th regiment of native infantry during the absence of Assistant Surgeon Rait, on duty at Deoleah, and Surgeon H. Clark, of the 22d regiment of native infantry, to receive medical charge of the artillery from Surgeon Griffiths, is confirmed.

Staff Sergeant William Kieby, of 3d troop 3d brigade of horse artillery is transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 1st regiment of light cavalry at Neemuch, vice Thomson deceased.

Quarter Master Sergeant Henry Warwick of the 26th, is appointed Sergeant Major to the 47th regiment of native infantry at Agra vice Dalby transferred to the pension establishment.

Quarter Master Sergeant Thomas Garrett, of the 63d native infantry, is appointed Sergeant Major to the regiment, in the room of Cunningham transferred to the pension establishment.

Sergeants Thomas Meade, of the 1st company 2d, and George Clowesley, of the 1st company 3d battalion of artillery, are transferred to the Town Major's list, and appointed Quarter Master Sergeants; the former to the 22d regiment of native infantry at Nussacabad, vice Bradshaw appointed Sergeant Major, and the latter to the 23d regiment of native infantry at Neemuch, in succession to Ryan permitted to resign the appointment.

The following individuals are promoted to the rank of Sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeants to the corps specified opposite to their names.

Acting Sergeant Thomas Bourn, of the 1st company 1st battalion of artillery to the 24th regiment of native infantry at Minsapore, in succession to Price, whose appointment has not taken place.

Acting Sergeant John Crossley of the European regiment, to the 26th native infantry at Meerut, vice Warwick appointed Sergeant Major to the 47th regiment.

Bombardier John Fury of the 1st company 5th battalion of artillery, to the 63d regiment of native infantry at Sultanpore Oude, vice Garrett appointed Sergeant Major.

Quarter Master Sergeant Joseph Crump of the 29th native infantry, is remanded to the European regiment, at his own request, in the rank he held previous to his transfer.

Acting Sergeant John Fall of the European regiment, is promoted to Sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 29th native infantry at Banda, vice Crump remanded.

The undermentioned officers have leave of absence:—

6th regiment native Infantry—Captain A. K. Agnew, from 26th June to 1st December, to visit Delhi, on private affairs.

74th regiment native Infantry—Ensign A. Cameron, from 21st April to 1st January, 1838, to visit Mussoorie, on medical certificate.

Head-Quarters, Simla, 5th May, 1837.

1. On issuing the antecedent orders to the army, the Commander in Chief in India directs that the native officers and non-commissioned officers of every corps may be assembled by their respective commanding officers, and that the great benefits thus bestowed on the army may be fully explained to them.

2. Similar explanations are to be made to every company by its commanding officer, aided by the interpreters of corps.

3. As the 4th paragraph of the order directs that "additional pay is only to be conferred on well conducted native Privates," it is requisite to define exactly what soldiers are to be considered as excused, so that the practice may be quite uniform in the armies of all the Presidencies.

4. Therefore, (until any other arrangement is made by the Supreme Government) His Excellency the Commander in Chief

GENERAL REGISTER.

in India direct, that of the soldiers who have served the required number of years, none shall be deprived of the boon granted excepting such as may have been convicted within the two last years (from the date of this order) by a court martial, of some serious offence; or whose names have been twice placed on record in the defaulter's book, during the same period.

5. Such men will be considered as not answering the description of "well conducted," and the boon is to be withheld from them.

6. Rolls must be made out forthwith, and transmitted to the Adjutant Generals of the respective armies, stating the names of those Sepoys from whom the benefit is withheld, with the reason thereof.

7. After being once granted, the Sepoys, are not to be deprived of their extra pay, excepting by the sentence of a court martial, but it must be intimated to all, that as the extra pay is a boon granted to "well conducted soldiers" only, any serious misconduct will render them at all times liable to forfeit the same, under the sentence of a military tribunal.

His Excellency the Commander in Chief having had submitted to his consideration, the 10th clause of the 16th section of the standing orders of the army, relating to promotion to the rank of Naick from Sepoy, sees strong grounds for objecting to the same; he therefore directs, that it be erased from the books, and that the following be substituted in its place:

10. Vacancies in the rank of Naick are to be filled by selection from the best qualified and most deserving Sepoys. Commanding Officers of regiments must keep in mind that this is the first step a Sepoy makes towards becoming a native officer; and that to ensure the fitness, and the respectability, of the higher grades, the selection ought to be made with great care and circumspection.

In all ordinary cases, vacancies are to be filled from troops and companies by rotation from right to left of a regiment, without advertence to the company in which a vacancy may have occurred.

The recommendation of the commanding officer of a company ought to have great weight with the commanding officer of a regiment, when the former has had sufficient experience to be well

acquainted with his men: but as the commanding officer is responsible to the Commander-in-Chief for the fitness of those he promotes, he must freely exercise his own judgment.

Seniority can be permitted to operate in this selection, only when the qualifications and fitness of two or more Sepoys are equal: in which case, the senior is always to be preferred. Sepoys whose merits are merely negative, and are based on long service only, will now be otherwise rewarded.

The 15th station order of the 20th ultimo, directing Assistant Surgeon G. Hodgson, of the 6th regiment of light cavalry, to relieve Assistant Surgeon J. H. Palgrave, of the 4th, from the medical duties of the 53rd regiment of native infantry, during the temporary absence of Assistant Surgeon Hlad, is confirmed.

The Loodianah station order of the 16th ultimo, directing Surgeon L. Jackson, of the 7th regiment of native infantry, to receive medical charge of the 4th troop 3d brigade horse artillery from Assistant Surgeon McGregor, M. D., proceeding on leave of absence, is confirmed.

Major A. Carnegie's regimental order of the 15th ultimo, appointing Lieutenant G. Abbott to act as Adjutant to the 16th regiment of native infantry, during the absence, on leave, of Lieutenant D. Ogilvy, is confirmed.

Head Quarters, Simla, 9th May, 1837.

Lieutenant Colonel T. Palmer's regimental order of the 30th ultimo, appointing Ensign J. Chambers to act as Interpreter and Quarter Master to the 21st regiment native infantry, during the indisposition of Lieutenant Bosant, is confirmed.

The Hannai station order of the 14th ultimo, directing Assistant Surgeon M. Richardson, M. D., of the Harriannah light infantry, to assume the medical charge of the troops and establishments at that station, is confirmed.

The leave of absence granted in General Orders of the 31st of March last, to Brigadier General C. Brown, C. B., commanding the Beuares division, is cancelled at his request.

Bussawun, Native Doctor, at present attached to the 4th battalion of artillery, is directed to be sent to Cawnpore, for the purpose of being employed under the orders of the Superintending Surgeon at that station.

* G. O. G. 17th April, 1837.

SHIPPING REGISTER.

ARRIVALS AT KEDOEREE.

April 30 Ship *John Marsh*, J. L. Clucas, from Bombay 13th April.

— Barque *Coumjee Family*, R. Wallace, from China 23d March and Singapore 6th April.

May 1 Barque *Eugene*, (A.) F. Hallett, from Boston 23d December.

— Brig *Salamanca*, A. Ogilvie, from Mouline 26th March.

2 Ship *Catherine*, E. Rose, from London (no date) Portsmouth 23d December, Cape 1st March and Madras 27th April.

— Barque *Kleanor Laidman*, R. Mackie, from Liverpool 27th December.

5 Ship *Lady Kennaway*, R. P. Davison, from Madras 28th April and Canjam 3d May.

7 Barque *Lonach*, J. Senger, from Bombay 26th March and Colombo 23d April.

— Barque *Shwagadown*, (B.) D. Davis, from Basseln 21st April.

14 Barque *Kyle*, T. Fletcher, from London 14th January.

15 Barque *Red Rover*, H. Wright, from China 28th March and Singapore 16th April.

16 Ship *Ebernia*, R. Gillies, from London 12th December, Cape of Good Hope 12th March, and Madras 16th May.

— Francis Smith, W. H. Edmond, from London 3d and Cowes 15th January.

17 Ship *Luc*, D. Whelan, from London 20th November and Mauritius 14th April.

— Barque *Olympus*, B. Cowl, from London 15th December.

May 17 Barque *Hope*, J. Cockburn, from Liverpool 26th November, and the Cape of Good Hope 4th March.

— Brig *Ann*, H. Pybus, from China 30th March.

18 Ship *Mary Hartley*, W. Priestman, from Liverpool 22d November, Cape of Good Hope 11th March, and Madras 15th May.

— Ship *Tamerlane*, E. McKillar, from London 12th January.

23 Barque *Gallardon*, J. J. R. Bowman, from China 26 March, Singapore 19th, and Penang 30th April.

— Brig *Patriot*, G. M. Robinson, from Mouline 3d May.

24 Ship *Ruby*, W. Warden, from China 6th, and Singapore 29th April.

25 Barque *Haudee*, W. D. Messiter, from Bombay 28th April.

26 Bark *Belzoni*, J. Salmon, from the Mauritius 26th April.

— Bark *Indus*, J. McFarlane, from Port Glasgow 13th January.

DEPARTURES FROM CALCUTTA.

May 3 *Earl Grey*, J. Talbot, for the Mauritius.

4 *Elizabeth*, J. Manook, for Mouline.

6 *Arethusa*, J. Canahug, for Penang and Singapore.

— *Lady Fitz Herbert*, J. Terrier, for London.

— *Sobrow*, W. Smith, for the Isle of France.

— *Margaret*, W. C. Spaul, for Mouline.

7 *Britannia*, S. Leith, for the Mauritius.

8 *Sir Herbert Taylor*, W. Poole, for the Mauritius.

11 *La Belle Alliance*, C. Arkooli, for London.

— *Rosabella*, H. G. Green, for Boston.

16 *John Hepburne*, B. Robertson, for Mouline and Kangoon.

— *Natlie*, B. Gaillard, for Bourbon.

17 *Lord Wm. Bentinck*, H. Hutchinson, for London.

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May 21 *De Javanan*, J. B. Meyer, for Batavia.
 22 *Maria*, Thos Jones, for Madras.
 23 *Jane Blaine*, J. Macallister, for London.
 24 *Appliter*, W. McGabreath, for London.
 27 *Jessy*, J. Auld, for Penang.
 — *Futtag alam*, J. L. Gillett, for Bombay.

ARRIVALS OF PASSENGERS.

Per Catharine, from London.—Mrs. Rabson; Mrs. Harris and 2 Children; Mrs. Lyons; Capt. Rabson and Lieut. Harris, B. N. I.; Messrs. Nicolson, Garstin, Clifford and Hobson, Cadets; Mr. Sealy, Assistant Surgeon; Mr. Kelsal, Merchant.—*From the Cape*.—Edward Sterling, Esq., B. C. S.—*From Madras*.—Mrs. Carapeete and 2 Daughters; Mr. Horsh; Mr. Chas. Brien, died at Sea on the 17th January.

Per Lady Kennaway, from Madras.—Mr. A. C. Binney; Mr. and Mrs. Green, Storage Passengers. *From Ganjam*.—Captain Williams and 14 Crews of the Barque *Rebecca*.

Per Lonach, from Bombay.—Mrs. Morris, an Officer's Widow; —*From Colombo*.—Mrs. Smyth; Miss Smyth; Lieut. G. Smyth, H. M. 44th Regt.; Mr. James Smyth.

Per Hibernia, from London.—Mr. Anson, Ensign 3d Buffs, Mr. Balfour, Asst. Surg. Mr. Balfour, Merchant; Messrs Wallan and Thomas, Cadets; Mr. Frere; Mr. Oxbury, Merchant; Mr. and Mrs. Scott, Lt. of N. I.; Mr. Goulin, Missionary.—*From the Cape of Good Hope*.—Mrs. Terranceau. *From Madras*.—Mr. and Mrs. Smith, Messrs. Ewart and Garrate, Merchants; Mr. Seconer, Civil Service; Mr. McCloud, Missionary; Mr. Stavely, Mariner.

Per Francis Smith, from London.—Miss Johnston; Misses Johnston, E. Johnston and H. Johnston.

Per Hope, from Liverpool.—Mr. Arthur, Batteraby.

Per Mary Hartley, from England.—Mrs. Priestman, Miss Stain-street, and Mr. McTearren.

Per Gullardon, from Singapore.—Mr. F. E. Read, Civil Service; P. L. Dugal.—*From Penang*.—Mr. H. Scott, Merchant; Mrs. Lucas; Messrs P. Lucas and H. Lucas.

Per Patriot, from Moulmein.—Capt. T. Tingate and Spooner Country Service; J. Moss, Esq.

Per Ruby, from China.—D. Macculloch, and J. Bibby, Messrs. Merchants; Captain J. Burt, Mariner.—*From Singapore*.—A. M. Sherkar, Esq., Merchant, and four English Seamen from China belonging to the late Ship *Victory*, Captain Bideh, condemned at Manila.

Per Belsoni, from Mauritius.—Mr. Wm. Geo. Dick.

Per Indus, from Edinburgh.—Mr. Walter Guise.

DEPARTURE OF PASSENGERS.

Per Lady Fitz Herbert, for the *Mauvillus*.—Mrs. Ferrier, and Captain Patterson.

The *Jillinghee*, in tow of the *Jumna* Steam Vessel, left Calcutta with the following Passengers.

To *Dinapore*.—Mrs. Erskine.

To *Allahabad*.—F. S. Head, Esq., C. S., W. Jeffrey, Esq., Ensign R. W. Reed to embark at Beaulah, and Mr. Goldrick.

To *Monghyr*.—J. B. Biss, Esq.

Government has sent by this opportunity fourteen chests of Medicines to Agra for the Plague, and one to Cawnpore.

Another Flat and Steamer, we understand, will be dispatched to-morrow, to the Upper Provinces.

The following are the passengers per *La Belle Alliance*, for Cape and London:

Mrs. Dushby; Mrs. Shirreff; Mr. Bushby, C. S., Mr. Truscott, C. S.; Captain Shirreff; Captain Macdon, H. M. 44th; Captain W. Johnston, H. M. 26th, and Mr. Robert Buckland.

Per Lord William Bentinck, for London.—Mr. and Mrs. Mynard.

Per Javanan, for Batavia.—Mrs. Nouveau; Mrs. Bonniol and Child; Miss Ninha Nouveau; Messrs. Nouveau and Bonniol.

Per Attaleie, for China.—The Hon. F. Shore; Lady Shore and 2 Children, and Wm. Money, Esq.

Per Eleanor Laidman, for Liverpool.—F. Bellairs, Esq.

DOMESTIC OCCURRENCES.

BIRTHS.

July 29 Paris, 1836, the Lady of L. A. Richie, Esq., of a Son.
 Feb. 6 New Cape Town, the Lady of T. Campbell Robertson, Esq., of a Son.
 April 19 Aurangabad, the Lady of Wm. Thomson, Esq., of a Daughter.
 17 Mrs. John Gray, of a Son.
 10 Agra, Mrs. Gordon, wife of Mr. Robert Gordon, of a Son.
 20 Aurangabad, the Lady of Capt. J. S. Young, of a Daughter.
 22 Meerut, the Lady of Col. J. P. Boileau, Horse Arty., of a Daughter.
 27 Cawnpore, Mrs. C. C. Greenway of a Daughter.
 30 Mrs. E. Hilder, of a Son.
 May 2 The Lady of J. S. Jud. Esq., of a Daughter.
 3 Mrs. A. McCulloch, of a Son.
 — Mrs. Augustin Pereira, of a Son.
 4 Patna, the Lady of S. Davies, Esq., of a Daughter.
 4 The Lady of Lieutenant Goldie, of the Engineers, of a Daughter.
 6 Mrs. J. J. Fleury, of a Daughter.
 9 Mrs. J. E. Aylet, of a Son.
 — The wife of Mr. C. Joseph, of a Son.
 — The Lady of William Jacob, Esq., of a Son.
 10 Mrs. J. R. Frazer, of a Son.
 11 The Lady of Capt. Richard Lloyd, Indian Navy, of a Son.
 — Bankipore, Mrs. D. J. C. Johnston, of a Son.
 12 Mrs. D. Parsick, Jr., of a Daughter.
 13 Mrs. C. W. Lewis, junior, of a Son.

May 15 The Lady of Capt. James Randle, of a Son.
 16 The wife of Monsieur Welter, of a Son.
 17 Mrs. Thomas Lackersteen, of a Daughter.
 — Mrs. H. Andrews, of a Son.
 19 Mrs. E. C. Kemp, of a Son.
 — Mozafferpoore, Tirhoot, the Lady of F. Gouldsbury, Esq., of a Son.
 20 Mrs. W. Twidale, of a Son.
 21 Mrs. D. P. de Ressurreicao, of a Son.
 23 Mrs. A. Mathews, of a Daughter.

MARRIAGES.

April 24 Cawnpore, by the Revd. J. Jennings, Edmund Walter Chicheley Plowden, Esq., of the 5th L. C. to Harriet, only daughter of Capt. H. Bond, of H. M. 11th dragoons.
 29 At the Cathedral, by the Revd. H. Fisher, Mr. Robt. Myers, to Mrs. Eleanor Sophia Sinclair.
 May 1 At the Principal Roman Catholic Church, by the Revd. Mr. Sumner, and at the Cathedral, by the Revd. Mr. Robertson, Austin Clarke Neame, Esq., second son of John Neame, Esq., of London, to Ellen Henrietta, eldest daughter of J. Cornelias, Esq., of Calcutta.
 — Kurnaul, at St. James's Church, by the Reverend W. Parish, W. W. Apperley, Esq., 4th Lancers, to Catherine Esther, eldest daughter of Lieut. Col. N. Wallace, 53d Regt. N. I.
 — Kurnaul, by the Revd. Mr. Parish, M. R. Onslow, Esq., Adjutant, 4th Lancers, son of Sir H. Onslow, Baronet, to Eliza Antonia Wallace, second daughter of Lieut. Col. Wallace, Comdg. 53d N. I.

GENERAL REGISTER.

- May 2** At the Cathedral, by the Revd. T. Robertson, Henry Louis Christians, Esq., to Eliza Anne, eldest daughter of the late T. V. Newton, Esq., Indigo Planter.
- At the Scotch Kirk, Mr. A. Martin, to Miss Emma Conner.
- 10** At the Cathedral, by the Revd. T. Robertson, Captain Charles Andrew Beaumont, Honorable Company's Marine, to Miss Ann Judith Fielder.
- 11** At St. John's Cathedral, by the Revd. T. Robertson, Senior Chaplain at the Presidency, J. G. Fitzhugh, Esq., of the Cuttack Salt Agency, to Miss Catherine Paterson, of Kidderpore House.
- 12** At the Scotch Kirk, by the Revd. Mr. Charles, Mr. James Joseph Turvey, to Miss Sarah Sukeas.
- 15** At the Principal Roman Catholic Church, by the Right Revd. Dr. St. Leger, Nicholas Charles Biale, Esq., to Cordelia Matilda, eldest daughter of Charles Cornelius, Esq.
- 17** At the Cathedral, Mr. Alex. C. Jones, youngest son of T. Jones, Esq., of Londonderry, formerly of the E. I. Co.'s Service, and a grandson of the late Colonel Wm Burton, Bengal Military Establishment, to Louisa, relict of the late Mr. Charles Davenport.
- 25** At the Cathedral, by the Revd. T. Robertson, Mr. Charles Rose, to Charlotte, youngest daughter of the late Mr. Thomas Enderwick, of Motherhithe.
- April 23** Agre, Master G. J. Robello, aged 1 year and 13 days.
- Cawnpore, Louisa Barbara, aged 9 months.
- 25** Allipore, Joseph Adams, Esq., of the firm of Gunter and Co., aged 38 years.
- 26** Delhi, Sabina Magdalena, aged 6 years.
- Bhaugulpore, Mrs. Mary Kyd.
- Mrs. Mary Burnett, aged 47 years.
- 28** Mr. Demetrius Goetwis, aged 35 years.
- Simla, Colonel Parker, of the Artillery.
- 30** Miss Anna Phipp, aged 25 years.
- 3** Meerut, Selma Sarah, aged 9 months and 27 days.
- 3** Henry Hughes Templer, aged 20 months.
- Mrs. Emelia Mendes, aged 18 years and 19 days.
- 4** Mr. William Robert Stewart Howe, aged 29 years, 3 months and 3 days.
- 5** Harriet Salma, aged 8 months and 13 days.
- 9** Simla, Ann Moore, aged 13 months and 24 days.
- Mr. Thomas Mauty, aged 35 years.
- 11** Mrs. Santiago Pinheiro, aged 22 years 5 months and 11 days.
- 14** Howrah, Mr. James Young, aged 44 years.
- 16** Mrs. John Wilkinson, aged 24 years.
- 19** Adelaide Sophia, aged 9 months and 21 days.
- 20** Thomas Coull, Esq., aged 25 years.
- 25** Emma, aged 11 months and 27 days.
- James D'Souza, aged 16 years, 2 months and 19 days.
- Europe** — On the 5th of December, at Balli Buys, Ireland, the son of Lieut. Col. H. Smith, of malignant scarlet fever, aged 5 years, Anne, youngest daughter of T. G. Gardiner, Esq., of Bidden House, Somersetshire, and grand daughter of Sir John and Lady Grant.

DEATHS.

- Feb. 19** On board the *Theresa*, off St. Helena, J. J. James, Esq.,
- March 25** Benares, William Wilson, Esq., M. D.
- April 13** At Sea, *Roberts*, Lieut. Col. W. S. Beaton, late Commissary General of the Bengal Army.
- 20** Cawnpore, John, aged 2 years and 8 months.
- Mohutpore, near Kishnaghar, Joseph S. Usher, Esq.
- 21** Fattyghur, Sarah, wife of Joshua Athanas, Esq., aged 21 years, 11 months and 19 days.

ADMINISTRATIONS TO ESTATES.

ESTATE OF

Campbell, Dugald H., Ensign 52d Regt. N. I.

James, John Jones, Esq., Merchant and Broker, Calcutta.

Lindsay, Thomas, Esq., Indigo Planter.

Nawab Zaffur Jang, Bahadar, of Moorsshedabad.

White, Thomas William, Chief Mate of Ship *Futtah Sallam*

Wilson, William, Esq., Surgeon and Resident at Indoor..

EXECUTORS, ADMINISTRATORS, &c.

Registrar Supreme Court.

Collier, Bird and Grant.

Registrar Supreme Court.

Registrar Supreme Court.

Registrar Supreme Court.

Waddington and Wilson.

GENERAL REGISTER.

CIVIL APPOINTMENTS, &c.

ORDERS BY THE HON'BLE THE GOVERNOR OF BENGAL.

FORT WILLIAM GENERAL DEPARTMENT 24TH MAY, 1837.

The Right Hon'ble the Governor General of India in Council is pleased to appoint Mr W B Young Commissioner for the Eastern Settlements under Act No X of 1837

7TH JUNE, 1837

With reference to the Order of this Department dated 20th April 1836 the Sub Agent of Chittagong is hereby vested with a concurrent jurisdiction with the Collector and Magistrate of that Zillah for the trial of persons charged with offences against the Laws for the protection of the Salt Revenue when made over by the Superintendent of Salt Chokeas appointed to that District under the Act No IX of 1835, and the said Salt Agent shall and is hereby empowered to exercise in respect to such cases the powers described in sections XLVI and CLX and other provisions of Regulation A. 1819 of the Bengal Code

The 1st waiters and other Officers of Customs attached to the Custom House of Calcutta are hereby declared to be Officers of the Salt Preventive Service empowered to seize contraband Salt and to exercise the other powers of sec. 71, Reg. X 1818.

15TH JUNE, 1837

The Right Hon'ble the Governor of Bengal has been pleased to appoint Mr J C Dick the Land Revenue Collector, to be Deputy Opium Agent at Patna, from the 1st instant

Mr P Shipwith, Magistrate of Patna to be Deputy Post Master at that station from the 1st instant

15TH JUNE 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for June, instant, will be distributed by the Sub Treasurer and Marine Paymaster respectively, on or after with day the 15th proximo.

21ST JUNE 1837

Mr W Onslow of the Civil Service, reported his return to the President from England on the 17th instant

Mr Edward M Wyllie reported his arrival as a Writer on this Establishment on the 19th instant

POLITICAL DEPARTMENT 20TH MAY, 1837

Mr A Scorne to Officiate as Assistant to the Secretary to the Governments of India and Bengal in the Secret and Political Department

5TH JUNE, 1837

Ensign H J C Shakespear of the 25th Regiment Native Infantry has obtained leave of absence for four months from the 15th ultimo, to enable him to join his appointment at Hyderabad

The Right Hon'ble the Governor General of India in Council is pleased to publish, for general information the annexed extract (paras 2 3 and 4) from a letter this day addressed by order of His Lordship in Council to the Commissioner for the Government of the Territories of His Highness the Rajah of Mysore.

Para 2 "The Governor General in Council has much pleasure in recording his full concurrence in the praise which you have bestowed on the conduct of your Assistants Captains Hunter and Macleod the Hon'ble Mr Devereux and Lieut Montgomerie on the occasion of the recent insurrection in Canara. The exertions of each of these gentlemen entitle him to the warmest thanks of Government and you will be pleased to assure them that His Lordship in Council will not lose sight of the zeal and ability which they have severally displayed. It was the good fortune of Captains Hunter and Macleod especially to have an opportunity of distinguishing themselves by the performance of enterprises of no ordinary gallantry which were attended with eminent advantage to the interests of Government. A General

Order to the above effect will shortly be promulgated for public information

3 "You have already been called upon to state with in your opinion would be a suitable reward for the fidelity and devotion displayed towards the British Government by the Coorg Troops under the direction of the Dewan Sappoo during the recent insurrection and you will now be pleased to report further as to the expediency or otherwise of signally noticing the good conduct of the Mysore Troops on the same occasion.

4 "You have been apprized by my former communications of the very high opinion which is entertained by Government of the merits and services of Captain Le Hardy, Superintendent of Coorg, to whose auxiliary, firm and judicious conduct the devotion to our cause displayed by the inhabitants of that district may chiefly be attributed

JUDICIAL DEPARTMENT 29TH MAY, 1837

The Right Hon'ble the Governor General of India in Council has been pleased to make the following appointments

Mr F C Scott to Officiate as Deputy Secretary to the Government of Bengal in the Judicial and Revenue Department

Mr A Scorne to Officiate as Assistant to the Secretary to the Government of India in the Judicial and Revenue Department.

30TH MAY 1837

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments

Mr G W Batty to be Joint Magistrate and Deputy Collector of Monghyr

Mr F Cardew to the Joint Magistrate and Deputy Collector of Malda, in the room of Mr Batty

Mr H. C. Hamilton to Officiate, until further orders as Collector of Zillah Behar, vice Mr Batty

Baboo Sambhoo Chunder Ghose Roy Bahadur to the Deputy Collector in Zillah Beerbhoom, under the provisions of Regulation IX of 1835.

The following Officers have obtained leave of absence from their Stations

Mr Wigram Money a Temporary Judge of the Courts of Sudar Dewanny and Nicamat Alawad for four days in addition to the leave of absence for three weeks allowed him on the 9th instant, under the provision of the first clause of the Rules dated the 15th December 1832 the leave granted to him on 11th ultimo, to proceed to Singapore, on Medical Certificate, for six months, commencing from the 1st proximo instead of from the sailing of the Vessel on which he has taken his passage

Mr T Hizon Sub Assistant to the Commissioner of Assam, from the 18th February to the 15th ultimo, on Medical Certificate, including the leave granted to him on the 4th ultimo

• 6TH JUNE 1837

The following officers have obtained leave of absence from their stations

Mr Robert Trotter Joint Magistrate and Deputy Collector of Behar, from the 1d instant to the 2d proximo on medical certificate, his extension of the leave granted to him on the 14th March last

Mr Assistant Surgeon T Chapman M D attached to the civil station of Patna, for the purpose of visiting the Presidency, preparatory to applying for leave to proceed to seek on medical certificate

9TH JUNE 1837

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments

Mr A Smith to be Civil and Session Judge of Zillah Backergunge, in the room of Mr J Stainforth

17TH JUNE, 1837

Mr R Torrens to be Additional Judge of Zillah Chittagong

GENERAL REGISTER.

The Honorable J. C. B. to be Magistrate and Collector of Districts, Vice Mr. S. Torrens.

Mr. T. Sanders to officiate as Joint Magistrate and Deputy Collector of Bogra.

Mr. E. Bantall to continue to officiate as Magistrate and Collector of Dinagore until further orders.

Mr. Assistant Surgeon J. O. Smith to perform the Medical duties of the Civil Station of Purnea, during the absence of Mr. Assistant Surgeon Chapman, M. D.

The following Officers have obtained leave of absence from their Stations.

Mr. J. Dunbar, officiating Civil and Session Judge of Shalgaon, for one month on Medical Certificate. Mr. O. Steer will conduct the current duties of these offices until further orders.

Mr. W. A. Law, Joint Magistrate and Deputy Collector of Purnea, for six weeks on private affairs. In extension of that granted to him by the Commissioner of the 10th Division.

Mr. F. Skipwith, Magistrate of Patna, for ten days in excess of the usual time allowed to join his station.

Mr. W. P. Goad, Special Deputy Collector in Rajshahi, for two months on Medical Certificate. He will visit the Presidency Magistrate to applying for leave to proceed to see Mr. P. Lushington will conduct the current duties of the office until further orders.

Mr. H. D. Halkett, Assistant to the Joint Magistrate and Deputy Collector of Banarass, for a fortnight, to remain at Calcutta on private affairs. In addition to the leave for one week granted to him by the Commissioner of the 14th or Meerabad Division.

Mr. H. G. Astell, Assistant to the Magistrate and Collector of Purnea, for one month in addition to the leave for one month granted to him by the Commissioner of the 11th or Patna Division, to enable him to rejoin his station.

20TH JUNE, 1837.

The Right Honourable the Governor of Bengal has been pleased to make the following Appointments.

Mr. R. Trotter to officiate, until further orders, as Additional Judge of Zillah Nadoua.

Mr. J. S. May to be Superintendent of the Nadoua Rivers.

Bahadur Hurry Kishore Rahn Bahadur, to be Deputy Collector in Zillah Tipperah, under the provisions of Regulation IX. of 1833.

Synd Oholam Hyder Bahadur, to be Deputy Collector in Zillah Pabna, under the provisions of Regulation IX. of 1833.

PORT WILLIAM, FINANCIAL DEPARTMENT, 27TH JUNE 1837.

Notice is hereby given that the First Class being the entire to maintain of the Promissory Notes of the Governor General in Council, bearing date the 1st March 1837 and standing in the General Register of the Registered Debt of the Presidency of Port William in Book No. 1 of 320 millions, will be discharged on the 10th August next, on which day the interest thereon will cease.

The holders of Notes advertised for Discharge may, as heretofore transfer the Stock represented by such Notes into the Four per Cent Loan now open receiving or paying at their option, the fractional difference between the amount of Stock represented in Stock Rupers and the sum of the Company's Rupers in even hundreds, that they may desire to hold in Notes of the said Four per Cent Loan.

Proprietors resident in Europe of the Notes above advertised for discharge, whose instructions to their Agents in India make no provision for such an event, will be allowed the benefit of the Order published in the notice of this Department, dated the 26th April, 1837.

Prompt payment will be made at any date prior to the 10th August next, at the option of the Holders of Notes advertised for discharge, of the Principal with interest to the date of payment.

MILITARY DEPARTMENT, 15TH JUNE, 1837.

Notice is hereby given that the Pay, Batta and other Allowances for June 1837, of the Troops of the Presidency and at the Cantonments of the Army, will be issued on or after 25th July 1837.

PORT WILLIAM, ECCLIASTICAL DEPARTMENT, 31ST MAY, 1837.

The appointment of the Revd William Ord Renshaw, B. A., to the Garrison Chapel at Fort William and to perform the duties of the General Hospital, is to date from the 14th February last.

7TH JUNE, 1837.

The Revd Robert Parkinson Brooke, B. A., having received his arrival on the 6th inst., now Chaplain on the Bengal Establishment, under an appointment of the Honble the Court of Directors dated 17th August last, is placed at the disposal of the Honble the Lieut. Governor of the North Western Provinces, and directed to proceed to Cawnpore.

PORT WILLIAM, LEGISLATIVE DEPARTMENT, 29TH MAY, 1837.

The following Draft of a proposed Act was read in Council for the first time on the 25th May, 1837.

ACT No. — OF 1837.

I. It is hereby enacted, that every house and out house built within the City of Calcutta, after the 1st day of November 1837 shall be covered with an outer roof of incombustible materials and that if any house or out house be built in contravention of this provision, the owner of such house or out house shall on conviction before a Magistrate be punished with a fine not exceeding 100 Rupees.

II. And it is hereby enacted that it shall be lawful for the Superintendent of the Police of the said City from the date of the passing of this Act, to render to the owner of any house or out house within the said City, which house or out house may have been built before the end 1st day of November 1837 and which may not be covered with an outer roof of incombustible materials a sum of money to defray the expense of covering such house or out house with such an outer roof, and that if the owner of such house or out house at the receipt of the sum so tendered and shall neglect that such house or out house shall be covered with such an outer roof within a certain time and shall not within that time cause such house or out house to be covered with such an outer roof, such owner shall on conviction before a Magistrate be punished with a fine not exceeding ten times the sum so accepted by such owner.

III. And it is hereby enacted that if any house or out house shall be built in contravention of the provision contained in Section I of this Act, or if any owner of a house or out house shall refuse to accept a sum of money tendered by the said Superintendent out to the owner as directed in Section II of this Act it shall be lawful for the said Superintendent to cause such house or out house to be covered with an outer roof of incombustible materials with out the consent of the owner thereof and to cause such alterations to be made in the walls of such house or out house as may be necessary to support such outer roof and to defray the expense out of any funds which may be put at the disposal of the said Superintendent for that purpose either by the Government or by any private person or body of private persons.

IV. And it is hereby enacted that whoever shall wilfully obstruct the said Superintendent, or any person acting under the authority of the said Superintendent in the exercise of the powers given to the said Superintendent by Section III of this Act, shall, on conviction before a Magistrate be punished with a fine not exceeding 100 rupees in excess of any punishment to which the person so obstructing may be liable by reason of any other offence which he may commit in the course of such obstruction.

V. And it is hereby enacted that all moneys levied under the authority of this Act shall be paid into the General Treasury and shall be applied to the purpose of defraying expenses incurred in carrying this Act into execution.

Ordered, that the Draft now read be published for general information.

Ordered that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 26th day of June next.

20TH MAY, 1837.

The following Extract from the Proceedings of the Right Hon. the Governor General in Council in the Legislative Department under date the 20th May 1837 is published for general information.

Read a Letter from the Secretary to the Government of Bombay dated the 27th ultimo, proposing the repeal of Articles 1 and 2 of a Rule Ordinance and Regulation 1 of 1820 of the Bombay Code, which Articles are in the following terms—

“Article 1st. Captains of the Honourable Company's Ships, as well as all Commanders of licensed and Country Ships or Vessels

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arriving at the Port of Bombay are hereby directed to report themselves in person at the Superintendent's Office on landing from their respective ships to produce authority for receiving passengers or persons on board in His Majesty's and in the Honorable Company's Service and all others who may not be part of their crew. No Merchant ship or vessel will be admitted to entry at the Custom House without a certificate from the Superintendent of Marine that the provisions of this Article have been complied with.

"Articles 2d Captains of the Honorable Company's Ships, as well as all Commanders of licensed and Country Merchant ships and vessels, shall on their arrival, deliver to the Inspector of the Port a list of the crew and passengers on board at the time of the ship's arrival another list is so delivered to the same Officer of all the persons on board at the departure of the said ship, and the said list is to shew all the casualties that have occurred (by deaths, desertions, discharges or new admissions) while the said vessel remained in Harbour—a Port clearance shall not be granted by the Superintendent of the Marine unless it be accompanied by the departing list corrected in the manner required by this Article.

The Right Honble the Governor General of India in Council arriving in the expediency of repealing the proposed in the following Act has been this day passed, and is hereby published for general information.

ACT No XI of 1837.

It is hereby enacted that Articles 1 and 2 of Regulation I of 1820 of the Bombay Code be repealed.

5TH JUNE, 1837

The following Act passed by the Right Honble the Governor General of India in Council on the 5th June 1837, is hereby promulgated for general information.

ACT No XII of 1837.

I It is hereby enacted that every house and outhouse built within the City of Calcutta after the 1st day of November, 1837, shall be covered with an outer roof of incombustible materials, and that if any house or outhouse be built in contravention of this provision the owner of such house or outhouse shall, on conviction before a Magistrate, be punished with a fine not exceeding 100 Rupees.

II. And it is here enacted, that it shall be lawful for the Superintendent of the Police of the said City from the date of the passing of this Act, to tender to the owner of any house or outhouse within the said City which house or outhouse may have been built before the said 1st day of November, 1837, and which may not be covered with an outer roof of incombustible materials a sum of money to defray the expense of covering such house or outhouse with such an outer roof, and that if the owner of such house or outhouse shall accept the sum so tendered, and shall engage that such house or outhouse shall be covered with such an outer roof within a certain time, and shall not within that time cause such house or outhouse to be covered with such an outer roof, such owner shall, on conviction before a Magistrate, be punished with a fine not exceeding ten times the sum so accepted by such owner.

III And it is hereby enacted, that if any house or outhouse shall be built in contravention of the provision contained in Section I of this Act, or if any owner of a house or outhouse shall refuse to accept a sum of money tendered by the said Superintendent in the manner described in Section II of this Act, it shall be lawful for the said Superintendent to cause such house or outhouse to be covered with an outer roof of incombustible materials without the consent of the owner thereof and to cause such alterations to be made in the walls of such house or outhouse, as may enable such walls to support such outer roof and to defray the expense out of any funds which may be put at the disposal of the said Superintendent for that purpose either by the Government or by any private person or body of private persons.

IV. And it is hereby enacted that whoever shall wilfully obstruct the said Superintendent, or any person acting under the authority of the said Superintendent, in the exercise of the powers given to the said Superintendent by Section III of this Act, shall on conviction before a Magistrate, be punished with a fine not exceeding 100 Rupees in excess of any punishment to which the person so obstructing may be liable by reason of any other offence which he may commit in the course of such obstruction.

V And it is hereby enacted, that all fines levied under the authority of this Act shall be paid into the General Treasury and shall be applied to the purpose of defraying expenses incurred in carrying this Act into execution.

The following Extract from the Proceedings of the Right Honorable the Governor General in Council in the Legislative Department, under date the 5th June 1837, is published for general information.

Read the following Extract. (Paras 2 to 4) from a Letter from the Secretary to the Government of Bombay, dated 18th ultimo.

"In forwarding Copies of the Proceedings of this Government on the above subject, I am instructed to advise the attention of the Right Honorable the Governor General of India in Council, to the Letter from the Judges of the Sudder Adawlat, dated the 26th September last, No 287, from which it will be observed, that the Court decided on a question before them that without the Proclamation provided for in the 1st Clause of Section IX of the Regulation quoted, no Military Station could acquire the jurisdiction thereby referred to and to advise you that the limits of the principal Military Stations under this Presidency, have been notified in General Orders, but that no Proclamation has been published expressly declaring them to be Military Stations for the purposes of the Regulations.

"The Right Honble the Governor in Council has previously considered that, by the true construction of the Law referred to, principal Military Stations were to possess the jurisdiction in question as a matter of course, while other Stations could acquire it only by Proclamation because no reason appears why the Law should mention principal Military Stations as distinguished from other Military Stations if both were meant to stand on the same footing for the purpose in view.

"As Government does not however, contest the exposition of the words of the Regulation by the Court and as the Judges are of opinion that it is necessary to issue a Proclamation for all those Military Stations which Government are desirous should be brought under the Provisions of Regulation XXII of 1827, I am directed to inform you that the same will be published in the next Government Gazette, and to request that His Lordship in Council will be pleased to pass the manuscript herewith forwarded."

In compliance with the recommendation contained in the foregoing Extract the Legislature in Council is pleased to resolve that the following Act be passed as Act No. XIII of 1837, and it is hereby promulgated accordingly for general information.

ACT No XIII of 1837

It is hereby enacted, that no trial by Court Martial which may have been held prior to the passing of this Act at any Military Station, within the Territories subject to the Government of the Presidency of Bombay shall be deemed to have been illegal on the ground that such Military Station have not been proclaimed in the manner directed by Section IX Regulation XXII of 1827, of the Bombay Code.

12TH JUNE, 1837.

The following Act passed by the Right Honble the Governor General of India in Council on the 12th June 1837, is hereby promulgated for general information.

ACT No XIV of 1837

It is hereby enacted that whenever any Foreign State in Asia or Africa shall permit within the dominions of such State the importation or exportation of Goods in British Vessels on the same terms on which is permitted the importation or exportation of Goods in Vessels belonging to the subject of such Foreign State it shall be lawful for the Governor General of India in Council by an Order in Council, to direct that Goods may be imported into the Territories of the said India Company, or exported thence in Vessels belonging to the subjects of such Foreign State on the same terms on which such Goods are imported into the said Territories, or exported thence in British Vessels.

19TH JUNE 1837

The following Act, passed by the Right Honble the Governor General of India in Council on the 19th June 1837, is hereby promulgated for general information.

ACT No XV of 1837

I It is hereby enacted that from the 1st day of July, 1837, it shall be lawful for the several Magistrates and Joint Magistrates within the Presidency of Fort William in Bengal, to appropriate a portion of the tax levied under Regulation XXII. 1816 of the Bengal Code to the purpose of cleansing and repairing the towns in which that tax is levied.

II And it is hereby enacted, in lieu of the maximums now prescribed by the Sanad of appointment referred to in Section X of the above mentioned Regulation, that after the 1st day of July, 1837, it shall be competent to the Functionaries appointed by the said Sanad to fix the rate of assessment to be levied from

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the proprietor or principal occupier of any shop or habitation at the Government's expense for museum.

It is hereby enacted, that no person whatever shall be liable, on account of place of birth, or by reason of descent, to be exempted from the payment of any assessment under Regulation No. 11 of 1837, or under this Act.

The following Draft of a proposed Act was read in Council for the first time on the 11th June, 1837:

Act No. — of 1837.

It is hereby enacted, that any person charged with murder by Thuggee, or with the offence of Thuggee belonging to a gang of Thugs, made punishable by Act No. XXX. of 1832, shall be committed by any Magistrate or Joint Magistrate within the territories of the East India Company for trial before any Criminal Court competent to try such offences.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 31st May of July, 1837.

The following Draft of a proposed Act was read in Council for the first time on the 19th June, 1837:

Act No. — of 1837.

It is hereby enacted, that no person shall, by reason of any conviction for any offence whatever be incompetent to be a witness in any stage of any Cause, Civil or Criminal, before any Court in the Territories of the East India Company.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 31st day of July 1837.

JUDICIAL AND REVENUE DEPARTMENT, — AGRA, 10th MAY, 1837.

Mr. J. Brewster to officiate as Deputy Collector for the investigation of claims to hold lands exempt from the payment of Revenue in the Gorakhpore Division.

14th MAY, 1837.

The Honorable the Lieut. Governor has been pleased to extend the Provision of Regulation XII of 1834, regarding the allocation, appointment and remuneration of authorized Pleaders to the Allahabad Court of Session.

31st MAY, 1837.

The unexpired portion of the leave of absence for two months, Mr. Medical Officer, granted to Mr. W. Truscott, Judge of Allahabad, on the 7th April last is cancelled from the 17th instant the date on which the Pilot quitted the ship *La Belle Alliance*, on which Mr. Truscott embarked for the Cape of Good Hope.

1st JUNE, 1837.

Rem. Saurin Das to be Deputy Collector in Zillah Meerut, under the Provision of Regulation 9 of 1837.

21st JUNE, 1837.

Mr. T. P. Woodcock to be Joint Magistrate and Deputy Collector of Agra from 22d ultimo. Mr. Woodcock will continue to officiate as Magistrate and Collector of Allahabad until further orders.

Mr. R. Alexander to officiate as Joint Magistrate and Deputy Collector of Agra.

Mr. H. W. Morgan to be Joint Magistrate and Deputy Collector of Meerut, from the 22d ultimo.

22d JUNE, 1837.

Mr. George Blunt to officiate as Magistrate and Collector of Agra until further orders.

6th JUNE, 1837.

The following officers have obtained leave of absence:

Mr. R. C. Olyn, Judge of Meerut, for ten days from the 16th instant, on his private affairs. Mr. Olyn is authorized to make over charge of the current duties of his office to the Magistrate or Joint Magistrate of the district.

Montrose Augustus Henslin, additional Sudder Ameen of Barroilly, for one month from the 12th ultimo.

Mr. Burgess the Moonstiff of the town, to officiate as additional Sudder Ameen during the absence of that officer.

8th JUNE, 1837.

Mr. Henry Swetenham to be Judge of Farrukhabad, from the 29th ultimo.

Mr. R. T. Tucker to be an Assistant under the Commissioner of Allahabad Division.

POLITICAL DEPARTMENT, AGRA 6th JUNE, 1837.

Mr. Thomas Theophilus Malcolm, Agent to the Lieut. Governor at Allahabad, is permitted to visit Agra, and to conduct the duties of his office there for a period of fifteen days from this date.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 20th May, 1837.

No. 106 of 1837. — A special Committee of Enquiry, composed of the Officers hereinafter named, will assemble at Meerut, as soon as may be practicable, for the investigation of such matters as will be communicated to the President, with full instructions, by the Secretary to the Government of India in the Military Department.

President.—Lieutenant Colonel Wild, 36th Native Infantry.

Members.—Major Gough, Superintendent of the Huzar Staff.

Major Hulse, 36th Native Infantry, and Captain Osborn, Deputy Assistant Commissary General.

The Deputy Judge Advocate General of the Military Division will attend the Committee, and conduct the proceedings under the instructions to be conveyed to the President by the Military Secretary to the Government of India.

No. 107 of 1837. — Mr. Charles Doveton having satisfied Government on the points of qualification prescribed by existing Regulations, is admitted to the service as a Cadet of Infantry on this Establishment, agreeably to instructions from the Honble the Court of Directors. Mr. Doveton is promoted to the rank of Sergeant, leaving the date of his Commission for future adjustment.

Fort William, 31st May, 1837.

No. 108 of 1837. — Assistant Surgeon William Bell, of the Medical Department, is permitted to proceed to Europe on furlough, on account of his private affairs.

Fort William, 6th June, 1837.

No. 109 of 1837. — The undermentioned gentlemen are admitted to the Service, in conformity with their appointment by the Honble the Court of Directors, as Cadets of Infantry and an Assistant Surgeon on this Establishment. The Cadets are promoted to the rank of Ensign, leaving the dates of the Commissions for future adjustment.

Infantry. — Mr. Campbell MacMillan and Alexander Brathwaite Fenwick, 1st June 1837. Date of arrival at Fort William, June 1837.

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Infantry —Mr Donald James Maclean, 18th to 24 June 1837.

Medical Department —Mr James Anderson Baile, 24 June 1837.

Lieutenant William Burrell Holmes, of the 12th Regiment Native Infantry, is permitted to proceed to Europe on furlough, on medical certificate.

The Lordship in Council is pleased to make the following appointments.

Assistant Apothecary Michael Maher to Officiate in the Honorable Company's Dispensary during the absence of Mr. J. Healy, on medical certificate.

Mr John Richard Boswall to be an Assistant in the Compound ing Room of the Dispensary, in succession to Taylor who has been appointed to the Medical Charge of the Jail at Bogra.

No 110 of 1837 —Lieutenant Hugh Boyd of the 15th Regiment Native Infantry Pay Master of Native Prisoners at Meerut and Haupoor, has leave of absence for six months to visit the Hills North of Dehra, on medical certificate, from the 1st instant.

William Alfred Jackson of the 30th Regiment Native Infantry is appointed to Officiate as Pay Master of Native Prisoners at Meerut and Haupoor during the absence of Lieutenant Boyd, or until further orders.

No 111 of 1837 —The following paragraph of a Military Letter No 12 from the Honorable the Court of Directors to the Governor of Bengal, dated the 8th Feb 1837 is published for general information.

Referring to the Orders given in our Military Dispatch of the 26th February 1834 in the subject of Remittances by Officers for the benefit of their families or relatives in England, we have resolved that the amount which may be remitted under like circumstances and with the like restrictions by Major Generals, or Brigadier Generals serving in India, be fixed at £400 per annum.

Fort William 7th June, 1837.

No 112 of 1837 —Sub Lieutenant Peter Allen, of the Ordnance Commission's Department is permitted to retire from the service of the British Company from the date of sailing of the ship on which he may embark for Europe, on the Pension sanctioned by the Honorable the Court of Directors in their Letter of 27th March 1829.

ECCELESIASTICAL —Under the appointment of the Supreme Government the Lord Bishop has licensed the Reverend Charles Wimbrey as a Chaplain to the Church and Station of Barrackpore with Reverend William Ord Rusplin, M.A., Chaplain to the Church of St Garrison of Fort William.

The following gentlemen having been respectively ordained for this Diocese have also received the Bishop's licence to officiate as Missionary Ministers namely

- 1 The Reverend Josiah Hughes at Malacca
- 2 The Reverend John James Moore at Agra,
- 3 The Reverend Charles Edmund Dilberg, at Barrapore, near Calcutta
- 4 The Reverend James Charles Thompson, District Calcutta

Fort William, 12th June 1837.

No 119 of 1837 —When Officers of His Majesty's Service exchange from one to another Regiment in India, they will receive their King's Pay at the Presidency under which they may be serving and should their exchange not be confirmed by His Majesty, necessary adjustment will then take place with the Presidency from which they may have been so transferred.

Fort William 15th June 1837.

No 120 of 1837 —The Pay Batta and other Allowances, for June 1837 of the Troops at the Presidency and at the other Stations of the Army, will be issued on or after Monday the 18th Proximo.

Fort William 19th June, 1837.

No 121 of 1837 —The undermentioned Officer is promoted to the rank of Captain by brevet, from the date expressed opposite to his name.

43d Regiment N 1 —Lieutenant Thomas Dalgell 14th June 1837.

The following appointment made by the Governor of Fort William, is published in General Orders.

Assistant Surgeon A Webb to be 2d Assistant Garrison Surgeon at Fort William vice Assistant Surgeon Allen Gilmore, M.D., doct 1837.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors.

Captain Robert Henry Miles of the 1st Regiment N 1: date of arrival at Fort William, 12th June, 1837.

Lieutenant and Brevet Captain Francis Winter, of the 69th Regiment N 1: date of arrival at Fort William, 13th June, 1837.

1st Lieutenant John Innes of the Regiment of Artillery: date of arrival at Fort William, 16th June, 1837.

The undermentioned gentlemen are admitted to the Service in conformity with their appointment by the Honorable the Court of Directors as Cadets of Cavalry and Infantry, and Assistant Surgeons on this Establishment. The Cadets are promoted to the rank of Cornet and Ensign respectively leaving the dates of their Commissions for future adjustment.

Cavalry —Mr Henry Robert Grindley date of arrival at Fort William, 19th June, 1837.

Infantry —Messrs Collin Charles Robertson, Monsey Staples John Gordon, Neville Byles Chapman, Francis Tomba, Frederick Cropper Tomba, William James Knox —Date of arrival at Fort William, 18th June 1837.

Messrs James Irwin Malabarwar, Walter Birch William Chester, William Robert Cunningham, Edward Cook, Andrew Ogilvie Paquiraon Charles Edmund Hickley Henry Boreford Melville —Date of arrival at Fort William 14th June 1837.

Medical Department —Messrs Edward Parker and James Maccaugh —Date of arrival at Fort William, 15th June, 1837.

Fort William, 19th June 1837.

No 122 of 1837 —The services of 1st Lieutenant Henry Marion Durand, of the Corps of Engineers, are placed at the disposal of the Honorable the Lieutenant Governor North Western Provinces, for the purpose of reporting on the drainage of the Nijul Gaur Jhal in the Dehly Territory, and framing an accurate estimate of the expense.

Assistant Surgeon John Colpoys Smith was appointed in the Judicial and Revenue Department, under date the 12th instant to perform the medical duties of the civil station of Purneah during the absence of Assistant Surgeon Chapman, M.D.

Mr John Elliot is admitted to the Service in conformity with his appointment by the Honorable the Court of Directors as a Cadet of Artillery on this Establishment and promoted to the rank of 2d Lieutenant leaving the date of his Commission for future adjustment. —Date of arrival at Fort William, 17th June, 1837.

Mr William Henry Oakes having satisfied Government on the points of qualification prescribed by existing Regulations is admitted to the Service as a Cadet of Infantry on this Establishment agreeable to instructions from the Honorable the Court of Directors. Mr Oakes is promoted to the rank of Ensign leaving the date of his Commission for future adjustment.

Fort William, 26th June, 1837.

No 123 of 1837 —The Right Honorable the Governor General of India in Council is pleased to make the following promotion.

19th Regiment Native Infantry —Ensign William Lawrence Mackeson to be Lieutenant from the 18th June 1837, vice Lieutenant Felham Donathkhoris Warren deceased.

Mr Matthew Ward is admitted to the service, in conformity with his appointment by the Honorable the Court of Directors, as a Cadet of Cavalry on this Establishment and promoted to the rank of Cornet leaving the date of his Commission for future adjustment. —Date of arrival at Fort William 19th June 1837.

No. 124 of 1837. —The Right Honorable the Governor General of India in Council having taken into consideration the rules according to which the European Officers of Mounted Cavalry are at present permitted to select Chargers from Horae, the property of the State, is pleased to rescind the General Orders by the Vice President of the 7th October 1817 and to publish for general information the following Regulation, which is to take effect from this date.

1 The objectionable privilege of taking Horae from the ranks whether by Officers of Mounted Corps, or by any other Military duals whatsoever, is no longer allowed, and in future Officers' chargers are to be selected from Remount Horses only, or by purchase in the Market.

2 Every Regimental Officer of the British Artillery or Cavalry, on first joining his Corps, or on rejoining from Furlough, or from Staff Employ will be permitted to select two Horses for Chargers from the Remounts of the Regiment then available or

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times that may be next received, and the Medical Officers, Veterinary Surgeons and riding Master of such Corps, when permanently stationed may each select one Horse of the same description in the terms hereinafter specified.

3. When two or more Regimental Officers are to select at the same time the senior is to have the first choice, but must not be permitted to choose a second Horse, till his Junior or Juniors shall each have chosen one.

4. Horses selected as Chargers are always to be branded with the Mark of the Regiment, and entered on the Descriptive Roll of the Corps, when they are delivered over to the selecting Officer.

5. The price to be paid by Officers for a Horse selected from the Remounts of their Corps is as follows.

6. When the selected Charger of an Officer shall die, be killed in action, captured, stolen, lost, shot at the recommendation of a Medical or Detachment Committee, or be reported by such a committee unfit for further service, from age, vice, disease, or permanent unsoundness his owner will be permitted to replace him by a selection from the Regimental Remounts that may be then or there after available, and in cases where the Charger has been reported unfit for further service without being incurably diseased, may dispose of him at his discretion.

7. Selected Chargers may be exchanged between officers of the same Corps, with the sanction of the Commanding officer or when their full price has been recovered by the Pay Master, may be sold to any Officer of the same Corps entitled to a choice, the sale in that case to stand in the place of such choice, and the seller to be allowed to select another Charger.

8. An officer who finds on trial that he has made an unsuitable selection, may return the Horse and select another from the Regimental Remounts, provided his desire to do so be made known to the Commanding Officer of the Corps within one month from the date of selection, and provided the Horse to be returned be reported by a Regimental Committee as sound and fit for the service, as when selected.

9. At any time after the lapse of six months and within twelve from the date of selection, a selected Charger may, with the permission of the Commanding Officer of the Corps, be returned for the purpose of being placed in the ranks, if reported by a Regimental Committee to be perfectly fit for the service, but in such case the Officer returning a Charger will not be permitted to choose another Horse in his room, and will merely be entitled to receive back from the Pay Master, the full price or such portion of the price as may have been deducted from his Pay and Allowances.

10. In all cases where an Officer wishes to select a Charger to be sold, exchanged, or place in the ranks, a selected Charger, he is to make written application to the Commanding Officer of his Corps, who, when necessary, will assemble a Regimental Committee, composed of a President not under the rank of Captain, and two subalterns as Members, the report or proceedings of which are not to be considered complete without his, the Commanding Officer's signature.

11. When Officers are moved from one Brigade of Horse Artillery, or one Regiment of Cavalry, to another, they may take their selected Chargers with them, and the Horses so transferred are to be traced from the Register of the one Corps and entered in that of the other.

12. The selected Chargers of Officers who may retire from the Service proceed on Furlough to Europe, be nominated to the General Staff or any other detached permanent employ, or be removed from a Regiment to a Detached Corps, are not to be sold or taken out of the Regiment, to which their owners belong, unless purchasers cannot be found in the Corps, and the Horse be pronounced, by a Regimental Committee unfit for admission to the ranks, in which cases they may be disposed of at the discretion of their owners, or when Officers die, their selected Chargers may be disposed of under the above restrictions, by order of the Committee of Adjutant-General assembled on occasion of the death of such Officers.

13. The terms on which Chargers for property of the several classes of Officers specified in the foregoing para are, in the first instance, to be offered for sale to such Officers of the Corps as require Chargers, and in default of purchasers, to be tendered for admission to the ranks, are as follows.

If six years old, full price, and if above six, but not exceeding twelve years, a deduction is to be made at the rate of 10 per cent per annum for the period elapsed since the Horse attained the age of six years.

6 full price	500
7	540
8	580
9	620
10	660
11	700
12	740

Horses above six years are not to be admitted to their ranks, but may be disposed of at the discretion of the owners or their representatives.

14. In future, as soon as the Annual Casting Committee have concluded their duties, Returns are to be made by the several Brigades of Horse Artillery and Regiments of Cavalry, showing the number of Horses wanted to complete, as well as the number likely to be subsequently brought forward for the purpose of being sent, and containing a column for "Officers Chargers &c." added. A number of Horses selected at the next time as fit for that purpose will be sent to each Regiment, and when of them as may not be taken by Officers are to be placed in the ranks of the Corps.

15. The price of Chargers selected by Officers is to be realized from their Pay and Allowances by Deputy Pay Masters, in four equal monthly deductions from Field Officers, Captains, and Surgeons; and in eight similar deductions from Subalterns, Assistant Surgeons, Riding Masters, and Veterinary Surgeons. When an Officer has occasion to select two Horses, double time will be allowed for payment, and in all cases the deductions are to commence with the first issue of Pay after the date of selection.

16. Should an Officer die before the full price of his selected Charger has been recovered, the Horse, if reported by a Committee fit in all respects for the service, is to be received into the ranks, and the amount deducted will be refunded by the Deputy Pay Master to the Legal Representative of the deceased, but if reported unfit for the service the Horse is to be sold under the orders of the Commanding Officer of the Regiment, who from the proceeds of the sale, will remit to the Deputy Pay Master the sum remaining due to Government, and pay the balance if any to the person entitled to receive it.

17. When an Officer has selected, and been put in possession of a Charger he will immediately transmit, in duplicate a Descriptive Roll of, and receipt for the Horse selected, to the Commanding Officer of the Regiment, who having countersigned them, and caused a transcript of them to be entered in a Regimental Book to be kept for the purpose, will transmit one copy to the Deputy Pay Master within whose payment the Corps may be, and the other to the Military Auditor General.

18. The Commanding Officer of the Regiment will then direct the Officer in whose Abstract the Pay and Allowance of the individual who has selected the Charger are drawn, to insert at the foot of each Abstract, until the necessary deductions shall be completed, a notification to the following effect.

Deduct from — A B's Pay and Allowances — Rupees, being the first (or as the case may be 2d, 3d, 4th, &c.) monthly deduction on account of a Charger selected by him from the Remount Horses which joined the — Regiment on the — day of —.

19. — At the close of each year, the Military Auditor General will compare the Certificates with the amount received on account of selected Chargers, and will take immediate steps for recovering any sums due on their account which should have been previously realized.

No 125 of 1837 — The Right Hon'ble the Governor General of India in Council has great pleasure in publishing to the Army, the following para of a Military Letter from the Hon'ble the Court of Directors, No 19 of 1837, dated the 13th of March last.

Para. 1 It gives us the highest satisfaction to announce to you that His Majesty has been graciously pleased to nominate and appoint.

2. You will be pleased to publish this Despatch in General Orders.

No 127 of 1837 — Mr Francis Moira Hastings Burton is admitted to the service, in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment. — Date of arrival at Fort William, 12th June 1837.

Captain Curwen Gale, of the 16th Regiment Native Infantry having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

GENERAL REGISTER.

Captain C T Thomas 2d Assistant (opita) Stnd, has leave of absence from his Station for six months, from the 1st instant, on account of his private affairs

No 121 of 1837—Sub Lieutenant Peter Alleg, of the Ordnance Commissariat Department, who was permitted in General Orders No. 112 of the 5th instant, to retire from the Service of the East India Company from the date of sailing of the Ship on which he may embark for Europe, on the Pension sanctioned by the Honble the Court of Directors in their Letter of the 27th March, 1839, is promoted by His Lordship in Council, to the rank of Captain by Brevet

ECCESTATERIAL.—At an Ordination held at the Collegiate Chapel of Bishop's College, on Saturday last the 24th instant the following Gentlemen were severally Ordained by the Lord Bishop of Calcutta namely

The Reverend Josiah Hughes Priest, and John Frederick Goldstein and Krishnamohan Banerjee, both of Bishop's College, Deacons,

Under the appointment of the Supreme Government the Lord Bishop has Licensed the Reverend Robert Parkinson Brooke, B A, Joint Chaplain to the Church and Station of Cawnpore.

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla, 17th May, 1837

Government have been pleased to approve of a party of native infantry being transferred to the Gwalior reformed contingent, in addition to the number authorized in General Orders of the 10th of November last the officers commanding the 14th and 47th regiments will be pleased to call for volunteers from their respective corps to the following extent

	<i>Naicks for Havildars</i>	<i>Sepoys for Naicks</i>
14th regiment native infantry	1	2
47th regiment native infantry,	2	3

None are to be allowed to volunteer who are not entitled from their present length of service when worn out and unfit for further military duty to the benefits of the Invalid Establishment but it is to be distinctly explained to the men that they can only claim the pension of the rank they held previous to their transfer

The volunteers are to be struck off the strength of their respective corps from the 1st proximo, and are to be sent under charge of the senior non commissioned officer, to join the contingent at Bhipre

Descriptive rolls to be prepared in duplicate one copy to be sent to the Resident at Gwalior, and the other to the Adjutant General of the Army

The Agra Garrison and Station Order of the 1st instant, directing Surgeon R Brown of the 37th regiment of native infantry, to assume medical charge of the 4th battalion of artillery on the departure for Meerut of Surgeon Dempster, is confirmed as a temporary arrangement

The Agra Garrison and Station Order of the 8th instant, directing Khwajah Bukhsh, native medical student to proceed to Allypore and do duty with the 73d regiment of native infantry, vice Oberster Lall, Native Doctor, deceased, is confirmed

The leave of absence granted in General Orders of the 24th of March last to Colonel B Roope, of the 19th regiment of native infantry, is cancelled at his request

His Excellency the Commander in Chief is pleased to make the following appointments

20th Regiment Native Infantry

Lieutenant J T Daniel, of the 47th regiment of native infantry, to act as Interpreter and Quarter Master.

1st Regiment of Native Infantry

Lieutenant G Johnston, of the 46th regiment of native infantry to act as Interpreter and Quarter Master

Assistant Surgeon Allen Webb is appointed to do duty under the Superintending Surgeon at Cawpore

The following students from the late Native Medical Institution, having been reported qualified, are admitted into the service

as Native Doctors, and directed to do duty under the Superintending Surgeon of the Sirhind division

Meer Haidar Alee—Ran Prasad Singh—Moshib Alee—Meer Mohammad—Mookurram Alee—Waseer Alee.

The undermentioned officers have leave of absence

Artillery—Unposted 2d Lieutenant N A Staples, from 16th May to 15th July, to visit Baulnah, on private affairs,

3d regiment light cavalry—Cornet J H L M Toppa, from 18th September 1836 to 14th October 1836, in extension, so capable him to join

30th regiment native infantry—Lieutenant C Railway, from 30th May to 30th July, to visit Umbally, on private affairs

29th regiment native infantry—Lieutenant Colonel J Taylor, from 1st June to 30th January 1838, to remain at Meerut, on private affairs and to visit the Presidency preparatory to applying for furlough

66th regiment native infantry—Ensign B H Steer, from 1st July to 1st November, to visit Bhaugulpore, on private affairs

74th regiment native infantry—Captain A Spens from 10th May to 1st November, to visit Almora, on private affairs

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Head Quarters, Simla, 18th May 1837

Lieutenant F L Ommanney, of the corps of engineers, who was placed at the disposal of His Excellency the Commander in Chief in Government General Orders No 96 of the 1st instant is directed to join the head quarters of the Sappers and Miners at Delhi

Assistant Surgeon J R Dickson is removed from the 64th and posted to the 69th regiment native infantry

Acting bombardier George Sedgley, of the 2d troop 1st brigade horse artillery is transferred to the Town Major's list, and appointed an Overseer Sergeant in the Stnd at Meerut.

The undermentioned officers have leave of absence

4th regiment light cavalry—Colonel G Becher, from 15th June to 15th October in extension, to remain at the Presidency, on private affairs, and to apply for furlough

45th regiment native infantry—Lieutenant G Shait, from 1st June to 30th June to visit Simla, on private affairs

34d regiment native infantry—Ensign W C Lloyd from 10th June to 10th October to visit the Presidency, on medical certificate, and apply for furlough

Head Quarters, Simla 19th May, 1837

The Agra garrison and station order of the 10th instant directing Assistant Apothecary William Brookes to do duty in the hospital of the European regiment, is confirmed

Colonel G Cooper's regimental order of the 7th instant, appointing Ensign C H Wake to act as Adjutant to the 34th native infantry during the absence on leave of Lieutenant Lyons, is confirmed

Ensign F D Atkinson, of the 13th regiment native infantry having been declared by the examiners of the College of Fort William to be qualified for the office of interpreter to a native corps, is exempted from further examination in the native languages

Sergeant James Ross, attached to the gun carriage agency at Fategaith, is removed to the Cawnpore magazine as a warehouseman Magazine Sergeant and directed to be sent to join.

The undermentioned officers have leave of absence

48th regiment native infantry—Major R A Thomas, from 15th May to 15th November, to visit Mussoorie, on medical certificate

19th regiment native infantry—Lieut H V Stephen, from 30th April to 30th June, to visit Feroze, on medical certificate

2d battalion artillery—2d Lieutenant A C Hutchinson, from 1st June to 10th November, to visit the hills north of Deoria, on private affairs

Head Quarters, Simla, 21st May, 1837.

The Commander in Chief having concluded his tour of inspection for the season, directed to convey to the posts of the

GENERAL REGISTER.

Bengal army which he has had opportunities for seeing since his departure from Cawnpore in December his approbation of their general appearance, equipment, and discipline

In his General Order of the 7th of December he took occasion to applaud the zeal and assiduity which he had observed on the part of the officers of the corps which he had inspected previous to that date. Similar praiseworthy exertions have been made by the officers of the corps he has since seen, and he begs that Brigadier General Stevenson, C. B., the Honourable Major General Ramsay, Brigadier General Duncan, and Brigadier Cartwright, and the officers under their respective commands, will accept the expression of his sense of their merits.

Amongst so many corps as he has reviewed there necessarily must exist considerable shades of difference in several respects but he has not seen one which has not been well clothed, equipped, and appointed, so far as depended on commanding officers, or one which has not borne testimony to exertions on the part of commanding and other officers, to present their corps in a good state, and to show it to the best advantage

What he has seen of the Bengal army has not disappointed his expectations, and has impressed upon him a very favorable opinion of its general efficiency and fitness for service

2 There are some points in which the troops may improve themselves, and for which they possess great facilities, for he must remark, that no national army, of which he has a knowledge, possesses greater advantages. There are more than five months in the year of weather (in upper Bengal) highly suited for all sorts of exercise. Every corps, or nearly so, has a good ground for parade and drill close to its lines, the troops at the principal stations are together in large bodies, and where they are so, extensive grounds are reserved for their exclusive purposes. Nothing more therefore is requisite, but activity and exertion on the part of superior officers, to render the army as perfect as an insufficient military staff (the consequence of peace) permits

3 He will direct the attention of general officers to some of the points to which he alludes

4 When assembled in large bodies and when the three arms, artillery, cavalry and infantry, are combined there does not exist that freedom of movement amongst the troops, or that apparent self-possession amongst officers, which are desirable and he observed several palpable instances of the absence of both the qualities mentioned

To correct such failings at the large stations of Barrackpore, Cawnpore, Meerut, Kuthnaul, &c. and so by degrees to improve the whole army, he deems to be easy

5. With a view to this end, he directs that whenever two or more regiments are stationed at a post, they may be frequently formed into brigades, and be exercised as such by the senior officer, (under the eye of the general officer, when there is one at the station,) and when artillery or cavalry or both are present, that they may be combined, and be exercised together

At the large stations where more troops are collected the general officer commanding should divide them into brigades of two regiments, under the command of the senior officers and where there are also artillery and cavalry, combine them as before directed, and it will be a most useful practice for the general officer acting as commander of the whole, to issue his general directions for movements, and to leave the execution to the commanders of the respective corps, he correcting all false movements, and instructing where errors occur.

He desires that commanding officers in the field will occasion extensive movements generally, to be made in such a manner as they would desire if they supposed themselves in the face of an enemy. That is, that advances in columns should be covered by cavalry or light infantry, until the intended subsequent formation is sufficiently made for the forming body to act with effect. That retrograde movements should always be covered in the same way. That bodies should always have second lines, or reserves. That the flanks of artillery, when cavalry are present, be never left uncovered. That when horse artillery, or cavalry, or to retire to open a front of infantry, that such retiring may generally be through lines, (not round their flanks) because it is always important to unmask a contemplated fire of infantry, as quickly as is practicable.

The same practice should be applied where the retreat of infantry is to be covered by an attack of cavalry. That, on the formation of new lines, or new positions, where an attack is supposed to be represented, the fire should commence so soon as a sufficient number of divisions to maintain an effective fire are formed on the new line, without awaiting the formation of a long line before a fire is opened.

After a fire, an advance should generally be made.

He has remarked, that sufficient attention does not appear to have been given to the practice of light infantry movements. The

Bengal army not having any regular light infantry corps, it is very necessary that while battalions should be occasionally practised to act as such and in his next tour of inspection, he will be glad to see that it has been the case

6 He is aware of the difficulties which general officers may find in thus practicing the troops under their command in small brigades from the want of mounted staff officers but the real and intelligence which he has seen to exist amongst the junior officers of the Bengal army, leads him to feel sure that mounted regimental officers may always be found ready and willing to volunteer to improve themselves, by doing the duty of staff officers in the field. For want of practice in large bodies, these duties are not very well discharged at present; and the Commander in Chief takes advantage of this opportunity to call attention to part III sec VII of "the field exercise and evolutions of the army," the instruction contained in which, though relative to the battalion, is equally applicable to all lines.

7 The Commander in Chief is of opinion, that no extra harness of officers, or soldiers, is necessary to effect the objects under consideration, but that a general field day once a week, during the exercising season, at which all ordinary mere parade movements are omitted, and the business of the day is confined to a few changes of positions and formations of lines, is all that can be requisite

8 In the equipment of the battalions of native infantry, what he has least approved has been their appearance in marching order. Some few regiments have been very well equipped in that order but the majority have not been so. This failure probably owes its rise to the unsoldier like practice of permitting the knapsacks to be carried for the sepoy on ordinary marches. It must be recollected, that (whatever may be practised in peace) during a campaign, that proceeding could never be allowed on account of the mass of transport which it would consume and, moreover, no soldier is ever truly effective, who has not the equipments which are requisite for him, about his own person. The Commander in Chief therefore desires, that battalions may parade once a week in marching order and that commanding officers will pay strict attention to the proper fitting of shoulder and other straps and to the knapsacks being properly and uniformly placed on the Sepoy's shoulders and to such other points as may render the carrying of them, when necessary, familiar, and as little burthen some as possible

The fitting of the sepoy's clothing is much superior in some regiments to what it is in others. That which is effected in one battalion may surely be done in all

The browning of the muskets, at proper intervals, appears to be neglected. The periods when the sepoy are on leave of absence might be well appropriated to the execution of this work

9 There is some want of uniformity in the army arising from some commanding officers having permitted changes or adoptions without authority. For example, the blue frock coats to native officers this ought not to have been. The Commander in Chief does not desire any alteration at present from what may actually exist in corps, as he will remedy the evil in due time but he strictly forbids commanding officers to make any such changes on their own authority in future

There being considerable deviations from the turban established in 1827 he has ordered a pattern turban, and knapsacks for all the infantry of the Bengal army to be sent to each regiment, and he directs that the battalions conform to the same, as fast as a renewal of those articles becomes necessary, in ordinary course

The appearance under arms of many battalions is much deteriorated by the unsoldier like, and various manner in which the sepoy have been permitted to wear their turbans. Uniformity in this respect is as essential to good looks as in any other. The officers commanding companies should be made responsible for the proper fitting of every man a turban, and the commanding officers of battalions should take care that they are properly worn. The example set by officers, in this particular, is not always the best. The cap, or turban, should be worn rather forward over the brow, and never be allowed (as is now too often the case) to be hanging on the back of the sepoy's head and over his ears

The Commander in Chief feels confident that it is only necessary to point the attention of officers in command to these several points, to ensure their correction during the ensuing exercising season

His Excellency the Commander in Chief is pleased to make the following removals and postings of medical officers

Surgeon John Turner, (on furlough) from the 28th to the 69th regiment of native infantry

Surgeon John Griffiths, from the 32d to the 38th regiment of native infantry

Surgeon Alexander McKenzie Clark (new promotion) to the 52d regiment of native infantry

Assistant Surgeon Erin, Thomas Downes, (on furlough) from the 49th to the 15th regiment of native infantry.

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Assistant Surgeon Donald Alexander Macleod, (on furlough) from the Assam light infantry to the 17th regiment of native infantry.

Assistant Surgeon James Mainwaring Brander, M. D. (on furlough) to the 23d regiment of native infantry.

Assistant Surgeon David Brown, (on furlough) from the Sylhet light infantry battalion to the 37th regiment of native infantry.

Assistant Surgeon Adam Thomagh, (on furlough) from the Harrison light infantry battalion to the 38th regiment of native infantry.

Assistant Surgeon Robert White Wrightson, (on furlough) from the Arracan local battalion to the 61st regiment of native infantry.

Assistant Surgeon Finlay Malcolm, from the 5th to the 37th regiment of native infantry.

Assistant Surgeon William Stevenson, senior, from the 1st to the 40th regiment of native infantry.

Assistant Surgeon John Hugh Wharrie Waugh, (on furlough) from the 40th to the 1st regiment of native infantry.

The leave of absence granted to Captain H. Johnson, of the 26th regiment native infantry, in General Orders of the 24th February Inst, is cancelled at his request.

The undermentioned officers have leave of absence :

17th regiment native infantry.—Lieutenant and Brevet Captain J. C. Plowden, from 31st May to 31st Sept., to remain at Simla, on private affairs.

4th regiment native infantry.—Lieutenant and Brevet Captain C. J. Oldfield, from 1st July to 1st Nov. to visit Moozusserpore and Cawnpore, on private affairs.

Ordnance Department.—Conductor C. Irvine, from 1st July to 31st Dec to visit Calcutta, on private affairs.

Head Quarters, Simla, 25th May, 1837.

The Myspoorie station order of the 10th instant, appointing Lieutenant and Adjutant W. C. Hicks of the 3d regiment of native infantry, to act as station staff, vice Patt, who has been permitted to resign that appointment is confirmed.

Major J. McLaren's regiment order of the 11th instant, appointing Lieutenant W. H. Balders to act as Adjutant to the 16th regiment of native infantry, during the absence of Lieutenant Evans, is confirmed.

Hospital Apprentice W. H. Johnstone, at present attached to His Majesty's 31st regiment, is appointed to do duty at the Presidency General Hospital, and directed to be sent to join.

Head Quarters, Simla, 27th May, 1837.

Assistant Surgeon F. Furnell, at present employed as Assistant Civil Surgeon at Beerbhoom, is posted to the Assam light infantry, which he will join on being relieved from his present charge.

The Sagar division order of the 12th instant by Brigadier General Sir T. Aubury, K. C. B., appointing Captain R. D. White, of the 69th regiment of native infantry, to officiate as Assistant Adjutant General to the division, during the absence of Captain R. Bayldon, is confirmed as a temporary arrangement.

The station order by Brigadier R. Hampton, commanding the Maywar field force, under date the 14th instant, directing Surgeon W. Mitchelson, of the 23d, to afford medical aid to the 26th regiment of native infantry, is confirmed.

Cornet Lucius Heywood Hardyman, who was brought on the effective strength in Government General Orders of the 15th instant, is posted to the 7th regiment of light Cavalry at Cawnpore.

The Commander in Chief is pleased to sanction an exchange of positions between Sub-Conductors Jeremiah Leary and William Deare, the former is accordingly posted to the Ajmere magazine, and the latter to the Expense magazine at Dum-Dum.

The undermentioned officers have leave of absence :

38th regiment native infantry.—Captain E. S. Hawkins, from 20th April to 1st January 1838, to visit the Presidency on private affairs.

Division staff.—Captain R. Bayldon, Assistant Adjutant General, Sagar division, from 15th May to 15th November, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

61st regiment native infantry.—Ensign S. H. Becher, from 1st June to 31st October, to visit Mussorie, on private affairs.

*Fort William, 12th June, 1837.**

No. 113 of 1837.—The London Gazette of the 17th January 1837, having been received from the Hon'ble the Court of Directors, the following extract therefrom is published for general information :

" War Office, 17th January, 1837.

His Majesty has been pleased to appoint the undermentioned Officers of the East India Company's Forces, to take rank by Brevet in His Majesty's Army in the East Indies only, as follow : Commissions to be dated 10th January, 1837.

To be Generals.—Lieutenant Generals William Kinsey ; Robert Phillips ; Sir Robert Blair, K. C. B. and Robert Bell.

To be Lieutenant Generals.—Major Generals John Dighton ; Lambert Loveday ; Sir John Doveton, K. C. B. ; Nathaniel Forbes ; Sir John Arnold, K. C. B. ; John William Morris ; Thomas Marriott ; John Skelton ; and George Dick.

To be Major Generals.—Colonels Hugh Stacey Osborne, James Lillyman Caldwell, George Carpenter, Alexander Caldwell, William Roome, John Luther Richardson, David Leighton, William Blackburn, Charles Deacon, James Welsh, William Brooks, Thomas Corsellis, John Nicholas Smith, Charles Farran, James Russel, Donald Macleod, Sir Joseph O'Halloran, Martin White, Edward Boardman, George Wahab, David Courtney Kenniv, Josiah Marshall, Richard Podmore, Robert Houston, James Dodington Sherwood, Arthur Moleworth, John Greenstreet, Robert Stevenson, Christopher Fagan, William Casement, William Croxton, James Rutherford Lumley, William Comyn, Sir George M. Cox, Bart. Manasseh Lopez Pereira, Thomas Pollok, John Rose, William Munro, George Rees Kemp, Henry Roome, John Munro, John Cunningham, Charles Thomas George Bishop, John Alexander Paul Macgregor, Alexander Limond, James David Greenhill, Jeffrey Prendergast, William Richards, Alexander Duncan, Thomas Whitehead, Robert James Lutter, Thomas Stewart, Jerry Francis Dyson, William Douglas Clelland, Robert Patton, William Hill Perkins, John Doveton, Alexander Fair, David Foulis, Duncan M'Pherson, Clements Brown, William Farquhar, William Hopper, Sir Thomas Ambury, James Law Lushington, Benjamin William Dowden Sealy, William Charles Fraser, and William Gilbert.

To be Majors.—Captains William Ogilvie, George Washington Gibbon, John Lawrie, James Cocke, Charles Andrews, Edward Pettigal, William Henry Foy, John Willis Watts, Henry Peach Knightley, Robert Beecher, John Brandon, John Cowslade John Cameron, William Hough, Frederick George Lister, Henry Clifton Barnard, William Cubitt, William Passmore, Robert Steward, Benjamin Blake, Robert Hawkes, John Mackenzie, George Hutchinson, George Freer Holland, Hugh Sibbald, Stephen Moody, John James Farrington, Henry Moberley, George Brooke, Frederick Henry Sands, Thomas Lumsden, James Oram Clarkson, Thomas Croxton, George Joseph Bidmead Johnston, Benjamin Robertson Hitchens, Hugh Robertson Murray, James Richard Colnett, Sir Robert Colquhoun, Bart. Peter Johnston, Charles Snell, Charles Edward Davis, Richard Gardner, Alexander Mackintosh, Theophilus Bolton, Henry Francis Caley, Richard Bayldon, Charles Rogers, George Arthur Kempland, William Henderson, Thomas Timbrell, Robert Butler, William Stokes, Charles St. John Grant, James Milton, William Macleod, John Robson Worraun, Benjamin Ashe, James Steel, and John Barclay."

No. 114 of 1837.—Major General Sir Willoughby Cotton, K. C. H., of His Majesty's Service, having reported his arrival, is admitted on the Staff at this Presidency, vice Major General James Watson, C. B., who has proceeded to Europe.

No. 115 of 1837.—The following paragraphs of Military Letters, from the Hon'ble the Court of Directors, to the Governor of Bengal, are published for general information :

Letters No. 15, dated 15th February, 1837.

Para. 2. Lieutenant Darvall (permitted to return to his duty overland,) has been apprized, that his Indian Allowances will not commence until he shall have reached the Presidency or joined the Corps to which he belongs.

3. We have granted extension of leave to the following Officers, viz.

Lieut. Col. Thomas Dundas, and Major G. A. Kempland, for six months.

Major Charles Christie, to remain until June next.

Captains William Bacon, Aftan T. Davis, and Thomas S. Burt, for six months.

Captain C. H. Cobbe, for three months.

Surgeon Alexander Scott, and Assistant Surgeon H. D. Donaldson, M. D., for six months.

Letter No. 16, dated 22d February, 1837.

"We have placed in Medical Charge of the "Brenice" Steam Vessel, Mr. A. C. Morrison, who is proceeding in India, as a

GENERAL REGISTER.

Assistant Surgeon on the Bengal Establishment, Mr. Morrison has been granted the Passage Money of Surgeon, viz. £110. in remuneration for his services on the voyage. His Pay and Allowances will commence from the date of his arrival at Bombay.

No. 116 of 1837.—The Governor-General of India in Council is pleased to make the following Promotions.

19th Regiment N. I.—Captain John Drinkwater Syers to be Major, Lieutenant John Sandeman Boswell to be Captain of a Company, and Ensign Alexander Carre Boswell to be Lieutenant, from the 28th May 1837, in succession to Major William Passmore deceased.

Lieutenant Richard Ponsonby Alcock, of the 46th Regiment Native Infantry, is appointed an Officiating Deputy Assistant Quarter Master General, in the room of Captain Codrington, promoted in the Department.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain John Dixon Nash, of the 33d Regiment N. I., and Captain John Evans, of the 15th Regiment N. I., date of arrival at Fort William, 9th June, 1837.

The undermentioned Gentlemen are admitted to the Service in conformity with their appointment by the Hon'ble the Court of Directors as Cadets of Infantry, and Assistant Surgeons on this Establishment. The Cadets are promoted to the rank of Ensign, leaving the date of their Commissions for future adjustment:

Infantry.—Mr. William Frost Nuthall, date of arrival at Fort William, 8th June 1837.

Mr. Lauchlan Alexander McLean, ditto 9th ditto.

Mr. Thomas Elliot Ogilvie, ditto 9th ditto.

Medical Department.—Francis Anderson, M. D., ditto 8th do.

Mr. Henry Froeth, ditto 8th ditto.

Captain William Barnett, of the 58d Regiment Native Infantry—Assistant Commissary General, has leave of absence, for six months, from the 1st proximo, to visit the Hills North of Drynah, on Medical Certificate.

The leave of absence granted to Captain Andrew Charlton, of the 74th Regiment Native Infantry, and 2d in Command of the Assam Light Infantry, in General Orders No. 49, of the 29th February 1836, is extended for six months, on Medical Certificate, beyond the period therein stated.

No. 117 of 1837.—The Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank.

Infantry.—Lieutenant Colonel and Brevet Colonel Horatio Thomas Tapp to be Colonel, vice Colonel Hastings Dare deceased, with rank from the 9th March, 1837, vice Colonel (Major General) Sir John Wittington Adams, K. C. B., deceased.

Major Newton Wallace to be Lieutenant Colonel, from the 9th March, 1837, vice Lieutenant Colonel and Brevet Colonel Horatio Thomas Tapp promoted.

53d Regiment Native Infantry.—Captain John Hoggan to be Major, Lieutenant and Brevet Captain Co. in Campbell to be Captain of a Company and Ensign Edward Samuel Capel to be Lieutenant, from the 9th March, 1837, in succession to Major Newton Wallace promoted.

Alteration of Rank

38th N. I., Colonel A. Galloway, Lt.-Col. G. W. Moseley, Major W. Alhous, Capt T. C. Wilton, and Lieutenant W. Kennedy, to rank from 22d Sept 1836, vice Col. H. Dare deceased.

19th N. I. Colonel E. Wyatt, Lt. Col. J. Taylor, Major W. Passmore, (deceased), Captain J. Drummond and Lieut W. K. Willem, to rank from 8th Oct. 1836, vice Colonel (Major General) Sir J. Arnold, K. C. B., deceased.

No. 118 of 1837.—The Governor General of India in Council is pleased to make the following Promotion and Alteration of Rank:

9th Regiment N. I.—Ensign George Verner to be Lieutenant from the 20th April, 1837, vice Lieut. R. St. J. Lucas promoted.

9th N. I.—Lieut. R. Thatcher, to rank from 31st March, 1835, vice Lieut. and Brevet Captain J. E. Landers promoted.

N. B. The promotion of Ensign George Crickelank to a Lieutenancy, from the 31st March, 1836, published in General Orders No. 93, of the 6th April 1836, is cancelled; he having died in England on the 23d December 1836.

Lieutenant Robert Turnbull Sandeman, of the 33d Regiment Native Infantry, has returned to his duty on this Establishment with-out prejudice to his rank, by permission of the Hon'ble the Court of Directors—Date of arrival at Fort William, 9th June 1837.

Assistant Surgeon T. Chapman, M. D., attached to the Civil Station of Farneah, has obtained in the Judicial and Revenue Department, leave of absence to visit the Presidency, preparatory to applying for permission to proceed to Sea, on medical certificate.

Head-Quarters, Simla, 28th May, 1837.

Lieutenant Colonel Edward John Honeywood (on furlough, new promotion) is posted to the 7th regiment of light cavalry.

The undermentioned officer has leave of absence:

16th regiment native infantry—Lieutenant and Adjutant D. F. Evans, from 15th May to 15th January 1838, to proceed to the hills north of Deynah, and to visit Calcutta, on medical certificate, preparatory to applying for furlough.

Head-Quarters, Simla, 31st May, 1837.

The President division order of the 16th instant, directing the undermentioned Ensigns to do duty with the corps specified opposite their names, is confirmed:

Ensign G. B. Hobson, with the 15th regiment native infantry at Barrackpore.

Ensign J. F. Gardin, with the 73d regiment native infantry at Barrackpore.

Ensign T. F. Hobday, with the 38th regiment native infantry at Delhi.

Gunnery Daniel Kerrigan and John Brown, of the 4th company 4th battalion of artillery, are to be struck off the strength of the regiment, and transferred to the Town Major's list, from the 1st of June, for the purpose of being placed in the lunatic asylum at the Presidency.

Sergeant J. Foley, of the pension establishment, is permitted to reside at Bham, instead of Delhi, and to draw his stipend from Kuruan.

The undermentioned officers have leave of absence:

2d regiment light cavalry—Lieutenant Colonel A. "uffin, from 20th June to 31st October, to visit Mussoorie, on private affairs.

43d regiment native infantry—Ensign R. A. Trotter, from 10th June to 15th October, to visit Ghazepore and Patna, on private affairs.

54th regiment native infantry—Lieutenant (Interpreter and Quarter Master) J. A. Kuby, from 10th June to 10th September, to visit Simla, on private affairs.

58th regiment native infantry—Lieutenant C. J. H. Perrean, from 25th April to 31st May, on Medical certificate, to remain at Dacca.

Head-Quarters, Simla, 3d June, 1837.

With the sanction of Government, leave of absence is authorized to the native officers and men of the detachment from the 5th local horse along duty with the Mangarh light infantry, in the same proportion as allowed to corps serving in Malwa and Rajpootana.

The leave is to commence from the 15th instant, and to terminate on the 1st of January next.

The undermentioned officers have leave of absence:

9th regiment native infantry—Ensign R. H. Sale, from 20th June to 20th Sept to visit B-champore, on private affairs.

11th regiment native infantry—Lieutenant and Brevet Captain J. Maclean, from 20th May to 20th November, to proceed on the river and to visit the presidency on medical certificate.

18th regiment native infantry—Ensign J. W. Carter, from 15th June to 15th Oct to visit Cawnpore, on private affairs.

23th regiment native infantry—Major H. D. Cox, from 1st July to 1st Dec. to visit the Presidency, on private affairs.

GENERAL REGISTER.

25th regiment native infantry—Captain H. C. Wilson, from 25th May to 25th Nov. to visit the Presidency, on medical certificate.

Head Quarters, Simla, 5th June, 1837.

Assistant Apothecary James Dempsey, who was promoted in Government General Orders No. 143, of the 23d ultimo, is directed to join and do duty with the artillery drafts about to leave the Presidency for the upper provinces.

Head-Quarters, Simla, 6th June, 1837.

The Dinapore station order of the 18th April last by Brigadier General W. Richards, C. B., authorizing Joomuck, Native Doctor, to be entertained and employed under the orders of Assistant Surgeon G. C. Rankin, in the sudder bazar, during the prevalence of cholera, is confirmed as a temporary measure.

The Presidency division order of the 24th ultimo, by Brigadier G. R. Penny, directing the following appointed Ensigns to do duty with the corps specified opposite their names, is confirmed:

Ensign Charles Arthur Nicholson, and Ensign Francis Henry Thomas, 9th regiment of native infantry at Barrackpore.

Ensign John Douglas Willan, 15th regiment of native infantry, at Barrackpore.

The Cawnpore division order of the 30th ultimo, by Brigadier General R. Stevenson, C. B., appointing Bussawun, Native Doctor, to fill a vacancy in the 5th regiment of light cavalry, is confirmed.

Lieutenant Edward William Ravenscroft, of the invalid establishment, is permitted to reside in Calcutta, and draw his stipend from the Presidency pay office.

ERRATUM.—In General Orders of the 27th ultimo posting Cornet L. H. Hardyman to a regiment, for 7th read 5th light cavalry. The order books to be corrected accordingly.

Head Quarters, Simla, 7th June, 1837.

Cornet Montagu James Turnbull, who was brought on the effective strength in Government General Orders No. 103, of the 22d ultimo, is posted to the 7th regiment of light cavalry at Cawnpore.

The undermentioned officers have leave of absence:

16th regiment native infantry—Lieutenant R. Steward, from 1st June to 1st November, to visit Simla, on medical certificate.

50th regiment native infantry—Captain E. J. Watson, from 1st March to 1st July, to enable him to rejoin his regiment.

Head-Quarters, Simla, 9th June, 1837.

The undermentioned officer has leave of absence:

20th regiment native infantry—Ensign J. B. Conolly, from 15th June to 15th October, to visit Simla, on private affairs.

Head Quarters, Simla, 10th June, 1837.

The undermentioned officers have leave of absence:

36th regiment native infantry—Surgeon D. Campbell, from 1st July to 1st November, to visit the Presidency, on private affairs, and apply for furlough.

3d battalion artillery—2d Lieutenant W. K. Warner, from 30th June to 30th October, to visit Calcutta, on private affairs.

Head Quarters Simla, 13th June, 1837.

The Nussereabad station order of the 31st ultimo directing Surgeon A. McK. Clark, of the 52d regiment, to afford medical aid to the 13th native infantry, during the indisposition of Surgeon Griffiths, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings of division staff officers:

Captain R. Baydon, Assistant Adjutant General (on leave preparatory to furlough) from the Saugor to the Benares division.

Captain J. D. Douglas, Assistant Adjutant General, from the Benares to the Meerut division.

Captain C. Andrews, Deputy Assistant Adjutant General, from the Meerut to the Saugor division.

Captain W. G. Cooper, Brigade Major at Barrackpore, is appointed to act as Deputy Assistant Adjutant General to the Benares division, and will proceed and relieve Captain Douglas from his present charge, who on the arrival of Captain Cooper, will repair to Meerut, and enable Captain Andrews to join the Saugor division.

Captain John Cowleside, of the 70th native infantry, is appointed to act as Brigade Major at Barrackpore, until further orders.

The undermentioned officers have leave of absence:

40th regiment native infantry—Colonel T. Newton, from 15th April to 19th May, in extension, to enable him to join.

8th regiment native infantry—Surgeon J. Griffiths, doing duty with the 9th light cavalry, from 31st May to 15th June, to remain at Ajmere, on medical certificate.

62d regiment native infantry—Lieutenant and Brevet Captain F. V. Smith, doing duty with the Arracan local battalion from 20th May to 20th July, to visit Calcutta, on medical certificate.

Head-Quarters, Simla, 14th June, 1837.

The following removals and postings will take place in the regiment of artillery:

Colonel G. Swiney, (on furlough) from the 2d battalion to the 2d brigade.

Colonel J. F. Dundas (new promotion) to the 2d battalion.

Colonel J. A. Biggs (new promotion) to the 5th battalion.

Lieutenant Colonel W. Battine, (on staff employ) from the 3d to the 2d battalion.

Lieutenant Colonel G. E. Gowan, (on staff employ) from the 3d brigade to the 5th battalion.

Lieutenant Colonel I. Periera (new promotion) to the 3d battalion.

Lieutenant Colonel C. Graham (new promotion) to the 3d brigade.

Major T. C. Ludwick, doing duty with the 2d to the 3d battalion.

Major G. Brooke (new promotion) to the 1st brigade.

Major T. Luunden (new promotion, and on staff employ) to the 2d battalion.

Captain C. Dallas, (on staff employ) from the 1st troop 3d battalion to the 1st troop 1st brigade.

Captain L. Burroughs, (on furlough) from the 1st company 1st battalion to the 1st troop 3d brigade.

Captain A. Wilson, from the 4th company 2d battalion to the 3d company 2d battalion.

Captain G. S. Lawrenson, (on temporary staff employ) from the 2d company 3d battalion to the 2d company 4th battalion.

Captain E. C. T. B. Hughes, from the 2d company 4th battalion to the 4th company 2d battalion.

Captain H. Clerk (new promotion) to the 3d company 3d battalion.

Captain E. F. Day (new promotion) to the 1st company 1st battalion.

1st Lieutenant I. B. Backhouse, (on furlough) from the 2d company 5th battalion to the 1st company 4th battalion.

1st Lieutenant H. N. Pinner, from the 4th company 1st battalion to the 2d company 3d battalion.

1st Lieutenant J. Hotham, (on furlough) from the 2d company 1st battalion to the 2d troop 3d brigade.

1st Lieutenant E. Buckle, (on staff employ) from the 1st company 1st battalion to the 1st troop 1st brigade.

1st Lieutenant R. H. Baldwin, from the 5th company 7th battalion to the 4th company 1st battalion.

1st Lieutenant J. Innes (on furlough) from the 3d company 4th battalion to the 1st company 1st battalion.

1st Lieutenant E. W. S. Scott, (new promotion, and on furlough) to the 1st company 7th battalion.

1st Lieutenant R. Maule (new promotion) to the 3d company 4th battalion.

1st Lieutenant R. Smyth (new promotion) to the 2d company 1st battalion.

2d Lieutenant H. M. Conran, from the 1st company 4th battalion to the 3d company 4th battalion.

2d Lieutenant G. Penrice, from the 3d company 1st battalion to the 2d company 5th battalion.

2d Lieutenant N. A. Staples (brought on the effective strength) to the 2d company 4th battalion.

2d Lieutenant E. Kaye (brought on the effective strength) to the 1st company 4th battalion.

2d Lieutenant C. A. Green (brought on the effective strength) to the 4th company 1st battalion.

GENERAL REGISTER.

SHIPPING REGISTER.

ARRIVALS AT KEDGERIE

- May 27 Brig *Thos. Snook*, W. Baker, from London 30th Dec., Cape 2d and Mauritius 27th April.
 28 Bark *Lysander*, W. Carrie, from London 14th, Downs 18th and Lizard 26th February.
 29 Bark *Frankland*, J. Webb, from Liverpool 10th Jan.
 30 Ship *General Kyd*, E. Foord, from London (no date); Portsmouth 17th January, Cape (no date) and Madras 21st May.
 31 Ship *Danvers*, W. Pinder, from London 17th and Portsmouth 26th February.
 — Bark *Elizabeth*, W. Kelso, from Glasgow 18th October and Mauritius 10th May.
 June 1 Bark *Crown*, H. Ponsonby, from Liverpool 15th Feb.
 — Bark *Dorothea*, J. Fairhurst, from Liverpool 23d Jan.
 — Bark *Samont*, N. Bartol, from Madras 17th May, Masulipatam, Coringa, Vizagapatam and Moonsoorootia (no date).
 2 Bark *Elmira*, E. Gill, from Liverpool 25th Feb.
 3 Bark *Jupiter*, W. Ramsay, from Liverpool 23d Jan.
 4 Bark *Charles Heurtley*, J. M. Hopper, from B. urbon 8th May.
 6 Brig *Peter Proctor*, G. Barlow, from the Mauritius 5th May.
 7 Ship *Abberton*, Shuttlesworth, from London 19th Jan. Cape 10th April, and Madras 1st June.
 — Ship *Proctor*, Thomas Battershaw, from London 22d February and Madras 2d June.
 — Ship *Triton*, (F.) T. Blanc, from Bordeaux 4th Feb. Colombo 1st, Pondicherry 13th, and Madras 19th May.
 8 Bark *Andromeda*, W. Latimer, from the Mauritius 14th May and Madras 4th June.
 — Bark *Lady Hayes*, J. Burnett, from China 10th April and Singapore 12th May.
 10 ship *Abercrombie Robinson*, R. Scott, from London (no date), Portsmouth 4th and Madras 25th February and Madras 6th June.
 11 Ship *George the Fourth*, J. Drayner, from London 25th February and Madras 6th June.
 — Brig *Sir Archibald Campbell*, J. Watson, from Penang 17th May.
 — Brig *La Modest*, (F.) Nily, from Bourbon (no date).
 — Ship *Eagle*, (F.) A. Guillemot, from Marseilles 19th January.
 12 Bark *Westmoreland*, J. Brigstock, from Madras 7th June.
 — Ship *Hope*, A. D. McCullum, from the Mauritius 18th July.
 13 Ship *Coromandel*, W. Chesser, from London 26th August and Cape of Good Hope 1st December.
 — Ship *Vansittart*, T. McQueen, from London 3d March and Madras 9th June.
 — Bark *Dona Carmelita*, Charles Edwards, from Sydney 16th March and Trincomalee 6th June.
 14 Ship *Nerbudda*, F. Patrick, from the Mauritius 15th May, Madras 6th and Vizagapatam 13th June.
 15 Bark *Gabrielle*, Sensino, from Bourbon 13th and Mauritius 22d May, and Pondicherry 10th June.
 17 Bark *Blakely*, J. Snipe, from Liverpool 2d March.
 18 Bark *Gunga*, H. Younghusband, from Liverpool 28th February.
 — Ship *William Metcalf*, E. Philipson, from Port Jackson 16th March and Madras 13th June.
 — Bark *Hereford*, A. Reaburn, from Point Pedro (no date) and Ceylon 9th May.
 20 Bark *Rauzer*, W. Jellard, from Liverpool 6th February and Mauritius 26th May.
 21 Bark *Pegasus*, R. Howlet, from the Mauritius 17th May and Point De Gable 11th June.
 22 Bark *FortArid*, James Sly, from the Mauritius 26th May, Pondicherry 16th and Madras 17th June.
 — Bark *James Turcan*, James Turcan, from Liverpool 9th and Milford Haven 26th February.
 23 Bark *Clairmont*, C. Dunbar, from Bombay 2d May and Madras 11th June.
 — Ship *Mary Ann Webb*, R. Lloyd, from Liverpool 6th March.
 — Brig *Elizabeth*, J. Manook, from Rangoon 7th June.

DEPARTURES FROM CALCUTTA.

- May 29 *Tapley*, W. Mallory, for London.
 — *Janet*, P. H. Holmes, for Penang and Singapore.
 June 4 *Estalie*, R. E. Coumet, for Bourbon.
 5 *Surat*, C. Pratt, for Boston.
 8 *Ino*, D. Whelan, for the Mauritius.
 — *Attaran*, C. R. Smith, for Moulmain.
 10 *Crunder*, J. G. Wickman, for Liverpool.
 13 *Thos. Snook*, W. Baker, for the Mauritius.
 — *Belz* ni, John Salmon, for the Mauritius.
 14 *Lady Clifford*, C. Bennett, for Madras.
 19 *Lord Auckland*, J. Willie, for China.
 — *Sultana*, Thos. Powell, for Bombay.
 22 *Ann*, H. Pybus, for China.
 — *Kyle*, Thomas Fletcher, for London.
 23 *Elizabeth*, Wm Kelso, for the Mauritius.

ARRIVALS OF PASSENGERS.

- Per Lysander*, from London.—Mrs. L. Coutain, Lady of Lieut. Le Couvain; Mr. Halifax, Professor H. C. and Mr. Brown, Merchant.
Per General Kyd, from England.—Mrs. Foord, Lady of Captain Foord; Messrs. Morgan and Holroyd, Messrs. Church and Waterhouse, Merchants; Mr. Stacey, Assistant Surgeon; M. Sara Mc Killan, Fanwick and Maclean, Cadets, and Mr. Davis. From Madras—John Bannerman and Wm. Allingham, Steerage Passengers.
Per Samont, from Madras—Miss E. Bluett, and Capt. J. Bluett.
Per Jupiter, from Lancaster.—Mr. Jno. Mawson.
Per Protector, from London.—Mrs. Evans; Mrs. Nash; Mrs. Sandeman; Misses Atkinson and Sandman; Capt. Evans, H. C. B. Service; Capt. Nash; Lieut. Sandeman; Ozulie, Cadet, Bengal Service; McLean, Cadet; and Mr. J. L. L. Merchant.
Corrected List per Abberton—Mrs. Brooke and 2 Children; Mrs. Greenaway and Child; Mrs. Shuttlesworth; Mrs. Campbell; Miss Brooke; Revd. R. Brooke; Hon. Col. Chaplain; Henry Freeth, Esq., Assist. Surg. H. E. I. C. S.; Dr. Anderson, Assist. Surg. H. E. I. C. S.; Ensign Cunningham, H. M. 9th Infantry; William Nuthall, Esq., H. E. I. C. S.; William Walker, Esq.; Mrs. Collett, Servant; Johanna Francaise, ditto; Sophia Power, ditto; 3 Native Female Servants; 1 Native Male ditto, 1 Native Saave Left at the Cape of Good Hope.—A. J. Phillips, Esq., Merchant; Wm. Buck, Esq.; Francis Rivera, Esq., H. E. I. C. S.; John Schwartz Servant.—Left at Madras—Mrs. Cumberlege and 2 Children; Edward White, English Groom, George Teoul, ditto ditto.
Per Abercrombie Robinson, from London.—Major Genl. Sir Willoughby Cotton, K. C. H.; Misses Bryce, H. Bryce, Tritton, A. Tritton, and Jane Scott, Capt. W. Cotton, H. M. 44th Regt.; Messrs. James Wainwright, William Chesser, W. R. Cunningham, Andrew Farquharson, Beresford Melville, Edward Cooke, and Walter Birch, Cadets; N. D. E. Dalrymple, Esq., W. T. Dry, Esq.; Messrs. John Duce, Charles Duce, and James Hopper, Pilot Service; Mr. Frederick Bashford; Lieut. H. M. Donaldson, 56th M. N. I.
Per George the Fourth, from England.—Capt. Miles, 1st N. I.; Capt. Winter, 50th N. I.; Lieut. Jones, Artillery; Messrs. Tonker and McCaugh, Assistant Surgeons; Mr. Grindin, Cavalry Cadet; Messrs. Staples, Tomba, Gordon, Burton, Chamberlain, Robertson, Tomba, and Knox, Infantry Cadets; Mrs. Jones, and Mr. Howell, Pilot Service.—From Madras—Mr. Hickey, Cadet; Revd. Mr. Awapett, Armenian Missionary; Henry Fernell and John Johnson, Sailors.
Per Sir Archibald Campbell—Mrs. Cameton.
Per Eagle—Wm. A. Borrell, Merchant.
Per Vansittart, from London.—Mrs. Macqueen and Child; T. A. McK. Macqueen; Mrs. Whiteford, Messrs. Ouslow and Wyllie, B. C. S.; Mr. Ward, B. C.; Mr. Eliot, Artillery; Mr. Griffin, Assist. Surg. H. M. 9th Regt. From Madras.—Mr. George Murray, Clerk.
Per Dona Carmelita—Mrs. C. Edwards.
Per Ship Nerbudda, from Vizagapatam.—Mrs. Holway; Messrs. Azyan and Remedios.
Per William Metcalf, from Port Jackson.—Mr. G. Gordon.
Per Clairmont, from Bombay.—Mrs. Dunbar; Revd. Antonio de Vego, Portuguese Minister; Major Passmore and Mr. Quere, who were drowned at Madras on the 28th May 1837, in landing (with myself) and Mrs. Dunbar who were fortunately rescued.

DEPARTURE OF PASSENGERS.

- Per H. C. P. V. Hattrass*, for Masulipatam.—Col. Stewart; —Cunliffe, Esq., C. S.; Captain Skinner, Nizam's Cavalry; and Messrs. Blake and Barlow.
Per Lady Kennway, for London.—Mrs. Pristman and Miss Stanisstreet.
Per Kyle, for London.—Mrs. Precott and Mr. Charles Brown.

DOMESTIC OCCURRENCES.**BIRTHS.**

- May 7 Dacca, the Lady of Captain H. Jervis White, 50th Regt N. I., of a Daughter.
- 10 Meerut, the Lady of Lieutenant Alfred Hulsh, Horse Artillery, of a Son.
- 19 Midnapore, Mrs. W. Hodges, of a Daughter.
- 23 Cawnpore, the Lady of Lieut. and Adj. J. H. Daniell, 2d Brigade Horse Artillery, of a Son.
- 27 The Lady of Archibald Edward Dobbs, Esq., of a Son.
- 29 Lucknow, Oude, the Lady of Major C. J. C. Davidson, Bengal Engineers, of a Daughter.
- 29 Mussoorie, the Lady of J. S. Clarke, Esq., Civil Service, of a Daughter.
- 30 The Lady of Wm. MacKenzie, Esq., of a Daughter.
- The wife of J. A. Ryper, Esq., of the Gurraun Huttu Dispensary, of a Son.
- 31 The wife of Mr. Nicholas John Jebb, of a Son and Heir.
- June 1 The Lady of Major Richard Home, of the 73d Regt N. I., of a Son.
- Mymensing, Mrs. J. Bird, of a Son.
- 6 Cawnpore, the Lady of Capt. Lennox, 43d Regt. N. I., of a Daughter.
- 11 Cawnpore, the Lady of G. T. Greene, Esq., Engineers, of a still born child.
- Meerpoore, Commercially, the Lady of D. E. Shuttleworth, Esq., of a Daughter.
- The Lady of G. C. Weguelin, Esq., of a Son.
- 12 The Lady of G. T. F. Speed, Esq., of a Son.
- 14 Mrs. W. Gallagher, of a Daughter.
- Jessore, the Lady of Charles Garstin, Esq., C. S., of a Son.
- 15 Meerut, the Lady of D. H. Crawford, Esq., Civil Service, of a Daughter.
- 16 Banconrah, the Lady of Lieut. John De Fountain, 56th N. I., of a Daughter.
- Mrs. A. Howatson, of a Daughter.
- 17 Dacca, Mrs. G. Kallonas, of a Son.
- Midnapore, the Lady of Captain Singer, 24th Regiment of a Daughter.
- 18 The Lady of A. E. Kuhn, Esq., of a Son.
- The wife of Mr. J. Peters, of a Daughter.
- The wife of Mr. J. A. Goodall, of a Son.
- 19 The Lady of W. R. Young, Esq., of a Daughter.
- 20 Serampore, the wife of Mr. Charles Ashe, of a Son.
- 21 Mrs. Donald Mercado, of a still-born Daughter.

MARRIAGES.

- May 29 Mooradabad, by the Revd. Mr. Ward, J. Towgood, Lieut 35th Regt., to Amelia, A. W., second daughter of Col. G. Moore, commanding 59th Regt.
- St. Andrew's Church, by the Revd. James Charles, Mr. James Richard to Miss Angus.
- June 1 Mussoorie, by the Revd. J. Whitting, Richard Sheridan, Ewart, Esq., 30th N. I., son of the late Simon Ewart, Esq. R. C. S., to Susan Margaret, eldest daughter of John Hoggan, Esq., of Stranfsasket, Galloway, and late Paymaster of Native Pensioners, Haupper.
- 2 At the Cathedral, by the Revd. H. Fisher, George R. J. Meares, Esq., 13th N. I., to Caroline Alicia, third daughter of James Nicholson, Esq., Solicitor.
- 6 Dinapore, by the Revd. J. Vaughan, Edward Lugard, Esq., H. M. 31st Regt., to Isabella Mowbray, eldest daughter of Henry Hart, Esq., M. D.
- Dinapore, by the Rev. J. Vaughan, George Frederick Houlton, Esq., Civil Service, to Eliza Anne, second daughter of Henry Hart, Esq., M. D.
- 8 Cawnpore, by the Revd. M. J. Jennings, S. Holmes, Esq., 63d Regt. N. I., to Julia Anne Foley, only daughter of the late Capt. Foley, 58th Regt.
- 9 At the Cathedral, by the Revd. H. Fisher, Mr. J. B. Smart, to Mrs. E. Minor.

- June 13 By the Revd. C. Wimperly, Capt. W. A. Troup, 15th Regt N. I., to Miss Ward.
- At the Old Church, by the Venerable Archdeacon T. Deatry, Mr. Charles Wintmore, Schoolmaster, to Miss Emma Augusta Chill.
- 15 H. G. Martindell, Esq., to Miss L. G. Edwards.
- At the Cathedral, by the Revd. T. Robertson, Mr. Francis Gladwin Baillie, to Miss Rosina French.
- 16 At the Circular Road Chapel, by the Revd. W. Yates, Mr. Christopher Cockey, to Miss Caroline L. Jahans, eldest daughter of the late Mr. John Jahans, Senior.
- 17 At the Old Church, by the Venerable Archdeacon T. Deatry, L. L. B., Mr. Robert Bohlto, Assistant in the Sudder Dewanny Adawlut, to Miss Harriet Boleiho.
- 21 At her father's house, by the Revd. James Charles Alexander McGowan, Esq., M. D., to Sophia, third daughter of Alexander Bine, Esq., formerly of Leith, N. B.
- Sultanpore, Benares, by the Revd. W. Sturrock, Charles Maxwell, Esq., Assistant Surgeon, 18th Regt N. I., to Jessie Maria, third daughter of Col. Smith, 8th Light Cavalry.

DEATHS.

- Jan. 22 Edinburgh. — At 3, Saxe Cobourg Place, Edinburgh, David Fieer, Esq., Writer to the signet, aged 58 years.
- 26 Woodside, near Glasgow, the Revd. John Moody, Minister of Riccarton, aged 72 years.
- Feb. 2 Priory, Bodmin, Walter Raleigh Gilbert, aged 56 years.
- April 10 Port Louis, Francis Astley, the infant Son of Lieut. Astley Younghusband, 35th Regiment N. I., aged 10 months and 14 days.
- May 9 Simla, George Crespieny, the only Son of Lieut. Colonel Wymer, 27th Regt., aged 1 year and 28 days.
- 12 Muttra, Frederick Francis, the youngest child of W. H. Tyler, Esq., C. S., aged 2 months and 9 days.
- 20 James Russell, Esq. late of China Factory, aged 58 years.
- 21 Meerut, Francis Edward, the infant Son of Lt. Alfred Hulsh, Horse Artillery.
- Agra, Mr. Dores Anthony Joachim, aged 33 years.
- 26 Master Micah Charles Potter Son of Mr. William Potter, aged 14 months and 29 days.
- Miss Helen Wilhelmina Oliver, Daughter of Mr. Joseph Oliver, aged 2 years and 3 months.
- 28 Madras, of the boat in the surf, when landing from the barque *Charmont*, Capt. Dunbar, Claude, Queiros, second Son of Claude Queiros, Esq., of Calcutta, Merchant, aged 15 years.
- Nagpoor, Capt. J. C. N. Favell, of the 1st Light Cavalry.
- Saugor, Central India, Rosa, the wife of Conductor Charles Reynolds, Ordnance Department.
- 29 Mrs. Helen Mason, wife of Mr. Thomas Mason, aged 34 years.
- The Honorable F. J. Shore, Officiating Commissioner and Agent to the Governor-General in the Saugor and Nerbudda Territories, aged 39 years.
- The infant Daughter of Mr. and Mrs. A. Mathews, aged 5 days.
- 30 Delhi, Miss Harriet Young, aged 10 years, 4 months and 4 days.
- Allahabad, Serjeant Thomas Prince, Army Commissariat Department, aged 30 years.
- 31 Patna, Mr. J. J. Carville, aged 26 years.
- Mr. Thomas Stanley, Indexer in the General Department, aged 50 years.
- C. J. Maclean, Esq., late Brevet Captain, H. M.'s 31st Regt., aged 44 years.
- June 1 Mr. H. Alcantara, Assistant in the General Department aged 75 years.
- 2 Edward Laud Dunnott, the infant Son of Mr. J. L. Dunnott, Veterinary Surgeon, aged 10 months and 15 days.

GENERAL REGISTER.

- June 2 Archibald Fyre, the infant Son of Mr. and Mrs. Archibald Edward Dobbs.
- 3 On the River, near Kishnagur Miss A. A. Marleod, eldest Daughter of the late John Macleod, Esq., aged 25 years.
- 4 Almeer, Mr. Marcus Hare, School Master at that City, aged 26 years.
- Bhow, in Malwa, Charlotte Janet, the infant Daughter of Lieutenant Aston, 68th Native Infantry, aged 19 months and 18 days.
- 8 Sorampore, at the Mission House, Mr. William Carey Barclay, Son of the Revd. G. Barclay, of Ayrshire, aged 26 years.
- 10 Chazrepore, Lieut. Thomas Walton Halfhide, of H. M.'s 44th Foot, eldest Son of Major B. Halfhide, Brigade Major King's Troop, Fort William, aged 26 years, 2 months and 15 days.
- Master William Henry Dove Maling, Son of Lieutenant Robert Saunders Maling, aged 12 months.
- Mrs. Eliza Bartlett, wife of Mr. Thomas Bartlett, aged 28 years.
- 11 Arthur Reid Hamilton, youngest Son of Conductor W. Cox, aged 2 years and 6 months.
- Miss Eliza Penman, Daughter of Mr. R. Penman, Mariner, aged 3 years, 2 months and 20 days.
- 12 Miss Catherine Cooney, aged 27 years.
- Mr. Thomas Clements, aged 20 years.
- 13 Burdwan, George Edward Weitbrecht, aged 7 months and 7 days.
- Mr. G. H. Hollingbery, Assistant Custom House, aged 34 years.
- Mr. Peter Timms, aged 37 years.
- 14 Master James Robert Leach, Son of the late Mr. John Leach, aged 2 years, 7 months and 23 days.
- June 14 Mrs. B. Wischem, wife of Captain R. H. Wischem, late Commander of the H. C.'s Steam Vessel *Lord William Bentinck*, aged 31 years and 7 months.
- 15 Maria, Son of Mr. P. O'Brien, aged 3 years, 8 months and 24 days.
- 16 Capt. J. M. Forth, aged 38 years.
- Staff Sergeant James McCoy, of the Town Major's Department, aged 35.
- 17 Capt. Wm. Peat, Commander of the Steamer *Forbes*, aged 41 years.
- Mr. James Dohson.
- Mr. William Blue, of the Bark *Indus*, aged 23 years.
- Mr. George Soordon, aged 30 years.
- 18 Mr. John Carr Fulton, of Baulnah, aged 27 years and 6 months.
- Mrs. Letitia Butler, aged 43 years, 1 month and 9 days.
- Capt. Wm. Priestman, of the Ship *Mary Hartley*.
- Miss Theodora Rosalia, eldest Daughter of Mr. and Mrs. James Gill, aged 3 years, 6 months and 28 days.
- T. M. Clippus, Esq. Indigo Planter, late of Kishnagur, aged 29 years and 7 months.
- Mrs. L. E. M. Sibley, widow of the late Capt. H. Sibley, 15th Regt. N. I., aged 53 years.
- 19 Mr. Daniel Kinsman, aged 3 years.
- Mr. William Johnston, aged 39 years.
- Mr. John King.
- 20 Mr. Francis Peard, aged 33 years.
- Mrs. Margaret Stone, wife of Mr. George Stone, Engr. H. C.'s Steam Department, aged 19 years and 7 months.
- 21 Mr. John Cummins, of the Bark *Indus*, aged 32 years.
- 22 Mrs. A. Agency, aged 24 years and 17 days.
- 23 Janet, the wife of Mr. Wale Byrn, aged 27 years, 6 months and 27 days.

ADMINISTRATIONS TO ESTATES.

ESTATE OF

EXECUTORS, ADMINISTRATORS, &c.

Adams, Joseph, Merchants,.....	Sandes.
Adams, John Withington, Sir K. C. B., Major Genl. His Majesty's Service,.....	T. B. and J. H. Swinhoe.
Alcantara, Hippolite, Assistant, General Department,.....	Higgins.
Ameorchand, Baboo, Calcutta,.....	Registrar Supreme Court.
Barnard, William Smith, late of Kyouk Phyo, Dykes, Thomas of Scotland,.....	Henderson and Marshall.
Beaumont, Stuart William, late Lieut. Col., Commissary General, H. C. Service,.....	Registrar Supreme Court.
Bouchier, John Thomas, late an Ensign in His Majesty's Service,.....	Registrar Supreme Court.
Dykes, Thomas, of Scotland,.....	A. Brodie Mackintosh.
Monty, John, Musician,.....	Collier, Bird, and Grant.
Rose, Hugh, Lt.-Col., 5th Regt. Bengal Cavalry,.....	
Shore, Frederick John, late Officiating Commissioner and Agent to the Governor-General, Sagar and Nerbudda territories,....	Henderson and Marshall.
Suddasook Rundit, of Calcutta, Vakeel of Sudder Dewanny Adawlut,.....	G. Higgins.
Wright, Alexander, Esq., late a Saint Prix in the Canton of Morency and Dept. of Saine and Wise, in the Kingdom of France,.....	Registrar Supreme Court.

GENERAL REGISTER.

CIVIL APPOINTMENTS, &c.

ORDERS BY THE HON'BLE THE GOVERNOR OF BENGAL.

GENERAL DEPARTMENT, THE 14TH JUNE, 1837

Under the authority conveyed to the Governor General of India in Council by Act No XIV of 1837, it is hereby directed that Goods imported into Calcutta in the Vessels of any of the States and Territories herein undermentioned in which British Vessels are received and treated on terms as favorable as Native Vessels, and likewise Goods exported from the Port of Calcutta in the Vessels of such States and Territories, shall be treated and dealt with in all respects as Goods imported and exported in British bottoms.

1. The Ports of Arabia and of the Persian Gulf,
2. Ports in the Red Sea belonging to the Ruler of Egypt, and
3. The dominions of the King of Ava.

THE 28TH JUNE, 1837.

The Right Hon'ble the Governor General of India in Council is pleased to attach Messrs. H. H. Greathed and C. Beadon, Writers, reported qualified for the Public Service, the former to the North Western Provinces and the latter to the Bengal Presidency.

Messrs. H. H. Greathed and C. Beadon, Writers, are reported qualified for the Public Service by proficiency in two of the Native Languages.

JUDICIAL AND REVENUE DEPARTMENT, THE 27TH JUNE, 1837.

The Right Hon'ble the Governor of Bengal has been pleased to make the following Appointment:

Mr. H. V. Buxby has been authorized to exercise the powers of Joint Magistrate and Deputy Collector in Zillah Midnapore. The following Officers have obtained leave of absence from their Stations:

Mr. H. S. Offield, Civil and Session Judge of Tirhoot, for one Month, from the 21st proximo, to visit Patna, on private affairs. Mr. F. Gouldsbury will conduct the duties of those Offices during Mr. Offield's absence.

Mr. W. P. Goud, Special Deputy Collector of Raichahy &c., for two years, to proceed to the Cape of Good Hope, on Medical Certificate.

Mr. R. B. W. Ramany, Assistant under the Commissioner of Revenue and Circuit of the 12th or Bhagulpore Division, till the 1st August next, to enable him to join his Station, extension of the leave granted to him on the 23rd March last.

POLITICAL DEPARTMENT, FORT WILLIAM, THE 26TH JUNE, 1837

The Right Hon'ble the Governor General of India in Council is pleased to publish for general information, the substance of the arrangements concluded on the 28th of November, 1836, between Colonel Pottinger, the Agent to the Governor General for the Affairs of Sind and the Amiers of Hyderabad, with a view to protect the interest of Commerce on the Indus.

To obviate the difficulties Vessels might meet with from the low-lying nature of the Coast, in approaching the mouths of the River by the proper entrance, a channel will be laid down by Buoys, and land marks will be erected along the shore at such spots as may appear most eligible. A Survey of the whole line of the Coast and of the Harbours of Cutch and Sind, from Mundavee to Karachi is in progress, under the direction of the Bombay Government, and it is of course understood that any Port shall be available to Vessels compelled there by stress of weather or otherwise prevented from proceeding on their intended course.

Synd Azeem ood den Hossan, the native Agent of the British Government, will reside at one of the mouths of the River. He has been recognized also by the Hyderabad Government as a Referee qualified to decide upon any disputes respecting Tolls or other dues, and it has been arranged that Goods imported in anticipation of the opening of the River may be landed and warehoused either at Vikkur or Tattah under the seal of the Synd. Instead of the former variable charge of a fee of half a Rupee shall hereafter be leviable from all Boats anchoring at Vikkur or other Ports (Bumper) at the mouths of River and all other

duties or demands, not expressly authorized by the Treaty are held to be unwarranted and illegal.

The Amiers of Hyderabad have further agreed to establish, if it be found convenient, in co-operation with the British Government an Annual Fair at Tattah or at Vikkur if it be preferred, which may be expected to be the resort of Merchants from all surrounding Countries: and finally, they have undertaken to facilitate the River navigation as far as may be clearing away the jungle on the banks.

GENERAL DEPARTMENT, THE 5TH JUNE, 1837.

Mr. J. B. Marriage, Clerk to the Committee for Controlling the Expenditure of Stationery, is permitted to proceed to Sea for eighteen months, on Medical Certificate, and directed to deliver over charge of his Office to Mr. John Fleming Hyde.

JUDICIAL AND REVENUE DEPARTMENT.

The Right Hon'ble the Governor of Bengal has been pleased to make the following Appointment:

THE 20TH JUNE, 1837.

Mr. W. Onslow to officiate, until further orders, as Magistrate of Zillah Behar.

THE 27TH JUNE, 1837.

Mr. W. C. S. Cunningham has been vested with the powers of a Joint Magistrate and Deputy Collector in the Southern Division of Cuttack.

THE 1ST JULY, 1837.

Ensign A. P. Phayre of the 7th Regiment Native Infantry, to be a Senior Assistant to the Commissioner of Arrakan.

THE 4TH JULY, 1837.

Mr. Assistant Surgeon W. F. Sealy to perform the Medical duties of the Civil Station of Backergunge, vice Mr. Assistant Surgeon J. C. Smith.

THE 6TH JULY, 1837.

Mr. C. Beadon to be an Assistant, under the Commissioner of Revenue and Circuit of the 11th or Patna Division.

The following Officer has obtained leave of absence from his Station.

Mr. H. T. Roikes, Officiating Magistrate and Deputy Collector of Balasore to the 8th instant, to enable him to join his Station.

GENERAL DEPARTMENT, THE 10TH JULY, 1837.

The Right Hon'ble the Governor of Bengal has this day been pleased to appoint Mr. Arthur Champion Barwell to act as Salt Agent of Tamluk, vice Mr. H. S. Lane.

FORT WILLIAM, GENERAL DEPARTMENT, THE 15TH JULY, 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for July, instant, will be discharged by the Sub Treasurer and Marine Paymaster respectively, on or after Tuesday, the 15th proximo.

FORT WILLIAM, MILITARY DEPARTMENT, 17TH JULY, 1837.

Notice is hereby given, that the Pay, Batta, and other Allowances for July, 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Thursday, the 16th proximo.

FORT WILLIAM, GENERAL DEPARTMENT, THE 17TH JULY, 1837.

The Right Hon'ble the Governor of Bengal is pleased to grant to Mr. George Todd, a Civil Servant of the Bengal Presidency, employed under the Lieutenant Governor of the North Western Provinces, leave to proceed to the Cape of Good Hope, and to be absent for two years, for the recovery of his health.

FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, THE 13TH JULY, 1837.

The Reverend James Bryce, D. D., late a Chaplain of the Church of Scotland on this Establishment, has been permitted by the Hon'ble the Court of Directors, to retire from the Company's Service.

GENERAL REGISTER.

The Reverend William H. Meiklejohn has been appointed by the Hon'ble the Court of Directors, Junior Minister of the Church of Scotland on this Establishment, and reported his arrival at the Presidency on the 6th instant.

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POLITICAL DEPARTMENT, FORT WILLIAM, 10TH JULY, 1837.

The Right Honorable the Governor General of India in Council has been pleased to confer upon Baboo Radakant Deb of Calcutta, the Dignity and Title of Rajah and Bahadur.

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FORT WILLIAM, 14TH JULY, 1837.

His Majesty Aboul Futeh, Moosoon ood Deen, Sulfaul Zuman, Newsheroowa i Audul, Mahomed Ally Shah. Uncle of His late Majesty, Solyman Jah Nussoor ood Deen Hyder, having ascended the Throne of Oude on the 8th instant—The Right Honorable the Governor General of India in Council has been pleased to direct that 6 Royal Salute and three Volleys of Musketry shall be fired from the Ramparts of Fort William, and at all the principal Stations of the Army in honor of that event.

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JUDICIAL AND REVENUE DEPARTMENT, THE 18TH JULY 1837.

The following Officer's have obtained leave of absence from their Stations:

Mr. G. Adams, Joint Magistrate and Deputy Collector of Midnapore, for six months, on Medical Certificate.

Mr. G. W. Battye, Joint Magistrate and Deputy Collector of Moughyr, to the 1st proximo, in extension of the leave granted to him on the 9th May last, on medical Certificate.

Mr. E. E. Woodcock, Assistant under the Commissioner of the 14th or Moorshedabad Division, from the 1st to the 12th September last, in extension of the leave for one month granted to him by the Commissioner of the 11th or Patna Division.

Erratum.—In the *Gazette* of the 15th instant, for Mr. H. S. Hudson, read Mr. W. S. Hudson.

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GENERAL DEPARTMENT, THE 12TH JULY, 1837,

Mr. William Wynyard reported his arrival as a Writer on this Establishment, on the 8th instant.

Captain T. T. Harrington reported his return to the Presidency on the 6th instant and resumed his duties as 1st Assistant to the Master Attendant of Calcutta.

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POLITICAL DEPARTMENT, FORT WILLIAM, 14TH JULY, 1837

The Right Honorable the Governor General of India in Council having this day received from the Resident at the Court of Lucknow the melancholy intelligence of the demise of His Majesty the King of Oude, on the 8th instant, is pleased to direct that Minute Guns, to the number of 35, corresponding with the years of the deceased, be fired from the Ramparts of Fort William, and at all the principal Stations of the Army under this Presidency.

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JUDICIAL AND REVENUE DEPARTMENT.

The Right Honorable the Governor of Bengal, has been pleased to make the following Appointments.

THE 4TH JULY, 1837.

Mr. H. S. Lane to be Additional Judge in the Zillah Shahabad

THE 10TH JULY, 1837.

Mr. F. Stainforth to officiate, until further orders, as Collector of Zillah Beerbhoom.

Mr. R. Houghton to relieve Mr. A. F. Donnelly from the current duties of the Collectorship of Midnapore, during his illness or until further orders.

THE 15TH JULY, 1837.

Mr. Nathaniel Smith to be Collector of Runpore.

Mr. R. Macan to be Judge of West Burdwan, stationed at Baugoor, but to continue to officiate, until further orders, as Register of the Sudder Court.

Mr. T. Wyatt to officiate as Civil and Session Judge of Bhawalpore, in the room of Mr. J. Dunbar.

Mr. A. G. Macdonald has been authorized to conduct the current duties of the office of Civil and Session Judge of Dinagepore during Mr. Wyatt's absence, or until further orders.

Mr. C. B. Quintin to be Joint Magistrate and Deputy Collector of great Chumparun, Zillah Sarun.

Mr. W. T. Trooster to be Joint Magistrate and Deputy Collector of Behar; but to retain charge of the Magistracy and Collectorship of Furnea, until further orders.

Lieutenant H. L. Bigge to officiate as a Junior Assistant to the Commissioner of Assam in succession to Lieutenant Backhouse.

Mr. H. S. Hudson to be Deputy Collector in Zillah Mymensing under the provisions of Regulation IX. of 1837.

Mr. G. Benson to be Deputy Collector in Midnapore and Hidgelee under the provisions of ditto.

Mr. R. Finney to be ditto ditto in ditto ditto under ditto.

The following Officers have obtained leave of absence from their Stations:

Mr. D. Pringle, Officiating Civil and Session Judge of Tipperah, for fifteen days, on private affairs.

Mr. G. G. McPherson Civil Surgeon of Moorshedabad for one month on private affairs.

THE 6TH JULY.

The Right Honorable the Governor of Bengal having been convinced by the reports of the Sudder B. and of the Commissioner of Moorshedabad, the Chowdhry Aboul Rezk, Deputy Collector of Zillah Moorshedabad, is unworthy of further confidence, that person had been this day dismissed from the station above named, from the date upon which he was suspended on suspicion.

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JUDICIAL AND REVENUE DEPARTMENT, AGRA, 26TH JUNE.

Mr. S. Bowring, Deputy Collector of Customs in Bundelcund, has obtained leave of absence for the period of ten days, on his private affairs.

27TH JUNE, 1837.

Moulvee Syud Mohammed Yousaf to act as Principal Sudder Amcunt Futehpoore till the return of Tussoodook Hossein, or till further orders.

29TH JUNE, 1837.

Mr. W. B. Wright to be Deputy Collector in Zillah Ally Gurb, under the Provisions of Regulation IX. of 1836.

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FORT WILLIAM, GENERAL DEPART. FOREIGN, THE 12TH JULY, 1837

The following List of the Light Houses on the Danish Coasts forwarded by the Board of Customs and Commerce at Copenhagen and communicated to this Government by the Government of Singapore, is published for general information.

LIST OF THE LIGHT-HOUSES ON THE DANISH COASTS, 1836.

Published by Order of the Royal Board of Customs and Trade, Copenhagen.

The Danish Light Houses are kept lighted every night through out the year till sunrise. In summer: from Easter to Michaelmas they are lighted one hour; and in winter from Michaelmas to Easter, half an hour after sunset.

The distances at which these light houses can be seen from the deck of a common trading vessel or when the eye of the observer is about 10 feet above the level of the sea, are in this list put down in geographical miles, the other measures in Danish feet or ells and the directions according to the Azimuth Compass.

IN THE CATTAGATE.

A fixed Lamp-light on the Northernmost point of Jutland called "Skagens Odde" or "Grenen") in a tower, situated about 50 ells W. by N. from the extreme end of the Peninsula, —the light is 67 feet above the level of the Sea and visible at a distance of 3½ miles.

FREDERICKSHAVEN'S HARBOUR LIGHT.

A fixed lamp light on the Southern head of the harbour, 22 feet above the sea, and visible at a distance of 2½ miles.

LÆSØ LIGHT VESSEL.

This is situated about in E. S. E. 5-6 cables' length from the ground "Trindelen" in 7 fathoms water, and in N. E. & N. about 1½ mile from the Easternmost point of the island of Læsø, called "Syrodden." The vessel has a lamp-light around the mainmast and is rigged somewhat like a Schooner, the sides of the vessel are painted red with a white cross. During the day she shows a red flag on the foretop-mast, and when the weather is thick and

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foggy, the Ship-bell is rung frequently; the light is hoisted 25 feet above the level of the sea, and can be seen at a distance of 2 miles. The vessel may, if the preceding winter renders it feasible be expected at her Station at the very beginning of March, and will remain there till the 21st of December, unless an unexpected severe frost or unforeseen mishaps should oblige her to quit the station earlier.

The light on the island of *Andø* is in a tower situated a little above $\frac{1}{2}$ mile W. by N within the Eastern point of the island. The main light is a fixed lamp light 119 feet above the level of the sea and visible at a distance of 4 miles.

As a further guide to avoid approaching the eastern reef of *Andø* ("Knoben") too near, a fixed additional light is provided on the eastern side of the tower about 63 feet under the main light.

NAKKEHOVED TWO LIGHTS.

On the Northern Coast of Sealand, about $2\frac{1}{2}$ miles N. W. from the Castle of Kronborg are fixed lamp lights in 2 light houses distant from each other about 640 ells. Of these lights the Western is 113 feet, the Eastern 95 feet above the level of the sea, the former is visible at a distance of $2\frac{1}{2}$, the latter at $3\frac{1}{2}$ miles.

KRONBORG LIGHT HOUSE.

is erected as a guide for Vessels entering the Sound from the North consists of a fixed lamp light in the northeastern tower of Kronborg-Castle, 107 feet above the level of the sea, and is visible from the North at a distance of about $3\frac{1}{2}$ miles.

THE LIGHT AT TREKRONER.

A fixed lantern fire on the eastern side of the Fort "Trekroner, at the entrance of the outer harbour of Copenhagen, 30 feet above the water and visible at a distance of $2\frac{1}{2}$ miles.

THOROE LIGHT.

A fixed lamp light in the Church Steeple of the said Island, situated between Land and Samsoe, 97 feet above the water and visible at a distance of $2\frac{1}{2}$ miles all around the island.

Kjoholm's Light a temporary twinkling light at the quarantine establishment of the island of *Kjoholm*, on the North eastern side of Samsoe, 56 feet high and visible at a distance of 3 miles.

The fixed lights at "Kundhoved" near Nohorg, and at Halsko near Korsor, besides the two fixed harbour lights of Korsor, are erected to guide the passage of the post and of ferry boats across the Great Belt between the aforesaid towers, and are kept lighted every night, whereas the twinkling light at Sprague is only so when the post passes.

IN THE BALTIC.

STEVEN'S LIGHT.

A revolving lamp or twinkling light at *Steven's Klint*, on the Eastern Coast of Sealand, the building in the Eastern gable of which the light is put up, stands 2,200 ells in N. 38 E. From Hojerup Church, at the Southern extremity of *Steven's Klint*; the 6 lamps with revolvers revolve in 3 minutes, so that a twinkle is seen every half minute; the height of the light above the level of the sea is 140 feet, can be seen at a distance of $1\frac{1}{2}$ miles.

GJEDSER LIGHT.

Consists of a fixed lamp-light on the Southern extremity of island of Fulster, called "Gjedserodde," in a turret, situated about $\frac{1}{2}$ mile within the extreme point of the island. Its height above the level of the sea is 44 feet, and it is visible at a distance of $2\frac{1}{2}$ miles.

As a caution in the day time against the dangerous grounds Tundolen, situated in S. E. $\frac{1}{4}$ S. from Gjedserodde, a black painted barrel on a pole is put up on the high acclivity near the coast. This day mark, in a line with a light house, shows the direction to the aforesaid grounds.

The *Light Marienleuchte at Tenmaru*, at the edge of the old castle (Ohlenberg), near the reef of Fulgarden, on the North eastern side of the island. It has 6 lamps with revolvers, which revolve in 3 minutes, so that during this space of time are seen alternately 6 twinkles, each of which is visible for 10 seconds and disappear again for 20 seconds, the light is 92 feet above the level of the sea, and is visible all around the island at a distance of about $3\frac{1}{2}$ miles, except in the direction between S. 7 W or S. 15 E. where the light is concealed by the land at a distance less than $1\frac{1}{2}$ mile.

TAKKEBERG, OR GULDSTAR LIGHT.

A fixed lamp light on an high hill called *Takkebjerg*, situated in the South of the island of *Langeland*, in N. N. E. $\frac{1}{2}$ mile from the end of this island. *Guldstar*, 125 feet above the level of the sea, and visible at a distance of 4 miles.

BULK LIGHT.

A fixed lamp light on the coast to the North of the Frith of *Kjel*, put up in projection of the Eastern gable of the pilot house, about 33 feet above the water, and visible at a distance of $2\frac{1}{2}$ miles.

FREDERICKSBOR'S LIGHT.

A fixed lamp light in a house on the ramparts of *Fredericksborg*, at the Western side of the First of *Kjel*, to caution against the thence issuing grounds.

Hammersham's Light at *Bornholm*, also called "Hammerens or *Streghbjerg Light*, is a "sea coal flambeau light" in a lantern on the so-called *Streghbjerg*, about $\frac{1}{2}$ mile in S. W. within this Northernmost point of the island; the height of this light above the level of the sea is 272 feet, and it is visible at a distance of $5\frac{1}{2}$ miles.

CHRISTIANOE LIGHT.

A revolving lamp or twinkling light on the rock island, *Christianoe*, about $3\frac{1}{2}$ miles E. from the Northern point of *Bornholm*, the 3 lamps of the light with 2 revolvers revolve in 3 minutes, during which are visible 9 twinkles, alternating with equally long intervals, viz. a twinkle every 20th second. The light is 92 feet above the level of the sea Coast visible at a distance of $3\frac{1}{2}$ miles.

IN THE NORTH SEA.

The Light and Pilot Vessel at the mouth of the Eyder is stationed in the so-called *Dove Vyfaden* between "Vaterne," in 1 $\frac{1}{2}$ fathoms of water. It has a lamp light around the foremost 34 feet above the level of the sea and visible at a distance of $2\frac{1}{2}$ miles.

Ships coming from the West and having the Light Vessel E. S. E. may with safety direct their course towards her, and may, if bad weather or low water should render a further entrance insecure, anchor to the E. of her in 5 fathoms of water. The Vessel has two masts, and her sides are painted red with a white border during the day she shows on her fore top a small Danish flag, which is about 60 feet above the level of the sea. On board are 8 Pilots to conduct ships on the Eyder up to Tomagen, on the vessel, the *Heaven* to Husum, and on the *Elb* to Bessel.

As a guide to her station for Ships, who in thick and foggy weather miss the mouth of the Eyder, a gun is fired and a bell rung as soon as a Ship out of her way comes within sight; no skipper is, however, on this account, obliged to approach the Light Vessel.

The Light and Pilot Vessel is sent to her station in the Spring town as the end of February, or as soon as the sea is free from ice and will continue there till the 30th November, unless unforeseen circumstances should force her to leave the Station earlier.

PORT WILLIAM FINANCIAL DEPARTMENT, 10TH APRIL, 1837.
Notice is hereby given, that the Board of Customs, Salt and Opium at Calcutta have been authorized to accept Tenders for Advances to be made upon Bills drawn on London and secured in the manner described and provided in the Advertisement of this Department, dated the 15th June 1836, at the rate of exchange of (2s. 2d) two shillings and two pence for the Company's Rupee. Orders for the amount advanced will be issued by the Board payable at the General Treasury at Calcutta twenty days after sight.

PORT WILLIAM, FINANCIAL DEPARTMENT, 16TH JULY, 1837.

Notice is hereby given, that from this day forward the Board of Customs, Salt and Opium are authorized to receive Tenders for Advances on Bills drawn on London and Liverpool, in the manner and under the conditions prescribed in the notice of this Department, dated the 15th June, 1836 and 10th April last, at the rate of 1s. 1d. (two shillings and one penny) for the Company's Rupee.

PORT WILLIAM, POLITICAL DEPARTMENT, 17TH JULY, 1837.

Lieutenant C. H. Thomas, of the 11th Regiment Native Infantry, Assistant to the General Superintendent of the operations for the suppression of Thuggee, has obtained leave of absence from the 15th September next to the 1st April 1838, to visit the Presidency, on private affairs.

GENERAL DEPARTMENT, THE 26TH JULY, 1837.

The Right Hon'ble the Governor General of India in Council is pleased to attach Messrs. A. R. Young and J. B. Mill, Writers reported qualified for the Public Service, the former to the Bengal Presidency and the latter to the North Western Provinces.

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Messrs. A. R. Young, J. B. Mill, Writers, are reported qualified for the Public Service by proficiency in two of the Native Languages.

JUDICIAL AND REVENUE DEPARTMENT

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments.

THE 26TH JULY, 1837.

Mr. Charles Garstin to officiate, until further orders, as Magistrate and Collector of Zillah Sarun.

THE 27TH JULY, 1837.

Mr. J. H. Patton to officiate until further orders, as Civil and Session Judge of Zillah Hooghly.

Mr. A. Sconce to officiate, until further orders, as Magistrate of the 24 Pergunnahs, Superintendent of the Alipore Jail and a Magistrate of Calcutta, vice Mr. Patton.

Mr. A. R. Young to be an Assistant under the Commissioner of Revenue and Circuit of the 12th or Bhoulpore Division.

The following Officers have obtained leave of absence from their Stations.

Mr. W. Bell Assistant to the Magistrate and Collector of Dacca for two months, on Medical Certificate.

Mr. G. N. Cheek, the Assistant Surgeon attached to the Civil Station of Bardwan, for seven days, on private affairs.

Baboo Byjnath Sein, Sudder Ameen of Jessore for a fortnight.

THE 29TH JULY, 1837.

Mr. R. P. Niebel, Civil and Session Judge of Nuddea, for ten days, on Medical Certificate.

POLITICAL DEPARTMENT, PORT WILLIAM, 24TH JULY, 1837.

Lieutenant Colonel J. Stewart, Resident at Hyderabad, resumed charge of his duties from Captain J. Cameron on the 5th instant.

PORT WILLIAM, LEGISLATIVE DEPARTMENT, 3D JULY, 1837.

The Following Act, passed by the Right Hon'ble the Governor General of India in Council on the 3d July, 1837, is hereby promulgated for general information

ACT No. XVI. OF 1837.

I. It is hereby enacted that from the 15th day of July, 1837, Regulation XV. 1817. of the Bengal Code, shall be repealed.

II. And it is hereby enacted, that when the Customs Duties fixed to be levied upon Goods exported by sea from any Port of Bengal or Orissa shall be *ad valorem*, the value of such Goods shall be declared by the Exporter in the manner prescribed by Regulation VI. 1832. of the Bengal Code for Goods imported into Calcutta by sea, and the provisions of that Regulation for cases of disputed value (excepting Section IV. thereof, which prescribes the levy of duty when the Goods are taken for Government) shall apply to Goods intended to be exported by sea in like manner as for imported Goods, and the value so to be declared by the Exporter shall include the packages or materials in which the Goods may be contained.

III. And it is hereby enacted that it shall be lawful for the Governor of the Presidency of Port William in Bengal from time to time by notice in the Official Gazette to fix a value for any article liable to *ad valorem* duty, and that the value so fixed by the Governor of the said Presidency shall, till altered by a similar notice, be taken to be the value of such article for the purpose of levying duty on the same.

IV. And it is hereby enacted, that every Master of a Vessel who shall remove from such Vessel or put on board thereof any Goods, or cause or suffer any Goods to be removed thence or put on board thereof between sunset and sunrise, or on any day when the Custom House is closed for business, without leave in writing obtained from the Collector of Customs, shall be punished with a fine not exceeding 500 Rupees.

V. And it is hereby enacted, that when upon application from the commander of any vessel the Custom House Officer shall be removed from on board thereof under the provisions to that effect contained in Section XVI. of the Act XIV. of 1836. If the commander of such vessel shall before a Custom House Officer have again been placed in such vessel, put on board of such vessel or cause or suffer to be put on board of such vessel any Goods whatever, such commander shall be punished with a fine not exceeding 1,000 Rupees, and the Goods shall be liable to be

reloaded for examination at the expense of the Shipper or Shippers upon requisition to that effect from the Collector of Customs.

VI. And it is hereby enacted, that the commander of every vessel who is bound to receive a Custom House Officer on board of such vessel shall also be bound to receive on board one servant of such officer, and to provide such officer and such servant with suitable shelter and accommodation, and likewise with a due allowance of fresh water, and with the means of cooking on board and if any commander of a vessel shall wilfully disobey the directions contained in this Section he shall be punished with fine not exceeding 500 Rupees.

VII. And it is hereby enacted, that no Cargo boat laden with Goods intended for exportation by sea shall make fast to, or lie alongside of any Vessel unless there shall be on board the boat or have been received by the Custom House Officer on board of the Vessel, a Custom House Permit or Order for the shipment of the Goods. And the Goods on board of any boat that may so lie alongside or be made fast to a Vessel, if such Goods be not covered by a Custom House Pass accompanying them, or previously received by the Customs Officer on board the said Vessel, shall be liable to confiscation.

VIII. And it is hereby enacted, that when Goods shall be sent from on board ship for the purpose of being landed and passed for importation, there shall be sent with each boat-load or other separate dispatch, a boat-note specifying the number of packages and the marks and numbers or other descriptions thereof, and such boat-note shall be signed by an Officer of the Vessel and likewise by the Customs Officer that may be on board, and if any imported Goods be found in a boat proceeding to land without a boat-note, or if being accompanied by a boat-note they be found out of the proper track between the Ship and the Custom-house Wharf or other Wharf or Ghaut at which they have been permitted to be landed, the boat containing such Goods may be detained by any Inspector or by any other Officer of the Preventive Service of the Custom House duly authorized by the Collector of the Customs, and unless the cause of division be explained to the satisfaction of the Officers of Customs, the Goods, shall be liable to confiscation.

IX. And hereby enacted, that when Goods shall be brought to be passed through the Custom House, either for importation or exportation by sea, if the packages in which the same may be contained shall be found not to correspond with the description of them given in the application for passing them through the Custom House, or if the contents thereof be found not to have been correctly described in regard to sort, quality or quantity, or if any Goods not stated in the application be found concealed in or mixed up with the specified articles, all such packages, with the whole of the Goods contained therein, shall be liable to confiscation.

X. And it is hereby enacted, that if any person after Goods have been landed and before they have been passed through the Custom House, removes or attempts to remove them with the intention of defrauding the Revenue, the Goods shall be liable to confiscation.

XI. And it is hereby enacted in modification of the Article of Schedule B. of Act No. XIV. of 1836. Which provides that when Sugar or Rum shall be exported on British Bottoms to any British Possession, no duty shall be levied thereupon, and from Foreign bottoms a duty of 3 per cent. only shall be levied that the said exemption from duty and advantage of rate shall not hold or apply to the case of Sugar exported to any British Possession or Settlement on the Continent of India (including the Port of Bombay) but duties shall be levied on such exports in the same manner as upon Sugar and Rum exported to other places and the amount of duties so levied shall be credited in the adjustment of any import duty to which the Sugar so exported from Bengal may be subject at any place of import within the possessions of the East India Company.

XII. And it is hereby enacted in modification of Section XVIII. of the Act XIV. of 1836, that when Goods shall be shipped after Port Clearance, if the same be imported Goods entitled to Drawback, such drawback shall be forfeited but no separate duty shall be levied thereon.

XIII. And it is hereby enacted in modification of Section XV. of Act XIV. of 1836, that if Goods landed at the Custom House be not claimed and cleared from the Custom House within three months from the date of entry of the Ship in which such Goods were imported, it shall be competent to the Collector to sell the Goods on account of the Duties, Freight and other charges incurred and due thereon.

XIV. And it is hereby enacted, that no payment shall be made of drawback upon any Goods exported from any Port of Bengal or Orissa unless the export be made within two years from the date of the import in the Custom House Registers, nor unless the claim to receive such drawback be made at the time of exportation, nor unless the amount due thereupon be demanded within one year from the date of entry for shipment in the Custom House Registers.

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XV. And it is hereby enacted, that drawback shall not be allowed upon Goods shipped in Dhowies and Native Craft not navigated by Pilots and having Custom House Officers on board.

XVI. And it is hereby enacted in modification of Section LI. Regulation IX of 1810, that the Board of Customs, Salt and Opium shall have power to fix, and from time to time to alter the rates of Wharfage and Godown rent charges, and to determine the time for which Goods shall be allowed to remain on the Wharfs or in the Godowns of the Custom House, free of charge, while the Goods are being passed for import and export by sea.

XVII. And it is hereby enacted that it shall be lawful for the Collector of Customs whenever he shall see fit to require that Goods brought by sea and stowed in bulk shall be weighed on board ship, before being sent to land and to levy duty according to the result of such weighing.

XVIII. And it is hereby enacted, that whenever shall intentionally offer any obstruction to the weighing directed by the preceding Section, shall be punished with a fine not exceeding 500 Rupees.

FORT WILLIAM, LEGISLATIVE DEPARTMENT, 24TH JULY, 1837.

The following Act, passed by the Right Hon'ble the Governor General of India in Council, on the 24th July, 1837, is hereby promulgated for general information :

ACT No. XVIII. of 1837.

I. It is hereby enacted, that Regulation XI. of 1830 of the Bombay Code, shall be repealed.

II. And it is hereby enacted, that the exclusive right of conveying letters by post for hire from place to place within the Territories of the East India Company, shall be in the Governor General of India in Council.

III. Provided always, that it shall be competent to the said Governor General of India in Council and to any authority thereunto empowered by the said Governor General in Council, to grant to any person or persons, a license permitting such person or persons to convey letters by post for hire from place to place within the said Territories, and that it shall be lawful for any person or persons having such a license to convey letters in conformity with the terms of such license.

IV. And it is hereby enacted, that it shall be lawful for the said Governor General in Council and for any authority which may have granted any such license as is described in the preceding Section to revoke such license at pleasure.

V. And it is hereby enacted, that whenever otherwise than under the authority of the said Governor General in Council, or in conformity with the terms of such a license as is aforesaid, knowingly conveys any letter by post for hire from place to place within the said Territories, or receives any letter or packet of letters, in order to such conveyance, or delivers any letter according to its direction knowing the same to have been so conveyed, or its necessary to such conveyance, receipt or delivery, shall be punished with fine not exceeding Fifty Rs. for every letter so conveyed, received or delivered.

VI. And it is hereby enacted that inland postage duties shall be levied on the conveyance of letters and packets by the Government Post at the rates set forth in the Schedule marked A. which is annexed to this Act, and that the full postage shall be paid either on respect or on delivery at the option of the sender, and that, if the thing conveyed be transferred from a Post Office in one Presidency to a Post Office in another Presidency, no additional charge shall be made on account of such transfer.

VII. And it is hereby enacted, that when there is a bhangy established on a line of road, no person shall be entitled to demand that any letter or packets exceeding 13 tolas in weight shall be conveyed by the letter post on that line of road.

VIII. And it is hereby enacted that when there is no bhangy established on a line of road, letters and packets exceeding 13 tolas in weight, and not exceeding 40 tolas in weight, shall be conveyed on the line of road by the letter post, and every such letter or packet shall be charged with the postage of a letter or packet of the same description of 13 tolas weight sent by letter post.

IX. And it is hereby enacted, that no packets of the description mentioned in Table 3 of Schedule A. shall contain any writing whatever other than writing which is necessarily part of the documents which such packet is stated to contain, by attestation on the cover of such packet, and that whoever shall send any such packet by the Government Post, knowing that it contains any writing not necessarily part of the documents which such packet is stated to contain by attestation on the cover, shall be punished with a fine of Fifty Rupees.

X. And it is hereby enacted, that no packet of the description mentioned in Table 3 of Schedule A. shall contain any writing whatever, except the direction on the cover, and that whoever shall send any such packet by the Government Post, knowing that it contains any writing other than the direction on the cover, shall be punished with a fine of Fifty Rupees.

XI. And it is hereby enacted, that proof sheets marked as such may be sent by letter post at the rates set forth in Table 3 of Schedule A. provided they be brought to the Dispatching Office open, and be sealed in presence of the person in charge of such Office.

XII. And it is hereby enacted, that the said Governor General in Council shall frame a scale of distances as nearly as practicable according to the distance by the nearest road between Post Office Stations and that the rates of inland postage shall be calculated according to this scale.

XIII. And it is hereby enacted, that Steam Postage according to such rates as may from time to time be fixed by the Governor General in Council, shall be levied on all letters and packets sent or received by any Government steamer, and that such Steam Postage, shall be in excess of any inland postage to which such letters or packets may be liable.

XIV. And it is hereby enacted, that Ship Postage, according to the rates fixed in Schedule B. annexed to this Act, shall be levied on all letters or packets sent or received by sea through any Government Post Office, and not liable to Steam Postage.

XV. And it is hereby enacted, that when any Vessel arrives by sea at any place within the said Territories, at which there is a Government Post Office, the Commander of such Vessel shall, as speedily as possible, cause every letter and packet on board of such Vessel which is directed to that place and which was not specially entrusted for separate delivery, to be delivered either at the Post Office or to some Officer of the Post Office authorised to receive the same; and that if there be on board any letter or packet directed to any other place, and not specially entrusted for separate delivery, the said Commander shall, as speedily as possible, report the same to the Post Master General or Post Master of the place at which he has arrived, and shall act according to such directions as he may receive from such Post Master General or Post Master; and that the receipt of such Post Master General or Post Master shall discharge such Commander of all responsibility in respect of such letter or packet.

XVI.—And it is hereby enacted, that every Commander of a Vessel who shall wilfully disobey any of the directions contained in the preceding Sections shall be punished with fine not exceeding 1,000 Rupees.

XVII. And it is hereby enacted, that for every letter or packet delivered by a Commander of a Ship, in conformity with the directions of Sections XV. of this Act, the Officer in charge of the Post Office shall pay to the said Commander the sum of One Anna.

XVIII. And it is hereby enacted, that whenever any letter or packet is transhipped for transmission to any other place within the said Territories the Commander of the Vessel, which originally brought such letter or packet, shall be entitled to receive One Anna for every such letter or packet, and that the Commander of the Vessel into which the letter or packet is transhipped, shall be entitled to receive Half an Anna from the person in charge of the Post Office at the place of delivery, provided that the said last mentioned Commander deliver the same in conformity with the directions contained in Section XV. of this Act.

XIX. Provided always, that no payment shall be made to the Commander of any Vessel on account of the delivery of any letter or packet unless the claim of such Commander shall be preferred before the Vessel leaves the place at which the letter or packet was delivered, or before the expiration of three months from the date of the arrival of the packet at the place of ultimate delivery.

XX. And it is hereby enacted, that the Commander of every Vessel leaving any place in the said Territories by sea, shall receive on board of such his Vessel every letter and packet which he shall be required to receive by any Officer of the Post Office and shall sign a receipt for such letters and packets; and that every Commander of a Vessel who shall wilfully disobey any direction of this Clause shall be punished with a fine not exceeding 1,000 Rupees.

XXI. And it is hereby enacted, that whenever any letter or packet, the postage of which has not been paid, shall be delivered by any person employed by the Post Office, the person to whom it is delivered shall not be bound to pay the postage if he returns the letter or packet unopened, but if he opens the same he shall be bound to pay the postage due thereon; provided always, that if the letter packet shall appear to have been maliciously sent for the purpose of annoying the person to whom it is directed, the Post Master General or Post Master of the Office, from which the delivery took place, shall remit the said postage.

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XXXI. And it is hereby enacted, that every letter or packet which is rejected unopened by the person to whom it is directed shall be returned by post to the sender, and that the said sender shall be bound to pay the return postage thereon unless direct postage has already been paid thereon.

XXXII. And it is hereby enacted, that whenever any letter or packet, the sender of which is unknown, shall be rejected unopened by the person to whom it is directed, such letter or packet shall be opened by the Officer in charge of the Post Office from which such letter or packet was delivered to that person.

XXXIV. And it is hereby enacted, that if any person shall refuse to pay any postage which he is legally bound to pay for any letter or packet, it shall be lawful for the Officer in charge of the Post Office, from which such letter or packet was delivered to withhold from the person so refusing till such postage be paid, any letter directed to that person upon which postage has not been paid by the sender.

XXXV. And it is hereby enacted, that all letters and packets which have remained three months unclaimed at any Post Office shall be transmitted to the General Post Office of the Presidency.

XXXVI. And it is hereby enacted, that at intervals not exceeding three months, lists of all unclaimed letters and packets which are in the General Post Office of any Presidency, shall be published in the Official Gazette of that Presidency.

XXXVII. And it is hereby enacted, that every letter and packet which may have remained eighteen months unclaimed in the General Post Office of any Presidency, shall be opened by the Post Master General of that Presidency, and that all valuable property which such letter or packet may contain shall be paid into the Government Treasury for the benefit of any party who may have a right thereto, and that when twelve months shall have elapsed after the opening of such unclaimed letter or packet, it shall be lawful for the said Post Master General, if such letter or packet still continues to be unclaimed, to destroy the same.

XXXVIII. And it is hereby enacted, that privileges of sending and receiving all letters and packets by letter post, free of postage, and of sending and receiving letters and packets by banghy on the public service free of postage, shall be allowed to the persons hereinafter mentioned, viz.

His Majesty's principal Secretaries of State.
President and Secretaries of the Board of Control
The Chairman, Deputy Chairman and Directors of the East India Company.
Secretary, Deputy Secretary and Assistant Secretary at the India House.
The Governor General.
The Governors of Bengal, Madras and Bombay.
The Governor of Ceylon.
The Lieutenant Governor of the North Western provinces
The Chief Justices of Bengal, Madras and Bombay.
The Bishops of Calcutta, Madras and Bombay.
The Members of the Supreme Council.
The Members of Council of Madras and Bombay.
The Justice Judges of the Supreme Courts of Bengal, Madras and Bombay.
The Recorder of Prince of Wales' Island, Singapore and Malacca.
The Commander in Chief of His Majesty's Naval Forces.
The Commander in Chief of the Army in India
The Commander in Chief of the Army at Madras and Bombay.

And that the letters and packets sent by any of the persons aforesaid shall be franked in such manner as may be directed by the Governor General of India in Council.

XXXIX. And it is hereby enacted, that it shall be competent to the said Governor General of India in Council, by an order in Council, to grant to any person or body of persons the privilege of sending or receiving letters or packets either by letter post or banghy, free of postage, on such conditions under such rules as the said Governor General in Council may direct.

XXX. And it is hereby enacted, that if any Post Master General or Post Master shall suspect that any letter or packet lying for delivery at his Post Office contains any contraband article or any article on which duty is owing to Government, or that any letter or packets lying for delivery at that Post Office contains any writing in contravention of the provisions of Sections IX. and X. of this act, it shall be lawful for such Officer to summon the persons to whom the letter or packets is directed to attend at that Post Office, by himself or Agent within forty-eight hours after the arrival of the letters or packet at the Post Office, and to open the letter or packet in the presence of the person, on whom the letter or packet is directed, or of that person's agent; and if that person shall not so attend by himself or agent, then to open the letter or packet in the absence of that person.

XXXI. And it is hereby enacted, that the Government shall not be responsible for any loss or damage which may occur in respect of any thing entrusted to the Post Office for conveyance, and that no person employed by the Government in the Post Office Department shall be responsible for any such loss or damage unless that person has caused such loss or damage maliciously and fraudulently.

XXXII. And it is hereby enacted, that all fines incurred under any of the preceding provisions of this Act may be levied on conviction before any Magistrate or Justice of the Peace, or before any person exercising the powers of a Magistrate; provided always that no person not a Post Master General or Post Master, shall be competent to institute any prosecution for any violation of any of the preceding provisions of this Act.

XXXIII. And it is hereby enacted, that whoever being in the employ of the Government in the Post Office Department, or being in the employ of any person or persons who may contract with the Government to convey letters or packets by Post for hire, shall fraudulently appropriate any letter or packet which may have been entrusted to him, or any thing contained in any such letter or packet, or shall open any such letter or packet, or any banghy box, with the intention of fraudulently appropriating any thing therein contained, shall be punished with imprisonment with or without hard labour for a term not exceeding seven years, and shall also be liable to fine.

XXXIV. And it is hereby enacted, that whoever being in such employ as is described in the last Section, and being entrusted to receive money for postage duty, shall fraudulently appropriate the same, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labour for a term not exceeding two years, and shall also be liable to fine.

XXXV. And it is hereby enacted that whoever being in such employ as is described in Section XXXIII. shall fraudulently put any wrong mark on any letter or packet, or shall fraudulently alter or cause to disappear any mark which is on any letter or packet, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labour for a term not exceeding two years, and shall also be liable to fine.

XXXVI. And it is hereby enacted, that whoever being in such employ as is described in Section XXXIII. and being entrusted with the preparing or keeping of any document, shall, with a fraudulent intention prepare that document incorrectly, or alter that document, or secrete or destroy that document, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labour for a term not exceeding two years, and shall also be liable to fine.

XXXVII. And it is hereby enacted, that whoever being in such employ as is described in Section XXXIII. puts any letter or packet into the Wallets of the Post Office, intending thereby to defraud the Government of the postage duty on such letter or packet, shall be punished, on conviction before a Magistrate, with imprisonment with or without hard labour for a term not exceeding two years, and shall also be liable to fine.

XXXVIII. And it is hereby declared, that the tola weight mentioned in this Act is the tola of 180 grains troy, being the standard weight of the Company's Rupee.

XXXIX. And it is hereby enacted, that this Act shall have effect from the 1st day of October, 1837, and that no postage duty shall be levied under the authority of this Act on any letter which shall be received at any Post Office before the said 1st of October, 1837.

JUDICIAL AND REVENUE DEPARTMENT, AGRA 16TH JUNE 1837.

Mr. R. Alexander, officiating Joint Magistrate and Deputy Collector of Agra, has obtained leave of absence for 15 days on his private affairs, in addition to the time allowed for joining his appointment.

JUDICIAL AND REVENUE DEPARTMENT, AGRA. 22D JUNE 1837.

Mr. W. Hunter to be Joint Magistrate and Deputy Collector of Chacrapoor.

GENERAL DEPARTMENT, AGRA, THE 27TH JUNE 1837.

Captain A. Jackson, of the 30th Regiment Native Infantry, to Officiate as Deputy Post Master at Meerut, during the absence of Lieutenant H. Boyd, on Medical Certificate.

POSTMASTER-GENERAL, AGRA, THE 27TH JUNE 1837.

The Reverend Robert Dickinson Biscoe, B. A. to be Chaplain at Cawnpore.

GENERAL REGISTER.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 30th June, 1837.

No. 129 of 1837.—The Services of Ensign A. P. Phayre, of the 7th Regiment Native Infantry, are placed at the disposal of the Right Hon'ble the Governor of Bengal, for the purpose of being appointed Senior Assistant to the Commissioner of Arracan.

Lieutenant William Robert Dunmore, of the 31st Regiment Native Infantry, is permitted to proceed to Europe, on Furlough on Medical Certificate.

Fort William, 3rd July, 1837

No. 130 of 1837.—The Governor General of India in Council is pleased to make the following Promotions :

18th Regiment Native Infantry.—Lieutenant James Coult Crawford Gray to be Captain of a Company, and Ensign Henry Edward Pearson to be Lieutenant, from the 26th of June 1837, in succession to Captain Carwen Gale transferred to the Invalid Establishment.

The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Hon'ble the Court of Directors as Cadets of Infantry, on this Establishment, and are promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment.

Infantry.—Mr. William Henry Jeremie, James Garner Holmes, and John Colpoys Haughton. date of arrival at Fort William, 28th June, 1837.

The undermentioned Officers have returned to their duty, on this Establishment, without prejudice to their rank by permission of the Hon'ble Court of Directors.

1st Lieutenant and Brevet Captain Julius Brookman Backhouse, of the Regiment of Artillery, date of arrival at Fort William, 26th June, 1837.

Ensign Crawford Crossman, of the 7th Regiment Native Infantry, date of arrival at Fort William, 29th June, 1837.

Captain Hugh Campbell Wilson, of the 26th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

The services of Assistant Surgeon W. F. Sealy are placed at the temporary disposal of the Governor of Bengal, to perform the Medical duties of the Civil Station of Backergunge, vice Assistant Surgeon J. C. Smith.

ERRATUM.—In General Orders No. 815, dated the 7th November last, appointing Sergeant Connell, of the Corps of Sappers and Miners, to the Subordinate Department of Public Works, for "Overseer," read "Assistant Overseer." The Order Books to be corrected accordingly.

Fort William, 5th July, 1837.

No. 131 of 1837.—Captain Hugh Campbell Wilson, of the 26th Regiment Native Infantry, having been declared incapable of performing the active duties of his profession is at his own request, transferred to the Invalid Establishment.

Sergeant W. E. Cleveland, of the Corps of Sappers and Miners, is appointed an Assistant Overseer in the 17th Division, in the Department of Public Works, on the salary allowed for that rank, vice Assistant Overseer Khasen Mohun Mullick, whose resignation was notified in General Orders No. 140, dated the 15th May last.

Fort William, 5th July, 1837.

No. 132 of 1837.—Assistant Surgeon Edmund Walter Kyre, of the Madras Establishment, is permitted to proceed to Europe on Furlough, on Medical Certificate.

No. 133 of 1837.—The Governor General of India in Council is pleased to make the following Appointment.

Assistant, Surgeon James Gregory Vos, M. D., to be Family Apothecary to the Hon'ble Company, vice Assistant Surgeon John Thomas Pearson, whose services are placed at the disposal of the Lieutenant Governor of the North Western Provinces, as soon as he shall be relieved from the duties of the Dispensary by Doctor Vos.

Fort William, 10th July, 1837.

No. 134 of 1837.—The Governor General of India in Council is pleased to make the following Promotions :

25th Regiment Native Infantry.—Lieutenant James Don Kennedy to be Captain of a Company, and Ensign Henry John Child Shakespear to be Lieutenant, from the 5th July 1837, in succession to Captain H. C. Wilson transferred to the Invalid Establishment.

Mr Robert Anderson Ramsay having satisfied Government on the points of qualification prescribed by existing Regulations, is admitted to the service, as a Cadet of Infantry on this Establishment, agreeably to instructions from the Hon'ble the Court of Directors, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Captain Charles Newbery of the 9th Regiment Light Cavalry has returned to his duty on this Establishment, without prejudice, to his rank, by permission of the Hon'ble the Court of Directors. date of arrival at Neemuch, 15th May, 1837.

Ensign George Augustus Brett, of the 41st Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

The following Promotions are made in the Army Commissariat Department.

Sub Conductor Thomas Wilner to be Conductor, and Sergeant Robert Haviland to be Sub-Conductor, from the 22d May 1837, in succession to Fuller permitted to retire on the Pension.

No. 135 of 1837.—The following paragraphs of a Military Letter No. 25, from the Honorable the Court of Directors to the Governor of Bengal, dated the 29th March 1837, are published for general information :

2. "We have granted additional leave to the following Officers; viz.

Captain Alexander Mercer, four months.

Assistant Surgeon John Menzies, and Ensign Robert Hay, six months.

3. We have permitted Major William Turner to retire from the Service. This vacancy has effect from the 20th January 1837.

No. 136 of 1837.—Under instructions from the Hon'ble the Court of Directors, His Lordship in Council is pleased to direct, that Family Remittances from Non-Commissioned Officers and Private of King's Regiments serving in India, be strictly confined to the spirit of the Secretary at War's Circulars of the 30th April 1822, and 23d January 1827, the former of which gave rise to the indulgence of such Remittances from Soldier on foreign stations.

It was never intended by these Regulations that money accumulated in a long course of years by individuals belonging to Regiments under Orders for Europe, should be considered in the light of Family Remittances, or possess a claim to be forwarded to England through the medium of the Hon'ble Company's Treasuries at any of the Presidencies.

The object contemplated was, to afford to Soldiers on foreign Stations, the means contributing periodically, by *bona fide savings from their Pay* without loss of risk, to the support of their families or connexions during their absence, or to send such savings periodically to England to be held in deposit for their advantage on their return.

No. 136 of 1837.—Captain Charles Henry Cobbe, of the 25th Regiment Native Infantry, has returned to his duty on this Es-

GENERAL REGISTER.

establishment without prejudice to his rank by permission of the Honorable the Court of Directors, date of arrival at Fort William, 8th July, 1837.

The undermentioned Gentlemen are admitted to the service in conformity with their appointment by the Honble the Court of Directors as Cadets of Infantry and Assistant Surgeon on this Establishment, the Cadets are promoted to the rank of Ensign leaving the dates of their Commission for future adjustment

Infantry—Messrs Alexander Skene, Thomas Spinks, B. A., William Edward Mulcaster, Thomas Tulloh, Trevor Henry Thom, John Robinson, Hector Alexander Sandeman, Peter Henry Knight Dewail, date of arrival at Fort William, 8th July, and James Wardlaw, 16th ditto

Medical Department—Messrs George Rm., Richard Charles Cuse and Thomas Watking Wilson,, M D date of arrival at Fort William, 8th July 1837

Fort William, 10th July, 1837

No 130 of 1837.—The following Lists of Rank of Cadets of Engineers, Artillery Cavalry and Infantry and of Assistant Surgeons, appointed for the Bengal Presidency are published for general information.

No 1 of 1837.—List of Rank of Cadets for the Bengal Engineers, Artillery, Cavalry, and Infantry

For the Engineers—To rank from the 11th December 1835, the day he passed his public Examination he having proceeded, agreeable to the Court's permission, overland to India within three months from the date of being reported qualified by Colonel Pay, C. B.

Charles Becher Young

For the Artillery—To rank from the sailing from Gravesend of the Ships on which they embarked and in the following order, they having sailed to proceed within the period prescribed by the Court's Regulations

William Hay, Roberts, sailed 17th September 1836

George Hughes Clifford, Catherine, sailed 27th November 1836

To rank from the 9th December 1836, the day on which he passed his Public Examination the Ship by which he proceeded having sailed from Gravesend before the 9th March 1837

John Eliot, Vanstiffart, sailed 28th February 1837

From the Cavalry—To rank from the date of sailing from Gravesend of the Ships on which they proceeded and in the following order, viz

Henry Robert Grindlay, George the 4th, sailed 24th Feb 1837.

Matthew Ward, Vanstiffart, sailed 28th February 1837.

For the Infantry—To rank from the date of the sailing from Gravesend of the Ships on which they embarked, and in the following order,

John William Henry Pownall, Appd 24th August 1836, Larina, sailed 7th October 1836.

George Barnes Hobson Appd 31st August 1836, Catherine, sailed 25th November 1836

To rank from the 9th December 1836, the day on which they passed their Public Examination and in the following order the Ships by which they proceeded having sailed from Gravesend before the 9th March 1837

Monsey Staples, George the 4th, sailed 24th February 1837.

William Henry Joemle, Aurora, sailed 15th February 1837.

Francis Tombs, George the 4th, sailed 24th February 1837

To rank from the 9th December 1836, the day on which he passed his Public Examination, provided the shall arrive at Bengal by the 9th September next

Francis Peter Rives, Aberton, sailed 15th January 1837

To rank from the 9th December 1836, the day on which they passed their Public Examination, and in the following order the Ships by which they proceeded having sailed from Gravesend before the 9th March 1837.

John Gordon, George the 4th, sailed 24th February 1837

William Frost Nuttall, Aberton, sailed 15th January 1837

Francis Moira Hastings Buelton, George the 4th, sailed 24th February 1837

To rank from the 10th December 1836, agreeably to the Court's Regulation of the 14th December 1835, and in the following order

Henry Ward, Appd. 31st September 1836, Larina, sailed 7th October 1836.

Charles Arthur Nicolson, Appd. 30th November 1836, Catherine, sailed 27th November 1836.

John Francis Garth, Appd 10th November 1837 Catherine, sailed 27th November 1836.

To rank from the sailing from Gravesend of the Ships by which they sailed, announcing their Appointments were despatched, and in the following order.

Thos. Francis Hoblay (abroad) Para per Honble Company's Steam vessel Atlanta, sailed 17th December 1836

Charles Doveton, (aboard) Para per Hibernia, sailed 18th Dec 1836.

To rank from the sailing from Gravesend of the Ship by which he proceeded

Francis Henry Thomas Hibernia, sailed 18th December 1836

To rank from the sailing from Gravesend of the Ship by which the para announcing his appointment was dispatched

Robert Ramsey (abroad) Para per Hibernia, sailed 18th December 1836

To rank from the sailing from Gravesend of the Ships on which they embarked and in the following order

John Douglas William, Hibernia, sailed 18th December 1836

Campbell MacMillan, General Kyd, sailed 10th January 1837

Donald James Maclean, General Kyd, sailed 10th January 1837

Alexander Brathwaite Fenwick, General Kyd, sailed 10th January 1837.

Edward Cook, A Robinson, sailed 31st January 1837

Henry Beresford Melville ditto, do to

Charles Edmund Hickey, ditto ditto.

James Irwin Mainwaring, ditto, ditto.

Andrew Ogilvie Fairquharson, ditto, ditto

William Chester ditto, ditto.

William Robert Cunningham, ditto, ditto

Walter Birch, ditto ditto

James Garner Holmes Aurora, sailed 15th February 1837.

John Colpoys Houghton, ditto, ditto

To rank from the sailing from Gravesend of the Ships on which the para announcing his appointment was dispatched

William Henry Oakes (abroad) Para per Aurora, sailed 15th February 1837

To rank from the sailing from Gravesend of the Ships on which they embarked and in the following order

Lauchland Alexander McLean Protea, sailed 22d Feb 1837.

Thomas Elliot Ogilvie, Protector, sailed 22d February 1837

Colin Charles Robertson, George, the 4th, sailed 24th Feb 1837

William James Knox, ditto, ditto

Frederick Cooper Fombs, ditto, ditto

Neville Bowles Chamberlain, ditto, ditto

To rank from the sailing from Falmouth of the Steam Vessel by which the para announcing his appointment was dispatched

William Tierney Fergusson, (abroad) Hermes, Govt Packet to Malta, sailed 3d March 1837

To rank from the sailing from Gravesend of the Ship on which he embarked

Edward Dayot Watson, Sophia, sailed 1th March 1837

(Signed) JAMES MELVILLE,

Secy. Milly Dept.

East India House, 15th March, 1837

(A true copy.)

(Signed) JAMES MELVILLE, Secy.

East India, House, London, the 28th March, 1837

No 1 of 1837.—List of Rank of Assistant Surgeons of Bengal.

To rank from the sailing from Gravesend of the Ship on which he proceeded

William Falford Sealy, Catherine, sailed 27th November 1836

To rank from the sailing from Gravesend of the Ships by which the para announcing their appointment were despatched,

Philip Otter Egerton Balcan (abroad) Para. per H. C. Steam Vessel Atlanta, sailed 17th Dec 1836.

Dr. Drummond (abroad) Para per Hibernia, sailed 18th Dec 1836.

To rank from the sailing from Gravesend of the Ships on which they proceeded, and in the following order.

John Belfour, Hibernia, sailed 18th December 1836

William James Loch, Tamerlane, sailed 18th January 1837.

To rank from the sailing from Gravesend of the Ships by which the para announcing his appointment was dispatched.

Lake Kelly, Mr. D. (abroad) Para. per Tamerlane, sailed 8th January 1837.

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To rank from the sailing from Gravesend of the Ship by which they proceeded, and in the following order:

James Anderson Staig, *General K'd*, sailed 18th January 1837
Francis Anderson, *M D*, *Abberian*, sailed 15th January 1837
Henry Freeth, ditto, ditto.

To rank from the sailing from Gravesend of the Ship by which the para. announcing his appointment was dispatched:
James Donaldson, (abroad,) *Fife*, per *Aurora*, sailed 15th Feb. 1837.

To rank from the sailing from Gravesend of the Ship by which they proceeded, and in the following order:
James Macraus, *George the 4th*, sailed 24th Feb. 1837.
Edward Fooker, *George the 4th*, sailed 24th Feb. 1837.

Alexander Cushing Morison, *H. C. Steam Vessel Berenic*, sailed 7th March 1837.

(Signed) PHILIP MELVILL,

Secy. Mty. Dept.

East India House, 15th March, 1837.

(A true copy.)

(Signed) JAMES MELVILL, *Secy.*

East India house, London, the 25th March, 1837.

No 140 of 1837. The following War Office Circular, dated 15th March 1837, granting an additional allowance of Six Pence a day to Regimental School Master Sergeants in His Majesty's Regiments after ten years uninterupted service in that capacity, is published for general information.

CIRCULAR, No. 610.

War Office, 15th March, 1837.

Sir.—I have the honor to acquaint you that with a view to improve the situation of the Regiment School Master Sergeant by affording a reward for good conduct, it has been determined to extend to the individuals thus employed the like additional allowance of six-pence a day after ten years uninterupted service in that capacity, as is granted, under the Regulation of 9th July 1830, to the Orderly Room Clerk, and paymaster Sergeant, for good conduct after the same period of service in those ranks.

The claim, in each instance, is to be supported by a certified copy of the School Master's verified record of service, and by the Commanding Officer's recommendation, from the date of which the increased pay will commence.

It is, however, to be clearly understood, that this allowance is liable to be suspended, or wholly taken away, if the School Master Sergeant shall be guilty of any neglect or misconduct, upon the circumstances thereof being fully stated to this Office by the Commanding officer, even though it should not be deemed expedient to resort to a Court article.

I have the honor to be, &c.

(Signed) HOWICK.

Officer Commanding the ——— regiment of ———

Fort William, 17th July 1837.

No 142 of 1837.—The Governor General of India in Council is pleased to make the following Promotions:

1st Regiment Native Infantry.—Ensign Augustus Turner to be Lieutenant, from the 31st June 1837, vice Lieutenant Thomas Gifford deceased.

54th Regiment Native Infantry, Captain Charles Farquharson Urquhart to be Major, Lieutenant and Brevet Captain William Ferguson Gibson to be Captain of a Company and Ensign Alexander Gillanders to be Lieutenant, from the 26th January 1837, in succession to Major William Turner retired.

The undermentioned Officer is promoted to the rank of Captain by Brevet, from the date expressed opposite to his name:

1st Regiment Light Cavalry.—Lieutenant George John Fraser, 13th July, 1837.

3d Lieutenant John Rogers, of the Regiment of Artillery, has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Honble the Court of Directors, date of arrival at Fort William, 8th July 1837.

The undermentioned gentlemen are admitted to the Service in conformity with their appointment by the Honble the Court of Directors as Cadets of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment:

Infantry.—Mr. Arthur Henry Cole Sewell, date of arrival at Fort William, 8th July, 1837.

Mr. John Monckton Swinton, do. 8th ditto.

Lieutenant Fredrick Page Pitcher, of the 67th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

The following Promotion and Appointment are made in the Subordinate branch of the Department of Public Works:

Barrack Sergeant J Brooke to be an Overseer, to fill a vacancy caused by the death of Overseer Sergeant Bowles.

Sergeant Thomas Ryan, of the Corps of Sappers and Miners, to be an Assistant Overseer in the do. Division.

No. 143 of 1837.—The permission granted by the Government of Fort St. George to Captain William Conway of the 53d Regiment Bengal Native Infantry, to proceed to Europe on Furlough, on Medical Certificate, is confirmed by the Supreme Government.

The leave of absence granted to Lieut James Ramsay, of the 35th Regiment Native Infantry, Deputy Assistant Commissary-General, in General Orders No. 99 of the 8th May last, is cancelled.

Lieut. Charles Wollaston, of the 8th Regiment Light Cavalry, sub Assistant Stud Department, has leave of absence from the 18th August to the 31st December next, to visit the Presidency, preparatory to applying for Furlough to Europe.

The following Promotions are made in the Ordnance Commissariat Department:

Sub Conductor Charles Stant to be Conductor, and Sergeant Brian Carolan attached to the Arsenal of Fort William, to be Sub-Conductor, from the 18th June, 1837, vice Stewart deceased.

Lieutenant Henry Lancelot Bigge, of the 66th Regiment Native Infantry, has been appointed in the Judicial and Revenue Department, under date the 11th instant, as officiating Junior Assistant to the Commissioner of Assam, in succession to Lieut. Buckhouse.

Surgeon G. G. McPherson, attached to the Civil Station of Moorshedabad, has obtained leave of absence for one month, in the Judicial and Revenue Department, under date the 11th instant, on account of private affairs.

Fort William, 19th July, 1837.

No. 146 of 1837.—The following General order issued by the Government of India, in the Political Department, is published for the information of the Army:

Fort William, 14th July, 1837.

His Majesty Aboul Futeh, Moween ood Deen, Sultan of Zeman, Nowsherewan Audil Mahomed Ally Shah, Uncle of His late Majesty, Solyman Jah Nussor and Deen Ahyder, having ascended the Throne of Oude on the 8th Instant.—The Right Honourable the Governor General of India in Council has been pleased to direct that a Royal Salute and three Volleys of Musketry shall be fired from the Ramparts of Fort William and at all the principal Stations of the Army in honor of that event.

Fort William, 21st July, 1837.

No. 147 of 1837.—Assistant Surgeon Allan Webb is directed to attend on the Lord Bishop of Calcutta, His Lordship resuming his tour of Visitation.

Fort William, 24th July, 1837.

No. 148 of 1837.—The Governor General of India in Council is pleased to make the following promotions:

60th Regiment Native Infantry.—Ensign George Ranken to be Lieutenant, from the 3d March 1837, vice Lieutenant and Brevet Captain Roderick Macdonald deceased.

Medical Department.—Assistant Surgeon John Colvin, M. D., to be Surgeon from the 13th July 1837, vice Surgeon David Hutton deceased.

Rank is assigned to the undermentioned Assistant Surgeons from the date expressed opposite to their respective names:

Medical Department.—Assistant Surgeon William Fairford Sealy, 27th November, 1836.

Assistant Surgeon Phillip Ottey Egerton Baines, (not arrived,) 17th December.

Assistant Surgeons John Drummond and John Balfour, 15th December.

Assistant Surgeons William James Loch and Luke Kelley, M. D. (not arrived,) 8th January.

Assistant Surgeon James Anderson Staig, 10th January.

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Assistant Surgeons Francis Anderson, M. D., Henry Frooth and James Donaldson, 16th February.

Assistant Surgeons James Maccaush and Edward Foaker, 24th February.

Assistant Surgeon Alexander Cuschie Morison, (not arrived,) 7th March.

The undermentioned Officers is promoted to the rank of Captain by Brevet, from the date expressed opposite to his name :

Left Wing European Regiment.—Lieutenant William Edmund Hay, 16th July 1837.

The undermentioned Gentlemen having satisfied Government on the points of qualification prescribed by existing Regulations, are admitted to the service respectively, as a Cadet of Infantry and an Assistant Surgeon on this Establishment, agreeably to instructions from the Honorable the Court of Directors :

Mr. William Tierney Ferguson, Cadet of Infantry.

Mr. James Donaldson, Assistant Surgeon.

Mr. Ferguson is promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Captain William Ferguson & Watson, of the 54th Regiment Native Infantry, has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors, date of arrival at Fort William, 6th July, 1837.

Assistant Surgeon Thomas Chapman, of the Medical Department attached to the Civil Station of Purneah, is permitted to proceed to Europe on Furlough, on Medical Certificate.

The services of Sergeant R. Bruce, of the Corps of Sappers and Miners, are placed at the disposal of the Governor of Bengal, for the purpose of being appointed an additional Assistant Overseer in the 3d Division of Public Works, for employment with the prisoners on the Road between Rewah Ghaut and Mozuffpore.

Sergeant Major Charles Gill, of the 37th Regiment Native Infantry, is admitted to the benefit of the Pension sanctioned by minutes of Council of the 11th January 1797, and General Orders dated 5th February 1829, subject to the confirmation of the Honorable the Court of Directors, with permission to receive his stipend at Meerut.

—
Fort William, 24th July, 1837.

No. 150 of 1837.—Lieutenant Henry Howard Duncan, Offsetting Executive Engineer of the 8th or Bareilly Division of Public Works, has leave of absence for four months, commencing from the date on which he shall be relieved from his present charge, to visit Kurnool, on private affairs, and to enable him to join his appointment at Mhow.

Overseer Waring, attached to the Burdwan and Benares Roads, has obtained leave of absence for three months, to proceed to Dhanpote and on the River, on Medical Certificate.

—
Fort William, 27th July, 1837.

No. 151 of 1837.—Lieutenant Alexander Henry Edmonstone Bellan, of the Corps of Engineers, First Assistant to the Great Trigonometrical Survey, is permitted to proceed to China on Medical Certificate, and to be absent from Bengal on that account for six months.

BY THE COMMANDER IN CHIEF.

—
Head-Quarters, Simla, 21st June, 1837.

In consequence of a representation made to His Excellency the Commander in Chief, His Excellency has been induced to solicit the attention of the Right Honourable the Governor General in Council to the circumstances of the native officers of the local horse not holding commissions.

The representation made by His Excellency, has induced the Right Honourable the Governor General in Council to determine to grant the honor of commission to those officers; and to place them on a par, in that respect, with their brother officers of the native army generally.

His Excellency therefore directs, that rolls of the native officers of local cavalry may be forthwith sent in to the Adjutant General of the army, in duplicate, showing the dates of their present rank; with the view to commissions, corresponding therewith, being prepared and forwarded in the usual manner.

The district order by Major W. Grant, commanding in Arracan, under date the 15th ultimo, appointing Lieutenant M. N. Baker, of the 69th regiment of native infantry, to act as Adjutant of the Arracan local battalion, during the absence of Lieutenant and Adjutant J. B. Lumsden, on civil employ, is confirmed.

Shewanee Prasad, a pupil of the late native medical institution having failed to qualify himself for the institution of a native Doctor, within the period prescribed in Government General Order No. 24, of the 24th of January 1835, is to be discharged the service, from the date on which this order may be published at Dhanpote.

The undermentioned officers have leave of absence :

67th Regiment Native Infantry.—Lieutenant F. F. Fulcher, from 25th May to 25th September, to visit the Presidency, on medical certificate.

53d Regiment Native Infantry.—Lieutenant and Adjutant E. Talbot, from 1st August to 1st February 1838, to visit the Presidency, preparatory to applying for furlough.

21st Regiment Native Infantry.—Lieutenant (Interpreter and Quarter Master) T. H. G. Beant, from 1st July, to 15th September, to visit Cawnpote and Lucknow, on private affairs.

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Head-Quarters, Simla, 23d June, 1837.

With reference to the General Order by the Right Honourable the Governor General of India in Council, No. 94, dated the 1st ultimo, directing the transmission through the prescribed channel of descriptive rolls of subalterns, and commanders of corps, the Secretary to the Government of India, in the military department His Excellency the Commander-in-Chief is pleased to direct commanding officers of regiments to forward them in duplicate, to the Adjutant General's office.

His Excellency the Commander-in-Chief is pleased to make the following appointment.

12th Regiment of Native Infantry.—Ensign Frederick Dayot Atkinson to be Interpreter and Quarter Master.

The undermentioned officers have leave of absence :

72d regiment native infantry.—Lieut. H. J. Mitchell, from 1st August to 10th August, in extension, to enable him to rejoin.

Left wing European regiment.—Captain D. Birrell, from 10th October to 25th March, 1838, to visit the Presidency on private affairs.

73d regiment native infantry.—Ensign G. E. J. Law, from 20th July to 20th October, to visit Furreedpore, on private affairs.

Sub medical department.—Assistant Apothecary T. Nulty, attached to the Artillery y at Benares, from 1st July to 31st December, to visit the Presidency on private affairs.

—
Head-Quarters, Simla, 24th June, 1837.

The Presidency division order of the 7th instant by Brigadier G. R. Penny, appointing the following unposted Ensigns to do duty with the corps specified opposite their names is confirmed.

Ensign Campbell MacMillan, 9th regiment of native infantry at Barrackpore.

Ensign Alexander Brathwaite Fewick, 15th regiment of native infantry at Barrackpore.

Ensign Donald James Maclean, 15th regiment of native infantry at Barrackpore.

The station order of the 10th instant, by Brigadier R. Hampton, commanding the Meywar field force, directing Assistant Surgeon T. Russell, of the 1st light cavalry, to relieve Surgeon W. Nicholson from the temporary medical charge of the 28th regiment of native infantry is confirmed.

Major General Sir Willoughby Cotton, K. C. H. of His Majesty's service, whose appointment to the staff of the Bengal army was notified in the Government General Order No. 114, of the 12th instant, is appointed to the command of the Presidency division.

Sergeant Major Thomas Smith, of the 19th native infantry, having been sent to the Lunatic asylum, is to be struck off the strength of the regiment.

Quarter Master Sergeant John Driver, of the 12th, is appointed Sergeant Major to the 15th regiment of native infantry at Barrackpore, vice Smith struck off.

Quarter Master Sergeant Edward Cowan, of the 14th is appointed Sergeant Major to the 74th regiment of native infantry at Bareilly, vice Cowan promoted to sub Conductor.

Quarter Master Sergeant Henry Cooper, of the 59th native infantry, to be Sergeant Major in the regiment, vice Shepherd transferred to the pension establishment.

Quarter Master Sergeant Richard Gilman, of the 71st, is appointed Sergeant Major to the 31st regiment of native infantry at Allahabad, vice MacGregor promoted to Sub-Conductor.

Corporal William Hackett, of the 4th company 5th battalion of artillery, is promoted to Sergeant, transferred to the Town Major's Net, and appointed Quarter Master Sergeant to the 51st Co.

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giment of native Infantry at Allahabad, in the room of King deceased.

The following acting Sergeants in the European regiment are promoted to the rank of Sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeants to the corps specified opposite to their names.

Sergeant Thomas Ainslie, to the 14th native Infantry at Agra, vice Comyns appointed Sergeant Major to the 74th regiment.

Sergeant Henry Ashton to the 71st native Infantry at Cawnpore, vice Gillson appointed Sergeant Major to the 31st regiment.

Sergeant William Lawrence to the 59th regiment of native Infantry in succession to Cooper appointed Sergeant Major.

Quarter Master Sergeant Lawrence will proceed to Shahjehanpore, and join the left wing of the regiment at that station.

The undermentioned officers have leave of absence :

17th regiment native Infantry.—Lieutenant Pringle Shortreed, from 30th July to 30th January 1838, to visit the Presidency, preparatory to applying for furlough.

59th regiment native Infantry.—Surgeon Thomas Munro from 1st August to 15th September to visit the Presidency preparatory to making an application for permission to retire from the service.

Head-Quarters, Simla, 24th June 1837.

Colonel J. F. Dundas's battalion order of the 11th instant, appointing 2d Lieutenant Gravenor Kirby, of the 1st company, to act as Adjutant and Quarter Master to the 2d battalion of artillery, vice Day promoted, is confirmed.

Captain E. F. Day, of the 1st company 1st battalion, is permitted to do duty with the artillery at Nusseerabad, until the 15th of October next.

The leave of absence, for two months, granted to 2d Lieutenant N. A. Staples, of the artillery, in General Orders of the 17th ultimo, is cancelled at his request.

Quarter Master Sergeant Charles Bickerton, of the 61st, is appointed Sergeant Major to the 18th regiment of native Infantry vice Harrison promoted to Sub Conductor, and directed to join the wing quartered at Beharunpore.

Sergeant Patrick Baxter, of the European regiment, is transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 61st regiment of native Infantry at Kurnaul, vice Bickerton.

Staff Sergeant Enoch H. Hingworth, of the 3d company, and Bombardier George Alenson, of the 1st company 1st battalion of artillery, are transferred to the Town Major's list, and appointed Quarter Master Sergeants, the former to the 12th, and the latter to the 41st regiment of native Infantry at Barrackpore. Bombardier Alenson is promoted to the rank of sergeant.

Head-Quarters, Simla, 27th June 1837.

1. Considerable trouble and much correspondence are caused by the commanding officers of regiment and the invaliding committees, occasionally neglecting to fill up their respective columns in the invalid rolls with sufficient care and accuracy. Many rolls have required to be returned for explanation on their recent examination at head quarters this season.

2. The Commander in Chief therefore requests that more attention may be paid to these points, and that commanding officers will recollect it is from what appears on the face of these rolls that His Excellency can decide whether or not any short service man ought to be awarded a pension.

3. When injuries have been received which lead to a man's discharge it is in future to be distinctly stated in the column for "remarks by the commanding officer," how the injury occurred.

4. It is further directed, that the invaliding committees shall pay more strict attention to paragraphs 8 and 9 of the General Orders, 6th March 1835, and that they shall not fail to make a note against the name of every officer or soldier whom they may consider worthy of the additional invalid pay. They will recollect that the rendering strict justice to an old soldier must frequently depend on their notice of him.

5. His Excellency also desires to point their attention to the part of the 8th paragraph, which directs that the members "will ascertain by a patient and particular examination, whether they (the individuals presented) are actually unfit for active military duty;" and it is to be particularly stated opposite the name of each person considered unfit for further service, whether he is in every respect deserving of the benefits of the pension establishment. In all cases in which grounds exist for the belief that disease is either feigned or exaggerated and unreserved opinion is to be given, either that the man is, or is not, a malingerer.

His Excellency has observed the names of many men erased, whose cases, he should imagine, had not undergone such consideration. He will take care for instance, which chances to be before him, in the 1st regiment of native Infantry. Subadar Shait Mah-

boob, 67 years old, 48 years 10 months' service, lame from a swollen ankle; stated by his commanding officer to be "very infirm, and from age and debility unfit for further service."

Assuredly an officer at 67 years of age, under such circumstances, cannot be fit for "active military duty," yet a pen is passed through his name on the invalid roll.

Head-Quarters, Simla, 28th June, 1837.

The Presidency division order of the 14th instant, by Brigadier G. R. Penny, directing the following unposted Ensigns to do duty with the corps specified opposite their names, is confirmed :

Ensign William Frost Nathali, 9th regiment of native Infantry at Barrackpore.

Ensign Leuchlean Alexander McLane, 15th regiment of native Infantry at Barrackpore.

Ensign Thomas Elliot Ogilvie, 15th regiment of native Infantry at Barrackpore.

His Excellency the Commander in Chief is pleased to make the following appointment.

2d Battalion of Artillery.—1st Lieutenant and Brevet Captain E. Madden to be Adjutant and Quarter Master, vice Day promoted.

The undermentioned officers have leave of absence :

64th Regiment Native Infantry.—Lieutenant and Brevet Captain F. Kuyvet, from 18th June to 18th October, to visit Mussoorie, on private affairs.

7th Regiment Light Cavalry.—Assistant Surgeon S. Lightfoot, from 25th July to 25th January 1838, to visit the Presidency on medical certificate, preparatory to applying for furlough.

Right wing European Regiment.—Captain F. Boaty, from 10th July to 10th February, 1838 to visit the Presidency, on private affairs.

5th regiment native Infantry.—Captain A. H. Jellicoe, from 10th January to 15th January, in extension, to enable him to join.

44th regiment native Infantry.—Ensign C. Wright, from 8th June to 1st October, to remain at Allahabad. N. B. Ensign Wright, on the expiration of his leave, will proceed and join the regiment to which he belongs.

Head-Quarters, Simla, 30th June, 1837.

His Excellency the Commander in Chief is pleased to make the following appointment :

67th Regiment Native Infantry.—Lieutenant Frederick Rainford to be Adjutant, vice Cotton promoted.

Conductors James Gower and Alexander Bethune, lately promoted, are posted, the former to the Cawnpore, and the latter to the Allahabad magazine.

Gunner Humphrey Courtenay, at present on the Town Major's list, and employed as Bullock Sergeant at Kurnaul, is promoted to the rank of sergeant.

The undermentioned officer has leave of absence :

2d regiment light cavalry.—Lieutenant and Brevet Captain G. C. Ponsenby, from 26th June to 15th November, to visit the hills north of Deyrah Dhoon, on medical certificate.

Head-Quarters, Simla, 1st July 1837.

His Excellency the Commander in Chief is pleased to order the following removals and posting of officers :

Colonel (Major General) J. R. Lamley, from the 62d to the 9th regiment of native Infantry.

Colonel (Major General) R. Patton, C. B., (on furlough) from the 9th to the 62d regiment of native Infantry.

Colonel T. P. Smith, from the left wing European regiment to the 20th regiment of native Infantry.

Colonel P. LeFevre, (on furlough) from the 79th native Infantry to the left wing European regiment.

Colonel H. T. Tepp (new promotion) to the 61th regiment of native Infantry.

Lieutenant Colonel S. Lawtherne, (on furlough) from the 53d to the 15th regiment of native Infantry.

Lieutenant Colonel N. Wallace (new promotion) to the 53d regiment of native Infantry.

Head-Quarters, Simla, 6th July, 1837.

The Presidency division order of the 21st ultimo, by Brigadier G. R. Penny, directing the undermentioned unposted Cornets and Ensigns to do duty with the regiments specified opposite to their respective names, is confirmed :

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Cornet Henry Robert Griedlay, 5th regt. light cavalry at Bangalore, Benares.

Ensigns Francis Tombs and Frederick Cooper Tombs, 6th regt native infantry at Secroie, Benares.

Ensigns Henry Borsford Melville, Andrew Ogilvie Farquharson, James Irvin, Mainwaring and Edward Cook, 9th regt. native infantry at Barrackpore.

Ensign William Chester, 11th regt. native infantry at Barrackpore.

Ensigns Neville Bowles Chamberlain, Walter Birch and William Robert Cunningham, 70th regt. native infantry at Barrackpore.

Ensigns Monsey Staples, John Gordon, Colin Charles Robertson, and Charles Edmund Hickey, 73d regt. native infantry at Barrackpore.

Bombardier Charles Crisp, of the 2d troop 1st brigade horse artillery, is promoted to Sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeant of the 10th light cavalry, vice Corser deceased.

The promotion of acting Sergeant William Lawrence of the European regiment, and his appointment to the situation of Quarter Master Sergeant to the 69th native infantry, as notified in General Orders of the 24th ultimo, are cancelled.

The undermentioned officers have leave of absence:

Right wing European regiment.—Lieutenant and Adjutant C. Clark, from 15th July to 15th January 1838, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

53d regiment native infantry.—Lieutenant C. Darby, from 27th June to 1st October, to remain at Cawnpore, on medical certificate.

36th regiment native infantry.—Ensign R. C. Tytler, from 26th June to 15th October, to proceed on the river, on medical certificate.

Head-Quarters, Simla, 5th July 1837.

The Dinapore station order of the 20th ultimo, appointing Ensign Charles Doveton, lately admitted into the service, to do duty with the 40th regiment of native infantry at that station, is confirmed.

The regimental order of the 3rd ultimo, by Major W. Grant directing Captain Henry Cotton to continue to act as Adjutant to the 67th regiment of native infantry, until his successor be appointed, is confirmed.

Ensign N. B. Chamberlain, at present attached to the 70th regiment native infantry at Barrackpore, is appointed to do duty with the 9th regiment native infantry at the same station.

Sergeant Thomas Owens, supernumerary laboratory-man in the Saugor magazine, is transferred to the arsenal of Fort William to fill a vacancy.

Corporal John Doyle, a laboratory man in the expence magazine, is transferred to the department of the Town Major of Fort William, to fill a vacancy in the non-commissioned staff of that garrison.

The undermentioned officers have leave of absence:

51st regiment native infantry.—Captain J. Finnis, from 20th July to 20th October, to visit the Presidency, on private affairs.

7th regiment native infantry.—Ensign A. P. Phayre, from 25th June to 30th July, to remain at Bareilly.

5th regiment light cavalry.—Assistant Surgeon A. Crichton, M. D., from 31st July to 21st January 1838, to visit the Presidency on medical certificate, preparatory to applying for furlough.

Head-Quarters, Simla, 7th July 1837.

The Presidency division order of the 23d ultimo, by Brigadier W. B. Penny, directing Assistant Surgeon John Baifour, attached to the Presidency general hospital, to proceed to Hazareebaugh by dawk, and to duty with His Majesty's 49th regiment, is confirmed.

The Nussereabad station order of the 26th ultimo, by Brigadier W. Burch, directing Assistant Surgeon A. Mackean, of the 9th light cavalry, to afford medical aid to the 13th regiment of native infantry, during the absence of Assistant Surgeon W. Rail, or until further orders, is confirmed.

The regimental order of the 1st instant, by Lieutenant Colonel T. Palmer, appointing Ensign J. Chambers to act as Interpreter and Quarter Master to the 51st native infantry, during the absence, on leave, of Lieutenant Interpreter and Quarter Master. M. G. Bonant is confirmed.

Quarter Master Sergeant George Levers, of the Assam light infantry is transferred in the same situation to the 69th regiment native infantry, and directed to be sent to join the left wing of that corps at Shajehampore.

The undermentioned officers have leave of absence.

23d Regiment Native Infantry.—Lieutenant-Colonel H. Cock, from 1st November to 1st February 1838, in extension, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

30th Regiment Native Infantry.—Captain E. T. Milner, from 5th July to 31st October, to visit the hills north of Deyrah, on private affairs.

51st Regiment Native Infantry.—Lieutenant W. Lamb, Interpreter and Quarter Master, from 28th July, to 10th October, to visit the Presidency, on private affairs.

5th Regiment Light Cavalry.—Lieutenant G. Reid, from 13th September to 15th March 1838, to visit Calcutta, preparatory, to applying for furlough.

Head-Quarters, Simla, 12th July 1837.

With the sanction of Government, the following European and Native Corps will move on the dates specified, to effect the relief of 1837—38

Horse Artillery 1st Brigade.—Head quarters, from Meerut to Kurnaul, when relieved by the head quarters of 2d brigade.

1st troop.—Ditto ditto, 2d October 1837.

2d ditto.—Ditto to Mhow, 2d October 1837.

3d ditto.—Ditto to Multra, when relieved by 2d troop 2d brigade. 2d Brigade.—Head quarters, from Cawnpore to Meerut, on the arrival of 3d troop 3d brigade

1st troop.—From Dum-Dum to ditto, 1st November 1837.

2d ditto.—From Cawnpore to ditto, on the arrival of 3d troop 3d brigade.

3d ditto.—Ditto ditto, on the arrival of 3d troop 3d brigade.

3d Brigade.—Head quarters, from Kurnaul to Cawnpore, on arrival of 1st troop 1st brigade.

1st Troop.—Ditto to Dum-Dum, on arrival of 1st troop 1st brigade.

2d ditto.—From Mhow to Cawnpore, on the 16th October 1837.

3d ditto.—From Multra to ditto on the 16th October 1837.

Local Horse.—2d corps from Saugor to Bareilly, right wing 1st Nov. 1837, left wing when relieved by 3d local corps.

3d ditto.—From Neemuch to Saugor, right wing 1st Nov. 1837, left wing when relieved by 4th local corps.

4th ditto.—From Bareilly to Neemuch, when relieved by right wing of the 2d local corps.

Native infantry.—3d regiment.—From Mynpoorie to Barrackpore, 16th October 1837, to be relieved by a wing of the 24th regiment.

4th ditto.—From Serhampore to Goruckpore, when relieved by the 65th regiment.

7th ditto.—From Almorah to Cawnpore, ditto ditto by the 61st ditto.

8th ditto.—From Nussereabad to Bareilly 1st November 1837.

11th ditto.—From Goruckpore to Saugor, when relieved by the 4th regiment.

23d ditto.—From Neemuch to Agra, 16th October 1837.

25th ditto.—From Mirzapore to Saugor, when relieved by a wing of the 68th regiment.

28th ditto.—From Neemuch to Mynpoorie, ditto ditto by the 30th regiment.

30th ditto.—From Meerut to Neemuch, 16th October 1837.

32d ditto.—From Allypore to Dacca, 9th October 1837, to be relieved by a wing from Meerut.

35th ditto.—From Lucknow to Kurnaul, 1st February 1838.

36th ditto.—From Agra to Jampur, 16th October 1837.

41st ditto.—From Barrackpore to Benares, 16th November 1837.

44th ditto.—From Mhow right wing to Etawah, left wing to Banda, when relieved by the 72d Regiment.

50th ditto.—From Dacca to Mirzapore, ditto ditto, by the 32d ditto.

53d ditto.—From Right wing, Etawah, left wing Banda to Meerut, ditto ditto, by the wings of the 44th regiment.

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55th ditto.—From Chittagong to Lucknow, when relieved by the 73d regiment.

57th ditto.—From Benares to Sultanpore, Oule, ditto ditto, by the 41st regiment.

53th ditto.—From Jumnalpoore to Barrackpore, when relieved by the 36th regiment.

61st ditto.—From Kurnani to Almorah, on the 1st December 1837.

63d ditto.—From Sultanpore to Mhow, when relieved by the 57th regiment.

64th ditto.—From Saugor to Allyghur, ditto ditto, by the 23th regiment.

65th ditto.—From Allahabad to Berhampore, 16th October 1837.

66th ditto.—From Mhow to Allahabad, 16th October 1837.

71st ditto.—From Cawnpore to Nymnch, 16th October 1837.

72d ditto.—From Saugor to Mhow, 25th October 1837.

73d ditto.—From Barrackpore to Chittagong, 16th October 1837.

74th ditto.—From Bareilly to Nassoorabad, 1st November 1837.

Routes will be furnished from the office of the Quarter Master General of the army, and any deviation from them is to be duly reported.

The strictest attention to be paid to the standing regulations of the service, relative to the notices to be given to the several authorities through whose districts corporate detachments may pass.

Officers commanding regiments will be held responsible that no great quantity of supplies is ordered for, than is absolutely necessary for their camp, and that every article so supplied, shall be regularly paid for on the spot.

The General Orders by the commander in Chief of the 2d October 1821, 10th February and 5th September 1829, 11th June 1830, 5th August 1831 and General Orders by the Vice President in Council of the 1st January 1833, are particularly referred to, for the guidance of officers commanding corps and detachments about to move.

A form of weekly report of progress will be furnished from the Quarter Master General's office, a duplicate report is to be sent from corps to Major Barber, the Assistant Quarter Master General of the presidency, for the information of Government.

At the conclusion of the march, officers commanding corps and detachments will forward a journal of their route to the Quarter Master General of the army, agreeably to a form which will be supplied.

Head Quarters, Simla, 10th July 1837.

Brevet Captain George Alexander Barber, of the 8th regiment light cavalry, is appointed 21st commandant to the 31st local horse, vice Siddons, who is permitted to resign that situation.

Head Quarters, Simla, 11th July 1837.

With reference to the 7th paragraph of the General Order by the Commander in Chief, dated the 5th of May last, directing that depots to whom the boon of extra pay for good conduct has been once granted, shall not be deprived of it, except by the sentence of a court martial, His Excellency is pleased to direct, that the proceedings of all courts martial passing such a sentence be forwarded to army head quarters.

The undermentioned officer has leave of absence :

2d regiment Light Cavalry.—Cornet J. Gordon, from 1st October to 31st March 1838, to visit the Presidency, preparatory to applying for furlough.

Head Quarters, Simla, 12th July 1837.

The wing order issued by Captain C. Campbell, of the 53d native infantry, dated the 2d instant, directing Lieutenant G. Tyley to act as Adjutant to the left wing of the regiment, until further orders, is confirmed.

Assistant Apothecary William George Garrison, at present acting as apothecary at head quarters, removed from that situation, and directed to join and do duty in the artillery hospital at Benares.

Sergeant Major George Lindsay, of the 35th segment native infantry, is appointed Bazar Sergeant at Agra, vice Sinclair deceased.

Head Quarters, Simla, 13th July 1837.

The district order issued by Brigadier E. Cartwright, commanding of Agra, under date the 29th ultimo, directing Assistant Surgeon T. C. Hunter, of the 10th regiment of light cavalry, to repair to Agra, for the purpose of affording medical aid to the 36th regiment of native infantry, is confirmed.

The Agra station order of the 20th ultimo, by Brigadier E. Cartwright, directing Assistant Surgeon W. Spencer, of the 14th regiment of native infantry, to receive charge of the 4th battalion of artillery from Surgeon R. Brown, who will afford medical aid to the 14th regiment, during the period Assistant Surgeon Spencer performs the above duty, is confirmed.

The artillery regimental order of the 28th ultimo, by Brigadier H. Faithfull, directing 1st Lieutenant H. N. Pepper and 2d Lieutenants H. M. Conna and G. Penrice, transferred to companies in the field by General Orders of the 14th ultimo, to continue doing duty with those to which they were recently attached at Dum Dum, until the departure of the drafts for the upper provinces, is confirmed.

The leave of absence granted to Major General Sir David Ximenes, K. C. in General Orders of the 17th ultimo, is cancelled at that officer's request.

The promotion of Corporal William Haslett, of the 4th company 5th battalion of artillery, to the rank of Sergeant, and his appointment out to the situation of Quarter Master Sergeant to the 31st regiment native infantry, notified in General Orders of the 21th ultimo, are cancelled.

The undermentioned officers have leave of absence :

1st brigade horse artillery.—Brevet Colonel J. P. Boileau, from 2d June, to 2d December, to visit Massoorie, on medical certificate.

29th regiment native infantry.—Colonel T. P. Smith, from 1st August to 1st November, in extension, to visit the hills north of Oorah Dhoob, on private affairs.

26th regiment native infantry.—Brevet Colonel W. Vincent, from 1st August to 31st October, to visit Massoorie, on private affairs.

48th regiment native infantry.—Captain F. Fisher, from 1st August to 1st March 1838, to proceed to the Presidency at Dacca preparatory to applying for furlough.

Artillery.—2d Lieutenant W. Hay, going duty at Dum Dum, from 15th July to 15th October, to visit Almuzsugh, on private affairs.

Head Quarters Simla, 15th July, 1837.

The Presidency division order of the 22th ultimo, by Brigadier G. R. Penn, directing the undermentioned Colonel and Ensigns, lately admitted into the service, to do duty with the corps specified opposite their names, is confirmed.

Cornet Matthew Ward, 8th regiment of light cavalry at Sultanpore, Benares.

Ensign William Henry Oakes, 9th regiment of native infantry at Barrackpore.

Ensign Frank Moin Hastings Burlton, 70th regiment of native infantry at Barrackpore.

The Delhi garrison order of the 1th instant, by Brigadier J. W. Fawcett, placing the services of Sergeant Cliveham, of the hospital, and others, at the disposal of the officiating executive engineer, for the purpose of acting asarrison overseer, in the room of Reeves deceased, is confirmed.

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SHIPPING REGISTER.

ARRIVALS AT KEDGEIE.

- June 24 The Ship *Hooghly*, B. Gaily, from the Mauritius 31st May, and the Brig *Symmetry*, J. Savil, from the Mauritius 26th May.
- 25 Schooner *Margaret*, W. Spain, from Rangoon 12th June.
- 26 Bark *Rosendale*, E. C. Friend, from London 15th and Downs 25th February, and Ship *Edmonstone*, W. Mc, Dougall, from Bombay to 1st June.
- 27 Bark *Aurora*, J. A. Cox, from Gravesend 15th and Portsmouth 28th February, Cape of Good Hope 23d April and Madras 15th June.
- 28 Schooner *John Hepburne*, B. Robertson, from Mouline 7th and Rangoon 19th June.
- July 3 Ship *John McLellan*, D. McDonald, from Greenock 15th March; Ship *Sullyman*, A. J. McFarlane, from China 4th May, and Anger 10th June; Barque *Bright Planet*, R. Malcolm, from Penang 12th May, and Mouline 18th June.
- 4 H. M. Ship *Winchester*, Captain Spaulshot, from Trincomalee 12th June, Madras and Negapalam (no date); Barque *William Rodgers*, R. Crawford, from Port Glasgow 15th March; Brig *Bride*, J. Porter, from the Mauritius 8th June; American Ship *Paragon*, W. H. Curtis, from Boston 28th February.
- 6 Barque *Emily*, G. Kilby, from Liverpool 27th February; Barque *Baboo*, G. B. Brock, from London 5th March; Brig *Brigand*, J. Marshall, from Singapore 14th June; H. C. P. V. *Mermaid*, E. Dickson, from Akyab 23d June.
- 6 Ship *Adelaide*, R. D. Guthrie, from London 13th, and Portsmouth 19th March; Barque *Bangal*, R. W. Wilson, from London 18th March; Barque *Burring*, R. Gordon, from Singapore 25th May, and Penang 1st June.
- 7 Ship *Reliance*, R. E. Warner, from London 9th April, and Madras 2d July, and the Ship *Juliana*, J. Moore, from the Mauritius 10th June.
- 8 Ship *Eather*, J. W. Douglas, from Liverpool 3d Feb Roi de Janeiro 16th May, and Madras 4th July; Ship *Argyle*, J. McDonald, from Greenock 11th and Madeira 29th January, and Bombay 13th June.
- 10 Ship *Parsee*, J. McKellar, from London 11th March; Ship *Imogen*, G. Riley, from London 6th April; Barque *Prinsep*, J. Lyster, from the Isle of 9th June.
- 13 Barque *Will Watch*, W. Barrington, from Auchsen 5th July.
- 35 Ship *Warrior*, John Stone, from Liverpool and Bristol 24th March.
- 18 Barque *Sir Edward Ryan*, J. McGown, from Mouline 7th July; English Ship *Drongfun*, J. McKenzie, from Madras 13th July.
- 19 Brig *Cowin*, J. McCutcheon, from Colombo 25th June, Trincomalee 4th, and Madras 13th July.
- 20 Brig *Mouline*, R. J. Morris, from the Mauritius 7th and Mouline 39th June.
- 23 Ship *John Bagshaw*, H. Blyth, from Port Louis 22d June.
- 24 Brig *Arcthusa*, J. Canning, from Penang 5th July.
- 26 Barque *Abelle*, D. Duval, from Bourbon 21st June; *Ayas*, J. Bruton, from Port Louis, 21st June.

- 27 Brig *Egbert*, John Whalin, from the Mauritius 21st June; Brig *Jessie*, J. Auld, from Penang 3d July; Brig *Matckund*, *Amerckund*, H. White, from Bombay 11th July.
- 28 Barque *Lilian*, J. Pool, from Sunderland 25th March, and Simon's Bay 9th June; Barque *Daniel Wheeler*, J. Bouch, from Liverpool 5th April; Ship *Tatier*, St Quantin, from Nantes 7th March, and Mauritius and Bourbon 27th June; H. C. Brig *Edithess*, J. Kennie, from Moonsoorcottah 36th July.
- 29 Brig *Pilot*, J. Paterson, from Akyab 14th, Kyonk Phoo 19th and Chittagong 26th July; Ship *Salages*, A. Williams, from Nantes 14th April and Bourbon 6th July; Bark *Atlas*, Oalliet, from Bourbon 6th July; Bark *Courrier de Bourbon*, A. Dubox, from Nantes 23th Feb. and Bourbon (no date).

DEPARTURES FROM CALCUTTA.

- June 25 *Hope*, John Cockbain, for Liverpool.
- 27 *Francis Smith*, W. H. Edmonds, for London.
- 28 *Cowanjee Family*, R. Wallace, for China; *Anna Maria*, R. Edwards, for Bombay, and *Halidoe*, W. D. Messiter, for Penang and Singapore.
- 23 *Charles Hearty*, J. M. Hopper, for the Mauritius
- July 3 *Mary Harty*, R. Mackay, for Liverpool.
- 6 *Indus*, John McFarlane, for London.
- 9 *Lysander*, W. Currie, for London; *Jupiter*, W. Ramsay, for Cape and London; *Modesty*, Nily for Bourbon.
- 10 *Hibernia*, R. Gillies, for London.
- 11 *Forth*, J. H. Landers, for Mouline.
- 13 *Anna Maria*, Edward, for Bombay; *Olympus*, R. Cawl, for London.
- 16 *Blately*, J. Snipe, for China.
- 17 *Pa'trio*, G. M. Robinson, for Penang and Singapore, *Danallens*, W. Pinder, for London; *Shawgoodawn*, D. Marshall for Basili.
- 19 *Triton*, J. Blane, for Bordeaux.
- 19 *Mary Ann Webb*, R. Lloyd, for Liverpool; *Coromandel*, Wm. Oheaser, for London.
- 23 *John Hepburn*, B. Robertson, for Mouline and Rangoon; *Hooghly*, G. Bayly, and *Sir A Campbell*, E. D. Cooke, for the Mauritius *Indiana*, D. O'Brien, for Penang.
- 25 *Jas. Turcan* Jas. Turcan, for Liverpool.
- 27 *Margaret*, W. Spain, for Rangoon; *Bride*, Jas. Forte, for the Mauritius *Elizabeth*, J. Manook, for Mouline *Atgle*, A. Onillmot, for Bourbon.

ARRIVALS OF PASSENGERS.

- Per Hooghly*, from Mauritius.—R. McDonald, Esq., Merchant.
- Per Ship Edmonstone*, from Bombay.—Mrs. Sainforth, Mrs. McDougall, Frederick Sainforth, Esq. E. C. S. Alexander Matheson, Esq. William McCulloch, Esq. Natural Rev. F. A. Salvadori Debanta Anna.
- Per Rosendale*, from London.—Mr. and Mrs. Garrier, H. C. Service, Steam Engineer.
- Per Aurora*, from Gravesend, Portsmouth, Cape and Madras.—Mrs. Cox; Mrs. Cropan; Mrs. Boulton; Misses Jerome, C. W. Trebley and C. W. Trebley; Capt. Backhouse; Lieut. Cropan; Eosian Sweeney, H. M. 26th; Messrs. Jerome, Hughson and Holmes, Cadets; Mr. Mayson, Junr.; Mrs. Garret, Steady.

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Passenger.—From Cape of Good Hope.—Captain Phillips, B. L. C.
From Madras.—Ensign Stevens, 21st N. L., and Mr. Gladden.

Per Sulimany, from China.—James Fergusson, Esq., Merchant.

Per William Rodgers, from Port Glasgow.—Mr. W. Smith, Mariner.

Per Bride, from the Mauritius.—Mr. P. A. Pounmoral, Merchant.

Per Paragon.—Messrs. E. V. Everett and Chas. S. Blake.

Per Bright Planet, from Penang.—Mrs. Thombs. From Mountmelba.—G. W. Bell, Esq.

Per Adelaide, from London.—Mrs. G. Roe; Misses Rae and Rawson; Captain Harrington, Head Assistant to Master Attendant; Messrs G. Ray, R. C. Gulse and Dr. T. W. Wilson, Assistant Surgeons, E. I. C. S.; Lieut. J. Rogers, Artillery; Mr. A. Sewell, Cadet; Messrs. Turner and Webb, Steerage Passengers.

Per Reliance from London.—Mr. Meiklejohn, Chaplain; Mr. Mrs. and Miss Mackey; Miss Marshall; Mr. Wynyard, Writer; Captain and Miss Cobbo, 6th Regt. N. L.; Captain Beaton, 11 S. F. 54 B. L.; Mr. Steinback, Civilian; Messrs. Plowden, Wardlaw, Macaster, Skene, Sandeman, Sheel Robinson, Dr. Wall, Swinton, Spankie, Tintoh, Cadets; and Richardson, From Madras.—Mrs. Jordou; Lieut. Smyth; Messrs. Kennedy and Grant.

Per Parsee, from London.—Mr. Farquhar, Tradesman.

Per Will Watch, from Singapore.—Captain G. Hickman, 70th Regiment B. N. L.

Per John Bagshaw.—Mrs. Blyth and Child, and Mr. J. Cerveux, steerage passenger.

Per Arcthusa.—J. H. Mackey and George Scott, Esqrs. Merchants.

Per Jessie, from Penang.—Mr. Alford Mariner.

Per Motichund Amerchund, from Bombay.—Alexander Morrison, Esq., Surgeon, H. C. S.

Per Drungan, from Bombay.—Lord and Lady Brudenell, Lieut. Col. and Miss Hughes From Madras.—Messrs. Kelly and Comb.

Per Sir Edward Ryan, from Mountmelba.—Mr. J. Darwood, Ship Builder; Lieut. McLeod, 11. M. 62d Regt.; Messrs. Hopper and Miller, Country Service.

Per Louisa.—Mrs. McCutcheon, from London. From Colombo.—W. Young Esq., Surgeon, H. M. 44th Regt.; Mrs. Young; Miss M. Young; Messrs. J. Young, H. Young, W. Young and R. Young, and infant.

Per John Bagshaw.—Mrs. Blyth and Child, and Mr. Cerveux, steerage passenger.

VESSELS SPOKEN WITH.

The John McLellan, on the 11th April, in lat. 6. N., long. 20. W., signaled the Barque Babon, of Calcutta. On the 21st June, in lat. 24 S., long. 81. E., spoke the Ship Pestonjee, Munajee from Bombay to London.

The Parago, on the 28th March, in lat. 27. 19. N., long. 27. 21. W., spoke the Barque Indemilly, 110 days from Ceylon bound to Liverpool. On the 14th April, in lat. 4. 27. N., long. 17. 52. W., spoke the Ship Jesse Logan, Black, 30 days from Liverpool for Bombay. On the 17th May, in lat. 36. 30. S., long. 4. 36. E., spoke the Barque William Hutchings, 62 days from Glasgow for Calcutta.

The Adelaide, on the 24th March, in lat. 41. 44. N., long. 14. 22. W., spoke the Barque Strath Eden, from London to Madras. On the 23d May, in lat. 37. 15. S., long. 2. O. E., spoke the Barque Jamaica, from Greenock to Bombay, and the Ship Hindustan, from London to Madras. On the 22d June, in lat. 15. 40. S., long. 80. 48. E., spoke the Ship, Henry Take, from Batavia to Boston. On the 26th June, in lat. 5. 16. S., long. 81. 40. E., spoke the Ship Palmgra, from Bombay to London.

The Bengal, on the 10th April, in lat. 3. 30. N., long. 20. O. W. spoke the ship Sir Edward Paget, from London bound to Madras. On the 19th May, in lat. 25. 12. S., long. 23. 00. W., spoke the ship Strath Eden, from London to Calcutta and Madras. On the 17th May, in lat. 37. 53. S., long. 20. 54. W., spoke the Brig Re-salind, from London bound to China.

The Reliance on the 14th April, in lat. 34. 30. N., long. 17. 2. W., spoke the Brig Thomas Leach, of Liverpool, bound to Buenos Ayres; On the 17th in lat. 20. 27. N., long. 20. 40. W., spoke the Bark Aidingham, bound to Cape and Mauritius; On the 18th in lat. 24. 35. N., long. 21. 67. W., signaled the Imogen, for Calcutta; On the 23d in lat. 14. 24. N., long. 26. W., passed an English Ship standing South; On the 27th in lat. 4. 1. N., long. 32. 12. W., spoke ship Roxbro the Cattle, from Calcutta to London; 2nd May in lat. 21. 30. N., long. 21. 20. W., spoke the Dutch ship President bound to Batavia, and Imogen for Calcutta. 3 other vessels in sight; On the 3d in lat. 2. 10. N., long. 22. 1. W., spoke the Brig Warwick, from Liverpool to Madras; On the 4th in lat. 0. 9. S., long. 24. 22. W., signaled the ship Troie, standing North; On the 12th in lat. 21. 40. S., long. 21. 30; W., spoke the French ship Row, from Havre to Rio de Janeiro; On the 11th in lat. 26. 31. S., long. 28. 23. W., spoke the Elizabeth, of Greenock, from N. g. Wales to London.

The Esther, on the 31st May, in lat. 38. 32. S., long. 30. 21. E., spoke the Mangles, with 310 Convicts on board, for New South Wales. The Sir Edward Paget arrived at Madras on the 4th instant, having left Portsmouth on the 17th March; also left the Catherine at Madras, from Calcutta, and was to sail on the 6th instant.

The Parsee, on the 15th April, in lat. 3. N., long. 19. W., spoke, H. M. Packet Trojan, Lieut. Jennings, from Falmouth 11th March to Rio de Janeiro, on the 7th May, in lat. 24. S., long. 28. W., boarded the Hiber's boat from Cork I think to New South Wales, out with convicts. On the 12th May, in lat. 24. S., long. 20. W., spoke the Heron from Cork with convicts I think to call at the Cape, out 69 days.

REMARKS.

Per Hoogely.—The Berenice Steamer arrived at Mauritius from England and proceeded towards Bombay on the 31st May.

The Hattras arrived at Masulipatam on the 26th June, with Col. Stewart, &c.

Per John Bagshaw.—The Lady Fitzherbert from Calcutta, put into Port Louis leaky, supposed would have to discharge.

Per John Bagshaw.—The Ship Lady Fitzherbert from Calcutta, put into Port Louis leaky, supposed would have to discharge.

By the Ajax.—Not a day S. W. wind in the month of July, and several days calm in the Bay. "I was becalmed at the entrance of the Bay also in the centre, and now I am in a calm at the Sand Heads, Pilot on board." Telegraphic the Barque Zebra, of Guzman, standing down the Bay, came through the 12 degree Channel, in company with the Brig Egbert, from the Mauritius bound to Calcutta.

DEPARTURES OF PASSENGERS.

Per Mary Ann Webb, for Liverpool, Mrs. Dunlop, two Masters Dunlop, Kelsall, Esq., and one European nurse.

Per Abbot, for the Cape.—Mrs. Shuttleworth, Mrs. Campbell and J. B. Munro, Esq.

Per Indiana, for Penang, Malacca and Singapore.—Mr. and Mrs. W. R. Young and Family, C. S.; A. Gillet and N. J. Hudson, Esqs., and Esq. Baboo Mooschunder Ghose, Native Christian.

Per Gunga, for Liverpool.—R. C. Brander, Esq.; Mr. Derusset and Mr. Derusset.

Per Abercrombie Robinson, for Singapore.—Lady Grant; Sir. J. P. Grant; Collic, Esq.; Revd. Mr. Hughes. For China.—Kennedy, Esq.

Per General Kyd, for Penang, Singapore and China.—A. Dobb, Esq., and Lady Lieut. Boucua Lady and Child, Mrs. Foord; Messrs. Dalrymple and Geo. Scott.

The Jellinghee, in tow of the Regna Steamer, left Calcutta with the following Passengers:

For Allahabad.—Misses wrottesley, Miss Foster, H. H. Greenhead, Esq., Lieut. Frere, and Ma. Beadon.

For Benares.—Lieut. Ward and Mr. Bell.

For Bhaugulpore.—R. W. Ramany, Esq.

Per Lyander, for London.—Vis F. H. Brett and Child Mrs. G. Brett; and Ensign G. Brett 41st N. L.

Per Indiana for Penang Malacca and Singapore.—Mr. and Mrs. W. R. Young and Family, C. S.; A. Gillet and N. J. Hudson, Esqs., and Baboo Mooschunder Ghose, Native Christian.

Per Francis Smith, for London.—Mrs. Hill; Miss Hill; A. Fraser and Hugh Scott, Esqrs.; Revd. J. Hibernia; Captain V. Steward; Messrs. A. Peck and Lucolia.

Per Cowanjee Family, for China.—Mrs. E. Brightman; E. Brightman, Wm. Bell, W. T. Livingstone, W. Scott, and John-glier, Esqs.

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DOMESTIC OCCURRENCES.

BIRTHS.

- April, 21 Cape of Good Hope, the lady of A. N. Shaw, Esq., Civil Service, of a daughter.
- May 23 Kurrul, the lady of Captain J. C. C. Gray, 21st Native Infantry, of a daughter.
- May 20 Tutipore Factory, the lady of W. Y. Woodhouse, Esq., of a son.
- 30 Meerut, the lady of Major Garstin, Superintending Engineer, N. W. D., of a son.
- June 2 Boneopooker, Calcutta, the wife of Alexander Anderson, Esq., Architect, of a daughter.
- 6 Delhi, Mrs. M. D. Lawrie, of a daughter.
- 8 Nacowach, the lady of Lieut. W. Nicholls, of a son.
- 10 Simla, the lady of Captain Dyson, 20th Regt. N. I., of a son.
- Rangoon, the lady of Isaiah Manuk, Esq., of a daughter.
- 13 Moolipore, Tirhoot, the Lady of Robert Taylor Esq., of a son and heir.
- 15 Meerut, the Lady of D. H. Crawford, Esq., Civil Service, of a daughter.
- Meerut, the lady of Capt. Osborn, D. A. C. G., of a daughter.
- Mission House, Chitna Poonjee, the wife of the Revd. J. Toulmin, of a son.
- Cawnpore, the lady of Augustus Master, Esq., 7th Light Cavalry, of a son.
- 16 Kurrul, the lady of Major Tronson H. M. 13th Light Infantry, of a daughter.
- Nusserehbad the lady of Lieut. Col. O'Donel, 13th Regt. N. I., of a son.
- Agre, the wife of Mr. J. Goodall, 4th Battalion Artil lery Hospital, of a son.
- 17 Agre, the lady of Capt. W. S. Prole, 37th Regt. Bengal N. I., of a daughter.
- Agre, the lady of Captain Prole, 37th Regiment Native Infantry, of a daughter.
- 18 Delhi, the lady of Captain Fisher, 48th Regiment Native Infantry, of a son.
- 19 Sylhet, the Lady of John Kelso, Esq., of a daughter.
- 20 Cuddapah, the lady of Lieutenant Mc Alby, of a son.
- 21 Mollie, Malabar Coast, the lady of Lieutenant and Adjutant McDonnell, 21st Native Infantry, of a son.
- Sea, the lady of Captain Bond of the 47th Regiment Madras Native Infantry, of a son.
- 22 Bishop's College, Garden Reach, the Lady of the Revd. C. E. Driberg, of a daughter.
- 23 Putechur, the lady of Captain R. Angelo, 31th Regt. N. I., of a son.
- 27 Calcutta, the Lady of Capt. J. D. Nash 33d N. I., of a daughter.
- 28 Garden Reach, the Lady of J. Dougal, Esq., of a daughter.
- Allypore, the lady of U. C. Plowden, Esq., Civil Service, of a son.
- 29 Agre, Mrs. G. B. Hoff, of a daughter.
- 30 Colgong, the lady of W. Hawes, Esq., of a daughter.
- Barrackpore, the lady of Major Penny, Assistant Adjutant General, of a son.
- Bareilly, the lady of James William Muir, Esq., Civil Service, of a son.
- July 2 Jecinwas-pore Factory, Tirhoot, Miss Thomas Shearman, of a daughter.
- 4 Mootary, Tirhoot, the lady of Wm Moran, Esq., of a son.
- Kurrul, the Lady of Dr. Baunatyne Macleod, of a daughter.
- July 5 Calcutta, the lady of W. S. Lambrick, Esq., of a daughter.
- 6 Calcutta, the wife of Mr. C. F. Liebenhals, Tide Waiter, Government Custom House, of a son.
- Calcutta, the wife of Mr. Peter Henry Reed, of the Marine Pay Office, of a son.
- 7 Fort William, the lady of John Ramsay Maule, Esq., Cameronians, of a son.
- Calcutta, Mrs. J. Culloden, of a son.
- 8 Ajmeer, the lady of Lieutenant W. O. Young, Artillery, Deputy Commissioner of Ordnance, of a son.
- Mussoorie, the lady of Lieutenant Colonel Duffin, 2d Light Cavalry, of a daughter.
- 9 Calcutta, Mrs. Rose Barber, of twin daughters.
- 10 Barrackpore, the lady of Lieut. and Brevet Capt. Titton, 41st Regt. N. I., of a son.
- 11 Agre, the wife of Mr. W. Crawford, of the Account's and Office, of a son.
- 12 Calcutta, the wife of Mr. Jas. Keymer, Branch Pilot, H. C. Marine, of a son and heir.
- 13 Cawnpore Factory, the lady of W. C. Breen, Esq., of a son.
- 14 In Bussel Street, Chowringhee, the lady of James Colquhoun, Esq., of a daughter.
- 15 Russell Street, Chowringhee, the lady of James Colquhoun, Esq., of a daughter.
- 16 the wife of Mr. Jas. Watchlow of a daughter.
- Simla, the lady of Captain G. St. P. Lawrence, 2d Light Cavalry, of a son.
- Calcutta, on Saturday, Mrs. Colmer Symes, of a son.
- Calcutta, the lady of Rev. Jas. C. Thompson of a son.
- Chazempoor, the lady of David Ferrer, Esq., of a daughter.
- 16 On the river above Monghyr, the lady of Lieutenant Sandeman, 33d Regiment Native Infantry, of a daughter.
- 17 Azimghur, the lady of A. C. Heyland, Esq., Civil Service.
- Calcutta, Mrs. Castello, junior, of a son.
- Calcutta, Mrs. N. Robertson, of a daughter of a son.
- 17 Fort William, the lady of Col. Battine, Artillery, of a son.
- Barrackpore, the lady of J. Innes, Esq. M. D. of a son.
- 18 Calcutta, at the Honble Company's Dispensary, the wife of Mr. Tanton, chemist, of a son and heir.
- 19 Calcutta, Mrs. C. Owen, of a daughter.
- 19 Calcutta, Mrs. James M. Conell, of a son.
- 20 Chowringhee, the lady of H. A. Raikes, Esq., of the Civil Service, of a son.
- 21 Calcutta, Mrs. M. A. Minors, of a daughter.
- 22 Calcutta, Mrs. John Biss, of a son.

MARRIAGES.

- May, 29 Mooradabad, by the Rev. Mr. Waid, J. Towgood, Lieutenant, 45th Regt., to Amelia Augusta, second daughter of Colonel G. Moore, Commanding 59th Regt.
- June 9 Cawnpore, by the Rev. Mr. Jennings, Mr. Charles Thomson, to Miss Frances Elizabeth Reid.
- 13 Nusserehbad, by the Revd. Wm. Palmer, Mr. Joseph Vandy, a son of A. Vandy, Esq. Deputy Assistant Commissary of Ordnance to Miss Elizabeth Fleming.
- Meerut, the Revd. Father J. McDonald, Mr. Peter Courty, to Miss Justina, daughter of the late Captain John Joseph, of Gwalior.
- 16 Simla, Tirhoot, by the Revd. J. Vaughan, George Drummond, Esq., of Shapore Murcha, to Mary Anne Louisa, second daughter of H. Fitzgerald, Esq.
- 17 Delhi, by the Reverend J. Whiting, Lieut. C. B. P. Aycock, of Engineers, to Charlotte Nell, second daughter of the late H. Lloyd, Esq., and niece of Col. Nell, of the Bengal Army.

GENERAL REGISTER.

- June 19 Calcutta, by the Rev. M. J. Jennings, Charles Madlen Esq. A. B. Civil Assistant Surgeon, Futtehpore, to Elizabeth Mary Anne, eldest daughter of the late Captain R. Benjamin Carter, Royal Navy.
- 22 Calcutta, at the Cathedral, by the Revd H. Fisher Hugh Benson Esq., H. M.'s 19th Regt. to Louisa Augusta, daughter of Miles Atkinson, Esq. Dudworth Grange, Yorkshire.
- 25 Calcutta, Mr. F. Desmieux, Jr. to Miss Catherine Emily R. dd.
- Calcutta, Mr. I. Tate, second officer of the ship *H. roime*, to Miss R. Clemens, relict of the late Mr. P. Clemens
- 27 Deesa, by the Reverend Mr. Pigott, B. A. Lieutenant Henry Lovie, Adjutant 13th Regiment Native Infantry, to Cecilia, youngest daughter of the late Captain H. Haworth, Bengal Cavalry
- 29 Kurnal, by the Revd. P. W. Parish, Lieut. W. E. Baker, of Engineers to Frances Gertrude, third daughter of Major General Dauncan, Commanding the 4th Division
- July 8 Calcutta, by the Revd. Mr. Fisher, Mr. William Stephen Green, to Miss Mary Ellen Birmingham.
- 10 Principal Roman Catholic Church, by the Revd. G. Sumner, Gavin Steven Constable, to Mary O'Brien, eldest daughter of N. O'Brien, Town Sergeant.
- Serampore, by the Revd. C. Wimberville, B. A. F. E. Elberting, Esq. to Miss Harriet Anna Fellerup
- 11 Calcutta, at the Old Mission Church, by the Reverend Mr. Hammond, Samuel John Ballin, Esq., Professor of Music, of London, to Mrs. Anna Maria Sines.
- 11 Benares, St. Mary's Church, by the Revd. H. Pratt, J. Waterhouse Esq., 38th Native Infantry, to Helen E. Blair, daughter of the late General Sir Robert Blair, &c. &c.
- 12 Calcutta, at the Cathedral by the Revd. T. Robinson, Mr. Thomas Jenkins, to Miss Eliza Newman.
- 13 Calcutta, at the Cathedral, by the Revd. T. Robertson, Mr. Robert July Bahman, to Miss Caroline King.
- 14 Folly-hill, by the Reverend R. Ewing, Quarter Master Sergeant G. W. Shaw, 20th Regiment Native Infantry to Miss S. Mountstevens.
- 17 Calcutta, at the Cathedral, by the Rev. H. Fisher, Mr. W. E. Williams, to Miss E. Robinson.
- 26 Calcutta, at the Principal Roman Catholic Church, by the Revd. Fr. Antonide Santa Maria, J. S. DePaon Esq., to Sarah Virginia, only daughter of the late Captain Nathaniel Allen.
- DEATHS.**
- Feb 27 Lemington, Jane, youngest daughter of the late William Erskine, Lord Kinross, one of the Judges of the Supreme Court in Scotland.
- March 13 Amidangrah, Lewis Rodrigues, third son of the late Mr. Nicholas Rodrigues, aged 21 years, 8 months and 10 days; deeply regretted by his parents
- April 7 In Egypt, on her way to England, suddenly the Lady of John Fullerton, Esq., formerly of Calcutta.
- May 13 Sea, the Lady of Captain J. Ross, of the 15th Regiment Native Infantry.
- 27 Khatagerry, Neilgherry Hills, Cuthbert Greenhill, the youngest son of H. H. Glass, Esq., of the Civil Service, aged 14 months.
- June 12 Mrs. E. T. M. Campbell, wife of Sergeant Major J. Campbell, Assam Light Infantry, aged 32 years, 2 months and 2 days leaving a disconsolate husband and five children to lament her irreparable loss.
- 16 Jungpore, on board the Steam Vessel, John Blackmore Dorrett, Esq., of Kent, late Merchant and Agent at Bareilly, aged 39 years, 4 months and 14 days.
- 17 Patna, of Cholera, Matilda Frances, youngest daughter, of the late Mr. John Bell, of Calcutta, aged 7 years, 1 month and 8 days.
- 17 Calcutta, Mary, the beloved wife of Mr. G. H. Huttman, and only daughter, of the late Willis, Esq., Taunton, Somersetshire.
- 18 Midnapore, the infant daughter of Lieut. A. Q. Hopper, 24th Regt. N. I., aged 9 months and 10 days.
- June 18 Dinapore, Nicholas Cradock, Esq. aged 10 years
- Lieutenant Warren, Interpreter and Quarter Master 10th Regt. N. I.
- Second-in-hand, of Cholera, Amelia, the wife of Sub Conductor P. Potter
- 20 Near Muttra, Mr. George Potter, aged 18 years.
- Purneah, Mr. W. H. Lewis
- Madras, Bridget, the beloved wife of Mr. Joseph Wallick aged 24 years—sincerely and deservedly regretted by all her relatives and friends, leaving behind her a disconsolate husband and four children to bewail her irreparable loss.
- Cuddapah, the infant son of Lieut. McCally.
- 21 Delhi, Caroline Alice, third daughter of Captain Fisher, 4th Regiment Native Infantry, aged nearly 4 years.
- 23 Calcutta, Mrs. Sarah Power, aged 72 years.
- Delhi, Emily Maria, the beloved wife of Captain Fisher, 4th Regiment Native Infantry, aged 31 years and 6 months
- 21 Bareilly, Major A. Farquharson, of the Invalid Establishment
- Calcutta, Master Thomas Edward Lowder, son of Mr. Thomas Towder, Engineer, aged 3 years, 1 month and 26 days.
- Calcutta, Master George Francis Dover, the son of Mr. F. Dover, aged 9 months and 20 days
- Calcutta, Mr. Charles Goldsmith, Tailorwaiter at the Government Customs, aged 10 years.
- 25 Calcutta, Henry Gillespie, the son of Mr. W. Skinner, of the Opium Board, aged 1 year, 11 months, and 4 days.
- 28 Saigon, Lieut. Gifford, of the 1st Regiment N. I.
- Chiprah, the lady of G. Homer Esq., deeply lamented by her disconsolate husband and large family.
- 29 Entally, Miss Emma Henry, daughter of J. Henry, Esq., aged 26 years, 5 months and 26 days.
- 30 Calcutta, Ellen Charlotte Watson, daughter of the late Esq. J. J. McClary Moreau, of the 6th Regt. N. I. aged 1 month and 25 days.
- July 1 Allyghur, the lady of A. U. C. Plowden, Esq., Civil Service.
- 2 Chittagong, of bilious fever, Mr. Henry Gathlod, aged 19 years.
- 2 Calcutta, at the residence of Mr. T. G. Mitchell, Mr. P. H. Nash, aged 29 years.
- 3 Serampore, Mr. J. Trechby, of Calcutta, Portrait Painter
- 4 Calcutta, Edward Cameron the youngest son of Mr. Charles Gardener, of the Revenue Board office, aged 3 months.
- 4 Mootary, Tirhoot, the infant son of Wm. Moran, Esq.
- Chinsurah, of Cholera, Assistant Surgeon Matthew Collins His Majesty's 9th Regiment aged 27 years.
- 5 Allipore, Mr. W. R. Laws, son of Sergeant Major M. Laws, Calcutta Native Militia, aged 15 years and 6 months.
- 5 Simla, on the Major John Elliott, Captain in H. M. 4th Light Dragoons, and Assistant Adjutant General King's Troops.
- 7 Calcutta, Mr. Andrew Goldsmith, Printer, aged 26 years 3 months and 14 days.
- 7 Second-in-hand, Second Lieutenant George Hutton, of the Artillery.
- 9 Chittagong, the lady of Lieut. Colonel Samuel Watson, 25th Regt.
- 10 Calcutta, Mrs. Anrona Dias, relict of the late Mr. A. Dias, of the Board of Trade, aged 48 years.
- 12 Barrackpore, Mrs. Mary Grant, wife of Major Grant, 39th Regt. N. I. A lady remarkable for her generous cheerful hospitality her kindest of heart and steadiness of friendship. Her zeal in the service of her friends was unwearied, and the sympathy of sorrowing numbers bears testimony to the extent of her kindness.

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- 13 Benares, David Renton, Esq., Superintending Surgeon, Benares Division.
- 13 Calcutta, Mary Louise, the second daughter of Mr. J. J. Flourey, Book-seller aged 9 years and 10th months.
- Serampore, Mr. M. T. Hamilton, aged 27 years and 2 days.
- July 15 H. Zaresbaugh, Charles Cumberlege Allen, the infant son of the Reverend T. E. Allen, aged 11 months.
- Calcutta, Master Henry Engle Lorimer, son of Mr. J. A. Lorimer, Head Teacher, Parental Academic Institution, aged 1 year and 4 months.
- 16 Serampore, Mr. W. Davis, of the Custom House, Calcutta, aged 38 years and 9 months.
- 20 Calcutta, John St. Ledger, the infant son of Mr. Lewis Teyen, aged 13 months and 1 day.
- 23 Barrackpore, Henry Daniell, beloved child of the Revd. C. Wimborley, age 13 months and 25 days.
- 23 Entally, Septimus Popham, the infant son of Mr. G. A. Popham, aged 4 months and 3 days.
- 19 Calcutta, the Thomas Symington, the infant son of Mr. James M. Conell.
- 27 Europe, 1836, of Apoplexy Mr. Marshall Hayes, Assistant Apothecary Bengal Subordinate Medical Establishment.
- Europe — John Tytler, Esq., of the Bengal Medical Establishment, aged 46 years.

ADMINISTRATIONS TO ESTATES.

Anwer, Begam,	Registrar Supreme Court.
Colledge, Isaac, Junior	Registrar Supreme Court.
Detroit, J. B.	T. Palmer.
Foley, William, Capt. 10th N. I.	Registrar Supreme Court.
Grant, Chas. Stuart, M. D. Asst. Surg.	Anno Evelyn Grant.
Guinard, P. Widow	Registrar Supreme Court.
Hare, M., Late Head Master, ..	Registrar Supreme Court.
Irvine, J. Merchant	O. G. Murdock.
Jacob, O. O.	H. H. Jacob.
Kenned, A. II, Ensign 1st N. 9.	Registrar Supreme Court.
Long, Richard, Lieutenant	Samuel Long.
Portner, Melchor	Registrar Supreme Court.
Earle, Henry, Ensign 38th N. I.	Registrar Supreme Court.
Roopial Mullick	Sreemuttee Dooiganonee.
Shore, Hon. Frederick John,	Hon. Charlotte Mary John.
Stewart, T. D. Lieut.-col. Regt. of L. C.	Registrar Supreme Court.
Treoby, J.	Ditto ditto.
Trower, W. Senior Merchant	Registrar Supreme Court.
Wickens, Harriet	John Saunders.
Wright, Alexander	Registrar Supreme Court.

GENERAL REGISTER.

CIVIL APPOINTMENTS &c.

ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

FORT WILLIAM, GENERAL DEPARTMENT, 2d AUGUST, 1837.

Mr. George Todd, of the Civil Service, embarked for the Cape of Good Hope on board the Ship *Abberdon*, which vessel was left by the Pilot at Sea on the 22d ultimo.

Sir Charles D'Oyly, Bart., Senior Member of the Board of Customs, Salt and Opium, and of the Marine Board, has obtained leave of absence for a period of one month from this date.

Mr. H. R. Alexander is appointed to officiate as Deputy Secretary to the Board of Customs, Salt and Opium, and Superintendent of Stamps, vice Mr. L. Magniac.

Mr. A. C. Barwell received Charge of the Offices of Salt Agent and Superintendent of Tumlook, Salt Chokies from Mr. H. S. Lane on the 29th ultimo.

Mr. D. Canliffe having exceeded the period within which, under the Orders of the Honourable the Court of Directors, he ought to have qualified himself for the public Service by proficiency in the Native languages, has been ordered to return to England.

9TH AUGUST, 1837.

Mr. H. Barradale, Member of the Customs and Post Office Committee, has obtained leave of absence for a period of one month, from the 10th instant.

Mr. William Wilberforce Bird reported his return to this Presidency from England on the 8th instant.

The Right Hon'ble the Governor of Bengal is pleased to grant Mr. S. Garling, Resident Counsellor at Malacca, leave of absence for six months, from October next to proceed to Calcutta, for the recovery of his health.

16TH AUGUST 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for August, instant, will be discharged by the Sub-Treasurer and Marine Paymaster respectively, on or after Friday, the 15th proximo.

The Right Hon'ble the Governor General of India in Council is pleased to attach to the North Western Provinces Mr. F. B. Gubbins, writer, reported qualified for the public service.

Mr. F. B. Gubbins, Writer, is reported qualified for the public service by proficiency in two of the Native languages.

23d AUGUST 1837.

The Right Hon'ble the Governor General of India in Council is pleased to attach to the Bengal Presidency, Mr. C. T. Sealey Writer, reported qualified for the public service.

Mr. C. T. Sealey, Writer, is reported qualified for the public service by proficiency in two of the Native languages.

Mr. James Donnanthorne, Collector of the 24 Pargannas reported his return from Sea on the 8th instant.

FORT WILLIAM JUDICIAL AND REVENUE DEPART. 31ST JULY, 1837.

The Right Honorable the Governor of Bengal is pleased to direct, that the following Resolution, passed by the Governor General of India in Council, be published for general information:

Government of India, Judicial, 17th July, 1837.

Resolution.—The Right Honorable the Governor General of

India in Council is pleased to resolve, in confirmation of the Resolutions of the 12th October and 21st December 1836, to modify the Rules for leave of absence by General Orders in the General Department dated 18th December 1836, that all Civil Functionaries stationed in the District of Rungpore, be allowed the indulgence accorded to the Civil Servants employed in the Behar Province and in the Districts specified, by the Resolutions in this Department of the dates quoted.

31ST JULY, 1837.

The Right Hon'ble the Governor General of India in Council has been pleased to appoint Mr. H. W. Torrens to officiate as Deputy Secretary to the Government of India in the Judicial and Revenue Department.

27TH JULY 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. R. M. Skinner to be Joint Magistrate and Deputy Collector of Moorshedabad, retaining charge of the Magistracy of Beerbhoom, until further orders.

THE 1ST AUGUST, 1837.

Mr. Assistant Surgeon O. Rae to perform the Medical duties of the Civil Station of Beerbhoom, vice Mr. Assistant Surgeon F. Furnell.

The following Officers have obtained leave of absence from their Stations:

Mr. Charles Grant, Magistrate of Hooghly, for six months, on Medical Certificate, in extension of the leave granted to him on the 23d February 1836.

Mr. Assistant Surgeon A. Wilson, attached to the Civil Station of Rajeshahy, for fifteen days, on private affairs.

5TH AUGUST 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Lieutenant John Richard Abbott, 12th Regiment Native Infantry, to do duty with the Arrakan Local Battalion.

Mr. Assistant Surgeon H. Frooth to perform the Medical duties of the Civil Station of Nowgong, in Assam.

6TH AUGUST, 1837.

The following Officers have obtained leave of absence from their Stations:

Mr. D. J. Money, Joint Magistrate and Deputy Collector of Bancaora, permitted to proceed to the Presidency, on Medical Certificate. Mr. H. C. Halkett will officiate in the above capacities during the absence of Mr. Money.

Lieutenant A. C. Rainey, Junior Assistant to the Commissioner of Arrakan, to proceed to the presidency, on Medical Certificate.

The remaining portion of the leave of absence granted to Mr. R. B. W. Ramsay, Assistant under the Commissioner of the 12th or Bhugulpore Division, on the 27th June last, has been cancelled from the 25th ultimo, the date on which he joined his Station.

12TH AUGUST, 1837.

The following Officer has obtained leave of absence from his Station:

Mr. C. W. Britzake, Senior Commissioner of the Court of Requests permitted to be absent from the Presidency for the period of eight months, on Medical Certificate, to take effect from the date of his relinquishing charge of his office.

13TH AUGUST, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. W. T. Trotter to be Magistrate of the District of Tirhoot.

Mr. F. E. Road to officiate, until further orders, as Magistrate and Collector of Faranah, vice Mr. Trotter.

GENERAL REGISTER.

Mr J Stanforth to officiate, until further orders, as Special Deputy Collector for the investigation of Titles, to which he had been appointed from the Payment of Revenue, in Zillah Rajshahi, Dinaghpore and Rungpore, and the Deputy Collectors of Bogra and Pabna, in the room of Mr Good.

Mr W W Rids is appointed a Special Commissioner under Regulation XVII of 1813, for the investigation of the charges brought against Mr C R. Martin, Civil and Session Judge of Hooghly.

22d AUGUST, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointment

Lieutenant J R. Lumden, of the 53d Regiment Native Infantry, to be a Junior Assistant to the Commissioner of Arracan the appointment to take effect from the 19th May last, vice Mr W S. Barnard deceased.

The following Officers have obtained leave of absence from their Stations.

Mr C H. Lushington Assistant to the Magistrate and Collector of Baran, from the 29th instant to the 29th proximo, on private affairs in extension of the leave granted to him by the Commissioner of the 14th or Panna Division.

Mr A R. Young Assistant under the Commissioner of Revenue and District of the 12th or Bhargulpore Division to remain at the Presidency for a period of ten days, on account of his health.

Moulavee Futeh Ulee Khan principal Sudder Ameen, Moulavee Naramat Ulee Khan, Additional Principal Sudder Ameen, and Moulavee Ashraf Hossain Sudder Ameen, in Zillah Behar, during the approaching Dussah vacation.

The leave of absence granted to Mr R P. Nisbet, Civil and Session Judge of Nuddea for two days, on Medical Certificate, on the 28th ultimo, is cancelled at his request.

PORT WILLIAM, LEGISLATIVE DEPARTMENT, 31ST JULY, 1837

The following Draft of a proposed Act was read in Council for the first time on the 31st July 1837.

ACT No. — of 1837.

I It is hereby enacted that it shall be competent for the Governor of the Presidency of Fort William in Bengal, and for the Lieutenant-Governor of the North Western Provinces, respectively, to appoint a Superintendent of Police in the Lower and Western Provinces.

II And it is hereby enacted, that whenever a Superintendent of Police may be appointed under this Act, Section 7 Regulation I, 1829 of the Bengal Code, shall cease to have effect in the Territories which may be comprised within the jurisdiction of such Superintendent—and such Superintendent shall be guided in the execution of the duties of his office by the Rules contained in Regulation X 1806 and other Regulations of the Bengal Code subsequently enacted, in regard to the same Office.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India, after the 15th day of September next.

Resolution.—The Governor General in Council having again taken into consideration the several Provisions contained in the Draft of Act promulgated for general information on the 13th of March last, (published in the *Oakutta Gazette* of the 18th of the same month,) and having maturely weighed the several objections urged against the proposed enactment, is of opinion that these objections are not of a nature to counterbalance the advantages which will thereby be attained in the more speedy adjudication of Civil claims and in the relief of the European Judges from functions which interfere with their primary duty of effectually superintending and controlling the general judicial administration. His Majesty in Council is unable to discern any good reason for increasing the highest grade of Native Judges, who are already about to try Suits to the extent of 5000 Rupees, from trying cases involving a larger amount,—and, in a similar spirit of consideration for their efficiency, he deems it proper not to maintain the rule which precludes the Native Judges from adjudicating claims in which the Government or its Officers may be a party. His Majesty in Council is, however, satisfied, from the discussions hereinafter on the subject, that it is expedient to provide

for a direct appeal to the Court of Sudder Dewanny Adawlut from the decisions of the highest grade of Native Judges in Suits in which from the amount at issue, these Officers have not heretofore been competent to exercise jurisdiction.

2 The Governor General in Council is, at the same time, fully sensible of the justice and expediency of duly augmenting the allowances of the Native Judges when the public finances will permit, and thereby adding to the securities already existing for the faithful administration of justice. He has learned that, in the opinion of the best authorities, those allowances, as regards a provision for the ministerial establishments of the Native Judges are generally inadequate and that they are, in some cases, fixed on a scale so low as urgently to require revision. Some improvement in the personal allowances and position of the highest and of the lowest grade of the Native Judges, is also found to be an object of high importance,—there not being at present to the former class, the prospect of further honorable promotion, and the number of the latter being so great as in frequent cases, to deny the most meritorious Servants from any but a very distant and uncertain chance of Advancement. For the intermediate class of Native Judges, or the Sudder Ameens who are greatly less numerous than the Mooniffs adequate means of reward are presented in the existing rules and practice respecting their promotion to the office of Principal Sudder Ameen, a promotion which will be much more valuable under the modification in the pay of that office now about to be introduced. Upon these grounds His Lordship in Council has resolved to increase the allowances of the Native Judges by adding 200 Rupees per mensem to the Personal Salaries of one forth, to be selected as a Superior class according to merits and service, of the principal Sudder Ameens and 50 Rupees to the Personal Salaries of one forth to be similarly selected, of the Mooniffs as well as to increase the allowances already received for the maintenance of Establishments by the Principal Sudder Ameens, Sudder Ameens, and Mooniffs, by adding 50 Rupees per mensem to the allowances at present granted on that account to the entire first class of Officers and 20 Rupees per mensem to that received on the same account by all of the two last named classes of Officers. By this measure a large immediate increase of expenditure will be occasioned. But having in view the essential object of promoting the efficient and satisfactory administration of justice,—considering also the present less unfavorable condition and prospects of the Indian Finances, and the propriety of applying with prudence and caution, to purposes of promoting public improvement the growing resources from an enhancement in the Bengal Land Revenues and other sources—and looking also to the early equivalent reduction from measures now in progress in the Judicial Department of the Bengal Presidency His Lordship in Council is prepared to sanction this addition to the Public Expenditure. The opportunity of promulgating the subject Draft of Rules of expediting and improving the administration of Civil Justice has also been taken to introduce certain subsidiary Rules for regulating the costs of suit and form of Appeal in certain cases, as well as, in connection with the main object of the Draft and of the Resolution now promulgated, for more effectually securing the independence and respectability of the Ministerial Officers of the Native Judge Establishments by rendering the appointment and removal of those Officers subject to the confirmation of the European Judges.

The following Draft of a proposed Act was accordingly read in Council on the 31st instant,

ACT No — of 1837

I It is hereby enacted in pursuance of Sec. XVIII Reg V 1831 of the Bengal Code that from the day of no Zillah or City Judge within the Territories subject to the Presidency of Fort William in Bengal, shall be permitted by reason of the amount or value of the property for the recovery of which a suit is instituted, from referring that suit to any Principal Sudder Ameen.

II And it is hereby enacted that in all Suits which shall, under the authority of this Act, be referred to a Principal Sudder Ameen, the Appeal from the decision of such Principal Sudder Ameen shall be direct to the Court of Sudder Dewanny Adawlut, and shall be conducted in all respects according to the same Rules as if it were an Appeal from the decision of a Zillah Judge to the said Court of Sudder Dewanny Adawlut.

III And it is hereby enacted that so much of Clause Second, Sec XXI Reg VII 1823 and Sec XIX Reg VII 1831, of the Bengal Code, as declares that Suits of the description therein referred to, shall not be cognizable by, or referable to, any Sudder Ameen or Mooniff, be repealed.

IV And it is hereby enacted, that it shall be competent to a Zillah or City Judge to refer for trial and decision any Suit preferred under the Provisions of Clause First, Sec XXX Reg II 1818, of the Bengal Code, to any Principal Sudder Ameen any thing in the existing Regulations to the contrary notwithstanding.

V And it is hereby enacted, that whenever a Zillah or City Judge, in the exercise of the discretion vested in him by Sec VII Reg V 1831, of the Bengal Code, shall refer for trial to a Sudder Ameen or Principal Sudder Ameen, a Suit within the competency

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of a Moonsiff to decide, such Suit shall be subject to the same rules in regard to Stamp Duties, and to the same rules as regard to Appeal as the said Suit would have been subjected to had it been received and tried by the Moonsiff in the first instance.

VI. Provided, however, that when any such Suit shall have been decided by a Principal Sudder Ameen the Appeal from such decision shall lie to the Zillah or City Judge, and shall be tried by him only, and that the decision of the Zillah or City Judge on such appeal, shall be final, any thing in the existing Regulations to the contrary notwithstanding.

VII. And it is hereby enacted that whenever a Zillah or City Judge shall refer for trial to a Principal Sudder Ameen a Suit within the competency of a Sudder Ameen to decide, such Suit shall be subject to the same rules in regard to Stamp duties, and to the same rules in regard to Appeal as the said Suit would have been subjected to had it been referred to, and tried by, the Sudder Ameen in the first instance.

VIII. And it is hereby enacted that Clause First Sec XXV Reg V 1831, of the Bengal Code, be repealed.

IX. And it is hereby enacted, that the rule contained in the Second Clause of the aforesaid Section, be extended to the Ministerial Officers of the Moonsiff's Courts.

X. And it is hereby enacted, that all Officers of the Courts of the Moonsiffs, Sudder Amins, and Principal Sudder Amins, whose salaries shall exceed 10 Rupees per mensem, shall be held to be Ministerial Officers and that such Officers shall be nominated and appointed by those Courts respectively subject to the approval and confirmation of the Zillah and City Judges within whose jurisdictions the said Courts may be situated, and that no Ministerial Officer of the said Courts shall be removed without the sanction of the said Zillah and City Judges.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 12th day of September next.

31st JULY 1837.

The following Draft of a proposed Act published for general information in the Official Gazette of the 17th of May last, was read and reconsidered under this date.

ACT No — of 1837

I. It is hereby enacted that from the day of in every case in which any person is now required by any Regulation of any presidency or by any Act of the Indian Government to make Oath to the truth of any Statement made to any Collector of Sea or Land Customs, or of Town Duties, a written declaration subscribed by that person to the same effect with the Oath which that person is now required to make shall, be received by such Collector of Customs instead of such Oath.

II. And it is hereby enacted that whoever in any written declaration made and subscribed under the authority of this Act instead of an Oath, shall knowingly state an untruth, shall be punished on conviction before a Magistrate with imprisonment for a term not exceeding one year, or fine, or both.

RESOLUTION.

It appears to His Lordship in Council that the principle on which the Draft now under consideration has been framed, may with advantage be carried much farther.

3. The Draft under consideration provides only for cases in which the law now requires Oaths to be taken before a Collector of Customs or of Town Duties. These are, however, by no means the only cases in which useless Oaths are imposed and it appears to be indisputable that an Oath which is useless must be worse than useless. The Regulations of all the Presidencies now enjoin the taking of Oaths on many occasions, which are not so important as to justify the employment of a sanction, the efficacy of which, as experience has amply proved, is likely to be in proportion to its rarity.

3. In cases therefore in which the existing Regulations require the taking of Oaths, His Lordship in Council is inclined, with one important reservation, to grant to the Governments of the three Presidencies and to the Lieutenant Governor of the N. W. Provinces the power of dispensing with those Oaths, and of requiring in their stead written declarations.

4. This dispensing power will not extend to oaths which the law now requires to be taken in any stage of any judicial proceeding.

5. His Lordship in Council is perfectly satisfied that the high functionaries to whom he proposes to confide the power of dispensing with oaths, will exercise that power in conformity with the intentions of the Legislature. In every part of India the judicial administration, the local administration and the Police are so intermingled with each other, that it is not always easy to distinguish between them. Many proceedings which in their essential character are judicial, are not judicial in form, and it is evident that the propriety of taking evidence on oath must depend, not on the form, but on the essential character of the proceeding. His Lordship in Council has no doubt that the law which is now published will, if it shall be finally enacted, be executed in the same spirit in which it has been framed, and that the Governments of the three Presidencies and the Lieutenant Governor of the N. W. Provinces will be particularly careful not to dispense with any oath which the law now imposes in any stage of any proceeding which is in substance judicial.

6. In conformity with these views the following draft of an Act has been prepared, and is herewith published for general information.

• ACT No — OF 1837.

I. It is hereby enacted, that from the day of it shall be lawful for the Governor in Council of any Presidency of which there is a Council, and for the Governor of any Presidency of which there is no Council, to dispense with any oath which by any Regulation of that Presidency or by any Act of the Governor General of India in Council is now required to be taken, and that it shall be lawful for the Lieutenant Governor of the N. W. Provinces to dispense with any Oath which by any Regulation or any Act of the Governor General of India in Council now in force within those Provinces is now required to be taken.

II. Provided always, that the dispensing power given by this Act shall not extend to any oath now required by law to be taken in any stage of any judicial proceeding.

III. And it is hereby enacted, that whenever any Oath is dispensed with under the authority given by this Act, the person who but for such dispensation would have been legally required to take such Oath shall, in the presence of the functionary by whom but for such dispensation such Oath would have been administered, make and subscribe a declaration in writing to the same effect with such Oath.

IV. And it is hereby enacted, that whenever shall, in any declaration made and subscribed according to the provisions of this Act, knowingly state any untruth such that if that untruth had been stated on oath, the person stating it would have been guilty of Perjury, shall be punished with imprisonment for a term not exceeding one year, or fine, or both.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India, after the 19th day of September next.

The following Draft of a proposed Act was read in Council for the first time on the 31st July, 1837.

ACT No — of 1837.

1. It is hereby enacted, that from the day of neither the Criminal Judge nor the Magistrate of the Zillah of Chingleput shall have any jurisdiction in respect of offences committed within the Collectorate of Madras against any Regulation relating to the public revenue.

2. And it is hereby enacted, that the whole jurisdiction now belonging to the said Criminal Judge and also the whole jurisdiction now belonging to the said Magistrate in respect of such offences, shall from the day of belong to the Superintendent of Police of the Town of Madras, and to every one of the Deputies of the said Superintendent, and shall be exercised by the said Superintendent and by every one of the said Deputies, according to the rules by which the said Criminal Judge and the said Magistrate are now bound to exercise the same.

3. Provided always, that in the exercise of this jurisdiction the said Superintendent of Police and the said Deputies shall not be subject to the orders of the Court of Circuit for the Central Division of the Madras Territories, nor be bound by any rule in the Madras Code of Regulations to furnish any Calendar, List, or Report to that Court, but shall be immediately subject to the orders of the Court of Fouldary Adawlut, and shall furnish to the Court of Fouldary Adawlut such Lists or Calendars or Charges preferred before them, or of persons sentenced to punishment by them, as the said Court of Fouldary Adawlut may direct.

4. Provided also, that it shall be lawful for the said Superintendent and every one of the said Deputies in cases in which the said Criminal Judge or the said Magistrate would now have been empowered to commit any person to the Jail of Chingleput, to commit such person to any Jail within the Collectorate of Madras.

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Provided also that the provisions of Clause 14h of Section VIII of Regulation XV. of 1833, in the Madras Code, shall be applicable to all Convicts on whom sentence of imprisonment shall have been passed by the said Superintendent of Police, or by any of the said Deputies in the exercise of the jurisdiction transferred to them by this Act

Ordered, that the Draft now read, be published for general information

Ordered, that the said Draft be re considered at the first meeting of the Legislative Council of India after the 19th day of September next.

7TH AUGUST, 1837

The following Act passed by the Right Honble the Governor General of India in Council on the 7th August 1837, is hereby promulgated for general information

ACT No. XVIII of 1837

It is hereby enacted, that any person charged with murder by Thuggee, or with the Offence of having belonged to a gang of Thugs, made punishable by Act No. XXX. of 1836, may be committed by any Magistrate or Joint Magistrate within the Territories of the East India Company, for trial before any Criminal Court competent to try such person on such charge

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 7th August 1837, is hereby promulgated for general information

ACT No XIX of 1837

It is hereby enacted that no person shall, by reason of any conviction for any offence whatever, be incompetent to be a witness in any stage of any cause, Civil or Criminal before any Court in the Territories of the East India Company

16TH AUGUST, 1837.

The following Draft of a proposed Act was read in Council for the first time on the 14th August 1837

ACT No.—of 1837.

It is hereby enacted, that it shall be competent to the Governor in Council of Port St. George, by an order in Council, to invest Principal Sudder Amooons at Stations where Jail Deliveries are held, with the same powers of commitment in cases of Perjury as are exercised by the Criminal Judges under Sec 111 Reg VIII of 1837, of the Madras Code

Ordered, that the Draft now read be published for general information

Ordered, that the said Draft be re considered at the first meeting of the Legislative Council of India, after the 30th day of September next

OPIMUM.—The following Rules and Conditions under which ad justments will be made with Shippers of Opium purchased at the January, February, March and June Sales of 1837 are published for the information of parties concerned

1.—Shippers to China of Opium, purchased at the Sales of January, February and March, 1837, if the ship left this Port before the 1st August last, will a cove at the rate of 140 Company's Rupees per Chest

2.—Upon Opium of the June Sale, shipped in vessels which left this Port before the 1st August, nothing will be paid.

3d.—Upon Opium of the Sales of January, February and March, 1837, shipped from this Port to any Port of the Straights, or East-ern Archipelago, before the 1st May last, nothing will now be paid, if it shall be hereafter proved by the production of Bills and other evidence to the satisfaction of the Board of Customs, Salt and Opium that any part of the Opium has been shipped from Singapore, Malacca, or Penang to China, before the 1st June, 1837, then the Shippers thereof at such Port will receive the same amount per Chest, as all other Shippers of Opium of the said Sales to China, viz. at the rate of 140 Rupees per Chest

4.—Shippers of Opium of the Sales of January, February and March, 1837, to the Settlements in the Straights, or Vessels which leave this Port after the 1st May last and before the 1st August last, will receive the same amount per Chest as Shippers to China, viz 140 Rupees on each Chest of the said first three Sales of the year 1837, but no payment will be made upon Opium of the June Sale as already provided in the 2d of these Conditions

5.—Payment of the amount per Chest as above allotted, will in each instance be made by the Board of Customs, Salt and Opium to the actual Shipper from this Port, or from Singapore, Penang or Malacca, as the case may be.

6.—The Board of Customs on being satisfied as to the actual Shipper of any Lots of Chests, will grant to him an Order on the General Treasury for the amount payable under these Rules taking a receipt specifying that the Party receives the amount on behalf of all Parties concerned, or interested in the said Lots or chests. The Order of the Board on the General Treasury may at the option of the holder be cashed, or paid in satisfaction of any demand of Government.

IT IS FURTHER NOTIFIED.

7.—That the Public Sale price per Chest of all Opium purchased at the Sales of 1837, which was cleared, or left this Port after the 31st July last, will be adjusted with the following Abate ments

On Opium of the January, February and March Sales, 800 Rupees per Chest will be remitted from the price of such Chest

On Opium of the June Sale, 160 Rupees per Chest will be remitted from the price of such Chest

8.—On all Opium paid for but not shipped between the 31st July and the 26th Instant, the amount allowed in Abatement as above will be refunded to the Party producing in this Office the Pass or Order upon the Opium Godown keeper for the delivery of such Opium, and prior to its being returned to such Party the re adjustment of the price, and the amount refunded will be notified on the pass

9.—On all Opium paid for and shipped between the 31st July and the 26th Instant, the amount allowed in Abatement will be refunded to the Shipper and a receipt taken as in the 6th Condition

10.—On Opium neither shipped or cleared before the 26th Instant the amount allowed in Abatement will be remitted from the price at the time of payment being made in full, and orders for the delivery of the Opium being taken from this Office

IT IS FURTHER NOTIFIED

11.—That the Opium of the Sale of February 1837, remaining unpaid for on the 1st September next will be re sold on account of Government on the following day, the Deposits being previously forfeited.

12.—That the Opium of the Sale of March, 1837, remaining unpaid for on the 14th October next, will be re sold on account of Government, on Monday, the 10th October. The Deposits being previously forfeited

13.—That the Opium of the Sale of June, 1837 remaining unpaid for on the 30th November next, will be sold on the 1st December. The Deposits being previously forfeited.

By Order of the Board of Customs, Salt and Opium, the 28th August, 1837

Cal, Cour] S G PALMER, Acting Secretary

POLITICAL DEPARTMENT, FORT WILLIAM 31ST JULY 1837.

The Right Honorable the Governor General of India in Council has been pleased to appoint Mr H W. Torrens to Office as Deputy Secretary to the Governments of India and Bengal, in the Secret and Political Department

7TH AUGUST, 1837.

Captain R B Pemberton, of the 44th Regiment Native Infantry, now on special duty at the Presidency, has been appointed to proceed on a Mission to Bostan and eventually to Tibet

Assistant Surgeon W Griffith, of the Establishment of Fort Saint George, is appointed to proceed in Medical Charge of the Mission.

Ensign Blake, of the 56th Regiment Native Infantry, to Command the Escort of the Mission.

MILITARY DEPARTMENT 16TH AUGUST, 1837

Notice is hereby given, that the Pay, Batta, and other Allowances for August 1837, of the Troops at the Presidency, and at

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the other Stations of the army, will be issued on or after Saturday, the 9th proximo.

PORT WILLIAM, FINANCIAL DEPARTMENT, THE 26th AUGUST, 1837.

Notice is hereby given, that the Accountants General of the Presidencies of Fort St. George and Bombay are authorized to receive Notes of the 5 per Cent. Loan of the 31st March 1823, ordered for payment on the 10th instant, in transfer to the 4 per Cent. Loan now open, receiving or paying the fractional difference between the amount of Stock represented in Sicca Rupers, and the sum of Company's Rupers in even hundreds, at the exchange of 15 Sicca for 16 Company's Rupers.

ECCLIASTICAL—THE 16th AUGUST, 1837.

The Right Hon'ble the Governor of Bengal is pleased to grant to the Revd J. Bell, District Chaplain at Mhow, an extension of the leave granted to him on the 1st April last, from the 10th October to the 31st December next.

GENERAL DEPARTMENT, AGRA, 25th JULY, 1837.

APPOINTMENT.—Assistant Surgeon John Thomas Pearson to perform the Medical duties of the Civil Station of Jaunpore.

12th AUGUST, 1837.

Mr. James Leach, Deputy Collector of Farruckabad, is permitted to proceed to Europe on furlough, during the ensuing cold season.

JUDICIAL AND REVENUE DEPARTMENT, AGRA, THE 11th JULY, 1837.

The following Officers have obtained leave of absence

Mr. C. G. Maudslayi, Magistrate and Collector of Agra, for two months, on Medical Certificate, in extension of the former leave granted by the Officiating Commissioner of the Agra Division.

Mr. H. S. Ravenshaw, Assistant in the Meerut Division, exercising the powers of Joint Magistrate and Deputy Collector under the Magistrate and Collector of Puncnut, for one month, on Medical Certificate, in extension of the leave granted by the Commissioner of the Delhi Division on the 14th April last.

Mr. Cumming, Magistrate and Collector of Mynpoore, for six months, on Medical Certificate, in extension of the leave to the Cape, for eighteen months, granted by the Government of Bengal under date the 22d March, 1836.

12th JULY, 1837.

Mr. W. E. Money, Deputy Collector of Customs at Suharanpore, to exercise the powers of Joint Magistrate and Deputy Collector in the District, until further orders.

Shahk Mahomed Hossain and Mahomed Melchady Ali Khan to be Deputy Collectors under the Provisions of Regulation IX. of 1833, in the District of Miranpore.

18th JULY, 1837.

Salamut Alee, Sudder Ameen of Seonne, has obtained four months' leave of absence, from the 1st instant. Manuk Lal Ojah is appointed to officiate in that capacity.

21st JULY, 1837.

APPOINTMENT.—Mr. H. E. Greated to be an Assistant under the Commissioner of the Rohilkund Division.

22nd JULY, 1837.

APPOINTMENT.—Mr. W. P. Okeden to conduct the duties of a Session Judge at Moradabad, until further orders.

26th JULY, 1837.

Mr. G. F. Edmonstone to exercise the powers of Joint Magistrate and Deputy Collector at Seharanpore.

Sirdar Khan to be Deputy Collector in Zillah Mynpoore, under the Provisions of Regulation, IX. of 1833.

27th JULY, 1837.

Mr. J. Maberly to exercise the powers of Joint Magistrate and Deputy Collector in the District of Muzaffarnuggur.

7th AUGUST, 1837.

Mr. D. H. Crawford to Officiate as Joint Magistrate and Deputy Collector of Muttra.

10th AUGUST, 1837.

Mr. R. J. Taylor to be Additional Judge of Goruckpore.

Mr. T. P. Woodcock to be Magistrate and Collector of Allyghur.

Mr. D. B. Morrison to be Judge of Jaunpore.

Mr. A. P. Currie to Officiate as Magistrate and Collector of Benares. Mr. Currie is authorized to make over charge of his Office as Magistrate and Collector of Ghazepore to Mr. W. Hunter if he has reached that Station, or if not, to Mr. Edmonstone.

11th AUGUST, 1837.

Mr. J. S. Clarke, Magistrate and Collector of Moradabad, has obtained leave of absence for two months, on Medical Certificate, preparatory to his making application for Furlough. Mr. C. W. Fagan is appointed to Officiate as Magistrate and Collector of Moradabad till further orders.

Mr. C. W. Fagan to be Joint Magistrate and Deputy Collector of Agra.

GENERAL DEPARTMENT, AGRA, ECCLIASTICAL, 19th JULY, 1837.

The Reverend J. C. Proby, Chaplain at Meerut, is permitted to be absent from his Station for one month, from the 7th Proximo.

MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Head Quarters, Simla, 15th July, 1837.

1. Referring to the General Order by the Commander in Chief in the East Indies, dated the 6th of May last, paragraphs 4 and 5, His Excellency now makes known, that the Supreme Government has approved of his definition of "well conducted native Privates" and of the arrangements dictated by the said order.

2. Their Excellencies the Commanders in Chief of the Madras and Bombay armies will therefore be pleased to direct a conformity thereto.

3. They will also direct, that when any soldier is deprived of his additional pay by the sentence of a regimental court martial, the proceedings of such court shall be sent to their head-quarters, for their approbation.

Fort William, 31st July, 1837.

No. 152 of 1837.—Lieutenant William Carnegie, of the 56th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

Lieutenant Charles Henry Thomas, of the 11th Regiment Native Infantry, Assistant to the General Superintendent of the Operation for the Suppression of Thuggee, has obtained in the Political Department, on the 17th instant, leave of absence from the 15th September next to the 1st April 1838, to visit the Presidency, on private affairs.

No. 153 of 1837.—The following Lists of Rank of Cadets of Infantry and of Assistant Surgeons, appointed for the Bengal Presidency, are published for general information.

No. 2 of 1837.—List of Rank of Cadets for the Bengal Infantry. To rank agreeably to Court's Resolution of the 12th April last, from the sailing from Calcutta of the "Athercombe Robinson," the Ship on which he embarked but from which he was compelled

GENERAL REGISTER.

and below on account of illness, and next below Mr A O Farquharson in List No 1

James Hutton, to rank from the sailing from Gravesend of the Ships by which they proceeded and in the following order

Arthur Hen x, Cole Sewell, appointed 1st March 1837. *Adelaide*, sailed 14th March 1837

Thomas Talbot, a appointed 7th March 1837. *Reliance*, sailed 4th April 1837

William Edward Malcaster, appointed 1st March 1837, ditto, ditto

James Wardlaw, appointed 10th March 1837, ditto, ditto

John Monckton Swinton, appointed 1st February, ditto ditto

Tievor Henry Shum, appointed 7th March 1837, ditto, ditto

(Signed) PHILIP MELVILL

Secy Mily Dept

East India House, 10th April 1837

(A true copy.)

(signed) JAMES C MELVILL, Secy.

East India House, London, the 29th April, 1837

No 2 of 1837 —List of Rank of Assistant Surgeons for Bengal

To rank from the date of sailing from Gravesend of the Ship by which they proceeded, and in the following order

Thomas Watkins Wilson M D, *Adelaide*, sailed 14th March 1837 George Rae ditto, ditto

Richard Charles Gulse, ditto ditto,

(Signed) PHILIP MELVILL

Secy Mily Dept

East India House, 10th April, 1837

(A true copy.)

(Signed) JAMES C MELVILL, Secy

East India House, London, the 29th April, 1837

No 154 of 1837 —The following paras of a Military Letter No 29 from the Honorable the Court of Directors to the Governor of Bengal dated the 6th April 1837 are published for the information of the Army

"Para 1 —Having had under our consideration the Regulations affecting the appointment of Officers to established Brigade Commands we have resolved that such Brigadiers of the 1st and 2d Classes as are Regimental Colonels and who have succeeded to the benefits of the Offreckoning Fund, shall be required to vacate their respective Commands after having held the appointment of Brigadier for five years, this Regulation however to be subject to the same modification as the appointment of General Officers to the staff, viz that if on any particular occasion you should be of opinion that the continued service of any Brigadier is indispensable to the public interests, you may continue him in the Command until our decision on his case shall be made known to you Upon every such occasion you will furnish us with the requisite information, with the least practicable delay

"This Regulation is not to be applied retrospectively to the period which Brigadiers may have served as such prior to its announcement in General Orders, but we are of opinion that for every two years which they may then have served as Brigadiers they should be considered as having served one year towards the completion of their tour under the new Regulation"

No 155 of 1837 —The following paragraphs of a Military Letter, No 31 from the Honorable the Court of Directors to the Governor of Bengal, under date the 25th April 1837, are published for general information

"Para 1 We have permitted the undermentioned Officer to return to his duty, viz.

Lieutenant Charles E. Grant (overland).

Lieutenant Grant has been apprized that his Indian Allowances will not commence until he shall have reached the Presidency or the Corps to which he belongs

"We have granted extensions of leave to the following Officers, viz

Major R Benson for three months

Major J Trelawny, and Capt John Fitzgerald, for two months

Captain Charles Griffin, until July next.

Lieutenant Edward Wade, for six months."

No 156 of 1837 —The Governor General of India in Council is pleased to make the following Promotion and Appointments

Medical Department —Assistant Surgeon William Stevenson senior to be Surgeon from the 30th July 1837, vice Surgeon William Pitt Muston deceased.

Ensign Charles Scott, of the 57th Regiment Native Infantry to do duty with the Assam Light Infantry This appointment to have effect from the 14th instant

Surgeon John Grant to be Apothecary to the East India Company, vice Surgeon W P Muston deceased.

Surgeon Alexander Russell Jackson, M. D. to officiate as Apothecary to the East India Company, during the absence of Surgeon Grant, or until further orders

Captain William Barnett, of the 53d Regiment Native Infantry, Assistant Commissary General, is, at his own request permitted to resign his situation in the Commissariat Department.

Fort William 31st July 1837

No 157 of 1837 —The services of Assistant Surgeon G Rae are placed at the disposal of the Governor of Bengal for the Medical duties of the Civil Station of Boorbhoom, vice Assistant Surgeon F Farnell

Fort William 2d August, 1837

No 158 of 1837 —The services of the undermentioned Officers are placed at the disposal of the Right Hon ble the Govr nor of Bengal

Lieutenant John Richard Abbott of the 19th Regiment Native Infantry to do duty with the Assam Local Battalion

Assistant Surgeon H Fiech to perform the Medical duties of the Civil Station of Nowgong in Assam

Fort William, 7th August 1837

No 159 of 1837 —The Governor General of India in Council is pleased to make the following Promotions

Infantry —Major James Watkins to be Lieutenant Colonel from the 24th July 1837, vice Lieutenant Colonel David Dowie deceased

62d Regiment N I —Captain and Brevet Major Robert Decher to be Major, Lieutenant and Brevet Captain Frederick Vaughan Mc Grath to be Captain of a Company, and Ensign David Edward Brewster to be Lieutenant from the 24th July, 1837, in succession to Major James Watkins promoted

67th Regiment N I —Captain Henry Lawrence to be Major Lieutenant William Beveridge Thompson to be Captain of a Company and Ensign Charles Louis Napier Raikes to be Lieutenant from the 24 August 1837, in succession to Major William Grant deceased

Rank is assigned to the undermentioned Assistant Surgeons from the dates expressed opposite to their respective names

Medical Department —Assistant Surgeons Thomas Watkins Wilson, M D, George Rae, and Richard Charles Gulse, 14th March 1837

Mr Alexander Cushman Morrison is admitted to the Service in conformity with his appointment by the Hon ble the Court of Directors as an Assistant Surgeon on this Establishment Date of arrival at Fort William, 29th July 1837

The undermentioned Officers are permitted to proceed to Europe on Furlough

Lieutenant Thomas Smith, of the 15th Regiment Native Infantry on Medical Certificate

Surgeon Donald Campbell, of the Medical Department, on private affairs.

The leave of absence granted to Lieutenant Edward Samuel Capel, of the 53d Regiment Native Infantry, in General Orders, No 37, of 17th April last, to proceed to Ceylon on his private affairs, is commuted to Furlough to Europe for one year, without pay, on the same account.

Lieutenant William Pitt Robbins, of the 19th Regiment Native Infantry is permitted to proceed to the Cape of Good Hope on Medical Certificate, and to be absent from Bengal on that account for two years.

1st Lieutenant James Whiteford, of the Regiment of Artillery is permitted to proceed to Singapore, on Medical Certificate, and to be absent from Bengal on that account for fifteen months.

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*The leave of absence granted to Captain T. Warlow, Superintending Engineer, Central Provinces, in General Orders No. 160, of the 8th August 1836, is extended to the 1st April last.

No. 160 of 1837.—Apothecary George Duncan Williams, of the Subordinate Medical Department, being declared incapable of further duty, is transferred to the Invalid Pension Establishment on the Pension of his rank.

Fort William, 9th August, 1837.

No. 162 of 1837.—Brigadier Gabriel Richard Penny, Commanding the Station of Barrackpore, is permitted to proceed to Singapore on Medical Certificate, and to be absent from Bengal on that account for four months.

Assistant Surgeon Hubberts Maddison Tweddell, of the Medical Department, is permitted to proceed to Europe on Furlough, on Medical Certificate.

Fort William, 14th August, 1837.

No. 163 of 1837.—The Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

Medical Department.—Assistant Surgeon William Bell, to be Surgeon, vice Surgeon John Tytler deceased, with rank from the 13th July 1837, vice Surgeon David Renton deceased.

Assistant Surgeon John Greig to be Surgeon, vice Surgeon John James Paterson deceased, with rank from the 30th July 1837, vice Surgeon William Pitt Munton deceased.

Alteration of Rank.

Surgeon A. McK. Clark, from 6th March 1837, in the room of Surgeon J. Tytler, deceased.

Surgeon J. Colvin, M. D., from 21st March 1837, in the room of Surgeon J. J. Paterson, deceased.

Surgeon W. Stevenson, Senior, from 1st May 1837, in the room of Surgeon R. Grahame invalided.

Major George Warren, of the Right Wing European Regiment, is permitted to proceed to Singapore, on Medical Certificate, and to be absent from Bengal on that account for five months.

The services of the undermentioned Officers are placed at the disposal of His Excellency the Commander in Chief.

Major Thomas Dickinson, of the 55th Regiment Native Infantry late Commissioner of Arrakan.

Captain Mathew George White, of the 66th Regiment Native Infantry, late Senior Assistant to the above Commissioner.

The undermentioned Officers are permitted to proceed to Europe on Furlough:

Lieutenant Henry Stockley Grimes, of the 46th Regiment Native Infantry, and Lieutenant Charles Windsor, of the 53d Regiment Native Infantry, on account of private affairs.

Euseb William Christopher Lloyd, of the 53d Regiment Native Infantry, and Assistant Surgeon Alexander Crichton, M. D., of the Medical Department, on Medical Certificate.

No. 164 of 1837.—The Governor General of India in Council is pleased to make the following promotions in the Army Commissariat Department:

Captain C. J. Lawes, of the 3d Class, to be an Assistant Commissary General of the 1st Class, vice Captain W. Barnett resigned.

Captain H. R. Osborn, Deputy Assistant 1st Class, to be an Assistant Commissary General of the 3d Class, vice Captain C. J. Lawes.

Captain J. G. Tudor, of the 2d Class, to be a Deputy Assistant Commissary General of the 1st Class, vice Captain H. R. Osborn.

Lieutenant J. Skinner, Sub-Assistant, to be a Deputy Assistant Commissary General of the 2d Class, vice Captain J. G. Tudor.

No. 165 of 1837.—In consideration of the long and faithful services of the undermentioned Subadar Majors, the Right Honorable the Governor General of India in Council is pleased to sanction the grant to them respectively, of the Honor Pay of their rank, from the date of their transfer to the Invalid Establishment. Subadar Major Shauk Muzaffer Ali, late of the 3d Regiment Light Cavalry; Meer Saibut Ali, late of the 10th ditto; Seetul Singh, late of the 1st Regiment N. I.; Shauk Lall Shahomed, late of the 5th ditto; Khoshal Singh, late of the 56th ditto; Basium

Sing, late of the 52d ditto, and Kishna Doobay, late of the 66th ditto.

Fort William, 16th August, 1837.

No. 168 of 1837.—Lieutenant Edward Samuel Capel, of the 57d Regiment Native Infantry, having returned from Ceylon, the General Order No. 169, of the 7th instant, commuting his previous leave to that Island to a Furlough to Europe, is hereby cancelled, and that Officer has leave to proceed to Europe for one year, without pay, from the date of sailing of the ship on which he may embark.

Lieutenant A. C. Rainey, of the 26th Regiment Native Infantry, Junior Assistant to the Commissioner of Arrakan, has been permitted in the Judicial and Revenue Department under date the 8th instant, to visit the Presidency, on Medical Certificate.

His Lordship in Council is pleased to make the following Promotion and alteration of Rank in the Subordinate Medical Department:

Hospital Apprentice Edward Absalom to be Assistant Apothecary, in the room of Hayes deceased, with rank from the 10th April 1837, vice Christie resigned.

Alteration of Rank.—Assistant Apothecary E. Smith to rank from the 27th July 1836, vice Marshall Hayes deceased.

Assistant Apothecary James Dempsey to rank from the 14th October 1836, vice John Beaton promoted to Hospital Steward.

No. 169 of 1837.—The services of Lieutenant John Anderson, of the Corps of Engineers, are placed at the disposal of the Lieutenant Governor of the North Western Provinces, for the purpose of being employed in the Construction of Canals for Irrigation in the District of Moradabad, as soon as he shall be relieved from his present duties by Lieutenant E. L. Ommauney, of the Corps of Engineers, who is appointed Executive Engineer Ramghur Division, in his room.

Fort William, 16th August, 1837.

No. 170 of 1837.—Ensign George Barnes Hobson, doing duty with the 15th Regiment Native Infantry, is permitted to proceed to the Cape of Good Hope, on Medical Certificate, and to be absent from Bengal on that account for eighteen months.

Fort William, 21st August, 1837.

No. 171 of 1837.—The Governor General of India in Council is pleased to make the following Appointments:

Surgeon James Mellis, M. D., now Officiating Superintending Surgeon, to be a Superintending Surgeon on the Establishment, from the 13th July 1837, vice Renton deceased.

Surgeon Alexander Halliday, M. D., Presidency Surgeon, to Officiate a Superintending Surgeon, during the period Mr. Smith may be employed in the Medical Board, or until further orders.

Lieutenant Colonel Samuel Watson of the 55th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

Lieutenant William Oliver Young, of the Regiment of Artillery, Deputy Commissary of Ordnance, in charge of the Ajmere Magazine, has leave of absence, for six months, from the 1st October next, to visit the Presidency, on his private affairs.

Captain John Edward Watson, of the Invalid Establishment, is permitted to retire from the service of East India Company, on the Pension of his rank, from the date of sailing of the ship on which he may embark.

The following Appointments have been made in the Political Department, under date the 7th instant:

Captain R. B. Pemberton, of the 44th Regiment Native Infantry, now on special duty at the Presidency, to proceed on a Mission to Sootan and eventually to Tibet.

Ensign Blake, of the 56th Regiment Native Infantry, to Command the Escort of the Mission.

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla 16th July, 1837.

The Meerut division order of the 11th instant, appointing Assistant Apothecary George Simmonds, of His Majesty's 3d Bn., to act as Apothecary to the regiment, vice Williams, who is under

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by a detachment court martial and Assistant Steward H. Bond, of the same corps, to act as Assistant Apothecary, in the room of Simmonds, is confirmed.

The leave of absence, for four months, granted to Lieutenant F. P. Fulcher, of the 67th regiment of native infantry, in General Orders of the 21st June last, is to be calculated as commencing from the 23d ultimo, the date of his quitting Khyouk Phyou.

His Excellency the Commander in Chief is pleased to make the following appointment :

71st regiment native infantry.—Lieutenant C. C. J. Scott, of the 32d regiment native infantry, to act as, Interpreter and Quarter Master.

Lieutenant R. Ramsay, 10th regiment native infantry, acting Interpreter and Quarter Master to the 71st regiment native infantry, is directed to join his own corps.

Apothecary Charles Lamborn is removed from his situation at Neenatch, and directed to proceed to Meerut, and report himself to the Superintending Surgeon at that station.

Assistant Apothecary William Brookes, now at Agra, is appointed to act as Apothecary, and is attached to the medical depot at Neemuch, which he will proceed and join.

Assistant Apothecary George Edward Poole, at present employed in the hospital of His Majesty's 13th light infantry, is appointed to act as Apothecary at head quarters, and will proceed forthwith to Simla, and report himself to Dr. Wood.

Hospital Apprentice James Jarves, now doing duty with the 2d brigade of horse artillery at Cawnpore, is appointed to act as Assistant Apothecary, and directed to join the hospital of His Majesty's 13th light infantry at Kurnaul.

Conductor William Mumford of the pension establishment, is permitted to reside at Allahabad, and draw his stipend from the Cawnpore pay office.

The undermentioned officers have leave of absence :

Left wing 18th regiment native infantry.—Captain F. W. Ansau, from 20th July to 20th September, to visit Mussoorie, on private affairs.

18th regiment native infantry.—Captain E. M. Orr, from 15th August to 15th October, to visit the Presidency, preparatory to applying for furlough, on private affairs.

Head Quarters, Simla, 19th July 1837.

The regimental order issued by the officer commanding the European Regiment, under date the 11th instant, appointing Lieutenant W. Broadfoot to act as Adjutant to the corps, during the absence, on leave, of Lieutenant and Adjutant Clerk, or until further orders, is confirmed.

Gunga Ram, Native Doctor, of the 23d regiment native infantry, is placed at the disposal of His Honor the Lieutenant Governor north western provinces, for the purpose of being employed under the orders of Captain C. Thoresby, superintendent of the Bhutte territory.

The undermentioned officers have leave of absence :

Garrison staff.—Captain W. Ramsay, Major of Brigade, Delhi, from 2d July to 30th September, to visit Agra, on medical certificate.

3d regiment light cavalry.—Colonel A. W. C. Plowden, from 31st July to 31st October, in extension, to remain at Allypore, on private affairs.

Head-Quarters, Simla, 21st July, 1837.—His Excellency the Commander in Chief notices that the Right Honourable the Governor General of India in Council has been pleased, on a reference, to determine that Sepoys received from provincial corps into regiments of the line, at the time when volunteers were required to complete the ranks of the regular army, shall be allowed to reckon the period passed by them in their former corps, in establishing their claim to the increased rates of pay authorized by Government General Orders of the 17th of April last ; and likewise, that His Lordship in Council has seen fit to extend the same indulgence to the Sepoys who were transferred from the 2d Mussoorie Battalion into regiments of the line, when that corps was disbanded.

The undermentioned officer have leave of absence :

9th regiment light cavalry.—Captain P. F. Story, from 26th May to 25th November, to visit Simla, on private affairs.

Head Quarters, Simla, 22d July, 1837.

The Presidency division order of the 5th instant, directing the undermentioned young officers, lately admitted into the service, to do duty with the corps specified opposite to their names, is confirmed :

Ensigns James Garner Holmes, and John Colpoys Haughton, 7th regiment native infantry at Barrackpore.

The Benares division order of the 6th instant, appointing Hospital Apprentice William Simpson, to act as Assistant Apothecary and Assistant Steward to the artillery hospital at Benares, in the room of Assistant Apothecary Thomas Nulty, who has obtained leave, is confirmed as a temporary arrangement.

The Artillery division order of the 13th instant, appointing Sergeant Patrick Hughes, of the 3d company 4th battalion to act as Bullock Sergeant to the division, in succession to Mara permitted to resign that situation, is confirmed.

The undermentioned officers have leave of absence :

27th regiment native infantry.—Captain L. W. Gibson, from 15th July to 15th January 1838, to visit Simla, on medical certificate.

47th regiment native infantry.—Surgeon I. Jackson, from 30th August to 28th February 1838, to visit the Presidency, preparatory to applying for furlough to Europe on private affairs.

Subordinate medical department.—Hospital Steward John Hinder, attached to His Majesty's 31st foot, from 1st September to 20th December, to visit the Presidency on private affairs.

Head-Quarters, Simla, 28th July, 1837.

The undermentioned officers have leave of absence :

2d company 2d battalion artillery.—2d Lieutenant W. Barr, from 31st July to 1st November, to remain at Mussoorie, on urgent private affairs.

53d regiment native infantry.—Lieutenant Colonel N. Walling, from 5th July to 31st December in extension, to remain at Almora, on medical certificate.

57th regiment native infantry.—Captain E. Haring, from 15th November to 1st February 1838, to visit the Presidency on private affairs, preparatory to applying for furlough to Europe.

20th regiment native infantry.—Ensign S. T. A. Good, from 16th August to 31st October, in extension, to remain at Simla, on medical certificate.

Head Quarters, Simla, 29th July, 1837.

The following Assistant Surgeons, at present at the general hospital, are directed to proceed to the stations specified opposite their respective names, and to do duty under the orders of the several Superintending Surgeons :

Assistant Surgeon W. J. Lorch,.....	Cawnpore.
" J. A. Staig,.....	ditto.
" F. Anderson, M. D.,.....	ditto.
" H. Froth,.....	ditto.
" E. Fowler,.....	Dina.
" J. Macaulay,.....	ditto.

The undermentioned officers have leave of absence :

30th Regiment Native Infantry.—Captain E. T. Milner, from 20th July to 20th December, to visit the hills north of Deyrah, on medical certificate.

N. B. This cancels the leave granted to Captain Milner, in General Orders of the 7th instant.

4th Regiment Native Infantry.—Ensign R. W. Bird, from 20th August to 3rd October, in extension, on private affairs.

30th Regiment Native Infantry.—Ensign G. E. Nicholson, from 20th July to 20th December, to visit the hills north of Deyrah, on medical certificate.

Head Quarters, Simla, 31st July, 1837.

The Presidency division order of the 13th instant, directing Ensign William Henry Jernin, lately admitted into the service, to do duty with the 51st regiment of native infantry at Cawnpore, is confirmed.

The detachment order of the 12th instant, appointing Lieutenant R. W. Frayer to act as Adjutant to the left wing 46th native infantry, during its separation from the head quarters of the regiment, is confirmed.

The Benares division order of the 15th instant, appointing Assistant Surgeon T. Smith, M. D. of the 8th regiment of light cavalry, to the medical charge of the post of Jaunpore, consequent on the departure for Calcutta of Assistant Surgeon J. O. Vos, M. D., is confirmed.

The Cawnpore division order, under date the 21st instant, appointing Assistant Surgeon H. J. Tucker, M. D. to the medical charge of the 71st regiment of native infantry, in the room of Assistant Surgeon R. Fullerton, M. D. deceased, is confirmed.

The Sirhind division order of the 22d instant, directing Assistant Surgeon W. Brydon, of the 4th light cavalry, to proceed to Saharanpore, and afford medical aid to the left wing of the 18th regiment of native infantry, is confirmed.

The promotion to the rank of Sergeant of Bombardier Charles Crisp, of the 2d troop 1st brigade of horse artillery, and his appointment to the situation of Quarter Master Sergeant to the 10th

GENERAL REGISTER.

regiment of light cavalry, notified in General Orders of the 4th ultimo, are cancelled.

Sergeant Henry Blenman, of the pension establishment, is permitted to reside and draw his stipend at Chunar, instead of Cawnpore.

The undermentioned officers have leave of absence:

55th regiment native infantry.—Lieutenant 1st and Quarter Master J. A. Kirby, from 10th September to 10th October, in extension, to remain at Simla, on private affairs.

Invalid establishment.—Lieutenant A. W. W. Fraser, from 1st August to 31st January 1838, to visit the Presidency, preparatory to applying for furlough to Europe.

Head Quarters, Simla, 1st August, 1837.

The regimental order of the 21st ultimo, by Lieutenant Colonel W. A. Yates, appointing Lieutenant Y. Lamb to act as Interpreter and Quarter Master to the 51st regiment native infantry, during the absence, on leave, of Lieutenant Interpreter and Quarter Master W. Lamb, is confirmed.

Head Quarters, Simla, 2d August, 1837.

With the sanction of Government, Subadar Shauk Deen Mohamed, of the 10th regiment light cavalry, is allowed the additional invalid pay of his rank, from the date of his transfer to the pension establishment.

The undermentioned officers have leave of absence:

3d Local Horse.—Brevet Captain G. A. Barber, 2d in command, from 1st August to 1st November, to remain at Sultanpore, Benares, on private affairs.

72d Regiment Native Infantry.—Lieutenant G. H. Rose, from 20th August to 1st November, in extension, to remain at Cawnpore, on medical certificate.

The presidency division order of the 15th ultimo, directing the undermentioned unposted Ensigns to do duty with the regiments specified opposite to their respective names, is confirmed:

Ensigns A. Skene; W. E. Mulcaster, and J. Robinson, 9th regiment native infantry at Barrackpore.

Ensign T. Spankie, S. A. 54th regiment native infantry at Meerut, at his own request.

Ensigns T. Tulloh, and P. H. K. Dewaal, 12th regiment native infantry at Barrackpore.

Ensign J. Wardlaw, 73d regiment native infantry at ditto.

The Benares division order of the 21st ultimo, directing Mooltie Sing, Native Doctor, to proceed to Dinapore, and report himself to the Superintending Surgeon of that division, is confirmed.

Ensign R. A. Ramsay, recently admitted into the service, is appointed to do duty with the 7th regiment native infantry at Almora, at his own request.

Heerah Tewary, Native Doctor, attached to the 9th regiment light cavalry, having been reported "extremely ignorant and inefficient," likewise a person of "general bad character," is to be paid and discharged the service, from the date of the publication of this order at Nussurahabad.

The undermentioned officers have leave of absence:

12th Regiment Native Infantry.—Captain J. S. Hodgson, from 21st August, to 21st February 1838, in extension, to remain in the hills north of Deyrah, on Medical certificate, and to enable him to rejoin.

66th Regiment Native Infantry.—Asst Surgeon E. J. Acnew, from 15th September to 15th November, to visit the Presidency, preparatory to applying for furlough.

Head Quarters, Simla, 3d August, 1837.

With reference to a memorandum received from the Horse Guards, directing general officers to wear, with their blue frock coat, a small gold aiguillette on the right shoulder, instead of the gold and crimson cord, His Excellency the Commander in Chief is pleased to direct the adoption of the same by the general officers of this army.

Head Quarters, Simla, 4th August, 1837.

The Presidency division order of the 19th ultimo, directing the undermentioned young officers, lately admitted into the service, to do duty with the regiments specified opposite to their respective names, is confirmed:

Ensign Hector Alexander Sandeman, and Ensign Alfred Chicheley Plowden, 12th regiment native infantry at Barrackpore.

Ensign Trevor Henry Shaw, 15th regiment native infantry at Barrackpore.

Ensign Arthur Henry Cole Sewell, and Ensign John Monckton Swinton, 71st regiment native infantry at Cawnpore, at their own request.

The regimental order of the 28th ultimo, by Captain J. Swollenham, appointing Lieutenant R. Ramsey to officiate as Interpreter and Quarter Master to the 10th native infantry, during the absence, on leave, of Lieutenant Interpreter and Quarter Master R. G. Grange, is confirmed.

1st Lieutenant H. M. Lawrance is removed from the 3d company 5th battalion of artillery to the 2d troop 2d brigade horse artillery.

2d Lieutenant J. Rogers is removed from the 3d troop 2d brigade to the 3d company 5th battalion of artillery.

Ensign Markham Miles Sherwill is removed from the 64th to the 66th regiment of native infantry, as junior of his rank, at his own request.

John Jordan, Musician, is removed from the 9th to the 6th regiment of light cavalry, for the purpose of being appointed Trumpet Major of the latter corps.

The undermentioned officers have leave of absence:

3d regiment native infantry.—Captain J. Butler, from 1st October to 20th January 1838, to visit the Presidency, on private affairs.

61st regiment native infantry.—Captain R. A. McNeughten, from 31st August to 31st May 1838, to visit the Presidency, on private affairs.

65th regiment native infantry.—Ensign E. N. Croft, from 8th August to 8th February 1838, to visit the Presidency, on medical certificate.

Head Quarters, Simla, 5th August, 1837.

The Saugor division order of the 20th ultimo, directing Sergeant Thomas Owens, who was lately appointed to the arsenal, to continue doing duty in the Saugor magazine, until the close of the rains, is confirmed.

Ensign Alfred Chicheley Plowden, at present attached to the 12th native infantry, is appointed, at his own request, to do duty with the 32d regiment native infantry at Allypore, as directed to join.

Unposted Ensign W. H. Jerome, appointed to do duty with the 51st regiment native infantry, has permission to visit Bhagulpore, on private affairs, and to be absent from the regiment until the 1st of November next.

Quarter Master Sergeant Matthew Foster, of the 35th native infantry, is appointed Sergeant Major to the regiment, vice Lindsay appointed Bazar Sergeant at Agra.

Corporal Richard Burgess, laboratory-man in the Saugor magazine, is promoted to Sergeant, and appointed Quarter Master Sergeant to the 35th regiment of native infantry at Lucknow, vice Foster promoted.

Head Quarters, Simla, 7th August, 1837.

The battalion order of the 9th June last, by Major A. White, directing Lieutenant A. M. Seppings, of the artillery, attached to the Assam light infantry, with a detail of 5 Colundauze, to proceed by water to Sudderah, is confirmed.

The undermentioned officers have leave of absence:

64th regiment native infantry.—Captain A. Wilson, from 1st November to 1st January 1838, to visit Mhow, on private affairs, preparatory to applying for furlough to Europe via Bombay.

72d regiment native infantry.—Lieutenant H. H. Lloyd, from 1st November to 1st January 1838, to visit Mhow, on private affairs preparatory to applying for furlough to Europe via Bombay.

72d regiment native infantry.—Surgeon George Bailie, from 28th November to 7th January 1838, to visit Mhow, on private affairs, preparatory to applying for furlough to Europe via Bombay.

Head Quarters, Simla, 8th August, 1837.

The regimental order of the 12th ultimo, by Major G. R. Pemberton, appointing Lieutenant and Brevet Captain D. Bamfield to act as Interpreter and Quarter Master to the 56th native infantry, during the absence of Lieutenant Interpreter and Quarter Master J. R. Younger, is confirmed.

The Commander in Chief is pleased to order the following removals and postings of medical officers:

Surgeon Edmund Tomkyns Harpur, on furlough, from the 55th to the 43d regiment of native infantry.

Surgeon John Colvin, M. D. (new promotion) to the 55th regiment of native infantry.

Sergeants Smith and Graham, and 2d Corporal Henley, of the sappers and miners, are directed to be sent by water from Delhi to Benares, in progress to join the 5th company of the corps at Sheregotty.

The undermentioned officers have leave of absence:

7th Regiment Light Cavalry.—Colonel T. Shubrick, from 1st November to 1st March 1838, in extension to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

2d Regiment Native Infantry.—Ensign F. J. Thompson, from 1st August to 1st September, to remain at Futteghur, on medical certificate.

68th Regiment Native Infantry.—Captain A. G. Ward from 1st October to 30th April 1838, to visit the Presidency, on his private affairs.

Head Quarters, Simla, 9th August, 1837.

Ensign Robert Faithfull Fanshawe is, at his own request, removed from the right wing European regiment to the 18th regiment of native infantry at Benares.

The leave of absence, for two months, granted to Superintending Surgeon G. Playfair, in General Orders of the 25th ultimo, is cancelled at his request.

Sub-Conductor Daniel Kelly, who stands appointed to the Ajmere magazine, is permitted to do duty in the magazine at Agra, until the close of the rains.

Hospital Apprentice Thomas McNally, now at the Landour depot, is discharged the service, at his own request.

Head Quarters, Simla, 11th August, 1837.

The Right Honourable the Governor General of India in Council has been pleased, on a reference from His Excellency the Commander in Chief, to determine, that native Farriers, Drummers in the receipt of the pay and bounty of Sepoys, Private Gun Lascars and Ordnance Drivers are eligible to the additional pay, for length of service, granted in troops of the line by Government General Orders of the 17th of April last.

The Dinapore division order of the 1st instant, appointing Mooltie Sing, Native Doctor, to the Ramgarh light infantry battalion, is confirmed.

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The leave of absence, for six months, granted to Ensign E. N. Croft, of the 65th regiment native infantry, in General Orders of the 4th instant, to visit the Presidency, on medical certificate, is to be calculated from the 1st, instead of the 8th instant.

Sergeant James Rayment, Quarter Master General's Department, attached to head quarters, is directed to be sent by water from Kurnool to Cawnpore, where he will report himself to Captain R. Codrington, Deputy Assistant Quarter Master General.

Serjeant William Kirkland is removed from his commission in the slender bazar at Mhow, and directed to be sent to join the European regiment.

The undermentioned officers have leave of absence:

33d regiment N. I.—Brigade Colonel F. Walker, from 1st Nov.

to 31st March 1838, to visit the Presidency on private affairs, preparatory to applying for furlough.

57th regiment N. I.—Lieut. Colonel H. Morrison, from 28th Sept. to 8th Nov. in extension, to remain at Simla, on medical certificate.

67th regiment N. I.—Major W. Grant, from 18th July, to 1st Nov. to visit the Presidency, on medical certificate, preparatory to applying for furlough.

1st regt. L. C.—Lieutenant G. R. Siddons, from 15th Oct. to 15th April 1838, to visit the Presidency, preparatory to applying for furlough.

52d regt. N. I.—Ensign E. Locker, from 26th July, to 1st Oct. to remain at Cawnpore, on medical certificate.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

- July 29 H. C. D. Brig *Pilot*, J. Paterson, from Akyab 14th, Kyool Phoo 19th and Chittagong 26th July; French Ship *Salazee*, A. Williams, from Nantes 14th April and Bourbon 6th July; French Bark *Atlas*, Gallet, from Bourbon 6th July; French Bark *Courrier de Bourbon*, A. Dubou, from Nantes 28th February and Bourbon (no date).
- 31 English Ship *Mandarin*, R. Donal, from Liverpool 8th April; French Barque *Universel*, J. Savary, from Havre 1st April, and Bourbon 8th July; English Brig *Ann*, H. Pybus, from Singapore 12th, and Penang 18th July.
- Aug. 1 English Barque *Amwell*, John Hesse, from the Mauritius 8th July.
- 2 French Ship *Luminy*, J. Morge, from the Mauritius 10th July.
- 6 English Barque *Sylph*, Thos. Viail, from China 25th June, and Singapore 23d July.
- 7 English Ship *Jamua*, D. Robinson, from Liverpool 4th May.
- 8 H. M. Ship *Wolf*, Captain Edward Stanley, from Madras 1st August; English Schooner *Elizabeth*, J. Glass, from Penang 2nd July; English Barque *Resolution*, A. R. Dixon, from Madras 30th July, and Vizagapatam 4th August; English Barque *Prince Regent*, T. Atkin, from Madras 30th July, and Vizagapatam 3d August; English Brig *Agua*, A. Nicol, from Penang 22d July.
- 10 English Ship *Parland*, Robt. Taft, from the Mauritius 12th July.
- 11 English Barque *Fortitude*, J. C. Wilson, from the Mauritius 17th July.
- 12 English Ship *Isabella Cooper*, A. P. Currie, from London 17th April.
- 14 French Ship *Semillante*, F. Tornier, from Nantes 1st April, Bourbon and Mauritius (no date) and Pondicherry 6th August; French Barque *Philantropie*, Le Roux, from Nantes 23th April, and Mauritius 15th July.
- 16 Dutch Barque *Margaretta Catharina*, J. H. Schipper, from Batavia 23d July; English Barque *Eliza*, J. B. J. Clark, from the Mauritius 13th July.
- 21 English Brig *Ripley*, Y. Stewart, from Liverpool 19th April; English Barque *Earl Grey*, James Talbot, from the Mauritius 23d July, and Pondicherry 14th August; English Barque *Cashmere Merchant*, R. E. Smellie, from the Mauritius 12th May, Madras 3d June, Mouline 6th July, and Rangoon 4th August.
- 22 H. M. Brig *Pelorus*, Capt. F. Hardine, from Spithead 11th April, Cape of Good Hope 1st June, and Madras 17th August; French Barque *L'Independant*, Labiche, from Bourbon 11th July and Madras 15th August; English schooner *Hind*, Bond, from Balasore 22d August.
- 24 English Barque *Virginia*, Jas. Smith, from the Mauritius 18th June, and Penang 8th August.

DEPARTURES FROM CALCUTTA.

- July 29 *Desna Carpellie*, J. J. R. Bowman, for the Isle of France; *Samont*, N. Barant, for Madras, Colombo and Bombay; *Imogen*, G. Riley, for Liverpool; *Symmetry*, John Savil, for the Mauritius.
- Aug. 8 *Bereford*, A. Regburn, for Liverpool.
- 6 *Rosendale*, E. C. Friend, for Liverpool.
- 8 *Wm. Metcalfe*, E. Phillips, for London; *Bethel*, J. W. Douglas, for Liverpool.

- Aug. 10 *Westmoreland*, John Brigstock, for the Mauritius.
- 12 *Lautus*, J. McCutcheon, and *Pegasus*, R. Howlett, for the Mauritius.
- 13 *Abelle*, D. Durab, for Bourbon; *Eybert*, John Paulin, for the Mauritius; *Hipe*, A. D. McCullum, for New South Wales; *Bright Planet*, R. Nicolson, for the Mauritius.
- 16 *Bengal*, R. W. Wilson, for London.
- 18 *Aurora*, J. A. Cox, for London; *Highland Chief*, J. Canning, for Penang.
- 19 *Parsee*, J. McKellar, for London.
- 21 *Jessy*, Jas. Auld, for Penang.
- 23 *Protector*, T. Battenshaw; *J. An Bagshaw*, H. Blyth, for the Mauritius; *Barrong*, J. Gordon, for Penang.

ARRIVALS OF PASSENGERS.

Per Price Regent from Madras—Mrs. Stewart; Captain D. Stewart, H. M. 4d Regiment (Buffs), W. W. Bird, Esq. Provisional Member of Council; T. Donithorn, Esq., Civil Service; Father Venancio Fideis, Father John Murray; Father John Baylop; Mr. Ventura. *From Vizagapatam*,—Mrs. Yaldwyn, and 2 children, and Captain T. W. Yaldwyn, 21st Regt. M. N. I. *Per Resolution, from Madras*,—Mr. Gough Esq. *Per Elizabeth, from Penang*,—Mrs. Mitchell; Mr. Mitchell; Mrs. Howson and child.

Per Agr, from Prince of Wales Island—Soliman and his family.

Per Ripley,—Mr. Geo. Scott.

Per Cashmere Merchant, from Rangoon,—Mr. Richardson, Mariner, and—Stone, Engineer.

Per Hind,—Seamen and wrecked Seamen of the late *Andromeda*.

Per Virginia, from Penang,—Mrs. Michael; Mrs. Munook; Mr. and Mrs. Anthony; Misses K. Munook, and C. and M. Anthony; Captain Macfudge, country Service.

DEPARTURES OF PASSENGERS.

Per Sir William Wallace, for Kyool Phoo—Mrs. T. R. Abbott, Dr. T. C. Brown; Dr. J. A. Stie; Capt. F. V. McGrath; Lieut. R. Martin; Lieut. T. R. Abbott, and Ensign T. G. Leith.

Per Penang—Mrs. R. Beauchamp; Mrs. T. D. Ellis, Mrs. Lucas and child, the Rev. T. D. Ellis; Master William Ellis, and Master G. Ellis.

Per George the Fourth—Brigadier Penny; Mrs. Reid and Child;—Hon. Esq.; Dr. Sombre, Esq.; Major Warren; Mrs. Whiteford; Lieut. Whiteford; C. Tovey, Esq.—Grant, Mad. C. S.

Per Bengal, for London. Dr. and Mrs. Chapman; Wm. Morrison, Esq.; Dr. Fergusson, and Lieut. Ormes.

The *Lord William Bentinck*, Steamer, left Calcutta for Allahabad on Friday afternoon.

Passengers for Allahabad—Lord and Lady Brudenell; J. B. Mill, Esq.; Lieut. C. J. Harrison and Mr. Harrow. *For Benares*—Miss Davidson. *For Ghazepore*,—Miss Todd. *For Dinapore*—Mrs. Trason, and Seelatanth Mookerjee.

Per Bengal, for London,—Dr. and Mrs. Chapman; Wm. Morrison, Esq.; Dr. Fergusson; and Lieut. Ormes; Messrs. Keppel and Lloyd.

Per Adelaide, for London,—Lieuts. Falcher, Windsor and Downey; Doctors Crighton and Twiddle; and—Morgan, Esq.; Col. Watson, 55th N. I.

Per Brigand, for Penang,—Mr. Joseph Tosh.

Per Aurora, for London, via the Cape,—Lieut. and Mrs. Carnegie; Revd. Mr. Ooadly and Lady; Mrs. Ovenson and 3 Children; Mrs. Cox. Lieut. Robbins; Ensign Hobson.

Per Sullivan, for China,—Mrs. Howard and Miss Howard.

For Singapore,—Mrs. Speir, Esq.,—Speir, Esq., and Mr. F. Cook.

GENERAL REGISTER.

DOMESTIC OCCURRENCES.

BIRTHS.

- Feb. 22 At Sea, near St. Helena, the lady of A. Lang, Esq., Civil service, of a son.
- July 7 At Aurungabad, the lady of Captain C. Ager, of a daughter.
- 9 At Elk Hill House, Ootacamund, the lady of Frederick Gray, Esq. of a daughter.
- 16 At Beaver, the wife of Captain Bartleman, 2d in command Mhairwarrah Local Battalion, of a daughter.
- 19 At Midnapore, the lady of the Reverend J. Brooks, of a son.
- Massorie, the lady of G. Playfair, Esq. Superintending Surgeon, of a daughter.
- 21 At Mysore, the lady of Alfred William Begbie, Esq., Bengal Civil Service, of a daughter.
- 22 At Dacca, the Lady of Lieut. H. M. Boobie, of the 50th Regt. N. I., of a son.
- At Dacca the lady of Lieutenant H. M. Bocher, of the 6th Regiment Native Infantry, of a son.
- 25 At Jessore, the lady of Frederick Cardew, Esq. Civil Service, of a daughter.
- At Cuttack, the lady of George Becher, Esq., of a son.
- 26 At Patna, the lady of H. S. Oldfield, Esq. Civil Service, of a daughter.
- 28 At Plass, Dacca, Mrs. J. L. Wilkie, of a daughter.
- At Agra, the lady of Interpreter and Quarter Master Gerard, European Regiment, of a daughter.
- 31 At Benares, Mrs. George Nicholls of a daughter.
- Aug. 1 At Kurnaul, the wife of George King, Esq. Lieut. H. M. 13th Light Infantry, of a son.
- 2 At Putty Guri, Mrs. M. S. Hennessey of a son.
- 4 At Agra, the lady of Captain C. Jordan, European Regiment, of a son.
- 5 At Calcutta, the wife of Mr. Joseph Rabbeth, of a daughter.
- At Calcutta Mrs. E. C. Holst, of a daughter.
- At Calcutta, Mary Ann, the wife of Mr. Johannes Vancum, of a daughter.
- 6 At Agra, the Lady of Major Herring, commanding 37th Regiment, of a daughter.
- 6 At Chinsurah, the wife of Mr. Alexander DeGragaly, of a still-born child.
- 7 At Agra, Mr. John Babonau of a daughter.
- At Cawnpore, the lady of Lieutenant Charles Carter, H. M. 16th Foot, of a daughter.
- 7 In Wellington Square, the lady of Capt. W. Warden of a daughter.
- At Calcutta, the lady of Dr. W. B. O'Shaughnessy, of a daughter.
- At Chowringhee, the lady of Major Irvine, C. B., Engineer, of a daughter.
- At Birlgumpoor, the lady of George F. Brown, Esq., Civil Service of a son.
- 8 At Ellichpore, the lady of A. Walker, M. D., Bombay Establishment, of a son.
- 10 At Elysium Row, the lady of Capt. Reynell, of the *Water Witch*, of a daughter.
- At Calcutta, Mrs. A. Coghlin, of the Government Steam Department, of a daughter.
- 11 At Calcutta, the lady of Capt. E. D. O. Eales, of a daughter.
- At Beromassia, Mrs. Cockburn, of a daughter.
- At Calcutta, Mrs. Thomas Brown, of a son.
- 14 At Calcutta, Mrs. C. S. Starling, of a daughter.
- 15 At Calcutta, Mrs. J. P. Namev, of a son.
- 16 At Chittagong, the lady of T. W. Burt, Esq. Civil Assistant Surgeon, of a daughter.
- 17 At Calcutta, at the residence of her mother, the lady of Captain P. H. Holmes, of a son.
- Mrs. E. Reilly, of a son.
- At Calcutta, the wife of Mr. T. H. Wakeford, Teacher at the Oriental Seminary, of a daughter.
- At the General Hospital, Mrs. G. D. Wiltshire, of a son.
- 19 Mrs. J. Vaillant, of a daughter.
- 20 The lady of Capt. W. N. Forbes, Mint Master, of a son.
- 22 At Alipore, the lady of Capt. N. Cumberlege, Commanding Calcutta Native Militia, of a daughter.
- At Calcutta, the Lady of S. H. Boileau, Esq., of a daughter.
- At Purulia, the lady of Lieut. J. C. Hannington, 24th Regt. N. I., of a daughter.
- At Jellassore, the lady of Thos. Campbell, Esq., of a son.
- 23 At Hooghly, the lady of Arthur Grote, Esq., Civil Service, of a daughter.
- 24 At Calcutta, the lady of Capt. G. T. Marshall, Examiner, in the College of Fort William, of a daughter.

MARRIAGES.

- June 27 At Malacca, by the Revd. Mr. J. Evans, Mr. James Charles Bendley, to Miss Bridget Britt.
- July 19 At the Cathedral, Madras, by the Reverend George Trevor, John Sims Freshfield, Esq., of the 1st Regiment Madras Light Cavalry, son of J. W. Freshfield, M. P., to Elizabeth, daughter of James Scott, Esq. Forfar, North Britain.
- 26 At Chittagong, Mr. A. E. Medlicott, to Miss A. Richards.
- 26 At Monghyr, by the Reverend W. Moore, R. E. Fanshawe, Esq., Honorable Company's European Regiment, to Pamela Eliza, eldest daughter of the late, Lieutenant General Boye, of the Bombay Army.
- 27 At Aungabad, by Brigadier Roberts, C. B. Commanding the N. D., Captain James Johnston, commanding 1st Regiment Nizam's Infantry, to Emma, youngest daughter of the late Francis Thomas, Esq.
- 27 At Soong Factory, Tirhoot, by the Revd. H. Beddy, C. C. Fawell, Esq., of Lullisrie Factory, to Eliza Ann Finch, eldest daughter of the late Lieut. Henry Finch, late of the 18th Regt. B. N. I.
- Aug. 1 At the Cathedral, by the Rev. T. Robertson, Lieutenant G. B. Stevens, of the M. N. I., to Francis, fourth daughter of the late J. H. Morrell, Esq., Indigo Planter.
- At Cawnpore, by the Reverend Mr. Jennings, Mr. John Hunter, Assistant to Messrs. Crump and Co., to Miss Charlotte Parson.
- 2 At Calcutta, at the Scotch Kirk, by the Revd. J. Charles, Captain Robert McNair, 73d Regt. N. I., to Harriet Caroline, the second daughter of the late Capt. Garstin, of H. M. 8th Regt.
- 3 At Merrut, by the Reverend J. C. Proby, George Harriott, Esq. His Majesty's 46th Lancers, to Miss Ford.
- 7 At Midnapore, by the Venerable the Arch Deacon at the residence of A. F. Donnelly, Esq., Lieut. E. T. Spry, interpreter and quarter master 24th Regt. Bengal native infantry, to Harriet Augusta Hayes, eldest daughter of the late Thomas Monnell, Esq. Bengal Civil Service.
- 21 At Calcutta, at the Old Church, by the Venerable Archdeacon Deasly, Captain H. M. Lawrence, Bengal Artillery, to Honoria, youngest daughter of the Reverend George Marshall, of Camdounagh Ennismore, Ireland.
- DEATHS.
- April 9 At Java, in the district of Probolinggo, at the Steam Sugar Works of Charles Eddy, Esq. Lewis Weston Mercer Grant, Esq., late of Calcutta, aged 33 years, 7 months and 12 days.
- 18 At Paris, Cecelia Johanna Francis Cumming, daughter of the late Captain Robert Cumming, E. I. C. S. Bengal, aged 47 years.
- June 15 At Cawnpore, Mrs. Elizabeth Jackson, relict of the late Gregory Jackson, Esq.
- July 12 At Singapore, John Edward Breen, Esq. aged 39 years, 8 months and 8 days.
- 20 At Cawnpore, Assistant Surgeon Fullerton, of the 71st Native Infantry.
- 24 At Lucknow, Lieutenant Colonel D. Dowie, Commanding 2d Regiment Native Infantry, deeply lamented by his brother officers.
- 25 At Calcutta, Captain Robert Henry Wischam, aged 36 years and 5 months.
- 26 At the Honorable Company's Dispensary, Calcutta, Mary Ann, the wife of Mr. T. Linton.
- At Calcutta, Sobha-bazar, the second daughter of the late Maha Rajah Rajkrishna.
- 27 At Cawnpore, Eliza Belvedere, the Lady of George Larkins, Esq., Horse Artillery.
- 28 At Calcutta, Master Lewis Roosh, son of the late Mr. Lewis Roosh, Assistant Indigo Planter, aged 16 months.
- 28 At Benares, William Stepford, infant son of Lieut. and Mrs. Hors, 18th Regt. N. I., aged 6 months and 24 days.
- 29 At Calcutta, Miss Anne Taylor, daughter of Captain Taylor, of the Country Service, aged 9 months and 16 days.
- 30 At Calcutta, William Pitt Weston, Esq. Apothecary to the E. I. Company, aged 53 years.
- Aug. 1 At Calcutta, Mr. Alfred Edwin Madge, an Assistant in the Military Auditor General's Office, aged 23 years, 7 months and 5 days.
- At Calcutta, Miss Clarissa Sophia Shouldham, aged 1 year and 10 months.
- At Dacca, Mr. Martrose Chatter, native of Syddabad, aged 65 years.
- At Cawnpore, Mary, the infant daughter of Captain and Mrs. Voyse, 7th Light Cavalry, aged 3 months and 6 days.

GENERAL REGISTER.

- At Calcutta, Major William Grant, of the 67th Regiment Native Infantry, and Commanding in Arracan, aged 56 years. In the death of Major Grant, the service has lost a soldier of high character, and those who knew him a most esteemed and valued friend.
- At Calcutta, Master Charles Henry Martinelli aged 1 year, 3 months and 18 days
 - 5 At Chinsurah, Capt. James Burnett, of the *Barque Lady Hayes*, aged 38.
 - 6 At Calcutta, the infant son of Mr. James Edwin Myers, Up-country Trader, aged 6 months and 20 days.
 - At Calcutta, Aeronaut Vertannes, Esq., aged 79 years, 8 months and 8 days.
 - 7 At Chowringhee, Mary Elizabeth, the lady of the Reverend George Pickance, aged 20 years.
 - At Calcutta, Mrs Catherine Mooratan, aged 71 years.
 - 8 At Calcutta, Mrs L. M. Hawkesworth, the wife of Mr. W. Hawkesworth, Head Assistant to Messrs. Burn and Co., aged 58 years, 9 months and 7 days.
 - At Chupra, Charlotte Anne, the beloved daughter of David Phillip DeCosta, Esq., aged 2 years, 4 months and 26 days; deeply regretted by her parents and relatives.
 - On the Maha Nudde River, near Road, Jane Arabella, the infant daughter of C. L. Babington, Esq., of Sam-bhalpore, aged 10 months and 23 days.
 - 8 At No. 11, Hastings's Street, Mary Anne, youngest daughter of Mr. John Gray, aged 16 months and 17 days.
 - At Shahjahanpore, Lieut. Henry Montagu Barwell, 69th Regt. N. I., second son of E. R. Barwell, Esq., of the H. C.'s Civil Service, aged 26 years and 13 days. A young man of the highest character and promise—universally and deeply lamented.
 - At Mhow, Lieut. Wm. Shaw, of the 52d, Acting Interpreter and Quarter Master 41th Regt N. I., much regretted by his brother officers and friends.
 - 9 At Gawnpore, the infant daughter of Lieut Charles Carter, H. M.'s 16th Foot.
 - At Calcutta, Miss Charlotte Davis, relict of the late Mr. William Davis, of the Custom House, aged 36 years, 10 months and 21 days.
 - 11 At Calcutta, Miss Mary Ann Lee, widow of Mr. John Lee, aged 34 years.
 - At Kidderpore, William Price Bromner, son of Chas. Bromner, Esq., aged 5 months and 20 days.
 - At Gwah, George, the infant son of W. H. Urquhart, Esq., aged 4 months and 9 days.
- Aug. At Bowspecker, Calcutta, Hannah, third daughter of Alexander Anderson, Architect.
- At Calcutta, Mr. A. William Hunt, Organist to the Union Chapel, aged 30 years.
 - At Calcutta, W. Smithson, Esq., aged 40 years.
 - At Monghyr, Mrs. Harriet Grand, aged 23 years, 3 months and 3 days.
 - At Calcutta, Master James Thomas Lovain, Poynton, youngest Son of the late Captain—Poynton, of Singapore, aged 1 year, 1 month and 5 days.
 - At Calcutta, Mr. Donald Ross, late an Extra Tide Waiter in the Government Sea Custom House.
 - 14 At Calcutta, Harriett, the infant daughter of Mr. and Mrs. B. B. Gleeson, aged 11 months and 20 days.
 - At Mynpoory, the infant daughter of A. W. Begbie Esq., of the Civil Service.
 - On the River, near Sultempore, Benares, John Charles, the infant Son of Captain and Mrs Buttanshaw, 7th Regiment Native Infantry, aged 4 months and 23 days.
 - At Elymton Row, the infant daughter of Captain and Mrs. Keynell.
 - 15 At Calcutta, Thomas Urquhart, Esq., aged 25 years.
 - 16 At Chupra, David Philip Dacosta, Esq., Principal Sadder Ameen at that station, deeply and sincerely regretted by his relatives and a numerous circle of friends.
 - 18 At Sendah, Hermione Laura Rousseau, infant daughter of Mr. L. L. Rousseau, of Kodergee, aged 9 months and 15 days.
 - At Calcutta, Mrs. Hannah Athanas, widow of the late John Athanas, Esq., aged 67 years.
 - 19 At Calcutta, Mr. Joseph Roscoe, Assistant Secret and Political Department, aged 43 years.
 - At Calcutta, Mr. Thomas Wakefield, aged 19 years, 1 month and 23 days.
 - On board the *Vasattart*, Robert Pitcher, Esq., 1st Officer, deeply and sincerely regretted by all on board.
 - 20 At Calcutta, Philip Alexander Gordon, the infant son of Monsieur G Dupuis, aged 4 months.
 - At Calcutta, James, the beloved and youngest son of L. Fraser, Esq., aged 1 year, 8 months and 20 days.
 - 21 At Calcutta, Mrs Mary Haberly, widow of the late Mr. Robert Haberly, aged 64 years, 2 months and 12 days.
 - At Calcutta, Mr. William Spencer, of the Ship *Reliance*, aged 21 years.

ADMINISTRATIONS OF ESTATES.

ESTATE OF

Abbott, Henry, late a Lieutenant in the 44th Regiment of Native Infantry

Aids, Mr. late of Chittingang

Benon, David, late a Superintending Surgeon in the service of the East India Company

Bradlan, Richard

Carter, Henry, late an Ensign in the 15th Regiment of Native Infantry

Clarke, James, late a Surgeon in the service of the East India Company on their Bengal Establishment

D'Oyly, Thomas, late a Captain of Artillery, in the Service of the East India Company on their Bengal Establishment

Elliot, John, late a Major and Captain in His Majesty's 4th Light Dragoons, and Assistant Adjutant General King's Troops

Ellis, Thomas Powrie, late a Captain in the 52d Regiment of Native Infantry

Erskine, David

Faithful, William Richard Lee, late a Captain in the Invalid Establishment of the East India Company

Fender, John, late an Assistant Surgeon in the Military Service of the East India Company

Garrett, James Higginson, late an Ensign in the 36th Regiment of Native Infantry

Grant, William

Goluckchander Doss, late of Benares inhabitant

Haberly, Mary

Halfhide, Thomas Watton

Hunt, Anthony William, late Organist of the Union Chapel, at Dharrumtollah in Calcutta

Long, Richard Lieutenant

Madge, Alfred Edwin, late an Assistant in the Military Auditor General's Office

Nawab Meer Khadum Hossein Khan

Osito, George Frederick, late a Lieutenant in the 46th Regiment of Native Infantry

Penhson, William, late of the Strand Mill, Merchant

Trooper, William

At Calcutta, late a Senior Merchant in the Service of the East India Company on their Bengal Establishment

EXECUTORS, ADMINISTRATORS, &c.

Registrar Supreme Court.

Registrar Supreme Court.
Registrar Supreme Court.

Mrs. Harriette Clarke.

Registrar Supreme Court.

John Erskine.

Thomas John Anquetil.
Gourchunder Doss.
Robert Haberly.

Registrar Supreme Court.
Captain Samuel Long.

Hurtyell, Seal,

Registrar Supreme Court.

GOVERNMENT NOTIFICATIONS.

BY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

PORT WILLIAM LEGISLATIVE DEPARTMENT, 4TH SEPTEMBER, 1887

Resolution—It appears to be on many accounts expedient that in a short time, the Governor General should visit the North Western Provinces of the Presidency of Fort William unattended by any Member of the Council of India.

It is provided by Parliament (Section 70 Act 3 and 4 William 4 cap 85) that, "on such occasions it shall be lawful for the said Governor General in Council, previously to the departure of the said Governor General, to nominate some Member of the Council of India to be president of the said Council, in whom during the absence of the said Governor General from the said Presidency of Fort William in Bengal the powers of the said Governor General in assemblies of the said Council, shall be reposed."

It is also provided by Parliament that "it shall be lawful in every such case for the said Governor General in Council by a law or regulation for that purpose to be made to authorize the Governor General alone to exercise all or any of the powers which might be exercised by the said Governor General in Council, except the power of making laws or regulations."

His Lordship in Council has determined in the exercise of the powers entrusted to him by Parliament to pass a Legislative Act conferring all the executive powers of the Supreme Government on the Governor General during his absence. Though new in form this arrangement by no means new in substance. On the contrary it is virtually existed whenever a Governor General has been absent from his Council and the only novel circumstance is that what on former occasions was effected by means of an understanding between the Members of the Government, will now, according to the directions of Parliament, be effected by a Legislative enactment but the same understanding will yet exist and the same mutual reliance be made upon matters of importance as have been hitherto found sufficient to insure the cordial cooperation of the authorities and to ensure harmony and confidence in the transaction of public affairs.

The business of the Legislative Department during the absence of the Governor General will be conducted in the manner prescribed by the Act of Parliament—Drafts of Act will be promulgated for general information by the authority of the President in Council but none will be finally passed without the assent of the Governor General signified in writing.

The business of the Supreme Government in other departments will be conducted according to arrangements to be agreed upon between the Governor General and the President in Council.

The business of the Government of Bengal will, during the absence of the Governor General, be conducted by a Deputy Governor.

The Lieutenant Governor of the N W Provinces has, to the great regret of His Lordship in Council signified his intention to retire in a short time from the public service. It appears to His Lordship in Council that to appoint a Lieutenant Governor of those Provinces at a time when the Governor General is actually residing within them, would be to incur large expense without proportionately adding to the efficiency of the administration. His Lordship in Council is satisfied that he shall best conform to the spirit of the existing Acts of Parliament, and best consult the Public interests by taking the N W Provinces, after the departure of the Lieutenant Governor, into the immediate charge of the Supreme Government. The Governor General who will hold all the executive powers of the Supreme Government, will himself, during his residence in those Provinces, perform the functions now performed by the Lieutenant Governor, in communication with the President in Council, in such mode as may be determined upon between the two authorities.

The following Draft of a proposed Act is accordingly published for general information.

Act No — of 1887.

It is hereby enacted, that from the day on which it shall be notified by an Order of the Governor General of India in Council published in the Official Gazette that the said Governor General has quitted his Council for the purpose of proceeding to the N W Provinces, till the time at which the said Governor General shall next after the said notification, rejoin his Council, the said Governor General shall have all the powers of Governor General in Council except the power of making Laws or Regulations.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 14th day of October next.

The following Draft of a proposed Act, was read in Council for the first time, on the 4th September 1887.

Act No — of 1887.

It is hereby enacted, that from the day of all Aumeens of Police, who have been or may be appointed according to Section XL, Regulation XL of 1816, of the Madras Code to act with the Police powers vested in Tahsildars by that Regulation, shall possess all Police powers and Criminal Judicial powers which are vested in Tahsildars within the Territories subject to the Presidency of Fort St George by any law or Regulation whatever, and shall be subject to all provisions to which, by any Law or Regulation, Tahsildars are subject, in respect of any of those powers.

Ordered, that the Draft now read be published for general information.

Ordered that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 26th day of Oct 1887.

The following Draft of a proposed Act was read in Council for the first time on the 4th September 1887.

Act No — of 1887.

It is hereby enacted that so much of Section VII Reg X of 1820 of the Bengal Code as directs that the Officer to whom the management of the Stamp Duties may be transferred shall be a Covenanted Officer, be repealed.

Ordered, that the Draft now read be published for general information.

Ordered that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 24th day of October next.

Resolution—The attention of His Lordship in Council has lately been called to the Regulations of the Bengal Code which positively enjoin the use of the Persian language in Judicial and Fiscal Proceedings.

His Lordship in Council is sensible that it would be in the highest degree inexpedient hastily to substitute any other language for that which has during long course of years, been appropriated to the transaction of public business. He is satisfied that in many parts of the country a sudden and violent change would produce serious public inconvenience, and that it would reduce many old and useful servants of the public to distress such as no humane Government would willingly cause.

At the same time, His Lordship in Council strongly feels it to be just and reasonable that those Judicial and Fiscal Proceedings on which the dearest interest of the Indian people depend, should be conducted in a language which they understand. That this great reform must be gradual that a considerable time must necessarily elapse before it can be carried into full effect, appears to His Lordship in Council to be an additional reason for commencing it with delay. His Lordship in Council is therefore disposed to empower the Supreme Executive Government of India, and such subordinate authorities as may be hereunto appointed by the Supreme Government to substitute the Vernacular languages of the country for the Persian in legal proceedings and in proceedings relating to the Revenue.

It is the intention of His Lordship in Council to delegate the powers given by this Act, for the present only to the Governor of Bengal and to the Lieutenant Governor of the N W Provinces and he has no doubt that those high authorities will exercise these powers with that caution which is required at the first introduction of extensive changes however salutary in an old and deeply rooted system.

The following Draft of a proposed Act is accordingly published for general information.

Act No — of 1887.

It is hereby enacted, that from the day of its being notified by an Order in Council, to be published in the Official Gazette, that the said Governor General of India in Council, by an Order in Council, to discontinue either generally, or within such local limits as may to him seem meet, with any provision of any Regulation of the Bengal Code which enjoins the use of the Persian language in any Judicial proceeding, or in any proceeding relating to the Revenue, and to prescribe the language and character to be used in such proceedings,

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VI And it is hereby enacted that from the said day it shall be lawful for the said Governor General of India in Council by an Order in Council, to delegate all or any of the powers given to him by this Act, or any part thereof, to any subordinate authority or for such restrictions as may to the said Governor General of India in Council seem meet.

Ordered, that the Draft now read be published for general information

Ordered that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 31st day of October next.

17th Sept 1837

The following Draft of a proposed Act was read in Council for the first time on the 11th September, 1837

Act No — of 1837.

It is hereby enacted, that so much of Act XVII. of 1834, as directs that certain coins issued from the Mints within the Territories of the East India Company shall bear on the obverse the head of the reigning Sovereign of the United Kingdom of Great Britain and Ireland, shall be suspended till the Governor General of India in Council shall, by an order in Council, declare those parts of the said Act to be again in force

And it is hereby enacted, that till the said Governor General in Council shall make such an Order in Council as is aforesaid the said coins shall bear on their obverse the head of His late Majesty William the Fourth

Ordered, that the Draft now read be published for general information

Ordered that the said Draft be re considered at the first Meeting of the Legislative Council of India after the 31st day of October next

The attention of the Governor General in Council has been called to the situation in which many of the Land and Proprietors in the British settlements in the Straits are placed

His Lordship in Council apprehends that within those settlements Land can be lawfully bequeathed and inherited only according to the rules of English Law

But it is certain that in practice the rules of English Law have been little regarded by a great part of the population Land of freehold tenure has been equally divided between the Members of a family instead of descending to the heir at law It has been bequeathed by Testaments not executed with the formalities of a devise Emigrants from different countries have introduced their own national usages and the legality of those usages has not as far as His Lordship in Council is informed, been publicly questioned

His Lordship in Council is apprehensive that if any attempt were made to enforce the English Law of inheritance in a society in which such laxity and variety of practice have hitherto prevailed, great confusion, distress and insecurity would be the consequence

His Lordship in Council has therefore determined to pass an Act which may prevent all doubt as to the law for the future and which may secure the present holders of Land in their possession He thinks it desirable that Land in the Eastern Settlements should henceforth be dealt with by the Courts as being and as having always been of the nature of personal property. He proposes to confirm in their Estates all on whom the Estate of deceased persons have devolved either in the mode which has hitherto been strictly lawful, or in any of the modes which though not strictly lawful, have yet been popularly considered as lawful Another provision has been added for the purpose of securing those who having acquired Estates in any of the above mentioned modes have subsequently sold them, in the enjoyment of the purchase money

In conformity with these views His Lordship in Council has passed the following Act

Act No XX of 1837

I It is hereby enacted, that from the first day of October, 1837, all immovable Property situate within the jurisdiction of the Court of Judicature of Prince of Wales Island, Singapore and Malacca, shall, so far as regards the transmission of such property on the death and intestacy of any person having a beneficial interest in the same, or by the last Will of any such person, be taken to be, and to have been of the nature of Chattels real and not of freehold.

II Provided always, that in any suit at law or equity which shall be brought for the recovery of such immovable Property as freehold, no advantage shall be taken of any defect of title on the part of the transmission of such property upon the death or intestacy of any person having a beneficial interest in the same, or by the last Will of any such person, if such transmission

took place before the said first day of October, and if such transmission were according to the Rules which regulate the transmission of freehold property, or were according to the Law of the Nation to which the deceased person belonged, or took place with the acquiescence of all those to whom any interest in that property would, according to the Rules which regulate the transmission of Chattels real, have accrued upon the death of that person

III Provided also, that in all cases where such immovable Property derived from a deceased person, shall have been, before the said first day of October conveyed for a valuable consideration by any person who would be entitled to convey the same according to the Rules which regulate the transmission of freehold property or according to the law of the nation to which the deceased person belonged the person who so conveyed shall be entitled to retain to his own use the consideration received for such conveyance

18th Sept 1837.

The following Draft of a proposed Act was read in Council for the first time on the 18th September 1837

Act No — of 1837

I It is hereby enacted that from the day of the Provisions of the second and third Section IV Regulation IV, of 1831 of the Madras Code, shall apply to all petty offences cognizable by heads of District Police, as well as to petty thefts

II And it is hereby enacted that whenever any head of District Police shall, under those Provisions report any cause whatever to a Magistrate for final Orders such head of District Police shall state precisely in his report the description and extent of the punishment, which in his opinion is proper to be inflicted in that case and the said Magistrate, if he give orders at variance in any respect with that opinion, shall record his reasons for varying from it

Ordered that the Draft, now read be published for general information

Ordered that the said Draft be re considered at the first Meeting of the Legislative Council of India after the 31st day of October 1837

The following Draft of a proposed Act was read in Council for the first time on the 18th September 1837

Act No — of 1837

I It is hereby enacted, that from the day of Section VI, Regulation VIII of 1837 of the Madras Code, shall be repealed and that it shall be lawful for Magistrates under the Government of the Presidency of Fort St George to send persons, for trial, commitment, or confinement to Principal Sudder Amice, any Provision of any Regulation to the contrary notwithstanding

II Provided always, that it shall not be lawful to send any European or American for such purpose, to a Principal Sudder Amice, but that Magistrate shall send Europeans and Americans for trial commitment or confinement, to the Criminal Judges as heretofore

Ordered that the Draft now read be published for general information

Ordered, that the said Draft be re considered at the first Meeting of the Legislative Council of India after the 31st day of October 1837

The following Draft of a proposed Act was read in Council for the first time on the 18th September 1837

Act No — of 1837

I It is hereby enacted that from the day of the Jurisdiction vested in Collectors, Subordinate Collectors, and Assistant Collectors, by Regulations IX of 1837 and VII. of 1838 of the Madras Code, in cases of embezzlement of public money and of the falsification, destruction, or concealment of any Public Account, Record, Voucher, or Document relating to public money, shall extend to cases of the embezzlement of any public property, or the falsification, destruction, or concealment of any public Account, Record, Voucher, or Document relating to any public property, by any person of any of the classes described in the third Clause of Section II of the said Regulation IX of 1837

II And it is hereby enacted, that from the said day of all Provisions of either of the said Regulation IX. of 1837 and VII. of 1838, which apply to cases of the embezzlement of public money shall apply to cases of the embezzlement of any public property whatever by persons of any of the classes described in the third Clause of Section II of the said Regulation IX. of 1837; and that all Provisions of either of the said Regulations which apply

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to dates of the falsification, destruction, or concealment of any public Account, Record, Voucher, or Document, relating to public money, shall apply to cases of the falsification, destruction, or concealment, of any public Account, Record, Voucher, or Document, relating to any public property whatever, by persons of any of the said classes.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re considered at the first Meeting of the Legislative Council of India after the 31st day of October 1837.

The following Draft of a proposed Act was read in Council for the first time on the 18th September 1837

Act No — of 1837

I It is hereby enacted, that from the day of all Provisions of any Regulation of the Madras Code, which direct that any translations of Decrees passed by the Court of Sadar Adawlut, or by the Provisional Courts or by the Auxiliary Courts under the Presidency of Fort St George, shall be attached or appended to those Decrees, or shall be furnished to parties in the Suits wherein those Decrees are passed, shall be repealed.

II And it is hereby enacted that from the said day of an Abstract of every such Decree, containing a succinct Statement of the grounds of the judgment shall, on the day of the promulgation of the Decree, be entered in the Diary of the Court passing the Decree, and every party in the Suit wherein the Decree is passed shall be entitled to be furnished with a copy of that Abstract on application for a copy thereof, or with a translation of that Abstract in a current language of the District or County, on application for such a translation.

III And it is hereby enacted that from the day of all rules now in force within the Presidency of Fort St George for determining from what days the limited periods for appealing from decrees of the Sadar Adawlut or of the Provincial Courts, or of the Zillah Judges or of the Zillah Assistant Judges, or of the Zillah Revenue shall be computed, shall be repealed, and that such limited periods for appealing from any such Decrees shall be computed from the day on which the Decree is sealed and signed, agreeably to Section XXVII, Regulation III of 1803 of the Madras Code. Provided always, that if within such limited period as aforesaid an application be made by any Plaintiff or Defendant for a copy of the Decree, or for a copy or a translation of the abstract mentioned in the Clause last preceding or for both a copy of the Decree, and a copy or a translation of the abstract, and if the Document or Documents so applied for be not delivered or tendered on the same day to the party applying, then, for every day of such delay not attributable to that party, a day shall be added to the period allowed for appealing, in as far as the right of that party is concerned.

IV And it is hereby enacted that the day on which the time for appealing will expire shall be certified at the end of every Document furnished to any party according to the last preceding Clause.

V And it is hereby enacted, that on the day on which any such Decree is sealed and signed the day on which the original limited period for appealing will expire, shall be proclaimed in open Court.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re considered at the first Meeting of the Legislative Council of India after the 31st day of October 1837.

26TH SEPTEMBER, 1837.

The following Act passed by the Right Honble the Governor General of India in Council on the 25th September 1837, is here by promulgated for general information.

Act No XXI. of 1837

I It is hereby enacted, that from the first day of October 1837, it shall be lawful for the Governor in Council of any Presidency of which there is a Council, and for the Governor of any Presidency of which there is no Council, to dispense with any Oath which by any Regulation of that Presidency or by any Act of the Governor General of India in Council is now required to be taken, and that it shall be lawful for the Lieutenant Governor of the N W Provinces to dispense with any Oath which by any Regulation or any Act of the Governor General of India in Council now is in force within those Provinces is now required to be taken.

II Provided always, that the dispensing power given by this Act shall not extend to any Oath now required by Law to be taken in any stage of any judicial proceeding.

III And it is hereby enacted, that whenever any Oath is dispensed with under the authority given by this Act, any person who but for such dispensation would have been legally required to take such Oath shall, in the presence of the functionary by whom but for such dispensation such Oath would have been administered, make and subscribe a Declaration in writing to the same effect with such Oath.

IV And it is hereby enacted, that whoever shall, in any Declaration made and subscribed according to the Provisions of this Act, knowingly state any untruth such that if that untruth, had been stated on Oath, the person stating it would have been guilty of perjury, shall be punished with imprisonment for a term not exceeding one year, or fine, or both.

The following Act passed by the Right Honble the Governor General of India in Council on the 25th September 1837, is here by promulgated for general information.

Act No XXII of 1837

I It is hereby enacted, that from the first day of November 1837, neither the Criminal Judge nor the Magistrate of the Zillah of Chingleput shall have any jurisdiction in respect of offences committed within the Collectorate of Madras against any Regulation relating to the public revenue.

II And it is hereby enacted, that the whole jurisdiction now belonging to the said Criminal Judge, and also the whole jurisdiction now belonging to the said Magistrate in respect of such offences shall from the first day of November 1837, belong to the Superintendent of Police of the town of Madras, and to every one of the Deputies of the said Superintendent and shall be exercised by the said Superintendent and by every one of the said Deputies according to the rules by which the said Criminal Judge and the said Magistrate are now bound to exercise the same.

III Provided always, that in the exercise of this jurisdiction the said Superintendent of Police and the said Deputies shall not be subject to the orders of the Court of Circuit for the Centre Division of the Madras Territories, nor be bound by any rule in the Madras Code of Regulations to furnish any Calendar, List, or Report to that Court, but shall be immediately subject to the orders of the Court of Foujdary Adawlut, and shall furnish to the Court of Foujdary Adawlut such Lists or Calendars of charges preferred before them, or of persons sentenced to punishment by them, as the said Court of Foujdary Adawlut may direct.

IV Provided also, that it shall be lawful for the said Superintendent and every one of the said Deputies, in cases in which the said Criminal Judge or the said Magistrate would now be empowered to commit any person to the Jail of Chingleput to commit such person to any Jail within the Collectorate of Madras.

V Provided also, that the Provisions of Clause 6th of Section VIII of Regulation XV of 1803 of the Madras Code, shall be applicable to all Convicts on whom sentence of imprisonment shall have been passed by the said Superintendent of Police, or by any of the said Deputies in the exercise of the jurisdiction transferred to them by this Act.

CIVIL APPOINTMENTS, &c:

BY THE GOVERNOR OF BENGAL,

FORT WILLIAM, FINANCIAL DEPARTMENT, 23d MAY, 1836

The following Proclamation is repeated by Order of the Governor of Bengal

The Right Honble the Governor General of India in Council having this day passed an Act, whereby it is declared, that after the 1st January 1836, the Calcutta Silver Rupees shall cease to be a legal tender in payment of any debt or demand, and shall be

received at the Public Treasuries as Bullion by weight and subject to a discount of 1 percent, to pay the expense of re-coinage. Notice is hereby given, that the holders of Calcutta Silver Rupees shall be entitled until the said date to pay the same into the General Treasury of Calcutta, and to receive in exchange New or Company's Rupees coined under the provisions of the Act No XXV. of 1835, at the rate of 16 New or Company's Rupees for every 15 Calcutta Silver Rupees of due weight. The Collectors of Land Revenue will be furnished with the means of similarly exchanging Calcutta Silver Rupees for New Rupees, and Notice will be given by the Collector in each District of the

GENERAL REGISTER.

date from which the exchange will commence at his Treasury The period to be allowed being in no instance less than three months.

POLITICAL DEPARTMENT, 29TH AUGUST, 1837

Lieutenant H C Shakspear, of the 20th Regiment N I, has obtained an extension of one month's leave of absence from the 10th proximo, to enable him to join his appointment at Hyderabad.

14TH SEPTEMBER, 1837

The Right Honorable the Governor General of India in Council has been pleased to grant to Mr. H. A. Hughes, the Superintendent of the Nagpur Division, three months' leave of absence from his Station, on account of private affairs.

The leave of absence granted on the 17th July last to Lieutenant C. H. Thomas of the 11th Regiment Native Infantry, Assistant to the General Superintendent of the Operations for the Suppression of Thuggee to visit the Presidency on private affairs, is to take effect from the 15th October instead of the 15th September.

GENERAL DEPARTMENT, 13TH SEPTEMBER 1837

Mr. D. Cunningham having passed an examination on the 5th instant, and being reported qualified for the Public Service by proficiency in two of the Native languages, the order issued on the 2d ultimo for that Gentleman's return to England, is cancelled.

The Right Honorable the Governor General of India in Council is pleased to attach to the Bengal Presidency Mr. D. Cunningham, Writer, reported qualified for the Public Service.

PORT WILLIAM, GENERAL DEPARTMENT, 20TH AUGUST 1837

Sir C. D. Oily, Bart. Member of the Board of Customs, Salt and Opium, and of the Marine Board, resumed charge of his duties on the 24th instant.

The Right Honorable the Governor of Bengal is pleased to grant to Mr. C. D. Oily, Bart. leave of absence for a period of six months from the 10th proximo to visit Singapore and eventually China, for the benefit of his health.

The Right Honorable the Governor of Bengal, with the concurrence of the Honorable the Lieut. Governor of the North Western Provinces, is pleased to transfer the services of Mr. F. Stalworth at present an Assistant under the Commissioner of Revenue and Circuit of the Gouluckpore Division, to the Bengal Presidency.

6TH SEPT, 1837

Captain Thomas Talbot Harington has assumed the Office of Master Attendant of this Port, under the Provisional Appointment of the Honble the Court of Directors, vice Capt. W. Hope deceased. This Appointment to take effect from the date of Capt. Hope's decease.

The Right Honorable the Governor of Bengal has this day appointed Capt. A. B. Clapperton, 1st Assistant to the Master Attendant.

30TH SEPTEMBER, 1837

The Right Honorable the Governor of Bengal is pleased to confirm the appointment of Mr. W. F. Palmer as an Agent of the 24 Pargannas and Jessore Agency, and Mr. C. Mackintosh in the appointment of Superintendent of the Sukra Salt-Golaha.

Mr. J. Downer with a view to perform the duties of Commercial Resident of Bhanisab, until further orders.

The Right Honorable the Governor of Bengal is pleased to grant Mr. Samuel Bowring, a 1st Assistant of the Bengal Presidency employed under the Lieutenant Governor of the North Western Provinces, leave to proceed to the Cape of Good Hope and to be absent for two years, for the recovery of his health.

Messrs Henry Vansittart and Richard Outnes Baikes reported their arrival at Wylton on this Establishment on the 15th instant.

JUDICIAL AND REVENUE DEPARTMENT, THE 29TH AUGUST, 1837

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. W. A. Law to officiate as Joint Magistrate and Deputy Collector of Bogra.

Mr. F. Stalworth to be an Assistant under the Commissioner of Revenue and Circuit of the 14th M. Moorshedabad Division.

Mr. G. T. Seely to be an Assistant under the ditto of ditto.

Mr. G. J. Martin to exercise the powers of Joint Magistrate and Deputy Collector in Zillah Cuttack.

Mr. J. M. Wray to be Deputy Collector in Zillah Moorshedabad, under the provisions of Regulation IX. of 1833.

The following Officers have obtained leave of absence from their Stations:

Mr. H. C. Hamilton, Officiating Collector of Behar, for six weeks from the 10th Proximo on private affairs, Mr. J. Reid will conduct the current duties of the Office.

Mr. R. F. Hodgson Assistant under the Commissioner of the 19th M. Bhawalpore Division, for 21 days from the 16th Proximo, in extension of the leave granted to him by the Commissioner, to enable him to join his Station.

29TH AUGUST, 1837

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. Charles Francis to be Deputy Collector of Calcutta.

1ST SEPTEMBER 1837

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Lieutenant F. Nicholson is appointed to be a Principal Assistant to the Agent to the Governor General under Regulation XIII of 1833.

5TH SEPTEMBER, 1837

Mr. W. Vansittart to officiate until further orders as Joint Magistrate and Deputy Collector of the 24 Pargannas.

Lieutenant J. R. Abbott to officiate as a Junior Assistant to the Commissioner of Arrakan, during the absence of Lieutenant Reiney on sick certificate.

Baloo Kussomoy Dutt to officiate as a Commissioner of the Court of Requests, during the absence of Mr. Britzcke on Sick Certificate.

The following officers have obtained leave of absence from their Stations:

Mr. J. Stanforth Officiating Special Deputy Collector in Rajshahi &c. for fifteen days, on private affairs, in extension of the period allowed for joining his appointment at Baulah.

Mr. R. Macan Officiating Registrar of the Courts of Sudder Dewanny and Nizamat Adawlut, for one month on private affairs preparatory to his embarkation for Europe on Fulligh to commence from the date of his making over charge of his Office.

Mr. J. Dunbar, Magistrate and Collector of Bhawalpore for two months, on Medical Certificate, in extension of the leave granted to him on the 19th June last.

Mr. D. J. Money Joint Magistrate and Deputy Collector of Burdwan permitted to proceed to Europe for six months on Medical Certificate, in extension of the leave granted to him on the 5th ultimo.

Mr. J. J. Jordan, Sudder Ameen in Zillah Backergunge, during the ensuing Dussarah Vacation.

Mohammad Khorsheed Khan Sudder Ameen in Zillah Moorshedabad, during the Dussarah Vacation.

12TH SEPTEMBER 1837

Mr. G. G. Mackintosh to be Joint Magistrate and Deputy Collector of Behar retaining charge of the Khaj and Resumed Uchals of Purnea till further orders.

Lieutenant J. W. Fennell to the General Charge and Superintendence of his Survey of the Province of Cuttack.

Mr. G. Hough to be Deputy Collector in Central Cuttack, under the provisions of Regulation IX. of 1833.

Bahadur Radha Bullab Doss to be ditto ditto in Zillah Balasore under ditto of ditto.

Bahadur Bijnah Bala, Sudder Ameen, is promoted to the office of Second Principal Sudder Ameen in Zillah Jessore.

The following Officers have obtained leave of absence from their Stations:

Mr. J. J. Harvey Magistrate and Collector of Chittagong, for two months on Medical Certificate, Mr. A. S. Anand in Official as Magistrate and Collector, during the absence of Mr. Harvey on until further orders.

Mohammad Khorsheed Khan Bahadur, Principal Sudder Ameen in Zillah Purnea, during the Dussarah Vacation.

The extended period of the leave of absence granted to Mr. C. H. Thomas, Assistant to the Magistrate and Collector of Barr on his vacation, is cancelled from the 15th Nov, the date at which he rejoined his Station.

GENERAL REGISTER.

19TH SEPTEMBER, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointment

Mr A T Durr to officiate, until further orders, as Joint Magistrate and Deputy Collector of Dacca

The following Officers have obtained leave of absence from their Stations

Mr T. Gervin Officiating Magistrate and Collector of Saran for one month in extension of the period allowed to join his Station at Saran

Mr D J Money Joint Magistrate and Deputy Collector of Bancoora, to proceed to the Cape of Good Hope, for twelve months on Medical Certificate, instead of proceeding to Singapore for six months as sanctioned on the 5th instant

Mr J Wheeler Assistant in charge of the Khass and Revenue Mehsals in Tirhoot for two months, on private affairs Mr J G Campbell will manage the department during the absence of Mr Wheeler

21ST SEPTEMBER, 1837

Mr W W Bird Special Commissioner permitted to adjourn his Court, and return to the Presidency, as soon as the local Enquiry is completed at Hooghly

Mr John Hawkins, Commissioner of Revenue and Circuit of the 13th or Banien Division to proceed to the Presidency for a short time, retaining charge of his office

FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, 6TH SEPT, 1837

The Right Honorable the Governor of Bengal is pleased to grant to the Reverend Richard Arnold, District Chaplain at Cuttack, an extension of three days of the leave notified in the Gazette, dated 27th May last

The Reverend J Bateman Domestic Chaplain to the Lord Bishop of Calcutta is permitted to proceed to Europe on Furlough under Medical Certificate

FINANCIAL DEPT, 6TH SEPT, 1837

Mr R H Snell is appointed to act for Mr H Alexander as second Assistant to the Accountant General and to the Sub Treasurer, until further orders

FORT WILLIAM MILITARY DEPARTMENT, 15TH SEPT, 1837

Notice is hereby given that the Pay, Batta and other Allowances for September, 1837 of the Troops at the Presidency and at the other Stations of the Army, will be issued on or after Thursday the 12th proximo

BY THE HON'BLE THE LIEUT GOVERNOR OF THE N. W. PROVINCES.

GENERAL DEPARTMENT, AGRA, 21ST AUGUST, 1837

Mr A K Lindsey Civil Surgeon to be Deputy Post Master at Benares, from the 16th instant

26TH AUGUST, 1837.

Mr E H Merland to officiate as Civil Auditor and Deputy Accountant, North Western Provinces

29TH AUGUST, 1837

Mr F O Wells, Accountant North Western Provinces will relieve Mr Harvey from the charge of the Audit Office, and conduct the Duties until relieved by Mr Merland

30. SEPT 1837.

Mr R H Scott is permitted to be absent from his Office for two months to visit the Hills North of Benares, on the strength of his Health the Honble the Lieutenant Governor is pleased to appoint Mr R H O Hamilton to take charge until further orders of the Office of Secretary to the Lieutenant Governor in the Political and General Department

In pursuance of the Orders of the Honble the Lieutenant Governor of this date, Mr Hamilton has received charge of the Office of Secretary to the Lieutenant Governor in the Political and General Department

30TH AUGUST, 1837.

Mr T. P. Woodcock, Collector and Magistrate of Allahpore, is permitted to proceed to Europe on Furlough during the season 1837

1ST SEPTEMBER, 1837

Surgeon H Guthrie M D, is at his own request placed at the disposal of His Excellency the Commander in Chief

JUDICIAL AND REVENUE DEPARTMENT, AGRA, 16TH AUGUST 1837

Mr J B Hill to be an Assistant under the Commissioner of the Meerut Division

17TH AUGUST, 1837.

Mr B Taylor, Judge of Moradabad, has obtained leave of absence for one month from the 14th instant on urgent private affairs Mr Taylor has been authorized to make over charge of his Office to Mr Qaden, who will officiate as Civil as well as Sessions Judge of Moradabad, during the period of Mr Taylor's absence.

16TH AUGUST 1837

Mr S S Brown, Magistrate and Collector of Hurrinadah has obtained leave of absence for three weeks on his private affairs. Mr Brown has been authorized to make over charge of his Office to Mr W D H Muth who will officiate as Magistrate and Collector of Hurrinadah during the period of Mr Brown's absence

22ND AUGUST 1837

Mr A P Omrie to be Magistrate and Collector of Benares

Mr A C Heyland to be Magistrate and Collector of Ghazepore Mr Heyland will continue to officiate as Judge of Azamgarh until further orders

Mr G F Edmonstone will continue to officiate as Magistrate and Collector of Ghazepore till relieved by Mr W Hunter, when he will proceed to join his appointment at Bichampur

23RD AUGUST 1837

The following Officers have obtained leave of absence Doctor J Stokes Civil Assistant Surgeon of Banneerpore from 1st November 1837 to 25th February 1838 on his private affairs, preparatory to applying for Furlough

26TH AUGUST 1837

Mr S Bowring, Deputy Collector of Customs at Bandikund, for three months, on Medical Certificate, preparatory to his applying for leave to go to Ben

26TH AUGUST, 1837.

Mr J Davidson, Judge of Etawah, for two months, from the 1st proximo, on his private affairs Mr Davidson is authorized to make over charge of the current duties of his Office to Mr J Cumine, the Joint Magistrate and Deputy Collector.

28TH AUGUST, 1837

Mokund Sing Panchosover, Principal Under Amoon of Agra, has obtained leave of absence for twelve days, from the 2d instant.

29TH AUGUST, 1837.

Mr G. Blunt to officiate as Magistrate and Collector of Moradabad

Mr G F Harvey to officiate as Magistrate and Collector of Agra

Mr. A. U C Flowden to officiate as Collector of Customs at Agra.

Mr. C Mackenzie to exercise the powers of a Joint Magistrate and Deputy Collector to the District of Meerut.

Mr G G Marshall, Magistrate and Collector of Agra has obtained an extension of leave of absence on Medical Certificate, for 3 months, from 1st September next.

1ST SEPTEMBER, 1837.

Mr. S. Taylor to officiate as Commissioner of the Agra Division. Mr. R. N C Hamilton will continue to officiate as Commissioner until relieved by Mr. Taylor.

Mr F B Guthrie to be an Assistant under the Commissioner of the Delhi Division.

1ST SEPTEMBER, 1837.

Mr R. Torrance, Revenue Surveyor in Bundelcund, has obtained leave for 9 months, for the recovery of his health.

GENERAL REGISTER

7th SEPTEMBER, 1837

Mr R. H. Wiggins to take charge of the Custom House at Humberstone, until further Orders

6th SEPTEMBER, 1837

Mr. A. Shank to be Joint Magistrate and Deputy Collector of Gorseapore

Mr. R. H. S. Campbell to be Joint Magistrate and Deputy Collector of Jannore. Mr Campbell will continue to officiate as Joint Magistrate and Deputy Collector of Furrackabad, until further orders

7th SEPTEMBER, 1837.

Mr F. S. Moad to officiate a Joint Magistrate and Deputy Collector of Alahabad.

Mr M. F. Mair to exercise the powers specified in Clause 3, Section II Regulation III. of 1831, as Assistant to the Magistrate at Beharunpore

GENERAL DEPARTMENT. REGULATIONS, AODA, 30 SEPT. 1837.

The leave of absence for one month from the 7th ultimo, granted to the Reverend T. C. Proby, Chaplain at Meerut, under date the 19th July last, is cancelled at his own request

MILITARY APPOINTMENTS, &c.

BY THE RIGHT HON'BLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 28th August, 1837

No 177 of 1837.—The Right Honorable the Governor General, of India in Council is pleased to resolve that the Arrakan Local Battalions shall be immediately increased from 4 to 6 Companies, of one Sepoohadar, one Jemadar, six Havildars six Nicks, two Buglers, and 100 Sipahs each with four 3 Pounders Field Pieces to be manned by Sipahs of the Corps under an Officer of Artillery, and Elephants attached for their draft on carriage

His Excellency the Commander in Chief will be pleased to issue the necessary Orders for carrying this augmentation into effect as early as practicable

Fort William, 21st August 1837

No 178 of 1837.—The undermentioned Officers who were lately in the service of the King of Oude or placed at the disposal of His Excellency the Commander in Chief

Major Charles James Collie Davidson, of the Corps of Engineers
Surgeon Ebenezer Clarkson, of the Medical Department

Fort William, 4th September, 1837.

No. 181 of 1837.—Lieutenant William Henry Hobson B land of the 7th Regiment Native Infantry, is promoted to the rank of Captain by Brevet, from the 28th August 1837

The undermentioned Gentlemen are admitted to the Service, in conformity with their appointments by the Hon'ble the Court of Directors, as Cadets of the Infantry on this Establishment and, promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment :

Infantry.—Messrs Edward Dayet Watson and Martin Bollean Which, date of arrival at Fort William, 30th August 1837.

No 184 of 1837.—The following pages, of a Military Letter No. 49, from the Hon'ble the Court of Directors, dated 29th June 1837 are published for general information :

"Para. 1 We have to acquaint you that Regimental Captains of Her Majesty's Service returning to England in which Certificate, and Regimental Captains and Subalterns of Her Majesty's Service again proceeding to India after a Furlough of Twelve Months, are hereafter to be entitled to receive the rate of Passage Money which is authorized by Her Majesty's Regulations for Officers returning from and again proceeding to England under similar circumstances : with their appointments as Captains under similar circumstances : (5) Fifty Five, with an allowance to Regimental Captains of (5) Fifty Five for the passage of a Servant when actually embarked ; subject however on a declaration, according to the form used in similar cases by the Bengal Military Fund, that the Officer claiming the Passage Allowance does not possess Property to the amount of (5,000 Five Thousand Rupees.

2. The Passage Money for the outward voyage will, in all cases, be paid in this Country, and that for the homeward voyage, in India.

3. You will observe that by the Warrant of the 30th May 1837, Her Majesty's Officers receiving a Passage Allowance, receive a reduction of £ (5) Five from their Pay for the period of the voyage. This will apply to all cases as well as to those existing before, as under those now contemplated by the Regulations.

No 185 of 1837.—The following pages, of a Military Letter No. 49, from the Hon'ble the Court of Directors dated the 28th June 1837 are published for general information :

"Reply to a letter, dated 22d December, 1836.

(No 90)

Submits for the consideration and Orders of the Court a copy of a G. O. issued by the Commander in Chief in consequence of the publication in a Calcutta Newspaper of a letter from Colonel Vane Kennedy, of the Bombay Establishment, on the subject of his alleged Army of India, through a Newspaper for the purpose of controverting opinions expressed in General Orders by the Commander in Chief of the Presidency to which he belongs

2. The want of a due sense of Military subordination which is evinced in this act, is in the highest degree reprehensible and merits our most severe disapprobation. We are only restrained by a consideration for Colonel Kennedy's former services from now visiting him with a more severe mark of our displeasure.

3 You will publish these paras in General Orders.

No 183 of 1837.—The following paragraphs of a Military Letter No. 48 from the Honorable the Court of Directors, dated the 28th June 1837, are published for general information :

"1 We have permitted Assistant Surgeon S M Griffith to return to his duty in Persia, subject to any arrangements which may have been intermediately made by your Government for filling up the appointment held by him, upon the understanding that if that appointment has been filled up he will not be entitled to any allowances in consequence of this permission, or until his arrival in Bengal.

2 We have granted additional leave to the following Officers and Sub-Commanders ; viz.

Lieutenant Colonel Thomas Oliver and Captains James Fraser, six months ; William Filla, till July, S H Ludlow and Lieutenant Osborne Campbell, six months, and Sub-Commander W Donahoo six months.

4 We have permitted the following Officers of your Establishment to retire from the service :

Lieutenant Colonel W W Moore, from the 4th May 1837.

Major G A Kempland from the 21st July 1837

No. 186 of 1837.—Lieutenant J. Butler of the 55th Regiment Native Infantry doing duty with the Assam Sepoody Corps is permitted to rejoin his own Regiment

Ensign Charles Scott, of the 27th Regiment Native Infantry, lately appointed to do duty with the Assam Light Infantry, is removed to the Assam Sepoody Corps, vice Butler

Mr. Francis Peter Rivers is admitted to the service, in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment. Date of arrival at Fort William, 1st September, 1837.

Lieutenant Edward Darvall, of the 57th Regiment Native Infantry, has returned to his duty on this Establishment without prejudice to his rank, by permission of the Honorable the Court of Directors. Date of arrival at Fort William, 30th August, 1837.

The leave of absence granted in General Orders No 137 of the 24th July 1836, to Lieutenant Peter Nicholson, of the 95th Regiment Native Infantry, Senior Assistant to the Agent to the Governor General, under Regulation 12 of 1835, is extended to the 1st instant.

Lieutenant H. C. Shakespear, of the 24th Regiment Native Infantry, has obtained in the Political Department, an extension of one month's leave of absence, from the 1st instant, to enable him to join his appointment at Hyderabad.

No. 188 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Alterations of Rank :

GENERAL REGISTER.

Regiment of Artillery—Captain and Brevet Major Thomas Treston to be Major, 1st Lieutenant and Brevet Captain Henry Humphrey to be Captain, and 2nd Lieutenant Vincent Eyre to be 1st Lieutenant, in succession to Major James Chicheley Hyde retired with rank from the 27th of April 1837, vice Major Charles Graham promoted.

Superannuated—1st Lieutenant Thomas Brougham is brought on the effective strength of the Regiment.

36th Regiment Native Infantry—Captain Edward Simson Hawkins to be Major, Lieutenant and Brevet Captain William John Baptist Knyvett to be Captain of a Company, and Ensign John Waterfield to be 1st Lieutenant from the 30th of March 1837, in succession to Major William Aldous retired.

60th Regiment Native Infantry—Ensign Daniel Stanbury to be Lieutenant, from the 1st of March 1837, vice Lieutenant Oswald John Youngusband retired.

Medical Department—Assistant Surgeon Joseph Stapleton Sullivan to be Surgeon, vice Surgeon John Forbes Boyle resigned, with rank from the 30th of July 1837, vice Surgeon William Pitt Muston deceased.

ALTERATION OF RANK

Regiment of Artillery—Major T. I. Umnden, to rank from 8th April 1837 vice Major J. C. Hyde retired. Captain E. F. Day, ditto ditto ditto Captain T. I. Umnden promoted, 1st Lieut R. Smyth ditto ditto, ditto 1st Lieutenant and Brevet Captain E. F. Day, ditto.

Medical Department—Surgeons T. Forrest, to rank from 19th September 1834, vice Surgeon J. E. Royle resigned; M. Powell, ditto 1st March 1835, ditto Surgeon J. G. Gerard deceased; D. Campbell, ditto 28th May 1835, ditto Surgeon J. Coulter deceased; H. Clark, ditto 2d September 1835, ditto Surgeon F. Matthews deceased; D. N. Morgan, ditto 28th September 1835, ditto Surgeon J. F. Fulton deceased; J. Day, ditto 1st Oct. 1835, ditto Surgeon G. S. Lipton deceased; C. Motley, ditto 18th October 1835, ditto Surgeon N. J. Allan M. D., deceased; J. Ronald, ditto 1st March 1836, ditto Surgeon J. Henderson deceased; E. J. Yeatman, M. D., ditto 19th March 1836, ditto Surgeon O. Wray deceased; J. Innes M. D., ditto 21st March 1836, ditto Surgeon R. N. Burnard deceased; G. Smith, ditto 11th Nov. 1836, ditto Surgeon J. Clark, deceased; J. B. Steuart M. D., ditto 25th Dec. 1836, ditto Surgeon W. A. Venour retired; A. Wick, Clark, ditto 1st Feb. 1837, ditto Surgeon N. Maxwell M. D., retired; J. C. Olyn, M. D., ditto 5th Mar. 1837, ditto Surgeon J. Tyler deceased; W. Stevenson, M. D., ditto 1st March 1837, ditto Surgeon J. J. Paterson, deceased; W. Bell, ditto 1st May 1837, ditto Surgeon R. Graham, invalided; J. Greig, ditto 13th July 1837, ditto Surgeon D. Renton deceased.

No 15 of 1837.—To obviate the anomaly of a Gun Lascar or Ordnance Driver of 10 years' standing, receiving a pension on his promotion to the next higher grade, His Lordship in Council has pleased to raise the Pay and Half Batta of a Nalk of Gun Lascars to Rupees (8) Eight, and the Pay and Half Batta of a Lascar of Ordnance Drivers, to Rupees (7) Seven and instant.

Nalk's Pay	6	pleased to raise the Pay and Half Batta of a Nalk of Gun Lascars to Rupees (8) Eight, and the Pay and Half Batta of a Lascar of Ordnance Drivers, to Rupees (7) Seven and instant.
Half Batta	8	
Sirdar's Pay	54	
Half Batta	2	
	74	

Fort William, 8th September, 1837

No 187 of 1837.—The Governor General of India in Council is pleased to make the following Appointment to fill a vacancy in the Army Commissariat Department.

Lieutenant Richard Salisbury Simpson, of the 27th Regiment Native Infantry, to be a Sub-Assistant Commissary General.

The Governor of Fort William has been pleased to appoint Assistant Surgeon J. MacCall, in Medical Charge of the Orphan School to officiate as 2d assistant; Garrison surgeon, during the absence of assistant-surgeon A. Webb on duty with the Lord Bishop of Calcutta, or until further orders.

No 188 of 1837.—The Governor General in Council is pleased to make the following Appointment to fill a vacancy in the Army Commissariat Department.

Lieutenant George Johnston, of the 48th Regiment Native Infantry, to be a Sub-Assistant Commissary General.

Fort William 9th September, 1837.—No 189 of 1837.—The Governor General of India in Council is pleased to appoint the undermentioned Officers to do duty with the Arracan Local Battalion.

Lieutenant Charles Aphor, of the 41st Regiment Native Infantry.

Ensign Charles Lloyd Edwards, of the 79th Regiment Native Infantry.

Fort William 11th September, 1837

No 190 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:—

8th Regiment Light Cavalry—Captain George Douglas Stoddart to be Major, Lieutenant and Brevet Captain James Mackenzie to be Captain of a Troop, and Cornet William Hutton Tweedale to be Lieutenant in succession to Major George Arthur Kompland retired with rank from the 5th October 1836, in succession to Major Francis John Spiller deceased.

Superannuated—Cornet Edmund Pattison is brought on the effective strength of the Cavalry.

No 191 of 1837.—The promotion of Captain George Arthur Kompland to be Major, from the 5th October 1836 published in General Orders No 201, of the 17th October 1836 is cancelled he having retired from the Service from the 21st July 1835, being prior to that of his promotion.

Infantry—Major James Charter to be Lieutenant Colonel vice Lieutenant Colonel William White Moore retired, with rank from the 24th of July 1837, vice Lieutenant Colonel David Dowie deceased.

55th Regiment Native Infantry—Captain and Brevet Major Prior Johnston to be Major, 2d Lieutenant and Brevet Captain Bulstrode Bygrave to be Captain of a Company, and Ensign William Henry Tombs to be Lieutenant, from the 24th July 1837, in succession to Major James Charter promoted.

Alteration of rank

8th Lt Cavalry—Capt F. Tweedale to rank from 21st July, 1837, vice G. Kompland retired. Lieut G. Murray ditto 21st July 1835, vice J. Tweedale promoted, and Lt O. Walleson ditto 1st Feb. 1836, vice E. C. Archbold resigned.

62d Native Infantry—Lt Col J. Watkins to rank from 4th May 1836 vice W. W. Moore, retired.

62d Native Infantry—Major R. Berber ditto 4th May 1837, vice J. Watkins promoted, Capt F. V. McGrath ditto 4th May 1837 vice R. Berber promoted and Lt D. E. Brewster, ditto 4th May 1837, vice F. V. McGrath promoted.

No 191 of 1837.—Lieutenant Frederick Ralston, of the 1st Regiment Native Infantry is permitted to proceed to Europe on Furlough on Medical Certificate.

The services of Assistant Surgeon Henry John Tucker M. D. are placed at the disposal of the Hon'ble the Lieutenant Governor of the North Western Provinces, for temporary Civil employment.

The promotion of Hospital Apprentice Edward Absalom to the grade of Assistant Apothecary, in General Orders No 168, of the 16th ultimo is cancelled.

No 194 of 1837.—In substitution of the Allowance of 50 Rupees for the Command of each Company of the Arracan Local Battalion is authorised in the General Orders No 177 dated 28th ultimo, and intended to have been drawn equally by the 4th Subaltern Officers appointed to the Corps. His Lordship in Council is pleased to grant to each of those Officers actually present and doing Battalion Duty a personal Allowance of 100 Rupees per mensem in lieu of the Established Arracan Allowance of 50 Rupees, specially sanctioned in the above Order.

No 194 of 1837.—Government deeming it expedient to relieve the Collector of Patna from the duty of granting Drafts for Military Family Remittances, His Lordship in Council is pleased to confide the issue of such Drafts required by the Troops at Dinapore to the Deputy Pay Master of the Circle, to whom Officers will apply on account of themselves and men.

Fort William, 13th September, 1837.

No 195 of 1837.—The following temporary Arrangement is made by the Right Hon'ble the Governor General:

Capt Wm. J. B. Knyvett, of the 26th Regiment Native Infantry, will continue to officiate as Adjutant of the Calcutta Native Militia, until further orders.

Fort William, 18th September, 1837.

No 197 of 1837.—The undermentioned Officers are permitted to proceed to Europe on Furlough:

Lieutenant Edmund Talbot, of the 55d Regiment N. I. on account of private affairs.

Lieutenant John Ewart, of the 53th Regiment N. I. on Medical Certificate.

The undermentioned Officers of the Department of Public Works, are permitted to visit the Presidency preparatory to applying for Furlough to Europe:

Captain Frederick Abbott, Executive Engineer, 15th Division, for six months, from the 1st November next.

GENERAL REGISTER.

Lieutenant Godfrey Thomas Greene, Executive Engineer, 7th Sawmills Division, from the 1st November next to the 30th February 1837, delivering over charge to Lieutenant John Nixon Sharp, Assistant Executive Engineer in the Division, on his quitting Cawnpore, as a temporary arrangement.

The services of Assistant Surgeon Thomas Watkins Wilson M. D., are placed at the disposal of the Right Hon'ble the Governor of Bengal, for the performance of the Medical duties, of the Civil Station of Tipperah.

The undermentioned Gentlemen are admitted to the service in conformity with their Appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry and an Assistant Surgeon on this Establishment; the Cadet is promoted to the rank of Ensign leaving the date of his Commission for future adjustment:

Infantry, ~~Mr.~~ William Smith, date of arrival at Fort William 18th September 1837.

Medical Department.—Mr. Manby Nightingale, ditto ditto 14th ditto ditto.

Barber Sergeant John Chaunce, of Dum-Dum, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated 5th February 1808, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend in Calcutta.

Koorban Ali, a Student of the late Medical Institution, doing duty with the Artillery at Dum-Dum, is admitted to the service as a Native Doctor.

No. 198 of 1837.—In continuation of general Orders No. 193, of the 5th October 1836, the following parts, of a letter No. 8, from the Honorable the Court of Directors in the public Department, dated the 28th June last, are published in General Orders:

"Para. 1. In our letter in the Military Department, dated the 1st of June, (No. 4) of 1836, we informed you that His late Majesty's Government had consented to extend to the Retired Officers of our Army the same advantages which have enjoyed by His Majesty's Officers settling in the Colonies of Western Australia, New South Wales, and Van Dieman's Land.

2. We have now to communicate the concession to Retired Officers of our Navy of the same benefits to which Officers of the same rank and standing in Her Majesty's Navy are entitled in those Colonies; and further the extension of similar privileges to the Members of both services settling in the British North American Colonies.

3. It is necessary, however, to state for the guidance of those who may be disposed to avail themselves of the last named privileges, that the Legislature of Upper Canada have in their last Session passed an Act for the Regulations of the System on which the Crown Lands are disposed of in New Brunswick also, a Bill was passed by the Council and Assembly for restraining the free grant of Land, except in certain specified cases, and although this Bill was prevented by circumstances from becoming Law during that Session, it is the belief of Her Majesty's Colonial Authorities in this Country, that a similar Bill may, by this time, have been again passed and may have received the assent of the Lieutenant Governor.

4. Under the circumstances, and in reference to the probability that the other North American Colonies will follow the example of Upper Canada and New Brunswick, it has been suggested from the Colonial Department, that it will be necessary in communicating the concession of the above named privilege to the Officers of our Army and Navy, distinctly to explain to them, that their acquisition of Land in North America, on the specified conditions is altogether dependent on the measures which the Legislatures of the respective Provinces may think proper to adopt on the general question, and that Her Majesty's Government can offer no guarantee for the permanency of the present system."

No 199 of 1837.—The following appointments have been made in the Judicial and Revenue Department:

1st September, 1837.—Lieutenant Peter Nicholson, of the 28th Regiment Native Infantry, re-appointed to be a Principal Assistant to the Agent to the Governor General, under Regulation XIII of 1832.

12th September, 1837.—Lieutenant John Wedderburn Fraser of the Corps of Engineers, Executive Engineer, Bahare Division, as General Charge and superintendence of the Survey of the District of Cuttack.

The leave of absence granted in the Political Department, on the 17th July last, to Lieutenant C. H. Thomas, of the 11th Regiment Native Infantry, Assistant to the General Superintendent of the Operations for the Suppression of Thuggee, to visit the Presidency on private affairs, is to take effect from the 15th October instead of the 15th September.

Captain Abbott before leaving Kurnaul to proceed to the Presidency, in pursuance of the leave of absence obtained by him in General Order No. 197 of this date, will deliver over charge of the 18th Division of Public Works to Lieutenant H. H. Duncan of Engineers, as a temporary arrangement.

The undermentioned Sergeants are admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797 and General Orders dated the 5th February 1808, subject to the confirmation of the Honorable the Court of Directors, with permission to receive their Stipends at the places specified opposite to their names:

Quarter Master Sergeant Richard Charles, of the 4th Regiment Native Infantry, Ireland.

Sergeant John Reynolds, of the Artillery Invalids, England.

No. 201 of 1837.—The Governor General of India in Council is pleased to make the following temporary arrangement:

Lieutenant T. H. Sale, of the Corps of Engineers, to relieve Lieutenant C. S. Guthrie, of Engineers, from the charge of the Burial Division, until the return of Captain Murray, or further orders.

Fort William, 25th September, 1837.

No 202 of 1837.—Colonel George Becher, of the 4th Regiment Light Cavalry, is permitted to proceed to Europe on furlough on account of his private affairs.

Captain George William Jones Hickman, of the 70th Regiment Native Infantry, is permitted to retire from the Service of the East India Company, on the Pension of a Major, in conformity with the Regulation of 23d May 1836.

Captain Thomas Collins Wilton, of the 3rd Regiment Native Infantry, having been declared incapable of performing the active duties of his profession, is, at his own request transferred to the Invalid Establishment.

Sergeant Robert Simmons, of the European Invalids, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated the 5th February 1808, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend at Chunar.

No. 203 of 1837.—Major Richard Home, of the 73d Regiment Native Infantry, is appointed to officiate as Pay Master at the Presidency, during the illness of Major Stoddart, or until further orders.

His Lordship in Council is pleased to make the following transfers in the Department of Public Works:

Lieutenant Hugh Fraser, Executive Engineer, from Neemuch to the Mhow Division.

Lieutenant Henry Howard Duncan, Executive Engineer, from Mhow to the Neemuch Division.

The services of Surgeon James Duncan are placed at the disposal of the Honorable the Lieutenant Governor of the North Western Provinces, in view to his nomination to Civil Medical Employment.

Surgeon H. Guthrie, M. D., was, at his own request, placed by the Lieutenant Governor North Western Provinces, on the 1st inst., at the disposal of His Excellency the Commander in Chief.

No. 204 of 1837.—Lieutenant Jasper Trower, of Artillery, is placed at the disposal of the Right Hon'ble the Governor of Bengal for the purpose of being employed in the Survey of the Cuttack Provinces.

Assistant Surgeon Samuel Lightfoot, of the Medical Department, is permitted to proceed to Europe on Furlough, on Medical Certificate.

GENERAL REGISTER.

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla, 18th August, 1837.

With reference to the General Orders by the Commander in Chief, of the 15th instant, directing the transmission, to arrive head quarters, of a copy of the monthly return of each troop and company or artillery, His Excellency is pleased to order, that, during the absence of head quarters from the Presidency, a copy be also sent to the Deputy Adjutant General, to enable him to make out the returns prepared in that portion of the Adjutant General's office, for the Honorable the Court of Directors.

The following removals are ordered in the medical department :

Surgeon A. R. Jackson, M. D. (officiating Apothecary to the Honorable Company) from the 7th battalion of artillery to the 41st regiment native infantry; and surgeon George Angus, from the latter to the former corps.

Lieutenant D. T. Caddy, of the 70th regiment native infantry, has been declared by the examiners of the College of Fort William, to be qualified for the office of Interpreter to a native corps, is exempted from further examination in the native languages.

The undermentioned officers have leave of absence :

4th company 3d battalion artillery.—Captain W. J. Macvitie, from 1st September to 1st December, to visit the Presidency, on urgent private affairs. N. B. This cancels the leave granted to Captain Macvitie, in General Orders of the 24th February and 17th March last.

2d regiment native infantry.—Captain R. Snawell, from 15th Oct. to 1st April 1838, to visit the Presidency, preparatory to applying for furlough.

17th regiment native infantry.—Ensign R. Patton, from 1st September to 31st October, to visit Mussorie, on private affairs.

61st regiment native infantry.—Ensign A. M. Hecher, from 30th September to 30th June 1838, to visit the Presidency, on private affairs.

Head Quarters, Simla, 19th August, 1837.

The Chittagong station order of the 26th ultimo, directing civil Assistant Surgeon T. W. Bart to attend medical aid to the 25th regiment of native infantry, in the room of Surgeon J. Colvin, M. D. permitted to proceed towards the Presidency, is anticipated of leave, on medical certificate, is confirmed.

Gholam Sadlar, Native Doctor, now doing duty with the 62d native infantry, is permanently attached to the hospital of that regiment, in the room of Kuran Sing.

Gunner George Smith, of the 1st troop 1st brigade horse artillery, is promoted to Sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeant to the Keenanah cent battalion, vice Gray, appointed to the department of public works Quarter Master Sergeant Smith will proceed to Moradabad, and do duty with the 59th native infantry, until the 1st of November next, when he will join his proper corps.

The undermentioned officers have leave of absence :

42d Regiment Native Infantry.—Captain J. Liptrap, from 1st November to 1st March 1838, to visit the Presidency, on urgent private affairs.

7th Regiment Native Infantry.—Lieutenant S. C. Starkey, from 1st November to 15th April 1838, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

Subordinate Medical Department.—Apothecary C. Lamborn, from 3d August to 1st November, to remain at Neemuch, on his private affairs.

The regimental order of the 6th instant, directing Captain J. D. Kennedy to continue to act as Adjutant to the 25th regiment native infantry, is confirmed.

The regimental order of the 1st instant, appointing Lieutenant J. Hunter to act as Adjutant to the 53d regiment native infantry, during the absence, on leave, of Lieutenant and Adjutant Talbot, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment :

25th Regiment Native Infantry.—Lieutenant A. H. Dyke to be Adjutant, vice Kennedy promoted.

The leave of absence granted to Conductor G. Irvine, of the Ordnance commissariat department, in General Orders of the 24th May last, is cancelled at his request.

The undermentioned Officers have leave of absence.

Airacan Local Battalion.—Captain F. V. McGrath, from 20th July to 20th August, in extension, to enable him to rejoice.

53th Regiment Native Infantry.—Lieutenant Intr. and Qr. Mr. J. Ewart, from 1st August to 1st December, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

5th regiment native infantry.—Surgeon J. Colvin, M. D., from 16th July to 26th November, to visit the Presidency on medical certificate.

Head Quarters, Simla, 20th Aug. 1837.

The leave of absence granted to Brevet Captain G. A. Barbor 3d in command of the 3d local horse, in General Orders of the 1st instant, is cancelled at his own request.

Bombardier Owen Boyle, of the 3d company 1st battalion of artillery, is transferred to the Town Major's list, and appointed a laboratory-man in the expense magazine at Dum-Dum, in the room of Boyle transferred to the Town Major's department.

Ram Prasad Singh, Native Doctor, temporarily employed under the orders of the Surgeon to the Commander in Chief, is appointed to the Nussacree battalion, in the room of Hura Lohi deceased.

The undermentioned officers have leave of absence :

Medical department.—Surgeon E. Clarkson, late in the service of the King of Oude, from 14th August to 14th February 1838, to visit the Presidency, preparatory to applying for furlough.

6th Regiment native infantry.—Assistant Surgeon A. Murray, M. D. from 1st November to 1st February 1838, to visit the Presidency, preparatory to applying for furlough.

Head Quarters, Simla, 21st August, 1837.

The Presidency division orders, directing the following arrangements, are confirmed.

1st August 1837.—Assistant Surgeon J. C. Brown, doing duty with the Artillery at Dum-Dum, to proceed to Arracan, and afford medical aid to the troops in that province.

Assistant Surgeon W. J. Loch (from the general hospital) to do duty with the artillery at Dum-Dum.

4th August 1837.—Ensigns A. H. C. Sewell and J. M. Swinton, who were previously appointed to do duty with the 71st native infantry, to join and do duty with the 4th regiment of native infantry at Bechamptoe.

His Excellency the Commander in Chief is pleased to order the following removals and posting :

Colonel (Major General) A. Daucan, from the 53d to the 5th regiment of native infantry.

Colonel M. Boyd, on furlough, from the 5th to the 23d regiment of native infantry.

Lieutenant Colonel (Brevet Colonel) W. Dunlop, from the 67th to the 2d regiment of native infantry.

Lieutenant Colonel J. Watkins, new promotion, to the 67th regiment of native infantry.

Head Quarters, Simla, 22d August, 1837.

The Nussacree station order of the 12th instant, directing Assistant surgeon A. Mackean, of the 9th light cavalry, to take over charge of the 13th regiment of native infantry to surgeon John Griffiths, and proceed to D. oleah, and perform the medical duties of that post, during the indisposition of Assistant surgeon W. Hall, is confirmed.

The regimental order of the 1st instant, appointing Lieutenant C. Ekins to act as Adjutant to the 7th light cavalry, during the absence, on leave of Lieutenant and Adjutant S. J. Labor, is confirmed.

Captain Archdale Wilson, of the 3d company 3d battalion of artillery, is directed to proceed forthwith to Dum-Dum, and report his arrival to the acting Commandant of Artillery.

Assistant Surgeon R. Marshall, M. D., is appointed to the 25th regiment native infantry, and is directed to proceed and join at Banacoorah, on being relieved from the duty on which he is at present employed with His Majesty's 49th foot.

GENERAL REGISTER.

His Excellency the Commander in Chief is pleased to make the following appointment :

70th regiment native infantry.—Lieutenant D. T. Caddy to be Interpreter and Quarter Master.

The undermentioned officers have leave of absence :

8th regiment native infantry.—Captain G. Farquharson, from 15th September to 1st February 1837, to visit the residency, preparatory to submitting an application for furlough.

14th regiment native infantry.—Ensign J. E. Mac, from 14th August to 14th February 1837, on medical certificate, to visit the hills north of Deyrah.

26th regiment native infantry.—Lieutenant Interpreter and Quarter Master J. R. Younger from 27th June, to 30th July, to remain in Calcutta, on medical certificate.

7th regiment Light Cavalry.—Lieutenant and Adjutant S. J. Tabor, from 2nd August to 25th February 1838, to visit the Presidency, preparatory to applying for furlough.

Head Quarter, Simla, 23d August 1837.

Sergeant Michael McHutton, of the European regiment, is transferred to the Town Major's list, and appointed Sergeant Major to the Rangurh Light Infantry battalion, which he is to be sent immediately to join.

Corporal James Batts, acting laboratory-man in the arsenal of Fort William, is transferred to the Town Major's list, promoted to the rank of Sergeant, and confirmed in his situation.

Corporal John Burgess and Gunner Robert Homan, laboratory-men in the arsenal of Fort William are promoted : the former to the rank of Sergeant, and the latter to that of Corporal.

Head Quarters, Simla, 20th Aug. 1837.

His Excellency the Commander in Chief is pleased to direct the following removals and postings of medical officers :

Surgeon William Edward Carte, A. B. from the 40th to the 13th regiment of native infantry.

Surgeon William Stevenson, senior, (new promotion) to the 40th regiment of native infantry.

Surgeon William Bell, (new promotion) on furlough, to the 50th regiment of native infantry.

Surgeon Daniel Harding, on furlough, from the 39th to the 57th regiment native infantry.

Surgeon John Greig (new promotion) to the 39th regiment of native infantry.

The following individuals, who were appointed Hospital Apprentices in General Orders of the 3d May last, having failed to report themselves to the Superintending Surgeons within whose circles of superintendence they are residing, are struck off the list of subordinate medical servants :

James Graham, William John Cash, Charles Portner, Thomas Nottan John Fitzpatrick, Henry Hampton, Joseph Anthony Passon, George St Mathews.

Head-Quarters, Simla, 30th August, 1837.

The Agra garrison and station order of the 19th instant, directing Assistant Apothecary J. H. Peter to act as steward to the European regiment, from the 8th instant, vice Hampton deceased, and Hospital Apprentice R. Ensor to act as Assistant apothecary, in the room of Peter, is confirmed as a temporary arrangement.

The regimental order of the 1st instant, appointing Lieutenant J. Wemyss to act as Adjutant to the Assam light infantry, vice Biggs appointed officiating junior assistant to the Commissioner in Assam, is confirmed.

Ensign Henry Ramsay is, at his own request, removed from the 7th to the 53d regiment of native infantry.

The undermentioned officers have leave of absence :

3d brigade horse artillery.—Major E. Biddulph from 1st October to 20th November, to visit Bareilly and Agra, on private affairs.

6th battalion artillery.—Lieutenant and Brevet Captain J. Tabor Adjutant and Quarter Master, from 16th September to 1st January 1838, to visit Mhow, preparatory to applying for furlough, via Bombay.

3d regiment native infantry.—Lieutenant C. Rogers, from 16th October to 16th January 1838, to visit Barrackpore, on private affairs.

Head-Quarters, Simla, 31st August, 1837.

The undermentioned officers have leave of absence :

2d troop 3d Brigade horse artillery.—Captain W. Goddard from 25th November to 26th March 1838, to visit the Presidency on private affairs, preparatory to applying for furlough to Europe.

6th regiment light cavalry.—Captain F. Coventry from 1st October to 1st March 1838, to visit the Presidency on private affairs, preparatory to applying for furlough to Europe.

3d troop 3d brigade horse artillery.—1st Lieutenant F. B. Boileau from 30th September to 30th March 1838, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

10th regiment light cavalry.—Lieutenant M. H. Hailes from 15th September to 1st November, to visit the hills north of Deyrah, on his private affairs.

2d company 1st battalion artillery.—1st Lieutenant K. J. White from 1st November to 1st February 1838, in extension, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

10th regiment light cavalry.—Surgeon T. E. Baker from 20th October to 20th February 1838, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

Head Quarters, Simla, 1st September 1837.—The division order issued by Major General C. Brown, C. B., on the 20th July last, making over the command of the Benares division, on his proceeding on leave towards the Presidency, to Colonel J. Shelton, of His Majesty's 44th regiment of foot, is confirmed.

The Presidency division order of the 15th ultimo, directing Assistant Surgeons James Donaldson and Alexander Cushnie Morison to do duty with the artillery at Dum-Dum, is confirmed.

The leave of absence granted to Brevet Captain G. A. Barber, of the 8th light cavalry, and 2d in command of the 3d local horse, in General Orders of the 1st ultimo, and which was subsequently cancelled, is again directed to have effect from the date on which he was struck off the roster of the 8th regiment, and that officer is accordingly permitted to remain at Sultanpore, Benares, on his private affairs, till the 1st of November next.

Ensign George Baillie is removed, at his own request from the 72d to the 64th regiment native infantry, as the junior of his rank.

The undermentioned officer has leave of absence :

59th Regiment Native Infantry.—Captain T. Webster, from 30th September to 1st January 1838, to visit the Presidency, on private affairs, preparatory to applying to retire from the service.

Head Quarters, Simla, 2d September, 1837.—The Presidency division order of the 16th ultimo, placing the services of Hospital Apprentices James Healy and James Sheetz, and Native Doctor Doulut Ram, of the 70th regiment of native infantry, at the disposal of the Surgeon to the Right Honorable the Governor General, is confirmed.

The Rajpootana district order of the 19th ultimo, appointing Akbar Allee, Native Doctor, doing duty with the 2d native infantry, to fill a vacancy in the 9th regiment of light cavalry, in the room of Heerah Tewarry discharged, is confirmed.

Superintending Surgeon James Mellis, M. D., is posted to the western circle.

Officiating Superintending Surgeon Alexander Halliday, M. D., is posted to the Benares division.

Conductor George Irish is appointed to the arsenal of Fort William, which he is directed to join so soon as he shall be relieved from his present duties by Conductor John Smith, of the Penang magazine, who is appointed to the charge of the Malacca magazine, in his room.

GENERAL REGISTER

Sub-Conductor Mark Connor, now at the arsenal of Fort William, is appointed to the Penang magazine, vice Smith.

Head-Quarters, Simla 5th September.—The Benares division order of the 31st of July last, appointing Assistant Surgeon W. Gordon, M.D., of the civil station of Mirzapore, to the medical charge of the 25th regiment of native infantry, during the absence, on duty, of Surgeon T. Forrest, is confirmed.

The Arracan district order of the 1st ultimo, appointing Lieutenant F. Rainsford, Adjutant of the 67th regiment of native infantry, to be district and station staff, vice Cotton promoted, is confirmed.

The Saugor division order of the 10th ultimo, permitting Quarter Master Sergeant Richard Burgess, lately appointed to the 35th, to do duty with the 60th regiment of native infantry, until the close of the rains, is confirmed.

The Arracan district order of the 3d ultimo, directing Assistant Surgeon T. Sibbald to receive medical charge of the 67th regiment of native infantry, consequent on the departure of Assistant Surgeon H. M. Tweddell towards the Presidency, on medical certificate, is confirmed.

Lieutenant F. B. Boileau, 3d troop 3d brigade horse artillery, who has obtained leave to visit the Presidency, from the 30th of September to 30th March 1837, is appointed to the charge of the invalids and time-expired men of the season from Agra and Muttra, destined from Europe and Chunar.

Lieutenant A. Q. Hopper, of the 21th regiment of native infantry, having been declared by the examiners of the college of Fort William to be qualified for the office of interpreter to a native corps, is exempted from further examination in the native languages.

Gun Corporal Thomas Chittle, attached to the Assam high infantry, is promoted to Sergeant, and appointed Quarter Master Sergeant to that battalion, in the room of Levers transferred to the 59th native infantry. This appointment to have effect from the 7th ult.

The undermentioned officers have leave of absence.

60th regt. N. I. Lieutenant G. Hutchings, Interpreter and Quarter Master, from 31st Oct. to 1st March, 1837, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

7th regt. N. I. Captain H. Tompler, from 15th Nov. to —, to visit Calcutta, on private affairs, and await the arrival of his corps at that station.

37th regiment native infantry.—Ensign R. Inglis, from 15th September to 15th March 1837, to visit the Presidency, on medical certificate.

Head-Quarters, Simla 6th September 1837.—The following arrangements made in the Meerut division orders of the 26th ultimo, for providing subordinate medical servants to detachments about to move in that division, are confirmed.

Apothecary W. Hannah, of the 1st brigade of horse artillery, to remain at the head-quarters of the brigade, and serve with the 3d troop 1st brigade and the 2d company 2d battalion of artillery.

Steward J. Roberts, of the 1st brigade of horse artillery, to accompany the invalids of the season to the Presidency.

Assistant Apothecary T. Absalom, of His Majesty's 16th lancers to accompany the invalids of the season to the Presidency, as acting Apothecary.

Assistant Apothecary F. O'Sullivan, doing duty at Landour, to accompany the recovered men from the depot as acting Apothecary and Steward.

Assistant Apothecary G. Bayley, of the 2d company 2d battalion artillery, to accompany the 1st troop 1st brigade of horse artillery to Kurnaul.

Assistant Stewards Henry Bond, attached to His Majesty's 3d buff, to proceed to Landour, to fill a vacancy in the depot.

Hospital Apprentice W. G. Bayley, doing duty with the 1st brigade of horse artillery, to accompany the 2d troop 1st brigade to Mhow, as acting Assistant Apothecary and acting Assistant Steward.

Hospital Apprentice J. Mathews, of His Majesty's 3d buff, to join and do duty with the artillery, as acting Assistant Steward, from the 15th October next until the arrival of the establishments of the 2d brigade of horse artillery.

The undermentioned officer has leave of absence:

29th regiment native infantry.—Assistant Surgeon C. J. Macdonald, from 29th August to 14 January 1837, to visit the Presidency, on medical certificate.

Head-Quarters, Simla, 8th September, 1837.—As much inconvenience is sometimes experienced from officers in correspondence with the departments at head quarters, when acknowledging the receipt of despatches, merely quoting their number and date. His Excellency the Commander in chief finds it necessary to direct that in future, when intimating the receipt of public letters, the officer to whom they may have been addressed, shall add a brief summary of the subject matter to which they relate, in the form following.

"I have to acknowledge the receipt of your official letter, dated, the — day of —; the No. and subject as per margin," &c. &c.

In the Margin, the subject is to be stated as briefly as possible and the No. quoted.

The undermentioned officers have leave of absence.

47th regiment native infantry.—Brevet Major B. Blake from 1st October to 1st April 1837, to visit the Presidency, on medical certificate preparatory to applying for leave to sea.

70th regiment native infantry.—Captain G. W. J. Hickman from 5th September to 5th October, to remain at the Presidency, preparatory to applying for permission to retire from the service.

Sappers and miners.—2d Lieutenant J. S. Broadfoot from 29th August to 20th November, to remain at Agra on medical certificate.

Head-Quarters, Simla, 9th September, 1837.—The regimental order of the 13th ultimo appointing Lieutenant J. G. Haslock to act as Adjutant to the 15th native infantry, during the indisposition of Lieutenant and Adjutant Pengree, is confirmed.

Ensign George Maurice Prendergast is at his own request removed from the 3d to the 44th regiment of native infantry, as junior of his rank.

Head-Quarters, Simla, 11th September, 1837.

In conformity with the orders of the Right Honorable the Governor General of India in Council for a general mourning for His late most gracious Majesty King William the Fourth, as notified in the 1st paragraph of the Calcutta Gazette Extraordinary of the 31st ultimo, His Excellency the Commander in Chief is pleased to direct black crape to be worn by the officers of the army, when in uniform, round the left arm, and over the sword knot.

The mourning is to commence at head-quarters on the 12th inst., and at all other stations of the army on the day after the receipt of this order.

Head-Quarters, Simla, 12th September, 1837

The Meerut division order of the 14th ultimo, appointing Wileayut Hossain, supernumerary Native Doctor, doing duty with the 30th regiment of native infantry, to the 1st brigade horse artillery, vice Hyder Khan deceased, is confirmed.

The Loodianah station order of the 1st instant, directing Assistant Surgeon P. F. H. Baddley, of the 4th troop 3d brigade horse artillery, to receive medical charge of the 17th regiment of native infantry from Surgeon L. Jackson, proceeding on sick leave to the Presidency, is confirmed.

Supernumerary Armourer Sergeant William Dodd is transferred from the Allahabad magazine to the arsenal of Fort William, to fill the vacancy occasioned by the promotion of Sergeant Carolan to the rank of Sub-Conductor.

The following removals in the horse artillery to take effect in the course of the ensuing relief:

GENERAL REGISTER.

Veterinary Surgeon P. B. F. Green, from the 1st to the 2d brigade.

Veterinary Surgeon D. Callimore, from the 2d to the 3d brigade.

Veterinary Surgeon J. B. Lowth, at present at Dnn Dum, is posted to the 3d brigade, and directed to join the 1st troop in its progress to that station.

Riding Master Richard McAuliffe, from the 1st to the 2d brigade.

Riding Master C. Kaddock, from the 2d to the 3d brigade.

Riding Master P. Ashton, from the 2d to the 1st brigade.

The undermentioned officers have leave of absence:

18th regiment native infantry—Colonel B. Roope, from 30th October to 10th March 1838, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

32d regiment native infantry—Surgeon R. J. Yeatman, M. D. from 1st September to 1st March 1838, to visit the Presidency, on medical certificate.

40th regiment native infantry—Colonel T. Newton, from 1st October to 1st April 1838, to visit Beares, Tirhoot and the Presidency, on private affairs, preparatory to applying for furlough to Europe.

50th regiment native infantry—Lieutenant Interpreter and Quarter Master, K. Young, from 13th November to 31st December, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

Division staff—Captain L. N. Hull, Assistant Adjutant General Cawnpore division, from 25th September to 25th March 1838, to visit Mussorie, on medical certificate.

Brigade Major R. Wyllie is appointed to act as Assistant Adjutant General to the Cawnpore division, during the absence, on leave, of Captain Hull; and Captain C. W. Hodges, of the 6th light cavalry, will officiate as Brigade Major at Cawnpore, during the period of Captain Wyllie's employment in charge of the division office, or until further orders.

Head Quarter, Simla, 13th September, 1837.

The Bandah station order of the 1st instant, appointing Assistant Surgeon J. H. Serrell of the 53d, to the medical charge of the 29th regiment of native infantry, on the departure towards the

Presidency, on sick certificate of Assistant Surgeon C. J. MacDonald, is confirmed.

The 31st division order of the 3d instant, directing Assistant Surgeon J. H. McDonald, of the 3d regiment of light cavalry, to proceed in medical charge of the invalids of the women to Chunar and the Presidency, and Assistant Apothecary A. Beaton, of the artillery, to accompany the detachment to Meerut, is confirmed.

Booth Ram, Native Doctor, at present a supernumerary in the 31st division, is placed at the disposal of His Honor the Lieutenant Governor of the north western provinces, for employment under the superintendence of the Bhattee country, vice Gunga Ram, Native Doctor, who is, with the sanction of the Lieutenant Governor, relieved from the duty, and remanded to his former corps.

Head Quarter, Simla, 14th September, 1837.

The Presidency division order of the 37th ultimo, appointing Assistant Apothecary J. Tynan to act as Apothecary to His Majesty's 26th regiment of foot, in the room of Wiltshire transferred to the invalid pension establishment, is confirmed as a temporary arrangement.

The Meerut division order of the 31st ultimo, directing Rampe and Sing, supernumerary Native Doctor, doing duty with the 30th regiment of native infantry, to proceed to Kemaon, and place himself under the orders of the Commissioner, for the purpose of acting as vaccinator in that province. In the room of Jazaree Misur, who has obtained leave of absence, is confirmed.

Assistant Surgeon W. Braden, of the 4th light cavalry, at present attached to the left wing of the 18th regiment native infantry is directed to proceed to join his corps at Kurnaul, on the 1st proximo, to be available for duty, with a detachment under orders of march for Bath.

Assistant Surgeon T. C. Hunter, of the 10th light cavalry, doing duty with the 36th regiment native infantry at Agra, is directed to re-join the head quarters of his corps at Muttra.

Assistant Surgeon A. Gibbon, of the European regiment, is appointed to the temporary medical charge of the 16th native infantry.

James Edrige, late a Corporal in His Majesty's 10th light dragoons, and enlisted into the service of the Honorable Company on the 1st instant, is promoted to Sergeant from that date, transferred to the Town major's list, and appointed quarter master Surgeon to the 10th regiment of light cavalry at Muttra.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

Aug. 27 English Barque *Betsey*, G. S. Jones, from Bombay 9th August; French Barque *Guil-laume Tell*, Drnot, from Bourbon 29th July.

28 English Barque *William Barras*, James Norie, from London 24th April; English Schooner *Altaran*, C. R. Smith, from Moulmein 8th August; English Ship *Thos. Blyth*, H. M. Rowe, from the Mauritius 28th July.

29 English Ship *Capendish Bentinck*, A. G. Mackenzie, from Bombay 3th August; English Brig *Che. Stewart*, R. Lindsay from Rangoon 11th August; English Brig *Sir Archibald Campbell*, E. Cooke, returned from Sea, leaky, and with loss of fore and fore topsail yards; English Ship *Perseus*, W. Snell, from London 25th March, Portsmouth 6th April and the Cape of the Good Hope 23d June; English Barque *Renown*, D. McLean, from Greenock 23d April; English Ship *Premier*, M. Were, from Lima 5th June; English Bark *Clarissa*, G. Andrea, from Madras 19th, and Coringa 25th August; English Barque

Mary Ann, F. Anderson, from the Mauritius 17th July, and Madras 20th August; French Barque *Bulguerie*, P. Desse, from Bordeaux 1st May and Madras 23d August.

Aug. 30 English Barque *Britannia*, S. Leith, from the Mauritius 2d August; English Brig *Antoni Pereira*, W. O. Young, from China 20th July, and Singapore 10th August.

Sep. 1 English Bark *Sir Herbert Taylor*, W. Poole, from the Mauritius 9th and Madras 27th Aug. and English Bark *Minerva*, George Brown, from Bombay 15th August.

3 English Barque *Jean*, P. Goldie, from London 2d May.

4 English Ship *Ino*, D. Whelan, from the Mauritius 12th August, and English Schooner *John Hepburn*, B. Robertson, from Moulmein 9th, and Rangoon 21st August.

5 French Ship *Suffren*, V. Edon, from Bourbon 12th August.

6 English Bark *Hero*, W. W. Hughes, from Penang 17th August, and English Ship *Ernaad*, James Hill, from Bombay 16th August.

GENERAL REGISTER.

- Sept. 7 French Bark *Coromandel*, Bachelor, from the Mauritius 27th July and Pondicherry 19th August, and English Schooner *Isabella*, R G Robson, from Rangoon 16th August.
- 9 English Ship *Hope*, J J Coombes, from Sydney 12th July; English Bark *Sarah*, W Sailer, from London 13th March, English Bark *Bengal Packet*, J M Steward, from China 17th July and Singapore, 20th August, and American Ship *Republic*, G. Coffin, from Boston 28th April.
- 10 English Ship *Queen Mab*, N Ireland, from Liverpool 24th April and Rio Janeiro 24th July.
- 12 English Ship *Bombay*, G Waugh, from England 18th May and Madras 1st September; French Frigate *Artimise*, La Place, from Madras 1st September; English Bark *Experiment*, H. M. Potter, from Mouline 6th and Rangoon 24th August, and Arab Ship *Shaw in Shaw*, Nacoda, from Mocha 7th and Allepee 31st August.
- 13 English Barque *Earl Powis*, D Spittal, from the Mauritius 17th August; English Barque *John William Dare*, R W Ewart, from Singapore 19th, and Penang 27th August.
- 14 English Ship *Coromandel*, J. Dixon, from Portsmouth 6th May, Simon's Bay 23d July and Madras 9th September; English Ship *Fatty Rohoman*, Nacoda, from Bombay 8th August.
- 15 English Brig *Elizabeth*, J Mannook, from Rangoon 30th August.
- 17 English Barque *Colonel Burney*, C. M. Crisp, from Rangoon 30th August.
- 19 Arab Ship *Atlet Rohoman*, Nacoda, from Muscat 21st August, and Cochin 4th September.
- 24 English Schooner *Margaret*, W. C. Spain, from Rangoon 5th September.
- 27 English Barque *Belzoni* J. Salmon, from the Isle of France 24th August.
- 29 English Bark *Water Witch*, H. Reynell, from China 2d and Singapore 29th August.

DEPARTURES FROM CALCUTTA.

- Aug. 26 *Fortitude*, J. C. Wilson, for the Mauritius; *Sulimany* A. J. McFarlane, for China, and *La Telaire*, S. Quantin, for Bourbon.
- 27 *Daniel Wheeler*, John Bouch, for Liverpool.
- Sept. 3 *Drongan*, J McKenzie, for Bombay.
- 5 *Jumna*, D Robinson, for China.
- 6 *Ajax*, J Bruton, and *Baboo*, G B Brock, for the Mauritius, and *Anna Maria*, R Edwards and *Edmonstone*, M McDougall, for Bombay.
- 7 *Semillante*, Fournier; *Philantropie*, Le Roux, and *Luminy*, J. Morge, for Bourbon.
- 9 *Will Watch*, W. Barrington, for Penang and Singapore; *Warrior*, John Stone, for London, and *Paragon*, W. H. Curtis, for Boston.
- 10 *Moulmein*, R. J. Norris, for the Mauritius.
- 19 *Elizabeth*, J. Glass, for Penang; *John Marsh*, J. S. Clucas, for Liverpool.
- 20 *Margaretta Catharina*, J. Schepper, for Batavia.
- 21 *Jessy J. Auld*, for Penang.
- 23 *Ariel W. Warden*, for Singapore and China.

- Sept. 24 *Sir Edward Ryan*, J. McGowan, for Moulmein, from Cooley Bazar.
- 26 *Ino*, D. Whelan, for Bristol; *Sarah*, W. Sadler, for the Mauritius.

ARRIVALS OF PASSENGERS.

Per Cavendish Bentinck, from Bombay.—George Ross, Esq. and Lieut. Darvall, 57th Regt. N. I.

Per Perfect, from the Cape of Good Hope.—G. Nicholson, Esq., Lieut., 26th N. I., and Mr. F. P. Revin, Cadet.

Per Premier, from South America.—Seander Esq.

Per Mary Ann.—Capt. and Monsr. Langlois.

Per Clarissa, from Madras.—Ensign E. Watson, Bengal E; mr. P. S. Philip. Mate Mariner, and mr. John Abbot, Mariner. From Coringa.—W. Maxwell, Esq., Surgeon, M. E.

Per Brigue, from Bordenaux.—Mr. Beret, Doctor; Messrs. Rougier and P. Garand. From Madras.—T. W. Pazald, Esq. and mr. B. Whish Cadet.

Per Antonio Pereira, from China.—D. McKenzie and M. Young, Esqs., Merchants.

Per Ernaad.—Monuckjee Rushtomjee, Esq.

Per Jean, from London.—Miss Horsburgh; Mrs. Goldie and Master Goldie.

Per John Hepburn, from Rangoon.—John Morgan, Esq., Merchant.

Per Hope from Sydney.—Charles Bury, Esq., Civil Service and mr B Horaman.

Per Bengal Packet, from Singapore.—Mrs Johnson; Mrs. Buane; messrs. Johnson and Smith.

Per Republic.—Captain G C Rochfort, Madras Army.

Per Matabanga, from Allahabad.—S Bowring, Esq.; J Hampton, Esq.; mr. and Mrs. Biddulph; Mrs. Mooneh. From Mirzapore.—mr. Capell. From Dinapore.—Captain W Sage.

Per Bombay, from England.—Mrs Waugh, and Mr. Nightingale, Assistant Surgeon.—From Madras.—Lieutenant Skyring, Engineer.

Per Experiment.—Lieutenant Colonel Cramer and Lady.

Per Coromandel, from London.—Mrs. Morton and two Children; messrs Haghden and Henderson, Merchants; mr. Smith, Cadet; messrs. Twentymen, Matthews and Dearsely; mr. Cooper, Bengal Pilot Service; 4 Steerage Passengers. From Madras.—mr. Foss, and two Native Merchants.

Additional Passengers per Coromandel.—H. Vansittart and—Rauks, Writers.

DEPARTURES OF PASSENGERS.

Per Vansittart, for China.—Lady D'Oyly; Mrs Money; Mrs. Campbell; Mrs. Shuttleworth; Mrs. McQueen; Mrs. Thomas; Misses McLeod and Thomas. Sir Charles D'Oyly; J Money, Esq.; Charles Thomas; Esq.; Messrs Money and McQueen.

Per Warrior, for London.—Mrs Watson, and Captain Watson.

Per Sir Edward Ryan, for Arracan and Moulmein, by Steam Sept. 24.—Captain Burney; Lieut. Apthorp and Edward; Mr. Hedry Twentymen; 2 European Non-Commissioned Officers; 31 Native Artillery men, and 13 Camp Followers.

GENERAL REGISTER.

DOMESTIC OCCURRENCES.

BIRTHS.

- May 29 Europe, at Edinburgh, the lady of Daniel Ainslie, Esq. of Calcutta, of a daughter.
- 30 Sea on board the ship *Thomas Grenville*, the lady of G U Adde, Esq. of a son.
- June 22 Europe, at Acton Park, near Wexham, the lady of Sir Robert Cunliffe, Bart. of a daughter.
- 23 Europe, the lady of Captain Charles Garrett, 9th Regt B Light Cavalry, of a daughter.
- 29 Westbrook, Cape of Good Hope, the lady of John Grant, Esq., of the Bengal Medical Service, of a son.
- July 29 Benares, the lady of Capt H Clayton, 4th Light Cavalry, of a daughter.
- Aug. 10 Meerut, the lady of Captain A Corri, 54th Regiment Native Infantry, of a son.
- 12 Delhi, Mrs Natalia Ronnell, of a son.
- 14 Meerut, the lady of Lieutenant E Stewart, Horse Artillery, of a daughter.
- 16 Simla, the lady of Captain J K McCausland, of a daughter.
- The lady of Captain T Abbott, of Engineers, of a daughter.
- 17 Bolarum, the lady of Captain Lysaght, Bengal European Regiment and Nizam's Service, of a daughter.
- 20 On the River near Ghazeeapore, the lady of Captain Richard Raban, 48th Regt N I, of a daughter.
- 22 Allahabad, Mrs William Johnson of a daughter.
- 23 Ghazeeapore, Mrs M A Threipland, of a son.
- 24 Calcutta, Mrs J Roxburgh, of a son.
- 25 Calcutta, the wife of Mr C L Vaillant, of the Botanical Garden, of a daughter.
- 26 Chittagong, the lady of Captain J. Scott, 55th Regiment Native Infantry of a son.
- Aug. 27 Simla, the lady of T. T. Metcalfe, Esq., C. S., of a son.
- Arrah, at the residence of W. Dent, Esq., C. S. the lady of H. S. Lane, Esq., Civil Service, of a son.
- 29 Calcutta, Mrs J A Potter, of a son.
- Calcutta, the wife of W. Barrett, Esq. of a son.
- 30 Calcutta, the wife of Mr J S Morton, Veterinary Surgeon, of a son.
- Calcutta, the lady of Charles Knowles Robinson, Esq. one of the Magistrates of Calcutta, of a son.
- Calcutta, the wife of Mr Albert D' Rozario, of a son.
- Calcutta, the lady of H Holroyd, Esq. of a daughter.
- Calcutta, the lady of Baboo Rajnarain Doss, of a son.
- Coal, Ally Gurb, Georgiana Maria, the lady of F Derridon, Esq. of a son and heir.
- 31 Calcutta, Mrs John Andrews, of a daughter.
- Calcutta, Mrs E B Mann, of a daughter.
- Sept. 1 Howrah, Mrs, J. W. Inglis, of a son.
- Sept. 1 Loodiana, the lady of Capt. H. Timings, Horse Artillery, of a daughter.
- 2 Calcutta, the lady of Captain F W Birch, Superintendent of the Police, of a son.
- Kurnaul, the lady of George Brownlow, D. A. A. G., of a son.
- Juanpore, the lady of George Ewbank, Esq., of a daughter.
- Futtu Ghur, the lady of Major R. Gardiner of a daughter.
- Delhi, the lady of Captain C. G. Macan, a daughter.
- 3 Agra, Mrs. Henry Babonau, of a daughter.
- 5 Calcutta, Mrs. Robert Campbell, of a daughter.
- Neemuch, the lady of A. C. Campbell, Esq., 1st Light Cavalry, of a daughter.
- 6 Bhaugleapore, on board her budgerow the lady of the late D P Dacosta, Esq., Principal Sudder Ameen of Chuprah, of a son.
- Mussorie, the lady of Colonel W. Vincent, Commanding 26th Regiment N I, of a daughter.
- 9 Calcutta, Mrs Thomas Fraser, of a son.
- On the River, the lady of B P Singer, Esq. of a son.
- 10 Calcutta, Mrs A M LeClerc, the wife of Mr R LeClerc, Bout and Shoe-maker, of a daughter.
- 11 Saugor. (Central India) the lady of J B Dickson, Esq. Assistant Surgeon 69th Regiment N I, of a daughter.
- 12 Fort William, the wife of James Thompson, Clerk of St Peters Church, of a son.
- Calcutta, Mrs James Lemondine, of a daughter.
- Calcutta, Mrs Wm Reed, of a son.
- 13 Calcutta, the lady of W Anley, Esq., of a daughter.
- Futtu Ghur, the lady of Major T Lumsden of the Bengal Artillery, of a daughter.
- Meerut, the lady of Surgeon T E Dempster, 4th Battalion Artillery, of a son.
- 14 Agra, the lady of R H Scott, Esq. Officiating Political Secretary, of a son.
- Agra, the wife of Mr C O'Conner, Merchant, of a son.
- Chuprah, the lady of T R Davidson, Esq., C S, of a daughter.
- 15 Calcutta, Mrs C M Latour, of a daughter.
- Midnapore, the lady of G. Adams, Esq. Civil Service, of a son.
- Calcutta, the lady of John Jenkins, Esq. of a daughter.
- Dinapore, the lady of Capt G S Blundell, 51st Regt N I, of a son.
- 16 Calcutta, the wife of Mr Alexander M Murdoch, of a daughter.
- 17 Calcutta, the lady of Claude Queiros, Esq. of a daughter.
- Calcutta, Mrs Frederick Bolst, of a son.
- Gawalparah, the lady of Capt Alex. Davidson, of a daughter.

GENERAL REGISTER.

- Sept. 18 Calcutta, the wife of Capt Wm Clarke, F. L V Hope, of a daughter.
- Calcutta, the wife of Mr J G Crowe, Assistant Judicial Department, of a daughter.
 - Calcutta, mrs C R Smith, of a son.
- 19 Sylhet, the lady of H Stainforth, Esq, of a daughter.
- 21 Dinapore, the lady of Lieut. G. Newbolt, S A C General, of a daughter.
- 22 Calcutta, the wife of Mr R Wall, H C's Marine, of a daughter.
- Calcutta, the lady of H Hughes, Esq, of a daughter.
 - Calcutta, mrs C F Byrn, of a daughter.
 - Calcutta, the lady of H Hughes, Esq, of a daughter.
- 23 Calcutta, mrs R Martinelly, of a son.
- 24 Calcutta, mrs John Monteith, of a son.
- Calcutta, mrs John Muller, of a daughter.
- 29 Howrah, mrs J Porrel, of a daughter.
- Calcutta, mrs T Teyen, of a daughter, which survived only eight hours.

MARRIAGES.

- June 10 Europe, at No 19, Maitland street, Edinburgh, Arthur Mair, Esq, Major of the 62d Regiment, to Elizabeth Harriott, youngest daughter of the late Henry Siddons, Esq
- Aug. 4 Ghazepore, Mr. W. Davis to miss Eliza Anne Miles.
- 14 Barisaul, by the Revd. Gabriel Michael, mr. Joseph Carapiet Arratoon, to miss Margaret White.
- Agra, Corporal James Crossbie, Horse Artillery, to miss Albah Williams.
- At the Cathedral, by the Revd T Robertson, Senior Chaplain, Gilbert E Rodgers, Esq to miss A McNeight.
- 17 Simlah, by the Assistant Political Agent, T Bacon, Esq, of the Bengal Medical Service to miss Parker daughter of the late Colonel Parker, of the Artillery
- Aug. 25 Meerut, at St John's Church, by the Rev. J Whiting, Mr. Henry Collett, to miss Isabella Matilda Mary Theodore, the only daughter of Mr J Theodore, Merchant of Delhi.
- Sept. 4 Calcutta, at the Baptist Chapel, Circular Road, by the Revd. J. Thomas, mr. Lowder, Engineer of the "Seetocund," to miss Matilda Mills, of Howrah.
- Agra, by the Rev R Chambers, mr John Cuddy, to Miss Elizabeth Taylor.
- 9 Kurnaul, by the Rev W. Parish, Captain T Brind, Horse Artillery, to Henrietta, fourth daughter of Colonel R. H. Sale, C. B., H M 13th Light Infantry.
- 11 At the Cathedral, Philip Delmar, Esq, to Maria, eldest daughter of W H Hamerton, Esq.
- At the Cathedral, Henry Burkinyoung, Esq., to Letitia, second daughter of W H Hamerton, Esq.
 - Calcutta, at the Cathedral, by the Reverend Henry Fisher, Junior Presidency Chaplain, J K Scott, Esq, of the *Cashmere Merchant*, to Miss E J McCutchan.
 - Patna, by the Revd J Vaughan, R Speace, Esq, Sub Dy Op Agent, Shahabad, to Adelaide, second daughter of J Boilard, Esq, of Patna.
- 15 Calcutta, at the Scotch Kirk, by the Rev. Mr. Charles, James Low, Esq., of Garden Beach, to miss Isabella Sarah Smeaton.

- Sept. — Calcutta, at the Cathedral, by the Reverend T Robertson, Edmund Preston, Esq, Attorney at Law, to Marry, eldest daughter of Thomas Ellis, Esq, of Gloucester, England.
- 16 At the Cathedral, by the Revd T Robertson, Mr John Henry D'Souza, to Miss Charlotte Montagus Hall.
- 19 Calcutta, at the Cathedral, Mr George Philip Woollaston, to Julia Cecilia, third daughter of Mr J Nys, of Park Streets.
- Allahabad, by the Rev mr A Pratt, mr F W Mann, Assistant Overseer, D P W, Delhi and Allahabad Road, to Isabella, second daughter of Mr Conductor W Clarke, Ordnance Department.
- 22 At the Armenian Church, by the Revd Mr T Joseph, Mr M G Michael, to Clara, eldest daughter of J A Guzzell, Esq, of Chittagong.
- 26 Calcutta, at the Cathedral, by the Rev mr Robertson, Capt A J A Rehling, eldest son of the Honorable mr Rehling, Governor of Serampore, to miss Charlotte Nosky Jansen.

DEATHS.

- May 7 Brighton, M Moran, Esq, late of Tirhoot.
- 18 Europe, John Binny, the infant son of A Colvin, Esq of Calcutta.
- June 17 Europe, at Blackheath, Mary, widow of the late Rev Dr Greenlaw, aged 87 years.
- 29 Macao, mr Mathew Vandenberg, aged 50 years.
- 30 In London, Henry Griffith Brightman, Esq, of the firm of messrs John Brightman and Co, London, aged 41 years.
- Europe, in London, Henry Griffith Brightman, Esq, of the firm of Messrs John Brightman and Co., London, aged 40 years.
- July 30 At Sea, on board the *Mary Ann Webb*, Jane Anne, the beloved wife of Au C Dunlop, Esq, of Meesunge, Jessore.
- Aug. 1 Saugor, Amelia Anne, infant daughter of the late Mr Matthew Saimo Kent, Assistant Surgeon.
- 6 Goruckpore, master Joseph Saint, youngest son of Serjeant Major J and mrs. S Saint, 11th N I, aged 5 years, 2 months and 6 days.
- 7 Cawnpore, Esther, wife of Serjeant-Major Teal, 6th Light Cavalry.
- 10 Saugor, (Central India,) Conductor Charles Reynolds, Ordnance Department.
- 13 Mussourie, Fanny, the infant daughter of Lieut Frederick Knyvett, 64th Regt N I, aged 2 years and 10 months.
- 16 Cawnpore, mr Thomas Tomlin.
- 17 Cawnpore, Edward, the beloved son of Magazine Serjeant Tyley, aged 6 years and 10 months.
- Meerut, Henry Stanhope Smith, aged 6 months and 14 days.
 - 18 Neemuch, Edwin, the infant son of Lieutenant W H Nicholletts, 28th Regiment N I aged 16 months.
 - 22 Allahabad, the infant daughter of mr and mrs William Johnson.
 - 26 Meerut, Mrs Anne Flood, wife of Ensign N. Flood, Her Majesty's 3d or Buffs Regt., aged 30 years.
 - 27 Calcutta, mr George Layton, aged 27 years.
 - Calcutta, mr. James Thatcher, aged 49 yrs.
 - Calcutta, mrs Mary Whitforth Jones, widow of the late mr. Thomas W. Jones, aged 54 years.
 - Berhampore, Frances Catherine, relict of the late John Patch, Esq. of the Bengal Medical Establishment.

GENERAL REGISTER.

- Aug. 28 Maria Louisa, the infant daughter of Mr Isiah, B Biss, aged 13 months and 13 days.
 28 Drowned in the *Burrupootra*, Capt R H Gibson, late of the Country Service.
 — Meerut, Lovinia Clotilda, the youngest daughter of Mr. and Mrs McGowan, Department of Public Works, aged 1 year, 9 months and 13 days.
 29 Calcutta, Mrs Frances Gomes, aged 32 years 1 month and 26 days.
 — Calcutta, Mr T Bates, aged 23 years.
 — Cawnpore, Emily, seventh daughter of Captain Tuckett, Her Majesty's 11th Light Dragoons.
 30 Soorajpore, near Allahabad, George Frederick, the infant son of Mr G F A Braton Patrol, aged 1 year, 9 months and 3 days.
- Sept. 1 Bhaugulpore, Frederick Walter, the infant son of H Clarke, Esq, aged 9 months.
 2 Lucknow, Lucinda Florence, the lady of Lieut Col Monteith, 35th Regt N I
 — Calcutta, Captain William Hope, Master Attendant, aged 52 years.
 — Cawnpore, John William, the infant son of Lieutenant J Bruce, Her Majesty's 16th Foot, aged 6 months.
 4 Calcutta, Mr James Humer, aged 27 years.
 — Mr Charles Owen Cobbold, aged 21 years.
 5 Dinapore, John Laurent, the beloved son of James Morris Mackie, Esq., aged 1 year and 10 months.
 6 Joseph Wetherill, Esq, aged 38 years. 4 months and 14 days.
 — Calcutta, James Morris, Esq (formerly of the firm of Morris and Co. Merchants and Agents:) aged 52 years, 10 months and 16 days.
 — Poona, Grace Hamilton, daughter of Major George Jervis, of the Bombay Engineers, aged 3 years, 3 months and 20 days.
 — Gwalior, Capt Simon Filose, second son of Major Julian Filose, of the Scindeeah Service.

- Sept. 7 Chinsurab Wm Vant Hart, Senior, Esq. aged 67 years, 5 months and 3 days.
 8 Calcutta, Mr. J. Bachman, Steward of Her Majesty's 26th Regiment of Foot.
 9 Calcutta, Mrs Charlotte Tucker, the lady of Charles Tucker, Esq C S, aged 56 years.
 — Agra, Charles Metcalfe, the infant son of Capt Claud, Douglas, of the 14th Regt N I, aged 7 months and 6 days.
 10 Calcutta, Mrs Barbara Lucas, aged 48 years.
 13 Shikha, Mr. Andrew Reid, aged 45 years.
 14 Calcutta, Mr. James Lorimer, recently head master of the Parental Academy.
 15 Calcutta, Mr Charles Murray, aged 66 years.
 16 Calcutta, Ellen, fifth daughter of Mr E C Bolst, aged 1 month and 11 days.
 17 Jessore, Mr Edward Rushworth, of Typhus Fever.
 18 Calcutta, miss L P Joakim, aged 14 years, 11 months and 18 days.
 — In Fort William, Charles, the son of Lieut. C W Sibley, of Her Majesty's 26th Foot, aged 6 years and 4 months.
 20 Calcutta, Mr James McDonald, aged 33 yrs.
 21 Dum-Dum, Lydia, the second daughter of Mr. W. Deare, Sub-Conductor of Ordinance, aged 2 years, 8 months and 6 days.
 — Dinapore, the infant daughter of Lieut. and Mrs Newbolt.
 24 Calcutta, Dr. Lewis Burlini, aged 67 years.
 — Calcutta, Master Richard George Hornby, son of Mr S Hornby, aged 1 year, 11 months and 12 days.
 — Serampore, C Bjerring, Esq, aged 28 years.
 25 Mr Pierre Louis Dugat, an Assistant in the office of the Commissary General, aged 42 years.
 — Calcutta, Miss Mary Woodin, aged 42 years, 8 months and 15 days.
 — At the General Hospital, Jacob Butler, Esq, aged 37 years and 6 months.
 27 In Harrington Street, Chowringhee, Thomas Stoddard, the infant son of Major Cubitt, aged 1 year and 12 days.

ADMINISTRATIONS OF ESTATES.

Barwell, Henry Montagu, Shajehanpore, East Indies.
 Lieut. 69th Regt. B. N. I.
 Binny Charles, Calcutta,
 Campbell, James, late of Calcutta, Gentleman.
 Chiene, John, formerly Prince of Wales' Island, E. I., Merchant,
 Crighton, Alexander, Assistant Surgeon 55th Regt. L. C.
 Cuthbert, Singley Thomas, Civil service, E. I. C. service,
 Debonauth Sandial, late of Cossimbazar, Moorsheadabad, Zemindar,
 Farquharson, Alexander, Major, invalid Establishment, Military Service E. I. C.
 Gunter, Thomas Gabriel, formerly of Calcutta, Merchant,
 Hope, William, Master Attendant, Marine Service,
 Juggernaut Day, Calcutta,
 Lindsay, William, formerly of Tounton, Saint Mary Magdeline, in the County of Somerset, and late of Petershave near Sydney, in New South Wales, Veterinary Surgeon, E. I. C. Service,
 Munton, Wm. Pitt, Surgeon, E. I. C. service,
 Munton, William, Military Service, E. I. C. service,
 Catharine Francis, Berhampore,
 Jacob, Civil Service, E. I. C. service,
 Dasse, Calcutta,
 Srimotee Sockbeemoney Dasse Moynance, Calcutta, ..
 Srimotee Sorbamongola Dasse, Calcutta, Hindoo woman,
 Somnua Seal, Calcutta, Banker,
 Warren, William D., Lieut. 19th Regt. N. I.,
 Young, Andrew, Lieut. Col., E. J. C. service,

Edward D'Ogly.

Registrar Supreme Court.

Sestanauth Sandial.

William Greenway,
 Registrar Supreme Court.
 Registrar Supreme Court.

James Colquhoun,
 Hector Maria Munton.
 William McDermoth.
 Registrar Supreme Court.

Registrar Supreme Court.
 Boidinauth Haoulder.
 Potamhoro Mookerjee.
 Srimetty Trappoorah, Soondurry Dasse and Sreemutty Jaggadumba Dasse.
 Registrar Supreme Court.
 William Amstie.

GENERAL REGISTER

GOVERNMENT NOTIFICATIONS.

**BY THE RIGHT HON'BLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL.**

PORT WILLIAM, LEGISLATIVE DEPARTMENT 2d OCTOBER, 1837.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 2d October 1837, is hereby promulgated for general information :

Act No. XXIII of 1837.

It is hereby enacted that it shall be competent to the Governor in Council of Port St. George, by an order in Council, to invest Principal Sudder Ameer at Stations where Jail Drivories are held, with the same powers of commitment in cases of petty offences exercised by the Criminal Judges under Section III Regulation VIII. of 1829 of the Madras Code.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 2d of October 1837, is hereby promulgated for general information.

Act No. XXIV of 1837.

I. It is hereby enacted, that it shall be lawful for the Governor of the Presidency of Port William in Bengal to appoint a Superintendent of Police for the Territories under his Government or for any part thereof, and for the Lieutenant Governor of the N. W. Provinces to appoint a Superintendent of Police for those Provinces or for any part thereof.

II. And it is hereby enacted, that whenever a Superintendent of Police shall be appointed under this Act, such parts of Section 7 Regulation I. 1829, of the Bengal Code, as vest the Commissioners of Revenue and Circuit with two distinct and powers belonging to the Superintendent of Police, shall cease to have effect in the Territories which may be comprised within the jurisdiction of such Superintendent, and such Superintendent shall be guided in the execution of the duties of his Office by the Rules contained in Regulation X. 1824, and other Regulations of the Bengal Code, subsequently enacted, in regard to the said Office, in so far as they may not be modified or repealed by this Act.

III. And it is hereby enacted, that whenever such a Superintendent of Police as aforesaid shall be appointed for any jurisdiction, Section 3, Regulation IX. 1821, of the Bengal Code, shall cease to have effect within that jurisdiction.

IV. And it is hereby enacted, that the Superintendent of Police appointed under this Act, shall exercise all the powers that may be now legally exercised by the Commissioners of Circuit, in virtue of the authority vested in them by Section 3, Regulation I. 1829, of the Bengal Code, in regard to the appointment, suspension and removal of any Ministerial or Police Officer, subordinate to any Zillah or City Magistrate, or Joint Magistrate.

V. And it is hereby enacted, that whenever the whole administration of Criminal Justice shall under the provisions of Act No. VII. of 1826, be vested in any Session Judge, such Session Judge shall receive and try any appeal made to him from any order of any Zillah or City Magistrate, or Joint Magistrate, whether such order may have been passed in a Criminal trial or in any judicial proceeding whatever—provided, that it shall not be competent to such Session Judge to interfere with any order passed by a Zillah or City Magistrate, or Joint Magistrate, regarding the appointment, suspension, or removal of any Ministerial or Police Officer, the revision of which has by Section IV. of this Act been entrusted to the Superintendent of Police.

VI. And it is hereby enacted, that the decision of a Session Judge in Appeal from the order of a Zillah or City Magistrate, or Joint Magistrate, in any judicial proceeding other than a Criminal trial; and also the orders of the Superintendents of Police in regard to the appointment, suspension, or removal of a Ministerial or Police Officer of a Zillah or City Magistrate, or Joint Magistrate, passed under the provisions of Section 4 and 5 of this Act, respectively, shall not be open to revision by the Nizamut Adawlut.

VII. And it is hereby enacted, that whenever the whole administration of Criminal Justice shall, under the provisions of Act No. VII. 1826, and Section V. of this Act, be vested in any Session Judge, such Session Judge shall possess the same control and superintendence over every Jail under the management of any Zillah or City Magistrate, or Joint Magistrate, subject to his jurisdiction, and over the Officers of every such Jail as may have been exercised by the Commissioners of Circuit under the provisions of Section 3, Regulation I. 1829, of the Bengal Code, or of any Regulation, Act, or Circular Order of the Nizamut Adawlut, which may have been passed or issued since the promulgation of the said Regulation.

VIII. And it is hereby enacted, that the Act shall come into operation on the 1st of January 1838, except inasmuch thereof as authorizes the appointment of Superintendents of Police, which shall come into operation from the day of the passing of this Act.

The Resolution and Draft of a proposed Act published for general information in the Official-Gazette of the 2d August last, for increasing the powers and raising the allowances of the Subordinate Judicial Officer, and for introducing other improvements in the Department of Civil Justice, was read and re-considered on this date.

The following Act is passed by the Right Hon'ble the Governor General of India in Council, is hereby promulgated for general information :

Act No. XXV. of 1837.

I. It is hereby enacted, in modification of Section XXVIII. Regulation V. 1831 of the Bengal Code, that from the first day of November 1837, no Zillah or City Judge within the Territories subject to the Presidency of Port William in Bengal, shall be precluded by reason of the amount or value of the property for the recovery of which a Suit is instituted, from referring that Suit to any principal Sudder Ameer.

II. And it is hereby enacted, that so much of Clause Second, Section XXXI. Regulation VII. 1829, and Section XIX Regulation VIII. 1821, of the Bengal Code, as provides that suits of the description therein referred to shall not be cognizable by, or referable to any Sudder Ameer or Moonsiff, be repealed.

III. And it is hereby enacted, that it shall be competent to every Zillah or City Judge within the said Territories, to refer for trial and decision any Original Suit preferred under the Provisions of Clause First, Section XXX. Regulation II. 1819 of the Bengal Code, to any Principal Sudder Ameer, any thing in the existing Regulations to the contrary notwithstanding.

IV. And it is hereby enacted, that in all Suits exceeding the amount or value specified in Clause First Section XVIII Regulation V. 1831, which shall under the authority of Section I. of this Act, be referred to a Principal Sudder Ameer, the Appeal from the decision of an Principal Sudder Ameer shall be decided to the Court of Sudder Dewanny Adawlut, and shall be conducted in all respects according to the same rules as if it were an Appeal from the decision of a Zillah Judge to the said Court of Sudder Dewanny Adawlut, and any application for a review of judgment on such decision shall be made by the said Principal Sudder Ameer directly to the said Court of Sudder Dewanny Adawlut, and shall be conducted in all respects as if it were an application for a review of a decision of a Zillah Judge.

V. And it is hereby enacted, that whenever a Zillah or City Judge within the said Territories in the exercise of the discretion vested in him by Section VII. Regulation V. 1831 of the Bengal Code, shall refer for trial to a Sudder Ameer or Principal Sudder Ameer, a suit within the competency of a Moonsiff to decide, such suit shall be subject to the same rules in regard to Stamp Duties, and to the same rules in regard to Appeal as the said Suit would have been subjected to had it been received and tried by the Moonsiff in the first instance.

VI. Provided always, that when any such Suit shall have been decided by a Principal Sudder Ameer, the Appeal from such decision shall lie to the Zillah or City Judge; and shall be tried by him only, and not the decision of the Zillah or City Judge on such Appeal, shall be subject to anything in the existing Regulations to the contrary notwithstanding.

VII. And it is hereby enacted, that a Sudder Zillah or City Judge within the said Territories shall refer for trial to a Principal Sudder Ameer a suit within the competency of a Sudder Ameer to decide, such suit shall be subject to the same rules in regard to Stamp Duties, and to the same rules in regard to Appeal, as the said Suit would have been subjected to, had it been referred to, and tried by the Sudder Ameer in the first instance.

VIII. And it is hereby enacted, that it shall be competent to either of the Courts of Sudder Dewanny Adawlut within the Territories subject to the Presidency of Port William in Bengal, by an order under the signature of the Register of such Court, to authorize the Judge of any Zillah or City Court subordinate to the said Court of Sudder Dewanny Adawlut to transfer to the Principal Sudder Ameer any civil proceedings whether miscellaneous or summary, which may be depending at the time when such Order is issued, or be thereafter instituted, in the Court of the said Zillah or City Judge, and all proceedings so transferred shall be disposed of by the said Principal Sudder Ameer according to the rules prescribed in the Regulations for the guidance of the Zillah and City Judges in the like cases,—provided however that such

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peal from the order of the Principal Sudder Ameen in such cases shall lie in the first instance to the Zillah or City Judge, and specially to the Sudder Dewanny Adawlut.

X. And it is hereby enacted, that Clause Second, Section II. Regulation VII. 1839, be repealed, and that, in all cases, in which an Appeal from the orders or decision of a Principal Sudder Ameen of a Zillah or City Judge is authorized by Law such Appeal shall not be received, unless the same be preferred within the period of thirty days from the date of the order or decision of the said Principal Sudder Ameen, to be calculated according to the rules prescribed in Clause Ten, Section VIII. Regulation XXVI. 1814, or unless it shall be proved, that the appellant was prevented by circumstances beyond his control from presenting his Appeal within the above mentioned period.

X. And it is hereby enacted, that Clause First, Section XXV. Regulation V. 1831 of the Bengal Code, be repealed.

XI. And it is hereby enacted, that the rule contained in the Second Clause of Section XXV. Regulation V. 1831, be extended to the Ministerial Officers of the Mooniffs Courts.

XII. And it is hereby enacted, that all Ministerial Officers of the Courts of Mooniffs, Sudder Ameen, and Principal Sudder Ameen, shall be nominated and appointed by those Courts respectively, subject to the general control of the Zillah and City Judges and Court of Sudder Dewanny Adawlut, within whose jurisdiction the said Courts may be situated.

18TH OCTOBER 1837.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 16th October, 1837, is hereby promulgated for general information:

Act No. XXVI. of 1837.

It is hereby enacted, that from the day on which it shall be notified by an Order of the Governor General of India in Council, published in the Official Gazette that the said Governor General has quitted his Council for the purpose of proceeding to the North Western Provinces till the time at which the said Governor General shall next, after the said Notification, rejoin his Council, the said Governor General shall have all the powers of Governor General in Council, except the power of making Laws or Regulations.

FORT WILLIAM GENERAL DEPT., 4TH OCTOBER, 1837.

The Right Hon'ble the Governor General of India in Council is pleased to attach Mr. G. H. Clarke, reported qualified for the Public Service, to the Bengal Presidency.

With reference to the list of public Officers entitled to frank Letters, Packets and Parcels both side on the public service which is included in the Rules for the management of the Post Office Department, passed by the Right Honorable the Governor General of India in Council on the 20th of August last. The Right Honorable the Governor General of India in Council has been pleased so far to amend and modify the Rules therein contained respecting Commissioners of Circuit and Revenue and their Co-venanted Assistants and the Registrar of the Sudder Dewanny Adawlut and Secretary to the Sudder Board of Revenue and the Board of Customs Salt and Opium, as to provide that the Registrar of the Sudder Dewanny and Nizamut Adawlut and the Secretaries to the said Boards shall have power to nominate, as Co-venanted Assistants in their Offices respectively, to frank Official Letters sent to the Post Office with the dispatch book of the Office, and the Post Masters-General being informed of the name of the Assistants so nominated shall cause Letters duly signed by them and entered in the dispatch-book of the Offices respectively to be transmitted free in like manner as if signed by the heads of the Offices. With respect to Commissioners of Circuit and Revenue when there may be no Co-venanted Assistant present with them or in charge of their Offices it shall be competent to the Commissioner to employ his Co-venanted Assistant to frank the Official covers of the Office, notice being duly given to the nearest Post Master and to the Post Master General. The Right Hon'ble the Governor General of India in Council further is pleased to direct the Assay Masters to be included amongst the Public Officers of List No. 1, instead of being required to forward their Official Letters through the Mint Master as ordered in List No. 3, and likewise to amend the following heads of List No. 1, for "Agents Political or Agents to the Governor General," read "Agents Political or Agents to the Governor General and their Assistants," also Political Officers on Mission or in charge of others by whatever name designated, for "Residents at Foreign Courts," read "Residents at Foreign Courts and their Assistants."

The Right Honorable the Governor General of India in Council is pleased to attach Mr. T. C. Trotter, Writer, reported qualified for Public Service, to the Bengal Presidency.

21ST OCTOBER, 1837.

The Right Hon'ble George, Lord Auckland, G. C. B. Governor General of India, having this day left the Presidency for the purpose of proceeding to the North Western Provinces, the Hon'ble Alexander Ross, Esquire, has taken his seat as President of the Council of India, under the appointment made by the Governor General of India, in Council on the 26th instant.

The Honorable Alexander Ross, Esquire, has also this day assumed the Office of Deputy Governor of the Presidency of Fort William in Bengal and of Deputy Governor of Fort William and of the Town of Calcutta under the appointment made by the Governor General of India in Council on the same date.

The usual salute has been fired from the Ramparts of Fort William on the above occasion.

Mr. H. T. Princep, Secretary to Government in the General and Financial Departments, has taken charge also of the Secret and Political Departments, as the Presidency, under the arrangement ordered by the Governor General of India in Council on the 9th instant.

Mr. R. D. Mangles has taken charge of the Office of Secretary to Government in the Legislative, Judicial and Revenue Departments.

Lieutenant Colonel James Stuart has taken charge of the Office of Secretary to Government in the Military Department.

APPOINTMENT BY THE HON'BLE THE PRESIDENT OF THE COUNCIL.

Mr. R. D. Mangles to officiate as Private Secretary.

FORT WILLIAM, FINANCIAL DEPARTMENT THE 4TH OCTOBER, 1837.

Notice is hereby given, that in order to obviate inconvenience and losses which have been found to attend the transmission of Promissory Notes and other Government Securities by the Public Dawk, the Accountant General of the Presidency of Fort William in Bengal has been authorized on the application of parties to grant renewed Notes with the signatures and numbers in duplicate, so as to admit of their being cut in half for transmission by separate Dawks, the second half after receipt of intelligence of the arrival of the first. The renewed double signed Notes will be in the names of the parties to whom they may be duly transferred at the time of renewal and upon evidence being given as to the loss of either half during transmission by the Public Dawk, a duplicate Note will be immediately issued under a general guarantee to hold Government securities on production of the other half, provided it shall be apparent that there has been no endorsement or other assignment made upon the Note before it was cut in half.

By order of the Right Hon'ble the Governor General of India in Council.

POLITICAL DEPARTMENT, FORT WILLIAM, 18TH SEPTEMBER, 1837.

The Right Honorable the Governor General of India in Council has been pleased to appoint Lieutenant F. Farrant of the 3d Bombay Cavalry, to be in Command of the Detachment serving in Persia.

20 OCT. 1837.

Captain J. Ludlow to officiate as Political Agent at Kotah, during the absence of Captain Trevelyan or until further orders.

Lieutenant R. Morison, Officiating Assistant to the Agent to the Governor General at Rajpootana, to take charge of the Sambhar Lake from Captain J. Ludlow.

These appointments are to have effect from the date on which the abovementioned Officers received charge respectively of their officiating duties under the Orders of the Honorable the Lieutenant Governor.

9TH OCTOBER, 1837.

It is hereby notified, that the Right Honorable the Governor General will quit the Presidency in prosecution of his Journey to the Upper Provinces, on the morning of Saturday, the 21st instant, proceeding by Steam to Bombay, where His Lordship's Camp will be formed.

The following Officers have been directed to proceed in attendance on His Lordship:

Major General Sir William Carmichael, B. T. B., in charge of the Military Department.

Mr. W. H. Macnaghten, in charge of the several Civil Departments.

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Mr. H. W. Torrens, Deputy ditto, ditto.

To supply the place of the above Officers at the Presidency, the Governor General in Council is pleased to make the following appointments:

Lieutenant Colonel James Stuart to officiate as Secretary to the Government of India in the Military Department.

Mr. H. T. Prinsep to officiate as Secretary to ditto in the Secret and Political Departments, and Mr. R. D. Maugham to officiate as Secretary to ditto in the Legislative, Judicial and Revenue Departments.

14TH OCTOBER, 1837.

The Governor General in Council having received Official Intelligence of the demise of His Majesty Akbar Shah, King of Delhi on the evening of the 28th ultimo, is pleased to direct that Minute

be sent to the number of 10, being the number of the years of the deceased, be fired from the Ramparts of Fort William, and at all the principal Stations of the Army, as a mark of respect for the memory of his deceased Majesty.

His Royal Highness the Prince Mirza Mohom'd Akbar, the eldest son of his late Majesty having ascended the throne of Delhi under the title of Akbar Mozuffar Suraj-uddeen, Mahom'd Bahadur, the Governor General in Council is pleased to direct that in honor of this occasion, a Royal Salute be subsequently fired from the Ramparts of Fort William, and at all the principal Stations of the Army under the Presidency.

30TH OCTOBER, 1837.

Mr. S. J. Popham, the Superintendent of the Chittledroog Division, has obtained leave of absence for five weeks to enable him to join his Station.

CIVIL APPOINTMENTS, &c.

BY THE GOVERNOR OF BENGAL.

FORT WILLIAM, GENERAL DEPARTMENT 15TH SEPTEMBER, 1837.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for September, instant, will be disbursed by the Sub-Treasurer and Marine Paymaster respectively on or after Saturday, the 14th proximo.

30TH SEPTEMBER, 1837.

Mr. G. J. Siddons, Post Master General, is permitted to be absent from his Office for a period of one month, from the 15th proximo.

Mr. George Alexander will take charge and conduct the duties of the General Post Office during the absence of Mr. Siddons.

27TH SEPTEMBER, 1837.

The leave of absence granted to Mr. C. D'Oyly, Bart., Senior Member of the Board of Customs, Salt and Opium, and of the Marine Board on the 30th ultimo, to proceed to Sea for the benefit of his health, is cancelled at his request. Sir C. D'Oyly will resume charge of his duties on the 1st proximo.

Mr. J. M. Seppings, Surveyor of Shipping to the Hon'ble East India Company in Bengal, is permitted to proceed to England, on Medical Certificate, and to be absent from his appointment for two years.

Mr. Joseph Simpson is appointed to execute the duties of Mr. Seppings, during Mr. Seppings' absence, or until further orders. This arrangement is to take effect from the date of Mr. Seppings' departure from the presidency.

4TH OCTOBER, 1837.

Mr. G. Gough, Salt Agent of Bulloah and Chittagong is permitted to be absent from his appointment, on Medical Certificate.

Mr. C. Bury is appointed to act as Salt Agent of Bulloah and Chittagong during Mr. Gough's absence.

Messrs G. H. Clarke and T. C. Trotter, Writers, are reported qualified for Public service by proficiency in two of the native languages.

NOTICE.—The Public Mourning ordered on the 31st August last, to be observed on the occasion of the death of His late Most Gracious Majesty William the 4th will be discontinued on Sunday next, the 8th instant.

With reference to the Order of this Department under date the 7th June last, the Salt Agent of Bulloah and Chittagong is hereby vested with a concurrent jurisdiction with the Collector and Magistrate of that Zillah for the trial of persons charged with offences against the laws for the protection of the Salt Revenue when made over by the Superintendent of Salt Chokies appointed to that District under the Act No. IX of 1835, and the said Salt Agent shall and is hereby empowered to exercise in respect to such cases, the powers described in Section XCVI. and CIV. and other provisions of Regulation X. 1819 of the Bengal Code.

11TH OCTOBER, 1837.

The following Gentlemen appointed by the Honorable the Court of Directors to the Civil Service of this Presidency reported their arrival.—

Mr. Arthur A. Roberts, on the 6th instant.
Mr. George Edmonstone, Junior, on the 6th instant.
Mr. Alexander Ross, on the 7th instant.
Mr. W. Edwards, on the 10th instant.

Mr. J. W. Salmond, Resident Counsellor at Prince of Wales' Island, has been permitted to proceed to Calcutta, for the benefit of his health, and to be absent for a period of four months.

18TH OCTOBER, 1837.

Mr. W. Adam is appointed to officiate for Mr. J. B. Marriage, as Clerk to the Committee for Controlling the Expenditure of the Stationery, vice Mr. J. F. Hyde.

The Right Hon'ble the Governor of Bengal is pleased to appoint Captain J. J. R. Bowman to be Second Assistant to the Master Attendant until further Orders.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Department for October, instant, will be discharged by the Sub-Treasurer and Marine Paymaster respectively, on or after Thursday, the 16th proximo.

26TH OCTOBER, 1837.

The Hon'ble the President in Council is pleased to attach Messrs: C. T. Le Bas and E. T. Colvin, Writers, reported qualified for the Public Service, to the North Western Provinces.

Mr. S. Bowring, of the Civil Service, embarked for the Cape of Good Hope on board the ship "Reliance," which Vessel was left by the Pilot at Sea on the 14th instant.

Messrs C. T. Le Bas and E. T. Colvin, writers, are reported qualified for the Public Service by proficiency in two of the Native languages.

FORT WILLIAM, MILITARY DEPARTMENT, 15TH OCTOBER, 1837.

Notice is hereby given, that the Pay Batta, and other Allowances for September, 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Thursday, the 12th proximo.

16TH SEPTEMBER, 1837.

Notice is hereby given, that the Pay, Batta, and other Allowances for October, 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Friday, the 10th proximo.

FORT WILLIAM, FINANCIAL DEPARTMENT, 4TH OCTOBER, 1837.

Mr. C. Trower, the Civil Auditor, is permitted to be absent from his Office for one month, from the 16th instant.—Mr. G. F. McClintock will conduct the duties of the Civil Auditor's Office.

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ECCLIASTICAL DEPARTMENT. 17th OCTOBER, 1837.

Reverend Ralph Nisson has been appointed by the Honorable the Court of Directors an Assistant Chaplain on this Establishment, and reported his arrival at the Presidency on the 9th instant.

17th OCTOBER, 1837.

The Right Honorable the Governor of Bengal was pleased, on the 8th August last, to permit the Reverend Charles Wimblerley, His Lordship's Domestic Chaplain, to proceed by water to Bunnar, so as to arrive there about the time of the formation of His Lordship's Camp.

The Right Honorable the Governor of Bengal is pleased to make the following Appointments:

That Reverend Arthur Hammond, District Chaplain of Patna, to officiate as District Chaplain at Barrackpore.

The Reverend Charles Rawlins to officiate as District Chaplain at Patna.

15TH SEPTEMBER, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Lieutenant J. W. Koser, in General Charge and superintendence of the Survey of the Province of Cuttack, has been invested with the powers of a Deputy Collector under Regulation IX, of 1833, for the special and exclusive duty of deciding boundary disputes within the limits of his operations as Surveyor.

21st SEPT 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointment:

Mr. Assistant Surgeon T. W. Wilson, M. D., to perform the Medical duties of the Civil Station of Tipperah, vice Mr. Assistant Surgeon J. Davenport, M. D.

26th SEPTEMBER, 1837.

Mr. J. H. Patton, Officiating Civil and Session Judge of Hooghly, has been authorized to make over charge of the current duties of the Judge's office at that station to Mr. A. G. G. and to relieve Mr. S. S. at Allypore.

Mr. R. P. Harrison to officiate as Joint Magistrate and Deputy Collector of Chittagong.

Mr. D. Cunliffe to be an Assistant under the Commissioner of Revenue and Circuit of the 11th or Patna Division.

Mr. A. T. Smith to be Deputy Collector in Zillah Jessore (for special duties), under the provisions of Regulation IX, of 1833.

The following officers have obtained leave of absence from their Stations:

Mr. F. W. Russell, Civil and Session Judge of Monshedabad, for fourteen days, on private affairs, to visit the Presidency during the Dusserah vacation.

Mr. R. P. Nisbet, Civil and Session Judge of Nuddea, during the Dusserah vacation, to proceed on the river for change of air.

Mr. F. J. Hildray, Secretary to the Sadar Board of Revenue, for one month, to proceed on the river, to commence from the date of his leaving Calcutta.

Mr. J. W. MacLeod, Second Commissioner of the Court of Requests, for seven days, to proceed to the Sand Hanks, on Medical Certificate.

Bahadur Harroshanian Ghose, Principal Sadar Ameen, and Bahadur Bynath Sein, Second Principal Sadar Ameen of Zillah Jessore, during the Dusserah vacation.

Sardar Manour Allee, Principal Sadar Ameen; Sheikh Ultee Bux, Additional Principal Sadar Ameen; and Khaj-y Hindat Ali, Khan Sadar Ameen of Zillah Shabered, during the Dusserah vacation.

The following Officer has obtained leave of absence from his Station:

Bahadur Ram Lochun Ghose, Deputy Collector of Dacca, for two months, from the 7th instant.

27th SEPTEMBER, 1837.

Ajodheyapersad Tewares, Principal Sadar Ameen of Patna, during the Dusserah vacation.

Mohamed R. Q. Officiating Sadar Ameen of Monghyr, during the Dusserah vacation.

29th SEPTEMBER, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. A. Pascoe to officiate, until further orders, as Joint Magistrate and Deputy Collector of Malda.

By ACTS, 1837.

NOTIFICATION.—1. In modification of the Resolution in this Department dated the 1st of November 1831, which fixes the Monthly Personal and Office Establishment Allowances of the Subordinate Judicial Functionaries appointed under Regulation V. of 1831 of the Bengal Code, the Right Honorable the Governor General of India, in Council is pleased to direct that the Personal Allowances of one-fourth of the existing Principal Sadar, Ameen, and of one-fourth of the existing Mooniffs, be raised in the proportions specified in the margin. The individuals receiving these Superior Allowances respectively, to be selected by the Government according to merits and services on the Report of the Zillah or City Judge confirmed by the Court of Sadar Dewan Adawlut.

* PRINCIPAL SUDDER AMEENS	
Present	Future
Rs. pr. mo.	Rs. pr. mo.
Personal Allow. 400	600
Mooniff's	
Personal Allow. 100	150

2. His Lordship in Council is further pleased to augment the Allowances granted to the Principal Sadar Ameen, Sadar Ameen, and Mooniffs on account of Establishment and Stationary as specified in the margin, and in the Net Personal Salary of the Mooniffs, not promoted to the Superior class authorized by Article I of this Notification at Rs. 100 per mensem.

* PRINCIPAL SUDDER AMEENS	
Present	Future
Rs. pr. mo.	Rs. pr. mo.
For Estab. and Stationary... 100	150
SUDDER AMEENS	
For Estab. and Stationary... 50	80
MOONIFFS	
For Estab. and Stationary... 100	40

* N. B. This Allowance of 16 Rupees per mensem was for Stationary only. The Salary of 100 Rupees per mensem, formerly granted to Mooniffs was intended to provide for their Establishments also.

3. The increase specified in the 2d para. of this Regulation is to take effect from the 1st instant.

3d OCTOBER, 1837.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointment:

Lieutenant Jasper Trower to the charge of the Revenue Survey of Southern Cuttack.

The following Officers have obtained leave of absence from their Stations:

Mr. J. Donaltherno, Collector of the 24 Pergunnahs, an extension of three months' leave of absence from the date of his return to the Presidency.

Mr. W. A. Pringle Civil and Session Judge of Purnea, for one month to visit the Presidency, on private affairs.—Mr. G. G. Macintosh will conduct the current duties of Mr. Pringle's Office in addition to his own during his absence.

Mr. J. Hawkins, Commissioner of Revenue and Circuit of the 13th or Banesh Division, for one month, on private affairs, in modification of the Orders of the 21st ultimo, permitting him to proceed to the Presidency for a short time, retaining charge of his office.—Mr. M. Barlow will execute the duties of Mr. Hawkins' office during his absence.

Mr. C. Bury, Magistrate and Collector of Rajshahy to remain at the Presidency till the close of the Dusserah Vacation.

Mr. W. H. Martin, Officiating Magistrate and Collector of Nuddea, for one month, preparatory to his applying for permission to proceed to England on Furlough.—Mr. A. Trotter will take charge from Mr. Martin, until further orders.

Mr. R. F. Hodgson, Assistant under the Commissioner of the 12th or Bhagulpore Division, for one month, on private affairs, from the 1st instant, in extension of the leave granted to him on the 19th August last.

Mr. E. H. C. Monahan Officiating Joint Magistrate and Deputy Collector of Backergunge, for two months, on Medical Certificate.

Mr. B. W. Ramsey, Assistant under the Commissioner of the 12th or Bhagulpore Division, for two months, on private affairs.

Mr. T. W. Wilson, M. D., Assistant Surgeon, attached to the civil station of Tipperah to remain at the Presidency till the 17th instant, on private affairs.

Kexee Mohamud Mohammed Taig Khan Bahadur, Principal Sadar Ameen of Scorbhoon, during the Dusserah Vacation.

3d OCTOBER, 1837.

Lieutenant Jasper Trower, in charge of the Revenue Survey of Southern Cuttack, has been invested with the powers of a Deputy Collector under Regulation IX, of 1833, for the special and exclusive duty of deciding boundary disputes within the limits of his operations as surveyor.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mohammed Mahomed Kuleem to be Sadar Ameen of Jessore.

Mohammed Mahomed Kuleem to be Sadar Ameen of Zillah Jessore.

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27th OCTOBER, 1837.

*Mr. T. C. Trotter to be an Assistant under the Commissioner of Revenue and Circuit of the 18th or Cutchak Division.

10th OCTOBER, 1837.

Mr. F. O. Smith to be Superintendent of Police in the Lower Provinces.

Mr. G. H. Clarke to be an Assistant under the Commissioner of Revenue and Circuit of the 15th or Dacca Division, but to do duty for two months under the Commissioner of the 18th or Jessore Division, at the Presidency.

M. E. H. Repton to be Magistrate, until further orders, as Magistrate and Collector of Bannur, in the room of Mr. Rakess.

Mr. F. J. Morris to officiate, until further orders, as special Deputy Collector for the investigation of Titles to hold Land free from the payment of Revenue in Zillah Chittag.

Mr. J. F. Hyde to be temporary register, and Examiner to the Committee for the employment of the Town of Calcutta.

Baboo Benod Han to be Deputy Collector in Zillah Moorshedabad, under the provisions of Regulation IX. of 1833.

The following Officers have obtained leave of absence from their Stations:

Mr. A. E. Donnelly, Collector of Midnapore, till the 29th instant, in extension of the leave granted by the Commissioner from the 29th ultimo to the 15th current.

Mr. J. S. Torrens, officiating Joint Magistrate and Deputy Collector of Pubna, from the 14th to the 25th instant, in extension of the leave granted to him by the Commissioner of the 13th or Jessore Division.

Moulvie Abdul Majeed Khan, Principal Sudder Ameen of Chittagong, to proceed to the Presidency during the Dussarah vacation.

The remaining portion of the leave granted to Mr. W. Bell, Assistant to the Magistrate and Collector of Dacca, on the 17th July last, for two months, is cancelled from the 24th ultimo, at his request.

17th OCTOBER 1837.

The Right Honorable the Governor of Bengal has been pleased with the sanction of the Supreme Government, to make the following Appointments:

Mr. F. J. Halliday to officiate as Secretary to the Government of Bengal in the Judicial and Revenue Department, in the room of Mr. H. D. Douglas.

Mr. C. E. Trevelyan to officiate as Secretary to the Sudder Board of Revenue in the room of Mr. Halliday.

Mr. F. J. Halliday has this day assumed charge of the duties of his office as Officiating Secretary to the Government of Bengal in the Judicial and Revenue Department.

The Right Honorable the Governor of Bengal is pleased to determine that Tameczandeen, late Darogah of Thanaah Kalcoungge, in Zillah Dinagore, who has been convicted by the Session Judge of oppression towards certain Prisoners, shall under Clause Three, section VI. Regulation XVIII. of 1837, be declared incapable of serving Government in future in any public capacity.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. R. Francis to be Deputy Collector in Zillah Malda under the provisions of Regulation IX. of 1833.

Mr. J. A. Heynes to be ditto ditto in Zillah Beerbhoom under ditto.

Baboo Hurrishunder Ghose removed from Beerbhoom; and appointed to be Deputy Collector under Regulation IX. of 1833, in Zillah Dacca.

Baboo Dhurm Chund Ghose to be Deputy Collector under Regulation IX. of 1833, in the Dacca Division.

Baboo Ram Dhun Seia to be ditto ditto under ditto in ditto.

Baboo Herumbarnath Thekur to be ditto ditto under ditto in ditto.

The following Officers have obtained leave of absence from their Stations:

Mr. F. W. Russel, Civil and Session Judge of Moorshedabad, for six days, in extension of the leave granted to him on the 28th ultimo, on private affairs.

Mr. J. J. Harvey, Magistrate and Collector of Chittagong, for two months on Medical Certificate, in extension of the leave granted to him on the 17th ult.

*Mr. T. C. Trotter, Assistant under the Commissioner of the 19th or Cutchak Division, to remain at the Presidency till the 9th proximo, on private affairs.

Mr. J. Davenport, M. D., Assistant surgeon attached to the civil station of Tipperah, for one month, to visit Calcutta.
M. C. Mackay, Sudder Ameen in Zillah Dinagore, to visit a Rungepo during the Dussarah vacation.
Kasee Wahmood Ahy, Principal Sudder Ameen in Zillah Tipperah, during the Dussarah vacation.

10th OCTOBER 1837.

The Right Honorable the Governor of Bengal has been pleased to confirm Mr. J. W. Ellis, M. D., in the office of Assistant surgeon to the civil station of Dinagore.

20th OCTOBER, 1837.—The Right Honorable the Governor of Bengal with the sanction of the Governor General of India in Council, has been pleased to make the following Appointment:

Mr. John Lewis is attached to the Sudder Board of Revenue as Reviewer and Reporter of settlements, with the powers of Member of the Board in that branch of business exclusively. Mr. Lewis will officiate, until relieved by Mr. Damples, as Commissioner of the Moorshedabad Division.

The Right Honorable the Governor of Bengal has made the following Appointments:

Mr. W. D. to be Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division.

Mr. J. J. to be ditto ditto of the 16th or Chittagong Division.

Mr. H. T. Rakess to be Magistrate and Collector of Chittagong.

Mr. F. Cardew to be Magistrate and Collector of Jessore.

Mr. A. Scance to be Joint Magistrate and Deputy Collector of Malda.

Mr. J. A. F. Hawkins to officiate as Register of the Courts of Sudder Dewanny and Nuzamat dawlat.

Mr. W. J. Allen to be Magistrate and Deputy Collector of Nuddia, and to officiate as Joint Magistrate and Deputy Collector of Pubna.

Mr. R. C. Halkett to be Joint Magistrate and Deputy Collector of Tipperah.

Mr. C. Steer to officiate as Joint Magistrate and Deputy Collector of Nuddia.

Mr. E. H. C. Monckton has been authorized to exercise the powers of a Joint Magistrate and Deputy Collector in Zillah Malda.

Mr. J. Wheeler ditto ditto in Zillah Mymensing.

Mr. J. J. Ward ditto ditto in Zillah Backergunge.

The following Officers have obtained leave of absence from their Stations:

Mr. T. B. Davidson, Commissioner of Revenue and Circuit of the 11th or Patna Division, to proceed to the Presidency, on Medical certificate, in December next, preparatory to his applying for leave to proceed to the Cape of Good Hope, making over charge of his office to Mr. E. C. Ravenshaw.

Mr. J. M. Hay, Assistant to the Magistrate and Collector of Mymensing, for one month, to proceed to the Presidency, on Medical Certificate.

30th OCTOBER, 1837.

Mr. W. N. O'B. Bonnelley to be Deputy Collector in Zillah Jessore, under the provisions of Regulation IX. of 1833.

24th OCTOBER, 1837.

The Honorable the Deputy Governor of Bengal has been pleased to make the following Appointments:

Mr. C. Evans to be Deputy Collector in Zillah Purneah, under the provisions of Regulation IX. of 1833.

Mr. A. Howatson to be Deputy Collector in Zillah Tirhoot, under the provisions of ditto ditto.

Baboo Gung Churn Joo to be Deputy Collector in Zillah Dinagore, under ditto ditto.

The following Officers have obtained leave of absence from their Stations:

Mr. W. Wilkinson, Magistrate and Collector of the Southern Division of Cutchak, from the 27th instant preparatory to his proceeding to Europe on Furlough.

Mr. W. H. Elliot, Magistrate of Moorshedabad, for fifteen days, to visit the Presidency, on private affairs.

Mr. R. F. Hodgson, Assistant under the Commissioner of the 19th or Bhagupore Division, for six weeks, from the 1st proximo, on Medical Certificate, in extension of the leave granted to him on the 2d instant.

Mr. G. N. Chock, Assistant Surgeon attached to the Civil Station of Burdwan, for twelve days, on private affairs.

Mr. K. Mackinnon, M. D. Assistant Surgeon attached to the Civil Station of Tirhoot, to proceed to Hajepore, for four months, from the 4th proximo, on being relieved of his charge.

27th OCTOBER, 1837.

Mr. C. E. Trevelyan, Officiating Secretary to the Sudder Board of Revenue, for two months, from the 1st proximo, on Medical Certificate. Mr. J. Davenport has been authorised to officiate as Secretary during the former's absence, or until further orders.

GENERAL REGISTER. CIVIL APPOINTMENTS.

BY THE HON'BLE THE LIEUT. GOVERNOR
OF THE N. W. PROVINCES.

GENERAL DEPARTMENT PROCESSIONAL AGRA, 20 OCTOBER, 1837.

The services of the Reverend G. Rawlins, A. B., now attached to the Station of Ghazepore, are placed at the disposal of the Right Hon'ble the Governor of Bengal.

JUDICIAL & REVENUE DEPARTMENT, AGRA, 5TH SEPT 1837

Mr. C. W. Kinlock to exercise the powers of Joint Magistrate and Deputy Collector at Mynpoory.

11TH SEPT. 1837.

Mr. R. J. Tulyer, Additional Judge of Goruckpoor, has obtained permission to be absent from his Station, during the approaching Dusserah vacation.

16TH SEPT 1837.

The following officers have obtained leave of absence :

Mr. J. S. Clarke, Magistrate and Collector of Moradabad, for three months, on Medical Certificate, in extension of the leave granted to him on the 11th August, last, to enable him to proceed to the Presidency, preparatory to applying for permission to proceed to the Cape.

Mooftaz Gholaum Mahomed Khan, Bakhshoor, Principal Sudder Aumeen of Bundelcound, on his private affairs, during the approaching Dusserah vacation.

20TH OF SEPTEMBER.

Mr. D. T. Timins to be Deputy Collector for the investigation of Claims to hold Lands exempt from payment of Land Revenue in Zillah Goruckpoor.

Mr. J. Brewster to officiate as Joint Magistrate and Deputy Collector of Shahjahanpore.

21ST SEPTEMBER, 1837.

Mr. G. P. Edmonstone, Assistant to the Magistrate and Collector of Ghazepore, appointed to exercise the powers of Joint Magistrate and Deputy Collector at Sahatunpoor, has obtained leave of absence for one month, on his private affairs.

22D SEPTEMBER 1837

With the sanction of the Right Honorable the Governor General of India in Council, the Lieutenant Governor is pleased to make the following Appointments :

Mr. W. Lambert to be a Judge of the Sudder Dowanny and Nizamat Adawlut, for the North Western Provinces.

Mr. W. Monckton to be an Additional Judge of the Sudder Dowanny and Nizamat Adawlut for the North Western Provinces.

MILITARY APPOINTMENTS, &c.

BY THE RIGHT HON'BLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL.

Fort William, 2d October, 1837.

No 205 of 1837.—The Governor General of India in Council is pleased to make the following Promotions and Appointments :

36th Regiment Native Infantry.—Lieutenant Thomas Hore sent to be Captain of a Company, and Ensign Robert Christy sent to be Lieutenant, from the 25th Sept. 1837, in succession to Capt. Thomas Collins Wilson, transferred to the Invalid Establishment.

trans.

25TH SEPTEMBER, 1837.

Mr. S. S. Brown, Magistrate and Collector of Hurriannah, has obtained leave of absence for one week, in extension of the leave granted him under Orders of 18th ultimo.

26TH SEPTEMBER, 1837.—Mohammed Ullooh Ooddeen Khan, Principal Sudder Aumeen of Etawah has obtained leave of absence for 20 days, from 1st November next.

5TH OCTOBER, 1837.

Mr. J. Neave, Judge of Ally Ghur, has obtained leave of absence for a fortnight, to visit Agra, on his private affairs.

6TH OCTOBER 1837

Mr. R. H. P. Clarke, Officiating Magistrate and Collector of Subeswan, has obtained leave of absence for 2½ months, from the 15th September last, on Medical Certificate. Mr. J. A. Craigie will officiate as Magistrate and Collector during the absence of Mr. Clarke, or until further Orders.

The remaining period of the leave of absence for ten months, granted to Mr. H. Boushield, Surgeon of Mynpoory, on the 17th January last, has been cancelled from the 30th September, the date on which he rejoined his Station.

Baboo Jyeesopal Banerjee to be Deputy Collector in Zillah Mutia, under the provisions of Regulation IX of 1833.

POLITICAL DEPARTMENT AGRA, 16TH SEPT. 1837.—Mr. Assistant Surgeon A. C. Gordon has obtained three months' leave of absence, from the 1st proximo, to visit Calcutta, on urgent private affairs.

7TH OCTOBER, 1837.

The leave of absence for three months, from the 1st instant, granted to Mr. Assistant Surgeon A. C. Gordon, attached to Umballa Political Agency, to visit the Presidency, on urgent private affairs, is cancelled at his own request.

GENERAL DEPARTMENT, AGRA, THE 4TH OCTOBER, 1837

Mr. E. H. Moulton assumed charge of the Office of Civil Auditor and Deputy Accountant of the North Western Provinces, on the 28th ultimo.

6TH OCTOBER, 1837,

Mr. Surgeon James Duncan to the Medical charge of the Civil Station, of Bareilly.

11TH OCTOBER, 1837.

Mr. Thomas Theophilous Mitchell, Agent to the Lieutenant Governor at Delhi, is permitted to visit Agra, for a period of one month, commencing the 1st proximo.

23D SEPTEMBER, 1837.

Mr. Assistant Surgeon Henry John Tucker M. D., appointed temporarily to the Medical Charge of the Civil Station of Moosuffernagar.

76th Regiment Native Infantry.—Lieutenant and Brevet Captain Alexander Corrie Scott to be Captain of a Company, and Ensign Charles Lloyd Edwards to be Lieutenant, from the 25th Sept. 1837, in succession to Capt. George William Jones Hickmah retired on the Pension of a Major.

Captain Archdale Wilson of the Regiment of Artillery, to officiate as Assistant Adjutant General of Artillery, during the absence on leave of Captain John Cartwright, or until further orders, vice Lawrenson who has been nominated to the Command of a Troop of Horse Artillery.

Lieutenant James Spans, of Engineers, Acting Assistant to the Superintendent of the new road to Benares, to be Assistant to the Superintendent of Feroze Shah's Canal, vice Lieutenant H. M. Durand.

GENERAL REGISTER.

Lieutenant James George Allardyce, of Engineers, attached to the Corps of Sappers and Miners, to be Acting Assistant to the Superintendent of the new road to Benares, vice Lieutenant J. Spence.

Lieutenant George Craven Armstrong, of the 47th Regiment Native Infantry, is promoted to the rank of Captain, by Brevet, from the 30th September 1837.

Captain Edward Marjoribanks Orr, of the 54th Regiment Native Infantry, is permitted to proceed to Europe on furlough, on account of his private affairs.

Major J. Mackenzie, of the 3d Regiment Light Cavalry, Superintendent of the Staff, General Provisions, has leave of absence, for two months, from the 20th proximo, to visit the Presidency, on private affairs.

Assistant Apothecary Michael Maher is appointed a permanent Assistant in the Hon'ble Company's Dispensary, in the room of Mr. Healy, who has been placed under the orders of the Surgeon to the Right Honourable the Governor General.

The undermentioned individuals are appointed Assistant Overseers in the Department of Public Works, on the Salaries allowed for that rank:

Mr. Thomas Brian O'Laughlin to joint H. Azareashugh to fill a vacancy caused by the death of Sergeant Griffin, who was employed on the Benares Roads under charge of Lieutenant Anderson.

Servants Virvan and Meldrum, of the Corps of Sappers and Miners, to report themselves to Captain Warlow, Garrison and Executive Engineer, Delhi.

Serjeant Major John William Allison, alias William Allison of the 3d Battalion Artillery, is admitted to the benefits of the Pensions sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated the 6th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend in Calcutta.

No. 206 of 1837.—Assistant Surgeon A. C. Gordon, in Medical Charge of the Umballa Agency and Extra Assistant to the Political Agent at Umballa, has obtained from the Lieutenant Governor, North Western Provinces, three months' leave of absence from the 1st instant, to visit Calcutta, on urgent private affairs.

Sub-Conductor George Grainger is promoted to the rank of Conductor, to fill a vacancy in the Ordnance Commissariat Department occasioned by the death at Saugor, on the 10th of August last, of Conductor Reynolds.

His Lordship in Council is pleased to sanction the transfer of Assistant Apothecary W. H. Crawford to the list of Assistant Stewards, and Assistant Steward C. Marshall to that of Assistant Apothecaries, each with his present date of rank; the former will accordingly stand next below Assistant Steward J. W. Franks, and the latter next below Assistant Apothecary F. Smith.

No. 207 of 1837.—The Governor General of India in Council is pleased to direct, that on occasions of European Troops proceeding by land whether for the purposes of War or Service, or on any other occasion of being in Camp the necessary Establishment, of Leaders for the Cavalry Camp Equipages shall be furnished and paid by the Commissariat Department, on Demand to be prepared by the Medical Staff of Corps and commanded by Superintending Surgeons according to the fixed proportions of the service, specifying the number and description of Tents and the Establishment required, supported by monthly Muster Rolls when such Establishments may be employed for any lengthened period.

No. 208 of 1837.—The Governor General of India in Council is pleased to make the following transfer of Officers on the General Staff of the Indian Army:

Major General J. W. Sleigh, C. B. Her Majesty's Service from Bombay to the General Staff of the Madras Presidency.

Major General Sir J. F. Fitzgerald, K. C. B. Her Majesty's Service, from Madras to the General Staff of the Bombay Presidency.

Fort William, 9th October, 1837.

No. 209 of 1837.—The Governor General of India in Council is pleased to make the following Promotions and Appointments:

32d Regiment Native Infantry.—Lieutenant and Brevet Captain Nathaniel Sneyd Nesbit to be Captain of a Company, and Ensign Stamford William Raffles Talbot to be Lieutenant, from the 21st September 1837, in succession to the Captain Richard Edmond Batley deceased.

Lieutenant Edward Geoffry John Champneys, of the 59d Regiment Native Infantry, to be Deputy Pay Master at General, vice Captain Lord Henry Gordon.

Lieutenant Chambers Stabson Pensohby Atcock, of the Corps of Engineers, to the Superintendency of the Burdwan and Benares Roads.

Captain George Thomas Garrison and Executive Engineer at Delhi, to superintend the Building of the Hindun Bridge, vice Lieutenant Atcock.

The Khoudah Division of Public Works is placed under Lieutenant Henry Rizby, of the Corps of Engineer, Superintending the Erection of the Light House at Fair Point, vice Lieutenant Fraser.

Major G. D. Stoddart, of the 6th Regiment Light Cavalry, Pay Master at the Presidency, has two months' leave of absence from the 10th ultimo to enable him to proceed to the Sant Ments, on Medical Certificate.

Enactment.—In the General Orders No. 205, dated 2d instant, directing Assistant Overseers Virvan and Meldrum to report themselves to Captain Warlow for "Garrison and Executive Engineers, Delhi," read "Superintending Engineer, Central Provinces." The Order Books to be corrected accordingly.

No. 210 of 1837.—The services of Cornet Christopher George Fagan, of the 8th Regiment Light Cavalry, Aide-de-camp to the Governor General, are placed at the disposal of the Hon'ble the Lieutenant Governor of the North Western Provinces, in view to his nomination to Civil Employment.

The undermentioned gentlemen are admitted to the Service in conformity with their Appointment by the Hon'ble the Court of Directors, as Cornets of Cavalry and Infantry on this Establishment, and promoted to the rank of Cornet and Ensign respectively, leaving the dates of their Commissions for future adjustment:

Cavalry.—Mr. Francis Walker Drummond, and Mr. Frederick Neil Edmondstone, date of arrival at Fort William, 7th October 1837.

Infantry.—Messrs. William Hooper, and James Grant Stephen, ditto 7th October 1837.

Lieutenant James Randal Burt, of the 6th Regiment Light Cavalry, is permitted to proceed to Bombay from where on Medical Certificate, and to be absent from Bengal on that account for six months, from the 12th August last.

Assistant Surgeon T. W. Wilson, M. D., attached to the Civil Station of Tipperah, was permitted in the Judicial and Revenue Department, to remain at the Presidency till the 17th instant, on private affairs.

Assistant Surgeon James Davenport, M. D., in charge of the Medical duties of the Civil Station of Tipperah, is placed at the disposal of His Excellency the Commander in Chief, from the date of his being relieved from the duties of that appointment.

No. 211 of 1837.—The Right Hon'ble the Governor General of India in Council is pleased to direct, that the following paragraph of a Military Letter from the Hon'ble the Court of Directors, No. 40, dated 2d June 1837, be published in General Orders.

"6. We have to apprise you that, as in the case of the Burt-pore Bonty, interest at the rate of 5 per cent. annum is to be allowed on the amount of Arre Bonty paid into your Treasury, from the date of the payment to the date when the distribution shall have been authorized in General Orders.

Fort William 14th October, 1837.

No. 212 of 1837.—Information of the demise of His Majesty Akbar Shah, and of the accession of His Royal Highness the Prince Mirza Mahomed Aboozafur having been received by Government, the Right Hon'ble the Governor General of India in Council is pleased to direct, that Minute Guns to the number of Eighty-two, corresponding with the years of His late Majesty, be fired from the Ramparts of Fort William and at all the Stations of the Army under this Presidency, as a mark of respect to the memory of His late Majesty; and also that a Royal Salute be subsequently fired from the Ramparts of Fort William and at all the principal Stations of the Army under this Presidency on the occasion of the accession of His Royal Highness the Prince Mirza Mahomed Aboozafur to the Throne of Delhi.

Fort William, 16th October, 1837.

No. 213 of 1837.—The Governor General of India in Council is pleased to make the following promotion and appointments:

Infantry.—Major Hugh Ross to be Lieutenant Colonel, from the 27th September 1837, vice Lieutenant Colonel Hugh O'Donnel deceased.

39th Regiment Native Infantry.—Lieutenant John Handcock Low to be Captain of a Company, and Ensign James Oates to be Lieutenant, from the 27th September 1837, in succession to Captain William Clifford deceased.

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42d Regiment Native Infantry. — Captain and Major James Grant Clarkson to be Major, Lieutenant and Brevet Captain Archibald McKean to be Captain of a Company, and Ensign David Gausson to be Lieutenant, from the 26th September 1837, in succession to Major Hugh Ross promoted.

Lieutenant J. Spence, of Engineers, lately appointed as Assistant to the Superintendent of Forces Simla Canal, to remain in charge of his Division of the Benares Road.

Lieutenant A. Pitt, of Engineers, Assistant to the Superintendent of the new Road to Benares, to be Assistant to the Superintendent of Forces Mitha Canal, vice Lieutenant Spence.

Lieutenant G. Kirby, of Artillery, to act as Deputy Commissary of Ordnance at Ameer, during the absence of Lieutenant W. O. Young, or until further Orders.

Surgeon John Colvin, M. D. to be a Presidency Surgeon, vice Surgeon Halliday.

The following Appointment is made by the Governor General on His Lordship's personal Staff :

Ensign William Eadrian Mackintosh, of the 43d Regiment Native Infantry, to be an Aid de Camp, vice Cornet G. Fagan placed at the disposal of the Lieutenant Governor of the North Western Provinces.

Lieutenant Robert Warden Fraser, of the 45th Regiment Native Infantry, is promoted to the rank of Captain by Brevet from the 4th October 1837.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors :

Lieutenant and Brevet Captain Henry Drummond, of the 2d Regiment Light Cavalry, and Lieutenant William John Ode, of the 13th Regiment Native Infantry, date of arrival at Fort William, 7th October 1837.

The undermentioned gentlemen are admitted to the Service in conformity with their appointment by the Hon'ble the Court of Directors, as Cadet of Engineers and Infantry, and as an Assistant Surgeon on this Establishment. The Cadets are promoted to the rank of 2d Lieutenant and Ensign respectively, leaving the dates of their Commissions for future adjustment :

Engineers — Mr Charles Becher Young, date of arrival at Fort William, 7th October 1837.

Infantry — Messrs. Peter Drummond, Dandies Crawford Allison, and Edward Glose, ditto ditto, 7th October 1837.

Medical Department — Archibald Donaldson, M. D., ditto ditto 7th October 1837.

The appointment of Captain A. Knivett, of the 6th Regiment Native Infantry, in Division Orders by Major General Sir Thomas Ashurst, Kt and C. B., Commanding the Saugor Division, to the charge of the Executive Engineer's Office in that Division, in the room of Lieutenant Mouni deceased, is confirmed by Government as a temporary measure.

The permission granted by the Bombay Government, to Lieutenant James Marshall Burt, of the 6th Regiment Bengal Light Cavalry, to proceed thence to Europe on furlough, on medical Certificate, is confirmed by the Supreme Government. The Furlough is to be calculated as having commenced from the date on which that Officer left the Bengal Presidency.

Sergeant Adamson, of the Corps of Sappers and Miners, is appointed an Assistant Overseer in the Department of Bahlo Works, on the Salary allowed for that rank, and attached to the Assam Division, in the room of Sergeant Crank who has been permitted to purchase his discharge from the Service.

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla, 15th Sept. 1837.

With reference to Government General Orders No. 177, of the 26th ult. authorizing an increase of the Arracan local Battalion, His Excellency the Commander in Chief is pleased to make the following appointments, and to direct the following arrangements, with a view to giving effect to the wishes of the Government :

Captain F. V. McGrath, of the 63d Regiment of Native Infantry to be 2d in command.

Lieutenant R. N. Balles, of the 67th Regiment of Native Infantry, to be Adjutant, vice Lumsden appointed to a civil situation.

Ensign and Quarter Sergeant, James Kilian, from the 26th Regiment of Native Infantry, to be Sergeant Major, and to be sent to join with the 63d, by the earliest means.

1. Subalterns of Artillery.

1. Gun Sergeant.
1. Gun Corporal.
1. Jemadar.
3. Privates.
3. Native.
10. Sepoys.
1. Tundal.
5. Gun Lascars.

2. The Artillery of the Corps will be organized as specified in the margin.

3. A subaltern of artillery will be attached to the Corps. His duty will be under the officer commanding the Battalion to take charge of the instruction of the officers and soldiers selected for the artillery service, in all their special exercises, as artillerymen; and to have the particular care and superintendence of the ordnance, and all its stores and equipments of every kind.

4. He is to understand that he is attached to the Corps purposes of giving instruction in and superintending over the particular branch of the service to which he belongs; but that he is in every respect under the Commanding Officer of the Battalion he is attached to.

5. The native officers, non-commissioned officers, gunners, &c. should be carefully chosen from amongst those whose strength and activity render them most eligible; and the Commander in Chief has no doubt, that the artillery selection may be rendered very popular, by judicious measures on the part of the commanding officer of the Battalion.

6. The commanding officer will use his own discretion in teaching any number of extra men his Corps the duties of artillerymen, to prepare them for filling vacancies.

7. The Commander in Chief recommends, that the artillery should be retained as much as possible with the head quarters of the Corps, and move with the main body; as the detaching of artillery with small bodies of high troops always interferes with the active and energetic movements, which specially belong to their particular branch of the service.

The undermentioned officers have leave of absence :

7th Regiment Native Infantry. — Colonel R. C. Andree, from 4th November, to 1st February 1838, to visit the Presidency, on his private affairs, preparatory to applying for furlough to Europe.

34th Regiment Native Infantry. — Ensign C. F. M. Mundy, from 1st December to 1st January 1838, in extension, to enable him to rejoin his Regiment.

Captain C. Gale, of the invalid establishment, is permitted to reside at Dinapore.

Surgeon R. Grahams, of the invalid establishment is permitted to remain at Saugor till the 1st of December next, and to draw his allowances from the Benares pay office.

Head Quarters, Simla 16th September, 1837.

His Excellency the Commander in Chief is pleased to direct, that when an European non-commissioned officer or soldier is sent to the Presidency in a state of mental derangement, the officer commanding the station whence the individual may be despatched, shall forward to the Secretary to the medical board, a copy of the proceedings of any committee which may have been held on the case; and the Surgeon of the Regiment to which the patient belongs, is required to transmit to the same authority, through the Superintendent Surgeon of the circle, a detailed report of the symptoms previous medical treatment, in each particular instance.

Unposted Ensign T. F. Hobday, is, at his own request, removed from the 38th, and appointed to do duty with the 43d Regiment Native Infantry at Cawnpore.

Deputy Assistant Commissary of Ordnance J. Sperrin, attached to the Saugor magazine, is transferred to the arsenal at Fort William.

Sub-Conductor Richard Kilian is removed from the Allahabad magazine, and appointed to the magazine and Saugor, to fill the vacancy occasioned by the death of Conductor Reynolds.

Joseph Letts, a half-pay Drummer in the European Regiment, is transferred to the 48th Native Infantry, to fill a vacancy in that Corps.

Head Quarters, Simla, 18th September, 1837.

Captain G. S. Lawrenson (officiating Assistant Adjutant General of Artillery), is removed from the 2d Company 4th Battalion to the 2d Troop 1st Brigade, and directed to proceed and join on being relieved from his present office.

Surgeon Donald Campbell, on furlough, is removed from the 26th to the 11th Regiment of Native Infantry.

Surgeon Joseph Stapleton Sullivan (now promoted) is posted to the 11th Regiment of Native Infantry, which he will proceed and join at Jumnaspoor in Assam, on being relieved from his present charge.

GENERAL REGISTER.

Head-Quarters, Simla, 19th September, 1837.

The 45th regiment native infantry, with the field piece attached, will commence its march from Seetapore on the 16th of October next, towards Shahjehanpore, where the regiment will be stationed.

On the arrival of the 45th regiment at Shahjehanpore the wing of the 39th regiment native infantry now there, will join the head quarters of its regiment at Moradabad.

The 61st regiment native infantry will commence its march from Sultanpore, Oude, on the 15th November next, towards Mhow, instead of the date specified in the General Order of the 12th July last, sending the field pieces and ammunition into the Allahabad magazine, under a suitable escort.

The 57th regiment native infantry will stand fast at Benares.

The leave of absence granted to Captain W. T. Savary, of the 45th regiment of native infantry, in General Orders of the 11th May 1836, is to be calculated from the 55th of that month, instead of the 50th, the former being the date on which he quitted his corps in progress to the Presidency.

The undermentioned officers have leave of absence: 66th Regiment Native Infantry.—Captain M. G. White, from 14th August, to 14th December, to remain at the Presidency, on private affairs, preparatory to applying for furlough.

34th Regiment Native Infantry.—Lieutenant and Brevet Captain H. Moore, from 1st October, to 1st April 1838, to visit the Presidency, on private affairs, preparatory to applying for furlough.

Head-Quarters, Simla, 20th September, 1837.

Circumstances having occasioned the Commander in Chief to make a reference to Government on the subject of officers of cavalry or horse artillery retaining the troop contracts whilst in temporary command of their regiments or brigades, the decision of Government is communicated for general information:

"The command of a troop or company is obviously incompatible with the command of a regiment, and an officer in receipt of the allowance going with the command of a regiment, has no claim whatever to the contract or command allowance of a troop or company."

The following removals and postings to take place in the regiment of artillery:

Major T. Chadwick, from the 3d to the 2d battalion, and to join the head quarters of the battalion at Nussurah.

Major T. Lumsden, (on staff employ) from the 3d to the 3d battalion.

Major P. L. Pew, of the 4th battalion, to the command of the Neemuch division of artillery.

Major T. Croxton (new promotion) to the 6th battalion.

Captain T. Hickman, from the 2d company 1st battalion to the 3d company 1st battalion, and to accompany the drafts of the season to the upper provinces.

Captain A. Wilson, from the 3d company 3d battalion to the 2d company 1st battalion.

Captain H. Humphreys, (new promotion) on furlough, to the 3d company 1st battalion.

1st Lieutenant J. Trower, from the 3d company 1st battalion to the 1st troop 1st brigade.

1st Lieutenant A. Fitzgerald, from the 1st troop 3d brigade to the 5th company 7th battalion.

1st Lieutenant V. Eyre (new promotion) to the 3d company 1st battalion.

2d Lieutenant H. A. Carleton, from the 2d company 5th battalion to the 4th company 5th battalion.

2d Lieutenant T. Brougham, (brought on the effective strength) to the 3d company 2d battalion, and to accompany the drafts to the upper provinces.

The undermentioned officers have leave of absence:

Invalid establishment.—Captain G. H. Cox, from 14th October to 15th April 1838, to visit Cawnpore on private affairs.

4th Regiment Native Infantry.—Lieutenant H. A. Blackburn, from 1st October to 1st October 1838, to visit the hills north of Deyrah on medical certificate.

7th Regiment light Cavalry.—Riding Master U. Jordan, from 15th October to 1st December, to visit the Presidency, on his private affairs, preparatory to applying for permission to proceed to Europe, on leave for two years, without pay.

Head-Quarters, Simla, 20th September, 1837.—The Presidency division order of the 12th instant, directing the undermentioned Ensigns, recently admitted into the service, to do duty with the corps stated opposite to their respective names, is confirmed.

Ensign E. P. Rivers, with the 15th regiment native infantry at Barrackpore.

Ensign E. D. Watson, with the 70th regiment native infantry at Barrackpore.

Ensign M. B. Whish, with the 9th regiment native infantry at Barrackpore.

The leave of absence granted to Captain A. Wilson of the 64th regiment native infantry, in General Orders of the 7th ultimo, is to commence from the 25th proximo, instead of the 1st November, as therein stated.

Ensign P. H. Bristow is, at his own request, removed from the 72d to the 62d regiment native infantry, as the Junior of his rank.

Hospital Steward Robert Maycock, Dowry Agri. is appointed to do duty with the invalids proceeding from the station to the Presidency by water.

Gunner William Bryan, (late Quarter Master Sergeant of the 73d native infantry,) who has, reduced by the sentence of a line court martial, is remanded to the artillery regiment, and attached to the 2d company 3d battalion.

The undermentioned officers have leave of absence: 7d Regiment Native Infantry.—Lieutenant and Brevet F. Thomas, from 16th October to 16th January 1838, to remain at the Presidency on private affairs, preparatory to applying for furlough, to Europe.

66th Regiment Native Infantry.—Assistant Surgeon W. Jacob, from 14th September, to 1st November, on medical certificate.

Mhairwarrah local battalion.—Assistant Surgeon H. Maclean, from 1st November to 1st March 1838, to visit the Presidency on his private affairs, preparatory to applying for furlough to Europe.

14th Regiment Native Infantry.—Assistant Surgeon W. Spencer, attached to the 4th battalion artillery, from 1st November to 1st March 1838, to visit the Presidency on his private affairs, preparatory to applying for furlough to Europe.

2d Regiment Native Infantry.—Lieutenant J. Shaw, from 25th July to 1st October, in extension, to remain at the Presidency on medical certificate.

53d Regiment Native Infantry.—Ensign H. Ramsay, from 15th September to 10th November, to remain at Almora on private affairs.

Mhairwarrah local battalion.—Assistant Surgeon H. MacLaws, from 1st November to 1st March 1838, to visit the Presidency on his private affairs, preparatory to applying for furlough to Europe.

14th Regiment Native Infantry.—Assistant Surgeon W. Spencer, attached to the 4th battalion artillery, from 1st November to 1st March 1838, to visit the Presidency on his private affairs, preparatory to applying for furlough to Europe.

2d Regiment Native Infantry.—Lieutenant J. Shaw, from 25th July to 1st October, in extension, to remain at the Presidency on medical certificate.

53d Regiment Native Infantry.—Ensign H. Ramsay, from 15th September to 10th November, to remain at Almora on private affairs.

Head-Quarters, Simla, 27th September, 1837.

The Presidency division order of the 8th instant, directing Lieutenant R. H. Baldwin, of the 4th company 1st battalion of artillery, to proceed to Arracan, and as usual command of the artillery attached to the Arracan local battalion, is confirmed.

The artillery regimental order of the 12th instant, directing Captain E. C. T. H. Hughes, of the 4th company 2d battalion, to receive charge of the field battery attached to the 3d company at Kurnaul, is confirmed as a temporary arrangement.

The Neemuch station order of the 8th instant, directing Surgeon A. Davidson, M. D. of the 1st regiment of light cavalry to perform the medical duties of the artillery division, is confirmed as a temporary arrangement.

The Cawnpore artillery division order of the 15th instant, appointing Lieutenant and Brevet Captain J. H. McDonald, Adjutant of the 6th battalion, to act as division staff, in the room of Lieutenant and Brevet Captain J. Turton, proceeding on leave, is confirmed.

The battalion order of the 15th instant appointing 2d Lieutenant J. L. C. Richardson, of the 3d company, to act as Adjutant and Quarter Master to the 8th battalion, in the room of Lieutenant and Brevet Captain J. Turton, is confirmed as a temporary arrangement.

His Excellency the Commander in Chief is pleased to make the following removals and postings.

Lieutenant Colonel Thomas Dundas, on furlough, from the 5th to the 16th regiment of native infantry.

Lieutenant Colonel James Charter, new promotion, to the 4th regiment of native infantry.

Cornet Edmund Pettison, who was brought on the effective strength, in Government General Orders No. 180 of the 11th instant, is posted to the 8th regiment of light cavalry.

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Head Quarters, Simla, 29th Simla, September, 1837.

The undermentioned officers have leave of absence:

27th regiment Native Infantry.—Lieutenant W. R. Barnes, from 28th September to 28th January, 1838, to visit the Presidency on medical certificate, preparatory to applying for furlough to Europe.

30th regiment Native Infantry.—Lieutenant and Adjutant F. E. Smith, from 8th September to 10th November, in extension, on medical certificate.

Head Quarters, Simla, 30th September, 1837.

The Meerut division order of the 19th instant, directing Hospital Apprentice Richard Beane attached to Her Majesty's 16th lancers, to act as Assistant Apothecary, vice Absalom, detached with the invalids of the season, is confirmed.

The undermentioned officers have leave of absence.

7th battalion artillery.—1st Lieutenant A. Fitzers, from 1st November to 1st March 1838, to visit the Presidency, on his private affairs, preparatory to applying for furlough to Europe.

56th regiment native Infantry.—Lieutenant B. W. D. Cooke, from 30th September to 1st March 1838, to visit Cherra Poonee, on medical certificate.

Head Quarters, Simla, 3d October, 1837.

The Barrackpore station order of the 2d August last, directing all reports of the station to be made to Colonel J. Cock, of the 12th regiment native infantry, on the departure, on leave, of Brigadier Penny is confirmed.

The Meerut division order of the 29th ultimo, directing Captain A. Jackson, of the 30th regiment native infantry, to officiate as Deputy Judge Advocate to the European general Court martial ordered to be held at Meerut, is confirmed.

Sahadut Khan, late a Havildar, attached to the 3d Company 1st battalion of artillery, and who was transferred to the pension establishment in General Order of the 31st May 1836, is allowed the additional invalid pay of his rank, from the 1st ultimo.

The undermentioned officers have leave of absence:

Invalid establishment.—Lieut. Col. C. W. R. Povelev, from 1st January 1838, to 1st January 1839, to visit Futteghur and Massoorie, on private affairs.

36th Regiment Native Infantry.—Major C. Godby, from 28th December, to 1st April 1838, to visit the Presidency, on his private affairs.

71st Regiment Native Infantry.—Captain E. Wint, from 1st November, to 1st January 1838 to visit Agra, and rejoin his corps at Neemuch, on private affairs.

Subordinate Medical Department.—Hospital Steward J. Bain, 5th battalion artillery, from 1st November to 1st May 1838, to visit Landour, on private affairs.

Head Quarters, Simla, 4th October, 1837.

The Mhow station order of the 9th of August last, appointing Lieutenant R. M. Gurnell, of the 6th regiment to act as Interpreter and Quarter Master to the 45th native Infantry, is confirmed as a temporary arrangement.

The following medical arrangements are ordered:

Assistant-surgeon G. G. Brown, M. D. is posted to the 2d troop 1st brigade horse artillery, but will continue with the 21st troop 3d brigade on its march to Chawnpa, until relieved, when he will return to Mhow, and resume medical charge of the Malwa division of artillery.

Assistant surgeon J. Murray, M. D. is posted to the 4th troop 1st brigade horse artillery, but will continue with the 2d troop of the brigade, until relieved by Dr Brown, when he will proceed to Neemuch, and afford medical aid to the Mysore division of artillery.

Assistant surgeon M. Grierson, at present doing duty with the 12th native Infantry, is posted to that regiment.

Head Quarters, Simla, 5th October, 1837.

The Simla division order of the 30th ultimo, directing Miss Allyer M. B. Native Doctor, doing duty with the 27th regiment of native infantry, to proceed to Muzul, and do duty at that post, is confirmed.

Gunner George Rowley, of the 3d company 5th battalion of artillery, now doing duty at Landour, is promoted to sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeant to the convalescent depot at Landour, in extension to Melloy, who has been reported unfit for further military duty.

Head Quarters, Simla, 6th October, 1837.

The Presidency division order of the 23d ultimo, directing Captain W. Smith, lately admitted into the service, to join the 12th regiment native infantry, is confirmed.

The regimental order of the 23th ultimo, directing Lieutenant D. Shaw to act as Adjutant to four companies of the 54th regiment native infantry, proceeding on duty to Allyghur, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings in the horse artillery:

Lieutenant Colonel (Brevet Colonel) J. P. Boileau, from the 1st to the 2d brigade.

Lieutenant Colonel C. Graham, from the 2d to the 1st brigade.

With reference to General Orders of the 2d ultimo, posting newly promoted Superintending Surgeons to divisions, superintending Surgeon T. Smith, at present officiating 2d Member of the medical board, will be borne, until further orders, on the rolls of the Benares division.

Captain John Moule, of the 33d regiment native infantry, is appointed to act as Brigade Major at Agra, during the absence, on leave, of Brigade Major Hay, vice Humphrys, who marches with his regiment in the relief.

Captain Moule will proceed forthwith to Agra, and join his appointment.

Sergeant Thomas Ivers, of the pension establishment, is appointed Bazar Sergeant at Dum-Dum, from the 2d ultimo, vice Chauncey.

Acting Sergeants Samuel Spurgeon and Henry Bachelor, of the European regiment, are promoted to the rank of Sergeant, transferred to the Town Major's list, and appointed Quarter Master Sergeants, the former to the 31st regiment of native infantry at Allahabad, and the latter to the 35th regiment native infantry at Delhi.

Quarter Master Sergeant Patrick Alpin, of the 16th, is appointed Sergeant Major to the 37th regiment of native infantry, vice Gill transferred to the pension establishment.

Acting Sergeant Thomas Loveday, of the European regiment, is promoted to Sergeant, and appointed Quarter Master Sergeant to the 16th regiment of native infantry, at Delhi, vice Alpin.

Corporal John Doyle, of the Town Major's department, is promoted to the rank of Sergeant.

The undermentioned officers have leave of absence:

General staff.—Captain H. W. Bullew, Deputy Assistant Quarter Master General of the army, from 1st November to 1st July, 1838, to visit the Presidency, on medical certificate, preparatory to applying for leave to proceed to sea.

4th regiment native infantry.—Brevet Captain S. Williams, from 1st May to 26th July, in extension, on private affairs, to enable him to rejoin his corps.

Head Quarters, Simla, 9th October, 1837.—Lieutenant Colonel S. Watson, on furlough, is removed from the 55th to the 63th regiment of native infantry, and Lieutenant Colonel M. C. Webber, from the latter to the former corps.

Hospital Apprentice Edward Absalom, now at the general hospital, is discharged from the service, at his own request.

The following individuals are appointed Hospital Apprentices, to fill existing vacancies in the subordinate medical department, and directed to report themselves within two months from this date to the nearest Superintending Surgeon: Daniel Fresham; William Joseph Thompson; Christopher Corbett; Thomas Brass; John Lemon; George Martin; Thomas Murphy; Richard William Clive; James A. Cockburn; Alexander Wood; Francis Dabraz; and Thomas Thompson.

After these youths shall have served six months in any European hospital, special reports of their talents and acquirements are to be made to headquarters by the Superintending Surgeon of the division in which they may be employed, and should it appear, that any of them are not likely to become efficient subordinate medical attendants, such individuals as may be considered will either be discharged from the service, or disposed of as His Excellency the Commander in Chief may hereafter determine.

This is to be distinctly explained to the Apprentices on their joining an hospital.

In May last, a reference was submitted of his Excellency the Commander in Chief from a regimental subaltern, complaining, that by the manner in which the brevet route of his brother subalterns was ruled to operate, an unjust portion of duty was thrown on him, and on the subalterns of the army who had not brevet commissions.

The complaint appeared to His Excellency well grounded, but, as some senior officers, (for whose opinions he justly entertained the highest respect,) differed from him, he took time to enquire what was the general practice in Bengal, and also in the armies of the other Presidencies.

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'Much to his surprise, he has found that even in two adjoining divisions in Bengal, the practice is dissimilar, and he has found that in the Bombay army one rule prevails, and in the Madras army another.

This ought not to be; but, the operation of the rank ought to be uniform in all the armies in India, where the large number of subalterns, holding brevet rank, renders the point of material importance to the juniors. Its operation, mentally, seems uniform; and inconsistent with the 1st articles of the XIII. section of the articles of war, and the rule laid down in the latter part of the 4th paragraph, page 4, of the rules and regulations for Her Majesty's army; but the question is, how it ought to operate on details for detachment duties, such as treasure escorts, and other duties well known to the armies in India.

The Commander in Chief has been of opinion, that the grant of brevet rank was never intended to save any subaltern from the discharge of any duty, but that its objects was this; viz. when detachments from different corps are assembled for the performance of any general duty, a junior, whose superior good fortune in his regiment has made him a Captain early in life, shall not have precedence over his brother officer of longer standing in the army whose brevet rank shall then come into operation, and save him from supercession by a junior.

The Commander in Chief thinks this the only operation the brevet rank ought to have or was intended to have; and he therefore decides the appeal made to him from the 3d regiment of cavalry, accordingly; and directs that brevet rank shall not exempt subalterns from the discharge of ordinary detachment duties; from their regiments.

He will however refer his decision for the approval of the Supreme Government.

Head Quarters, Simla, 19th October, 1837;

The Dinapore division order of the 27th ultimo, directing the following medical arrangements, is confirmed:

Assistant Surgeon E. Posker to join and do duty, with Her Majesty's 31st regiment of foot

Assistant Surgeon James Macrauch to proceed to Hazaree bough, and do duty with Her Majesty's 49th regiment of foot, relieving Assistant Surgeon R. Marshall, M. D. at present fit with that corps.

The Sirhind division order of the 3d instant, directing Assistant Surgeon W. Brydson, of the 4th regiment light cavalry, to proceed in medical charge of the wing of the 21st regiment native infantry ordered to Bar, is confirmed.

Surgeon Hugh Guthrie, M. D. was placed at the disposal of the Commander in Chief, in Government General Orders of the 15th ultimo, is posted to the 14th regiment of native infantry at Agra.

Ensign G. S. H. Browne is, at his own request, removed from the 18th to the 79th regiment of native infantry, as the junior of his rank.

The undermentioned officers have leave of absence:

63d Regiment Native Infantry.—Lieutenant Colonel J. Harris, from 10th October to 10th February 1838, to visit the Presidency, and to apply for permission to proceed to sea or to Europe, on medical certificate.

32d Regiment Native Infantry.—Lieutenant J. F. Middleton, from 9th October to —, to proceed to Dacca by water, the destination assigned to his corps in the relief, on medical certificate.

44th Regiment Native Infantry.—Lieutenant A. Sanders, from 29th October to 25th October 1838, to visit Simla, on medical certificate.

7th Regiment Native Infantry.—Ensign C. Crossman, from 15th November to —, to await the arrival of his corps at Cawnpore, the destination assigned to it by the relief.

Head Quarters, Simla, 13th October, 1837.

The Sirhind artillery division order of the 9th instant, appointing Lieutenant C. S. Reid, Adjutant to the left wing 2d battalion, to act as Adjutant to the division, vice Brind, who marches with his brigade in the relief, is confirmed.

The Kurnaul station order of the 9th instant, directing Moohib Aker, Native Doctor doing duty with the 4th, to accompany the squadron of the 3d regiment of Light cavalry, proceeding on duty to Bar, is confirmed.

Ensign John Nelson Thomas is, at his own request, removed from the 49th to the 29th regiment native infantry.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

Oct. 2 Arab Ship *Cabrass*, Nacoda, from Mascut 25th August.

3 Arab Barque *Ashmony*, Nacoda, from Mocha (no date); H. C. Brig *Mermid*, C. Nail, from Kyook Phyoo 16th, and Akyab 23d Sept.

4 English Ship *Royal George*, G. Richards, from Mouline 18th Sept; English Bark *Fanny*, J. Sharriff, from Penang, 9th Sept; English Barque *Thetis*, C. C. Clark, from Pulo Penang 7th Sept; English Ship *Seringapatam*, George Jenny, from London 1st and Portsmouth 10th June, and Madras 23d September.

6 English Ship *Duke of Lancaster*, J. Hargraves, from Liverpool 4th June, and Madras 22d September; Barque *Calcutta*, — Bentley, from Mouline, 29th September, and *Sultana* coming up, particulars not yet received.

7 English Ship *Euphrates*, A. Hannay, from Liverpool 22d June; English Ship *Gipsy*, Foreshaw, from Liverpool 28th May; English Ship *Faith*, Landers, from Mouline 14th September; English Ship *John Adam*, E. D. O. Eales, from Persian Gulph 26th August and Bombay 40th September; English Ship *Indian Oak*, R. Rayne, from Rangoon 10th September; English Bark *Hudie*, W. D. Messier, from Singapore 30th August and Penang 6th September; English Bark *Blanche*, R. Banks, from Newport 25th June; English Bark *Acosta*, J. Ryle, from the Mauritius 6th September; French

Ship *Belle Poule*, from Bordeaux 24th June; and French Bark *Robusta*, A. Theband, from Nantes 17th March and Mauritius 19th September.

8 English Ship *Thames*, Henry Wolfe, from China 15th July; English Ship *Arabian*, J. H. Brown, and H. M. Ship *Rattle Snake*, Wm. Hobson, both from Bristol 6th June; English Brig *Patriot* G. Robyn, from Sydney 8th August; English Barque *Janet*, P. H. Holmes, from Penang 20th August, English Barque *Elizabeth*, J. Sinclair, from Tuticore 9th, and Point de Galle 13th September; English Brig *Ann*, H. Pybus, from Singapore 14th, and Penang 20th September; Arab Ship *Fattle Barry*, Nacoda, from Judda 13th July, and Mocha 12th August.

9 English Ship *Alexander*, W. Ramsay, from Liverpool 25th May, and the Isle of France 7th September; English Barque *Ambassador*, J. T. Attwood, from Bombay 9th September, and Madras 3d October; English Barque *Elizabeth*, W. Kelso, from the Mauritius 4th September; English Brig *Thos. Snook*, W. Baker, from the Isle of France 3d September; English Barque *Rangoon Merchant*, W. F. Wilkins, from Rangoon 7th September; English Brig *Sarah*, R. L. Peirson, from Rangoon 3d September; English Ship *Hydrus*, Nacoda, from Judda — July, Bombay (no date) and Allepo 18th September; Arab Ship *Mulaka Bhat*, Nacoda, from Mocha 7th August, and Calicut 10th September; H. M. Sloop *Pelorus*, Captain F. Harding, from Mouline (no date.)

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- 13 French Ship *Jupiter*, V Lamy, from Pondicherry 19th September.
- 16 English Barque *Memnon*, H. D. Every, from Liverpool 16th June.
- 17 Arab Ship *Fazel Currim*, Nacoda, from Judda 28th May, and Bombay 7th August.
- 18 English Barque *Alfred*, F Jameson, from London 18th May.
- 19 Arab Ship *Fyzrohang*, Nacoda, from Judda 31st July, Mocha (no date) and Allepee 20th September.
- 21 English Brig *Antelope*, Nacoda, from Mocha 27th August and Allepee 26th Sept.
- 23 English Barque *Herculean*, W. Huxtable, from Liverpool 22d June; American Barque *United States*, J T Ober, from Boston 6th June; Arab Ship *Abassy*, Nacoda, from Muscat 31st August and Cochín 17th September; Arab Ship *Fattle Mobarrack*, Nacoda, from Muscat 2d, and Calicut 15th September; Arab Ship *Hammonshaw*, Nacoda, from Muscat 2d September.
- 24 English Ship *Hersfordshire*, H S H Isaacson, from the Mauritius 17th Sept. and Madras 7th October; English Ship *Adam Lodge*, A Main, from Sydaey (no date) and Madras 7th October.
- 26 English Barque *Cowaysee Family*, R Wallace, from China 25th August, Singapore 25th Sept. and Penang 6th Oct; English Brig *Collingwood*, W Holmes, from Liverpool 14th July, French Ship *Diane*, H Ireland, from Bordeaux 17th July.
- 27 English Ship *Madagascar*, W H Walker, from Portsmouth 20th July; English Bark *Arab*, J. S. Sparkes, from the Downs, 24th June, and Madeira (no date); English Ship *Phoenix*, J Hartley, from Liverpool 22d June.
- 28 French Barque *Gabrielle*, Sensine, from Bourbon 19th and Moulmein 28th September.
- 28 French Bark *Gabrielle*, Sensine, from Bourbon, 19th and Mauritius 28th Sept. English Ship *Repulse*, Henry Pryce, from London 29th and Madras 11th October; Schooner *Gyne*, J Fairweather, from Moulmein, 9th Oct.
- 30 English Barque *Emily Jane*, J. Randle, from China 18th August, Singapore 28th September, and Penang 12th October.
- 31 English Schooner *Syed Khan*, J Ovenston, from China 23d September, and Singapore 12th October; English Brig *Corsair*, J H Porter, from Singapore 3d, and Penang 14th October.

DEPARTURES FROM CALCUTTA.

- 1 *Ruparell*, W Butler, for Bombay.
- 4 *Mandarin*, R Dodd, for Liverpool, and John Hephurns, B Robertson, for Moulmein and Rangoon.
- 5 *Antonio Pereira*, W O Young, for Singapore and China; Earl Parris, D Spittal, for the Mauritius; F Jean, P Goldie, for London.
- 6 *Isabella Cooper*, A F Currie, for Liverpool; *Mercury*, G Brown, for London; *Bangal Pack*, J Steward, for Singapore and China; *Mercury*, J Seager, for the Mauritius.
- 21 *Commander*, T D Deinat, for Bourbon.

ARRIVALS OF PASSENGERS.

Per Water Witch, from Singapore.—J L Clark, Esq. merchant, and two sons.

Per H C Brig Vermaid, from *Kyook Phyo*.—W N Doid, sergeant major; 49 privates, 67th regiment n i; one Native doctor. *From Akyab*. Captain H Cotton, Lieut G J Hudson, one invalid sepoy and two children, 67th regt n i.

Per Royal George, from Moulmein.—Mrs. Webb, Miss Webb, Mr Webb and Master Webb.

Per Fanny, from Penang.—Mrs Simon Abauker and Child; Mr Simon Abauker, merchant, and Mr. John Waru, writer.

Per ship Seringapatam, from Portsmouth.—Mrs Carnegie; Mrs. Cade; Mrs. Millet; Miss Carnegie; Lieut Cade, infantry; Captain Drummond, Cavalry; Messrs. Guiding and Thomson; Messrs. Robert, Edmonstone and Ross, Writers; Mr. Moreton, Harri-ter; Mr. Donaldson, Assistant Surgeon; Messrs. F. Drummond and Edmonstone, junior cadets of cavalry; Messrs Alston, Stephens, Close, Hooper, and Drummond, junior cadets of infantry; Mr Mackenzie, country service; Mr Wilkin, steerage passenger. *From Madras*.—Count de Dupeon, French army; Capt F Todd, Madras n i; Lieut. Waugh, H M 6th lancers; Mr Young, engineer cadet.

Per bark Thetis from Penang.—Mrs Clark; A Drummond, Esq.

Per Euphrates, from Liverpool.—Mrs Herring, Misses H Chapman, M Chapman A Roberts, McLeod and M Hardy, Revd Mr Etisod; Messrs Herring, Gifford and McIntosh.

Per Indian Oak, from Rangoon.—Mrs Limins and two children; Mrs. Rayne and child; and Miss Rayne.

Per Haidee from Penang.—Mr James Bell, Customs Department and Mr. Jones, country service.

Per Alexander, from Liverpool.—Mrs Liddle, Mrs Pearson and Mrs. Marritzd; Miss Marritzd; D McNaght Liddle, Esq. merchant; Joseph Byrne, Esq; Messrs Pearson and Marritzd.

Per Ambassador, from Bombay.—William Edwards, Esq. civil service. *From Madras*.—Mrs Ford, steerage passenger.

Per Matikel Bhar, from Calicut.—Mr Yeates, mariner.

Per Arabian, from Bristol.—Mrs Brown.

Per Memnon, from Liverpool.—Mr and Mrs H Hatton and 5 children.

Per Abassy.—Mr. Thos L French, mariner, from Muscat.

Per United States.—Messrs C Wright and James Foster, from Boston.

Per Hersfordshire, from the Mauritius.—Mrs Shaw and three children; Mrs Eyre and child; Mrs Dawson and three children; Mrs Kemp and two children; Mrs Isaacson; Miss Bessell; J Shaw, Esq, civil service; Capt Rutherford and Lieut Eyre, Bengal artillery; W F Dawson, Esq.

Per Adam Lodge from Madras.—Lieut A D Bates, Madras engineer; Lieut Rogers, royal artillery; W P Watson and C G Millenair, Esqrs.

Per Cowaysee Family, from China.—Mr W S Scott, firm of Messrs Currie and Co. Calcutta; Capt. Gallie, late of Schooner *Syed Khan*. *From Singapore*.—Mr Venables, chief officer of the Bark *Water Witch*. *From England via Singapore*.—Mr Walsh, merchant.

Per Madagascar.—Mrs Pereira, Mrs Godby, Mrs Griffiths, Mrs Montgomery, and Mrs Walker; Misses Pereira, E Pereira, C Pereira, D Pereira, S Pereira, G Pereira, Castella, Godby, F Godby Latchell, Griffiths,

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and Youngson; A Pereira Esq., merchant; Capt L'Estrange, H M 44th regt Lieuts Montgomery and Brochman, 49th, Wood and Wade, 13th, and Camble, 16th ditto; Capt Griffiths, Company's service; Lieut Halliday, 45th n i; Mr A Smith, m d; Mr Cary, 6th n i, and Mr T R Forbes, cadet.

Per Arab—Mrs Hobson, Mrs Sparkes and infant; Masters J Sparkes, Geo Sparkes and Wm Sparkes.

Per Repulse from London—Mrs Stalkart; Miss Stalkart; Messrs. Hugh Stalkart and George Stalkart; Major Tielanney, 51st n i, Commanding E I Troops; F Sandes, Esq, C S; F Mills, Esq, Cadet; J W

Menzies, Assistant Surgeon; 90 H C Recruits, 6 Women and 3 Children. *From Madras*.—Capt Pearson and Mrs Pearson.

DEPARTURES OF PASSENGERS.

Per Bark Sophia for Bombay.—Mrs Mill; Professor Mill and Colonel Hertz.

Per Queen Mah for Liverpool—Mrs Webb and child; Revd Mr. Webb, and Mr Leck.

DOMESTIC OCCURRENCES.

BIRTHS.

Aug. 8 At Ellichpore, the lady of Dr A Walker, Nizam's service, of a son.

22 At Jubbulpore, the lady of Lient A Wheatly, 5th light cavalry, of a daughter.

— At Mysore, Mrs. Henry Foster, of a daughter.

Sept. 2 At Futtighurh, the lady of Major R. Gardner, 13th regt n i, of a daughter.

18 At Agia, Mrs James Hurst, of a son.

19 At Benares, the lady of the Revd C Knorpp, of a son.

20 At Neemuch, the lady of Lieut Moir, 28th regt n i, of a son, still-born.

21 At Landour, the lady of Lieut. Interpreter and Quarter-master J. C. Innes, of the 61st regt. n. i., of a daughter.

22 At Kurnaul, the lady of Dr. J. Graham, surgeon 3d brigade horse artillery, of a daughter.

— At Tardeo, the lady of W. Smith, Esq. civil service, of a daughter.

— At Muttra, the lady of Capt. W. R. Maidman, horse artillery, of a son.

— At Jubbulpore, the lady of Lieut. A. Wheatly, 5th light cavalry, of a daughter.

— At Futteghurh, Mrs. Edward Jennings, of a daughter.

24 At Sultanpore, Banares, the lady of T. Moore, Esq. 8th light cavalry, of a daughter.

25 At Bandah, the lady of Henry Sill, civil assistant surgeon, of a son.

26 At Sylhet, the lady of R. H. Mytton, Esq., civil service, of a daughter.

— At Meerut, the lady of Captain Wm. Payne, 30th n. i. of a daughter.

29 At Muddesary, Jessore, the lady of Charles Omsa, Esq. of a son.

Oct. 1 At Chowringhee, the lady of the Reverend Anthony Gerstin, of a daughter.

— At Cawnpore, the lady of George Trail Urquhart, Esq. surgeon, 7th regt. light cavalry, of a daughter.

3 At Calcutta, the wife of J. G. Herrold, of a son.

4 At Patna, the Lady of F. Skipwith, Esq. civil service, of a son.

5 At Calcutta, Mrs Llewelyn, of a son.

6 At Cawnpore, the lady of Dr. John Campbell, of a son.

— At Calcutta, Mrs. C. Shelverton, of a daughter.

7 At Calcutta, Mrs. Joseph Dessu, of a son.

10 At Hingolee, the lady of N. A. Woods, Esq. of a daughter.

— At Sehere, the lady of Captain J. S. Winfield, of a son.

— At Kurnaul, the lady of Henry Milne, Esq. 21st native infantry, of a daughter.

11 At Beerbhoom, the lady of R. M. Skinner, Esq., of a son.

— At Calcutta, the lady of W. Smalley, Esq., of a son.

12 At Calcutta, the wife of Mr. James Isaac Keymer, of the Pilot service, of a son.

— At Calcutta, the wife of Mr. Jas. Peters, of the Legislative Department, of a son.

13 At Calcutta, Mrs. T. Rose, of a daughter.

14 At Calcutta, Mrs John Brown, of a daughter.

— At Calcutta, the wife of Mr. Joseph Young, of a daughter.

15 At Barrat Factory, Tirhoot, the lady of James Matthew Hill, Esq., of a daughter.

— At Calcutta, Mrs. C. J. Pittar, of a daughter.

— At Chinsurah, the lady of the Rev. John H. A. Hudd, of a daughter.

16 At Dum Dum, the wife of Captain R. Roberts, of the horse artillery, of a daughter.

— At Dinapore, Mrs. J. H. Love, of a daughter.

17 At Compoore, the lady of Major G. Hutchinson, engineers, of a daughter.

GENERAL REGISTER.

- 18 At Calcutta, the lady of Captain Burney, Commandant Arracan local battalion, of a son.
— At Chowringhee, the lady of E. S. Ryan, Esq., of a son.
— At Noncolly, Mr. W. Jackson, of a daughter.
- 20 At Cawnpore, Mrs. J. A. B. Campbell, of a daughter.
— At Hoochly the wife of Mr. L. P. Vernieuw, of a daughter.
- 21 At Wood Street, Chowringhee, Mr. Childs, of a son.
- 22 At Dinapore, the lady of James Morris Mackie, Esq., of a daughter
— At Agra, the lady of Captain Henry Raban, 47th regiment native infantry, of a son.
— At Calcutta, the wife of Mr. Archibald Horatio Maganous Wright, in charge of the Hon'ble East India Company's Anchor Vessel Vulcan, of a son.
— At Dinapore, the lady of James Morris Mackie, Esq., of a daughter.
- 23 At Chinsurah, the wife of Mr. H. Williamson head constable, of a daughter.
- 25 At Cossinore, the lady of Captain D. L. Richardson, of daughter.
- 25 At Jumalpoore, the lady of Lieut. C. J. H. Perreau, 58th n. i. of a son.
- 26 At Calcutta, the wife of Mr. Francis Warman of a son.
— At Calcutta, the lady of David Thomson, Esq of a son.
- 29 At Barrackpoore, the lady of Captain Evans, 15th native infantry, of a son.
- 30 In Middleton Row, the lady of W. F. Fergus son, Esq., of a son.

MARRIAGES.

- Sept. 11 At Kurnaul, Bahadoor Khan, son of Dirbija Sing, Rajah of Sis Kolumbha, to the adopted daughter of the late Major General Sir John Adams.
- 18 At Tannah, by the Revd. Randal Ward, William Sullivan, Esq., of the Hon. Company's medical service, to Eliza Anne, only daughter of Lieut.-Col. Green, late of Her Majesty's 20th regt.
- 22 At Agra, at the Station Church, by the Revd. Mr. H. Chambers, Mr. Louis Emile Lazard Billion, to Miss Harriet Sarah, daughter of Mr. John Adels, of the Judicial and Revenue Department, north western provinces.
- 23 At the house of C. Steers, Esq., Bhaugulpore, by the Revd. Mr. Leslie, John Robert Dwyer, Esq., to Miss Mary Isabella Boyne.
- 26 At Bareilly, by license, by the Rev. G. Ward, Joseph Worrell, Esq. n. p. 4th local horse, to Elizabeth Diana Tydd, grand niece of the late Sir George and Lady Tydd, of Clifton.
- At Serampore, Benares, at the house of T. B. Studdy, Esq., 8th light cavalry, by the Lord Bishop of Calcutta, Finlay Malcolm, Esq. of the Bengal medical establishment, to Miss Mary Anne, fourth daughter of the late William Bishop, Esq., of Greyswood, Haslemere, Surrey, and North Bank Regent's Park, London.
- 5 At Hazareebangh, Lieut. J. Anderson, of engineers, to Elizabeth, daughter of Alexander Dingwall, Esq. of Ranieson, Aberdeenshire
- 6 At the Old Church, by the Venerable Archdeacon, J. M. Vos, Esq., architect, to Eliza, eldest daughter of the late W. S. Garford, Esq. London.
- 7 At Serampore, Mr. J. R. Alphonso, of the Sub-Treasurer's office, to Anne Elizabeth, eldest daughter of the late C. Karstensen, Esq.
- At Calcutta, at the Principal Roman Catholic Church, by the Revd. R. Summers, Mr. Dominique Watle Ambrose, to Miss Matilda Hotelho, 5th Daughter of Mr. Francis Botelho, Examiner of the Sudder Dewanny Adawlut.
- At Calcutta, at the Cathedral, by the Revd. T. Robertson, Mr. George Hurling Muller, to Miss Alexandrina Emma Lentner.
- 9 At Bhaugulpore, by the Revd. C. Rawlins, Henry Charles Hamilton, Esq., civil service, son of Sir Frederick Hamilton, bart., to Francis Isabella, youngest daughter of James Gane, Esq., of Frome, Somersetshire.
- 11 At Seebpore, by the Revd. James Charles, John Andrew, junr., Esq. to Eliza, daughter of E. Thompson, Esq.
- 14 At Bareilly, at the house of Major Clarkson Major Edward Biddulph, Horse Artillery, to Miss Louisa Kelley.
- 17 At the Old Church, by the Venerable Archdeacon Dealtry, Thomas Coutts Trotter, Esq. of the Bengal civil service, to Harriet Augusta second daughter of the Hon. Henry Shakespear, Esq.
- At Dacca, by the Reverend David Mackerron, G. M. Gasper, Esq., to Miss Aqeena, second daughter and coheress of the late Catchick Seth Agency, Esq.
- 23 On Monday, at St. John's Cathedral, by the Revd T. Robertson, Mr. W. P. Badge to Mrs. C. Chalke.
- At Calcutta, at the Cathedral, by the Reverend T. Robertson, Mr. Arthur Read, to Miss Ann Margaret Sansum.
- 24 At Patna, by the Revd. J. Vaughan, David Cunliffe, Esq., of the civil service, to Frances Priscilla, eldest daughter of Samuel Davies, Esq., civil surgeon of that city.
- 30 At Calcutta, by the most Reverend Dr. St. Leger, D. D., William Richard Lackersteen Esq., to Caroline Angelina, second daughter of Mr. E. Cornelius, register, general department.
- At Calcutta, at the Cathedral, by the Rev. T. Robertson, Mr. Robert William Chill, to Miss Maria Zoeli Potenger.
- At Saugor, Central India, Sir James Aubrey Mount, Baronet, Lieutenant of Engineers, son of the late Colonel Sir James Mount, Baronet, Bengal engineers.

GENERAL REGISTER.

DEATHS.

- April 23 Europe, at Stormont Cottage, Perth, N. B., John Grant, Esq., aged 21 years.
- May 3 Europe, in the Parish of Abernethy, N. B., Joseph Duncan, Esq., surgeon in the Honorable Company's service.
- June 9 At Sea, on board the *Belle Alliance*, Captain Arkcoll, Charles William Truscott, of the Bengal civil service, only son of Colonel John Truscott, B. n. i.
- Aug. 4 At Moulmein, Susan Evgryna Beathy, third daughter of Brevet Captain Beathy, H. M. 62d R. gt., aged 16 years and 2 months.
- 20 On the river, near Cutwah, Marion Elizabeth, the only child of Ellen and George Rae, aged 3 months and 10 days.
- At Neemutch, lately, Assistant Surgeon Russell.
- At Nusseerabad, lately, Lieutenant-Colonel O'Donel, 3th u. i.
- Sept. 1 At Saugor, Isaac, the infant son of Captain Watt, deputy assistant Commissary General.
- 12 At Cawnpore, John, the infant son of Lieutenant and Mrs. Richardson, artillery, aged 8 months and 2 days.
- 14 At Hyderabad Presidency, Anne Maria, the wife of Mr. John Ogilvie, aged 40 years.
- 16 At Mhow, Mrs. Sarah Johnson, relict of the late Clement Johnson, Esq., indigo planter, aged 52 years.
- 17 At Agia, John Charles, the infant son of Mr. J. Goodall, medical department, 4th battalion artillery, aged 3 months.
- 19 At Mooradabad, Isabella, the wife of Mr. Cawood, aged 19 years.
- 20 At Meerut, Sergeant David McCulleggh, paymaster's clerk, of Her Majesty's buff, aged 32 years.
- At Mussoorie, Capt. Buttlay, 22d n. i.
- 22 At Agia, Henry Gibson, the infant son of Mr. John Bauonau, aged 1 year, 8 months and 6 days.
- 25 Captain C. Campbell, deputy paymaster, Cawnpore division, Patricia, sixth daughter of John Campbell, Esq., of Kinloch, Perthshire, N. B.
- 28 At Calcutta, Master Charles Pelly Higginson, aged 13 years 11 months and 12 days.
- At Calcutta, Miss Caroline Bucher, a ward of the Free School, aged 7 years and 2 months.
- 29 At Calcutta, Niel Edmonstone, the infant son of Mr. J. B. Plumb, aged 13 months.
- Oct. 1 At Calcutta, Mr. Peter Begbie, aged 39 years and 9 months.
- At Bankpore, Mr. Thomas Osborne Dick, age 29 years and 3 months.
- 2 At Calcutta, Mr. John Nathan, aged 25 years.
- At Calcutta, Mr. John McCounchie, aged 24 years.
- On board the ship *Herefordshire*, of Ceylon, Mrs. E. Murphy.
- 3 At Kidderpore, Alexander Joseph Finlay, the infant son of Mr. and Mrs. Atkin, aged 1 year and 19 days.
- At Soory, in Beerbloom, the lady of George Rae, Esq., civil surgeon of Beerbloom, aged 25 years.
- At Barrackpore, Selina, the beloved child of Robt. Harry Nisbet, Esq., civil service, aged 3 years, 2 months and 25 days.
- 4 At Calcutta, Robert Walter, the infant son of Mr. and Mrs. Charles Scott, aged 9 months and 21 days.
- At Calcutta, Miss Virginia Maria, daughter of Mr. George Frederick Bowbear, of the Sud. der Board of Revenue, aged 6 years and 6 months.
- At Berhampore, Paul F. Pfeira, Esq., aged 52 years.
- 6 At Purneah, Charles, the third son of the late J. J. Fitzpatrick, Esq., aged 22 years and 11 months.
- 7 At Calcutta, Alexander John Walker, Esq., aged 68 years, 2 months and 28 days.
- 10 At Calcutta, Elizabeth Frances, the beloved wife of Ludovick Carmichael, Esq.
- At Calcutta, Mr. M. Zorer, assistant in the Secret and Political Department, aged 65 years.
- 13 At Calcutta, John Henry Swinhoe, Esq., attorney at law, aged 43 years and 8 months.
- 13 At Mhow, Lieutenant Edward Pellow Grimes 68th Native Infantry, aged 22 years.
- 14 At Serampore, at the Government house, Miss Maria Soetman, aged 36 years.
- 15 At Calcutta, Mr. William Peters, of Ceylon, aged 49 years.
- 16 At Calcutta, four days' after her birth, the daughter of Mrs. Joseph Young.
- At the General Hospital, Mr. William Brownlie, Police constable and Church officer to St. Andrew's Kirk, aged 32 years.
- 18 At Calcutta, Mr. Charles Grey, aged 42 years.
- 19 At Calcutta, Miss Mary Victoria Munro, daughter of Mr. James Munro, aged 7 years.
- 20 At Calcutta, Master William Richards, son of Mr. Wm. Richards, aged 8 months and 2 days.
- At Calcutta, Master George William Wall, son of Mr. Richard Wall, of the Honorable Company's marine, aged 14 years and 9 months.
- 21 At Calcutta, Sir Benjamin Malkin, Knight one of Her Majesty's Judges of the Supreme Court.
- At Howrah, Captain J. Smith, aged 24 years.
- Drowned, (supposed to have been while bathing) from the ship *Arabian*, James, eldest son of J. Bridges, Esq., of Bristol.
- 22 At Calcutta, after a painful illness of 15 days, Catherine, the wife of Mr. Joseph Deane, Assistant, Marine Board Office, aged 33 years, 2 months and ten days.
- 23 At Lucknow, Charlotte, the beloved child of Captain J. Swetenham, 10th regiment light infantry, aged 2 years and 1 month.
- At Cawnpore, the wife of J. L. Jones, Esq., merchant, aged 38 years.

GENERAL REGISTER.

- 23 At Kuttarpore, Mr. J. Bowler, aged 64 years and 5 months.
- At Calcutta, Mr. John Harrison, of the Ship *Republic*, aged 24 years.
- At Calcutta, Mrs. Mary Bason, widow of the late Mr. William Bason, Branch Pilot, aged 65 years.
- At Chowringhee, Helen Kezia, the wife of James Henry Crawford Esq., of the Bombay civil service.
- 24 At Calcutta, Mr. William Macquiere, aged 40 years.
- At Calcutta, Mrs. Mary Ann D'Mello, aged 65 years.
- At Calcutta, John Stewart, Esq., of the firm of Messrs. Mackillop, Stewart and Co., merchants and agents, aged 48 years.
- 24 At Sheehpore, Sillah Backergunge, Margarina Matilda, the only daughter of the late Mr. Paul McIntyre Wheatly, of Goruckpoor, aged 3 years and 14 days.

- 25 At Calcutta, David Andrew, Esq., aged 69 years.
- 26 At Calcutta, Priscilla Thomas, daughter of Mr. W. Thomas, aged 1 year, 4 months and 15 days.
- 27 At Calcutta, Dr. Alexander Stirling, aged 6 years.
- 27 At Calcutta, Mr. Henry Williams, aged 27 years.
- 28 At Hooghly, Ellen, the wife of Mr. L. P. Vermeuw, and daughter of the late Mr. J. C. Rabor, of Chandernagore, aged 20 years, 11 months and 14 days.
- 29 At Calcutta, Elizabeth, the beloved wife of Charles Knowles Robinson, Esq., one of the Magistrates of Calcutta, aged 35 years and 10 months.
- In Fort William, Frederick Wellington, the son of Lieutenant F. R. Ellis, 41st regiment native infantry, aged 1 year 2 months and 6 days.
- 30 Mr. Thomas Cooper, second son of Lewis Cooper, 15 aged years and 8 days.

ADMINISTRATIONS OF ESTATES.

Macalister, Keith, formerly of Madras, but lately of Great Britain. Major General in the military service of the E. I. C., Madras establishment.

Wood, David Peitlog, Captain 17th Regt. N. I.

Dugat, Pierre Louis, Clerk in the office of the Commissary General.

Den, George, Indigo Planter of Jessore.

Esmonds, Charles, Conductor, Saugor Magazine.

Clifford, William, Capt 39th Regt. N. I.

Brittridge, Richard, late of Meerzapore, Benares, Agent.

Tinscott, Charles William, Esq., senior Merchant, E. I. C. civil service.

Cormakar, Ramnarayan, of Chorchagaun.

Breen, James, late of London, in Great Britain, Civil engineer.

Knox, William James, Ensign, E. I. C. military service.

Guyot, Michael, of Calcutta.

Impey, Elijah Pattle, Ensign 18th Regt. N. I.

Conroy, F. P., Assistant Overseer, E. I. military service.

Spence, Thomas, Assistant Surgeon, E. I. C. service.

Jacksoo, Elizabeth, late of Cawnpore, widow.

Kenter, David, Superintending Surgeon, E. I. C. service, Bengal establishment.

Burline, Lewis, Dr., late of Calcutta.

Heggie, Peter, late of Calcutta, Boot and Shoe-maker.

Wethrell, Joseph, late of Calcutta, Merchant.

Breen, John Edward, Calcutta, merchant.

Duncan, Joseph, late of Mountguttery in the Parish of Abernethy by Bridge of Earne in the County of Perth, Surgeon, E. I. C. service.

Young, Andrew, E. I. C. service, late of Cheltenham, County Gloucester.

Lennon, Walter Caulfield, late of Cheltenham, in the County of Gloucester, Colonel of Engineers, E. I. C. service.

Seal, Chundeechurn, Calcutta; Benian.

Malkin, Sir, Benjamin Heath, Knight, late one of the Judges of the Supreme Court.

Patch, Francis Catharine, of Berhampore.

Registrar Supreme Court.
Ditto ditto ditto.

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Stephen Reid, of Muttia.
Peter Jacob Paul.
Mrs. Mary Baggie.
Janet Wethrell.
Frances Anne Breen.

Adam Freer Smith.
William Ainslie.

Robert John Bagshaw, and Robert Cunningham Paton.
Muddosoodun Seal.
Lady Elizabeth Malkin.
Robert Davidson.

GENERAL REGISTER.

GOVERNMENT NOTIFICATIONS.

BY THE RIGHT HON'BLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL.

LEGISLATIVE DEPARTMENT, 30TH OCTOBER, 1837.

ACT. No. XXVII. of 1837.

I. It is hereby enacted, that from the 15th day of December 1837, there shall be paid to the Government on every mound of 3,200 tolas of Salt that may be delivered from any Salt work in the territories subject to the Government of the Presidency of Bombay, a duty of Rs. except only in cases in which the Governor in Council of Bombay may grant a remission of such duty.

II. And it is hereby enacted, that from the said day Salt shall not be manufactured at any place within the said territories, unless the person conducting the manufacture shall have given notice in writing to the Collector of the district in which the place of manufacture may be situated, of his intention to manufacture Salt at that place, and every such notice shall contain a true and accurate description of the situation of the works and of the name by which they are known, and if the person giving notice manufactures Salt at more places than one, of the distance at which these places are from each other.

III. And it is hereby enacted, that upon receiving such notice as is prescribed in the last preceding Section of this Act, the collector of the District shall, by an order under his seal and signature, depute one or more Officers, who shall be stationed for such time as the said collector shall direct at every such place of manufacture.

IV. And it is hereby enacted, that every Officer stationed at any Salt works in the manner described in the last preceding Section of this Act, shall be entitled to have free passage over all parts of such works at all times, and to take, at any time, account of the quantity of Salt manufactured and stored at such works, and to put on any portion of such Salt which may be stored such a mark as may be prescribed by the collector of the district, and to prevent the removal of such Salt until the duty thereon has been paid.

V. And it is hereby enacted, that whenever the duty due under this Act on any portion of Salt has been paid to the collector of the district within which such Salt was produced, such collector shall deliver to the person who has paid such duty a receipt and order in the form marked A annexed to this Act, which receipt and order shall specify the amount of duty paid, and the quantity of Salt which the person who has paid that duty is entitled to remove, and the place whence and the person to whom that quantity of Salt is to be delivered.

VI. And it is hereby enacted, that on the production of such a receipt and order as is described in the last preceding Section of this Act to the Officer stationed at the Salt works where the Salt to which such receipt and order relates is to be removed, that Officer shall fill up the blanks which are marked therein as intended to be filled up by that Officer, and shall tear off and retain that part of the receipt and order which is marked as intended to be torn off, and shall deliver the remaining part of the receipt and order to the person who removes the Salt, and the part of the receipt and order so delivered to the person removing the Salt shall be a pass authorizing the removing of that Salt.

VII. And it is hereby enacted, that it shall be lawful for the Governor in Council of Bombay to establish Chokies as near as conveniently may be, to works where Salt is manufactured, and to authorize any of the Officers stationed at such Chokies to stop and detain any Salt which is removed otherwise than in conformity with the foregoing rules, and to search any load which may pass any such Chokie, and which may be suspected to contain Salt, and to take and cancel every pass under which Salt shall be removed to pass.

VIII. And it is hereby enacted, that it shall be lawful for the collector of a district to direct that any Salt works within that district of which notice shall not have been given in the manner described in Section II. of this Act, shall be destroyed.

IX. And it is hereby enacted, that it shall be lawful for the collector of a district to direct the confiscation of any Salt which may have been removed from any works within that district otherwise than in conformity with the foregoing rules, or which is found clandestinely stored for the purpose of evading the duty imposed by this Act.

X. And it is hereby enacted, that whoever shall manufacture Salt at any works, where of notice shall not have been given to the collector of the district in the manner required by this Act, or shall remove or aid the removing of any Salt from any Salt works otherwise than in conformity to the provisions of this Act, or shall with a fraudulent intention counterfeit any mark which a collector of a district may have ordered to be put on Salt in store, shall be punished with imprisonment for a term not exceeding three months or fine not exceeding five hundred rupees, or both.

XI. And it is hereby enacted, that whoever intentionally obstructs any Officer in the exercising of any powers given by this Act to such Officer, shall be punished with imprisonment for a term not exceeding six months, or fine not exceeding one thousand rupees, or both.

XII. And it is hereby enacted, that whoever being an Officer appointed under the authority of this Act, shall accept or obtain, or attempt to obtain from any person any property as a consideration for doing or forbearing to do any official act, shall be punished with imprisonment for a term not exceeding to years, or fine, or both.

XIII. And it is hereby enacted, that whoever being an Officer, appointed under the authority of this Act, practices of attempts to practise any fraud for the purpose of injuring the revenue, or abets on connives at any such fraud, or at any attempt to practise any such fraud, shall be punished with imprisonment for a term not two years or fine, or both.

XIV. And it is hereby enacted, that it shall be lawful for the Governor in Council of Bombay, by an order in council, to transfer the superintendence of the Salt revenue of any district from the collector of that district to any other functionary, and that whenever such a transfer shall take place all provisions of this Act which apply to such a collector, shall be applicable to the functionary to whom the superintendence of the Salt revenue has been so transferred.

Permit No. 1, of Zillah Surat.

(THIS PART TO BE TORN OFF AND RETAINED BY THE OFFICER.)

Salt delivered this day and this order cancelled—1838
A. B. Salt Officer.

CERTIFIED that the sum of Rupees 250 on account of Government Duty on five hundred maunds of Salt has been paid at the Office of _____ for the District of _____ on this day _____ of _____ in the year _____. The Salt is to be delivered by _____ at the _____ Works in Pergunna _____ on or before the 20th Instant.

The Government Officer at those Works, Lala Munna Ram, is to allow the same to be delivered, provided this order is presented on or before the said Twentieth day of December, in the year 1838.

Maunds 500

10th December, 1838.

A. B. Collector.

(Tear off here)

PASSED this 20th December 1838 from Salt Works _____ belonging to _____ Maunds of Salt five hundred to be carried away on Banjarree Bullocks (Here enter number). This pass will protect the dispatch to Dooda until sunset of the 21st December.

By order of the President in Council.

ROSS D. MANGLES,
Offg. Secy to the Govt. of India.

20TH NOV, 1837

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November, 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information;

ACT No. XXVIII. of 1837.

It is hereby enacted, that so much of Section VII. Regulation X. of 1810 of the Bengal Code, as directs that the Officer to whom the management of the Stamp Duties may be transferred shall be a Covenanted Officer, be repealed.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

ACT No. XXXIX. of 1837.

It is hereby enacted, that from the first day of December 1837, it shall be lawful for the Governor General of India in Council, by an Order in Council, to dispose, either generally, or within such local limits as may to him seem meet, with any provision of any Regulation of the Bengal Code, which enjoin the use of the Persian language in any Judicial proceeding or in any proceeding relating to the Revenue, and to prescribe the language and character to be used in such proceedings.

GENERAL REGISTER.

II. And it is hereby enacted, that from the said day it shall be lawful for the said Governor General of India in Council, by an Order in Council, to delegate all or any of the powers given to him by this Act, to any subordinate authority, under such restrictions as may to the said Governor General of India in Council seem meet.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXX. of 1837.

It is hereby enacted, that from the fifteenth day of December 1837, all Aumeens of Police who have been or may be appointed according to Section XL. Regulation XI. of 1816, of the Madras Code, to act with the Police Powers vested in Tahsildars by that Regulation, shall possess all Police powers and criminal Judicial powers which are vested in Tahsildars within the Territories subject to the Presidency of Fort St. George, by any Law or Regulation whatever, and shall be subject to all provisions to which, by any Law or Regulation, Tahsildars are subject, in respect of any of those powers.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXI. of 1837.

I. It is hereby enacted, that so much of Act No. XVII. of 1835, as directs that certain coins issued from the Mints within the Territories of the East India Company shall bear on the obverse the head of the reigning Sovereign of the United Kingdom of Great Britain and Ireland, shall be suspended, till the Governor General of India in Council shall by an Order in Council, declare those parts of the said Act to be again in force.

II. And it is hereby enacted, that till the said Governor General in Council shall make such an Order in Council as is aforesaid, the said coins shall bear on their obverse the head of His late Majesty, William the Fourth.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXII. of 1837.

I. It is hereby enacted, that from the fifteenth day of December 1837, Act No. V. of 1837 be repealed.

II. And it is hereby enacted, that from the said day no Native of India, except as hereinafter excepted, who makes a contract of service to be performed without the Territories of the East India Company, shall embark, in pursuance of such contract, on board of any Vessel, at any place, within the said Territories, without an Order from the Government of the Presidency to which such place may belong, or a permit from an Officer authorized to act in that behalf by the Governor in Council of the Presidency, if there be a Council of that Presidency, but if there be no Council, then by the Governor thereof.

III. And it is hereby enacted, that before any such permit shall be granted by any such Officer, such Native, and also the person with whom such Native has contracted, or an authorized Agent of that person, shall personally appear before that Officer, and shall exhibit a memorandum of the contract written both in English and in the mother tongue of such Native, which memorandum shall specify the nature, the term, and the wages of the service, as settled by the contract.

IV. And it is hereby enacted, that no such permit shall be granted, unless the contract of service shall be made determinable on the expiration of one term of not more than five years, to be reckoned from the date of the contract, or of successive terms, none of which shall exceed five years, and unless such contract shall contain a stipulation that such Native shall be conveyed back to the port at which he is embarked, free of charge to himself, at the expiration of his service.

V. And it is hereby enacted, that it shall be lawful for the said Officer to examine the said Native, and the person with whom that Native has contracted, or the Agent of that person, touching the terms of the contract, and shall cause those terms to be distinctly explained to the said Native.

VI. And it is hereby enacted, that if the said Officer shall be satisfied that the said Native fully understands the terms of the contract, and is desirous to fulfil the same, the said Officer shall make and sign on the back of the written memorandum aforesaid a note to the effect that the said written

memorandum has been inspected by him the said Officer; and such note shall be a permit authorizing the said Native to embark; and the memorandum of contract, with the permit so written thereupon, shall be delivered to the Native, to be kept by him during his service.

VII. And it is hereby enacted, that if application is made for permits, authorizing more than twenty Natives to embark on board of any one vessel, it shall be lawful for the Officer aforesaid to summon the person in charge of that vessel, and to examine that person as to the accommodations, food, and medical attendance provided for such Natives on board of that vessel, and to inspect that vessel, or by an order under his hand, to depute another person to inspect the same.

VIII. And it is hereby enacted, that the Officer aforesaid shall not grant permits authorizing a greater number of Natives than twenty to embark on board of any one vessel, unless he is satisfied that the accommodations, food, and medical attendance provided for such Natives on board of that vessel, will be sufficient for their health.

IX. And it is hereby enacted, that the Officer aforesaid shall keep a Register of all Natives to whom he shall grant such permits as aforesaid, which Register shall specify their names, the periods of the contracts, the dates of the permits, the places of their destination, and the vessel on board of which they are permitted to embark; and also, the names of the parties with whom the contracts are made, and of the agents of such parties as appear by agents, and of the masters of the vessels on which such natives are permitted to embark.

X. And it is hereby enacted, that for every such permit it shall be lawful for the Officer aforesaid, to require that a fee, not exceeding One Rupee, shall be paid by the person with whom the Native to whom the permit relates has contracted, or by the authorized agent of that person.

XI. And it is hereby enacted, that whoever being in charge of any vessel, at any place within the territories of the East India Company, shall knowingly suffer any such Native as is aforesaid, to embark on board of that vessel in pursuance of any such contract as is aforesaid, without either an order from the Government of the Presidency to which such place may belong, or such a permit as is aforesaid being produced to him by the Native so embarking, shall, on conviction thereof before a Magistrate, be punished with a fine not exceeding two hundred rupees for every Native so suffered to embark, and in default of payment of such fine with imprisonment for a term not exceeding thirty days for every Native so suffered to embark.

XII. Provided always, that nothing in this Act contained, shall be taken to apply to any Native Seaman, who shall embark on board of any vessel in pursuance of a contract to navigate that vessel, or to any person who shall embark as a manual servant.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXIII. of 1837.

I. It is hereby enacted, that from the fifteenth day of December 1837, the provisions of Clauses second and third, Section IV. Regulation IV. of 1821, of the Madras Code, shall apply to all petty offences cognizable by heads of District Police, as well as to petty thefts.

II. And it is hereby enacted, that whenever any head of District Police shall, under those provisions, report any case whatever to a Magistrate for final orders, such head of District Police shall state precisely in his report the description and extent of the punishment which in his opinion is proper to be inflicted in that case; and the said Magistrate, he give orders at variance in any respect with that opinion, shall record his reasons for varying from it.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXIV. of 1837.

I. It is hereby enacted, that from the fifteenth day of December 1837, Section VI. Regulation VIII. of 1827, of the Madras Code, shall be repealed; and that it shall be lawful for Magistrates, under the Government of the Presidency of Fort St. George, to send persons for trial, commitment, or confinement to Principal Sudder Aumeens, any provision of any Regulation to the contrary notwithstanding.

II. Provided always, that it shall not be lawful to send any European or American, for such purpose, to a Principal Sudder Aumeen; but that Magistrates shall send Euro-

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peans and Americans, for trial, commitment or confinement, to the criminal judges as heretofore.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information.

Act No. XXXV. of 1837.

I. It is hereby enacted, that from the fifteenth day of December 1837, all provisions of any Regulation of the Madras Code which direct that any translations of Decrees passed by the Court of Sadler Adawlut, or by the Provincial Courts, or by the Courts of Zillah Judges, or by the Auxiliary Courts, under the Presidency of Fort St. George, shall be attached or appended to those decrees, or shall be furnished to parties in the suits when such decrees are passed shall be repealed.

II. And it is hereby enacted, that from the said day, an abstract of every such decree, containing a succinct statement of the grounds of judgment, shall on the day of the promulgation of the decree, be entered in the diary of the Court passing the decree; and every party in the suit wherein the decree is passed, shall be entitled to be furnished with a copy of that abstract, on application for a copy thereof, or with a translation of that abstract in a current language of the district or country, on application for such a translation.

III. And it is hereby enacted, that from the said day, all rules now in force within the Presidency of Fort St. George, for determining from what days the limited periods for appealing from decrees of the Sadler Adawlut, or of the Provincial Courts, or of the Zillah Judges, or of the Zillah Assistant Judges, or of the Zillah Registers shall be computed, shall be repealed; and that such limited periods for appealing from any such decree shall be computed from the day on which the decree is sealed and signed, agreeably to Sec. XXVII. Regulation III. of 1802 of the Madras Code; provided always, that if within such limited period as aforesaid, an application be made by a plaintiff or defendant for a copy of the decree, or for a copy or a translation of the abstract mentioned in the clause last preceding, or for both a copy of the decree, and a copy or a translation of the abstract, and if the document or documents so applied for be not delivered or tendered on the same day to the party applying, then, for every day of such delay, not attributable to that party, a day shall be added to the period allowed for appealing, in as far as the right of that party is concerned.

IV. And it is hereby enacted, that the day on which the time for appealing will expire, shall be certified at the end of every document furnished to any party according to the last preceding clause.

V. And it is hereby enacted, that on the day on which any such decree is sealed and signed, the day on which the original limited period for appealing will expire shall be proclaimed in open Court.

The following act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXVI. of 1837.

I. It is hereby enacted, that from the fifteenth day of December 1837, the jurisdiction vested in Collectors, subordinate Collectors, and Assistant Collectors, by Regulations IX. of 1822 and VII. of 1828, of the Madras Code, in cases of embezzlement of public money, and of the falsification, destruction, or concealment of any public account, record, voucher, or document, relating to public money, shall extend to cases of the embezzlement of any public property, or the falsification, destruction, or concealment of any public account, record, voucher, or document, relating to any public property, by any person of any of the classes described in the third Clause of Section II. of the said Regulation IX. of 1822.

II. And it is hereby enacted, that from the said day, all provisions of either of the said Regulations IX. of 1822 and VII. of 1828 which apply to cases of the embezzling of public money, shall apply to cases of the embezzling of any public property whatever, by persons of any of the classes described in the third Clause of Section II. of the said Regulation IX. of 1822; and that all provisions of either of those Regulations, which apply to cases of the falsification, destruction, or concealment of any public account, record, voucher, or document relating to public money, shall apply to cases of the falsification, destruction, or concealment of any public account, record, voucher, or document, relating to any public property whatever, by persons of any of the said classes.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXVII. of 1837.

I. It is hereby enacted, that from the first day of January 1838, so much of Section 26, Regulation XIII. 1827 of the Bombay Code, as requires that the Special Courts for the trial of persons charged with offences of a political nature shall forward their proceedings to the Governor in Council, be repealed; and those courts shall from the said first day of January 1838, forward their proceedings to the Foudarry Adawlut.

II. And it is hereby enacted, that the Foudarry Adawlut, on the receipt of any trials referred to them under this Act, shall proceed thereupon according to the rules in force with respect to other trials referred to them; except that they shall in every instance report their sentence, with the whole of the proceedings held upon the case, to the Governor in Council, and shall wait the orders of Government before they direct their sentence to be carried into execution.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXVIII. of 1837.

It is hereby enacted, in modification of the provision contained in Section IX. Regulation XIX. of 1810, of the Bengal Code, that no person shall, by reason of his not being in the Civil, Military, or Medical branch of the service, be in capable of being appointed a local agent under that Regulation.

POLITICAL DEPARTMENT, 1ST NOV., 1837.

Lieutenant J. D. Cunningham, of the Engineers, has this day been appointed an assistant to the political agent at Loodhiana.

8TH NOVEMBER, 1837.—The Right Hon'ble the Governor General of India has been pleased to appoint Lieutenant L. P. D. Eld, of the 9th Regiment N. I., to be Assistant to the Political Agent at Mannypore.

The leave of absence granted to Lieutenant H. C. Shakespear, of the 25th Regiment Native Infantry, on the 28th August last, has been further extended from the 10th to the 20th October, to enable him to join his appointment at Hyderabad.

Captain H. W. Traversay, Assistant to the Agent to the Governor General for the States of Rajpootana, has obtained leave of absence for the period of two years, from the date of his embarkation, to enable him to proceed to the Cape of Good Hope for the benefit of his health.

BUXA, THE 11TH NOVEMBER, 1837.

The Right Hon'ble the Governor General of India has been pleased to make the following Arrangements:

Mr. B. H. Hodgson, the Resident at Nepal, has obtained three months' leave of absence from the 5th proximo, to proceed to the Presidency, for the benefit of his health.

Mr. A. Campbell, Acting Assistant to the Resident has been nominated to officiate as Resident during the absence of Mr. Hodgson.

Lieutenant Gordon, commanding the Nepal Escort, has obtained the months' leave of absence from the 2d proximo, for the purpose of visiting Calcutta, on his private affairs.

Ensign L. T. Forrest, of the 40th Regiment N. I., has been appointed to the command of the Nepal Escort during the absence of Lieutenant Gordon.

By Order of the Right Hon'ble the Governor General of India,
W. H. MACNAUGHTEN,

Secy. to the Govr. Genl. of India.

THE 15TH NOV., 1837.—Lieutenant J. H. Phillips, Assistant to the Agent to the Lieutenant Governor North Western Provinces at Delhi, rejoined his office on the 1st instant.

R. N. C. HAMILTON,

Offy. Secy to the Lieut. Govr. N. W. P.

NAVAL DEPARTMENT.

The Mint Engraver having reported that such progress has been made in the repair of the shaft of the Honorable Company's Steamer *Berenice* as to render it but little doubtful, that the vessel will be ready for sea on the 30th of November next, notice is hereby given, that it is the intention of the Right Hon'ble the Governor in Council, that the *Berenice* shall take her departure from hence to Suez on that day, and even if any failure should occur in the casting of the remaining pieces required to finish the repairs and even which the greatest care and skill cannot always prevent,

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it is more than probable that the *Atalanta* will return in sufficient time to be despatched in her stead.

By order, &c.

(Signed) E. M. Wood, *Lieut.-Col., Secy to Govt.*
Bombay Castle, October 17, 1837.

With reference to the above, it is hereby notified, that the latest safe date, on which letters intended for transmission by the Steamer *Berenice*, should be forwarded from Calcutta will, it is assumed, be the 16th instant.

GEORGE ALEXANDER, Offg. Post Master Genl.
Fort William, Genl. Post Office, Nov. 3, 1837.

The Right Honorable the Governor in Council is pleased to pass the following rules in regard to the accommodation of Ladies and Children on board the Honorable Company's Steamers.

Three cabins shall be set apart for Ladies, one for each Presidency, the price Rupees 1,600 for each cabin, which may be appropriated by the subscriber.

- 1st. Either for a Lady alone, or with an attendant,
- 2nd. For a Lady and her Husband.
- 3rd. For a Lady or two Children.
- 4th. For two Ladies, the original subscriber having the option on nominating her companion.

Children under five years of age, who may be extra to the complement of a cabin, will be charged for at the rate of 50 Rupees each: from 5 or 10 at Rupees 340; above that age at Rupees 400.

The remaining accommodation will be distributed among the applicants as they stand on the list, whether Gentlemen, Ladies or children, the payments made on account of Ladies or children being refunded, should no cabin accommodation be available for them.

Whenever cabins are engaged for children from one to four in number, the full rate for four Rupees 1,600, shall be paid for such cabin, whatever may be the age of the children.

By order of the Right Hon'ble the Governor in Council.

E. M. Wood, *Lieut.-Col., Secy. to Govt.*
Bombay Castle, 27th Oct, 1837.

CIVIL APPOINTMENTS, &c.

BY THE GOVERNOR OF BENGAL.

FORT WILLIAM, GENERAL DEPARTMENT, 25th OCTOBER, 1837.

Mr. W. W. Bird is appointed an Extra Member of the Board of Customs, Salt and Opium, and of the Marine Board.

1st NOVEMBER, 1837.

The following Proclamation requiring all persons being in Office of Authority or Government at the decease of the late King, to proceed in the execution of their respective Offices, received by the *Regulee* on the 30th ultimo, is published for general information:

BY THE QUEEN—A PROCLAMATION.

Requiring all persons, being in Office of Authority or Government at the decease of the late King, to proceed in the execution of their respective Offices.

VICTORIA, E.—Whereas by an Act, made in the sixth year of the Reign of Her late Majesty Queen Anne, intituled "An Act for the Security of Her Majesty's Person and Government, and of the Succession to the crown of Great Britain in the Protestant Line," it was enacted, that no office, place or employment, civil or Military, within the Kingdoms of Great Britain or Ireland, Dominion of Wales, Town of Berwick-upon-Tweed, Isles of Jersey, Guernsey, Alderney, Sark, or any of His Majesty's Plantations should become void by reason of the demise of Her said late Majesty, Her Heirs or Successors, Kings or Queens of this realm, but that every person and persons in any of the offices, places, and employments aforesaid, should continue in their respective offices, places, and employments for the space of six months next, after such death or demise, unless sooner removed and discharged by the next Successor to whom the Imperial crown of this realm was limited and appointed to go, remain, and descend; and whereas by an Act, made in the fifty-seventh year of the reign of His late Majesty King George the Third, intituled "An Act for the continuation of all and every person or persons in any and every office, place, or employment, civil or military, within the United Kingdom of Great Britain and Ireland, Dominion of Wales, Town of Berwick-upon-Tweed, Isles of Jersey, Guernsey, Alderney, Sark and Man, and also in all and every of His Majesty's foreign Possessions, Colonies, or Plantations, which he or she shall hold possess or exercise, during the pleasure of the crown, at the time of the death or demise of His present Majesty, until removed or discharged therefrom by the succeeding King or Queen of this realm," it was enacted, that all and every person and persons who upon the day of the demise of His said late Majesty, shall hold any office, civil or military, under the crown during pleasure, should, under and by virtue of the said Act, and without any new or other patent, commission, warrant, or authority, continue and be entitled, in all respects, notwithstanding the demise of His said late Majesty, to hold and enjoy the same: but, nevertheless, the same should be held or enjoyed only during the pleasure of the King or Queen who should succeed to the crown, upon the demise of His said late Majesty, and the right and title to hold and enjoy the same, under the authority of the said Act, should be determinable in such and the like manner by the King or Queen who, upon the demise of His said late Majesty, should succeed to the crown, as the right or title to any office, place or employment, held by such succeeding King or Queen during pleasure, would be by the said Act; We, therefore, by the advice of our Privy Council, do hereby declare, that all and every person and persons who, at the time of the demise of Our late Royal Uncle, of

glorious memory, duly and lawfully held, or were duly and lawfully possessed of or invested in, any office, place or employment civil or military, within our United Kingdom of Great Britain and Ireland, Dominion of Wales, Town of Berwick-upon-Tweed, Isles of Jersey, Guernsey, Alderney, Sark, or Man, or any of our Foreign Possessions, Colonies, or Plantations, do, severally, according to their places, offices, or charges, proceed in the performance and execution of all duties belonging to their respective offices, whilst they shall hold the same respectively during our pleasure; and we do hereby require and command all our loving subjects to be aiding, helping, and assisting at the commandment of the said Offices and ministers, in the performance and execution of their respective offices and places, as they and every of them tender our utmost displeasure, and will answer the contrary at their peril.

Given at our court at St. James's this twenty-first day of Jan One Thousand Eight Hundred and Thirty-seven, and in the first year of our reign.

GOD SAVE THE QUEEN.

Mr. G. A. Beshby of the Civil Service, reported his departure from the Cape of Good Hope for England on the 31st July last, in pursuance of the Furlough leave granted to him on the 3d of May last.

The following Gentlemen have been admitted to Furloughs of the season 1837, under applications made on or before the 1st instants.

Messrs R. Macan; C. E. Trevelyan; D. Pringle; W. Wilkinson; W. H. Martin, and T. C. Scott; also Messrs. James Leach and T. P. Woodcock, who have obtained leave from the Lieutenant Governor of the North Western Provinces, proceed to Europe, and Mr. S. G. Smith, who has applied for a Furlough thro' the Lieutenant Governor.

5TH NOVEMBER, 1837.

Lieutenant T. J. Taylor, secretary to the committee for revising the Customs Laws and Post Office Regulations in India, has been permitted to proceed to the Sand Heads for the benefit of his health, and to be absent from Calcutta for a period of twenty days from the 9th instants.

Mr. H. M. Parker, Junior Member of the Board of Customs and Opium, and of the Marine Board, has obtained leave of absence for a period of three weeks from the 9th instants, to enable him to proceed to the Sand Heads.

15TH NOV. 1837.

Mr. G. J. Siddons, Post Master General, has obtained leave of absence under Medical Certificate, for two months, from the 13th instants, preparatory to his embarkation for Europe.

Mr. George Alexander will continue in charge of the General Post Office until further orders.

FORT WILLIAM, GENERAL DEPARTMENT, 22d NOVEMBER, 1837.

The Honorable the Deputy Governor of Bengal is pleased under the authority given to him by Act No. XXI. of 1837, to dispense with the following rules required by the Regulations of this

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Presidency or by Custom to be taken by Public Officers and others on the occasions mentioned, and to direct that in lieu of making out, the several Public Officers and parties referred to respectively shall subscribe declarations in writing to the same promise and effect as is now prescribed for the oaths to be taken by the said Officers and parties respectively.

First.—Declarations shall in all cases be substituted for the oaths prescribed by the Regulations in force in the Presidency of Fort William in Bengal, as to be taken by Public Officers on their first appointment to any office under the Government of Bengal.

Second.—Declarations shall be substituted for the oaths prescribed to be taken under Clauses 4 and 5, Section 45, Regulation IX. of 1810, to the truth of import manifests for any similar or the now required, or in use regarding export manifests, or regarding any other lists or papers ordered to be delivered at the Custom House or at the Police Office of the town of Calcutta by Masters and Supercargoes of vessels.

Mr J. Baker, deputy salt agent and superintendent of Bulah Salt Chokies, is permitted to be absent on urgent private affairs for a period of one month, from the 25th instant.

H. T. PATTER, Secy to Govt.

PORT WILLIAM MILITARY DEPARTMENT, 16TH NOV 1837

Notice is hereby given, that the Pay, Bat a, and other Allowances for November, 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Saturday, the 9th proximo.

PORT WILLIAM, ECCLESIASTICAL DEPARTMENT, 1ST NOV. 1837.

The Honorable the Deputy Governor of Bengal is pleased to place the services of the Reverend Ralph Mason, an assistant chaplain on the Bengal Establishment, at the disposal of the Honorable the Lieutenant Governor of the North Western Provinces.

JUDICIAL AND REVENUE DEPARTMENT,

31st OCTOBER, 1837.—The remaining portion of the leave of absence granted to Mr. H. C. Hamilton, officiating collector of Behar; on the 29th August last, is cancelled from the 29th instant, the date on which he resumed charge of his office.

3rd NOV. 1837

The Honorable the Deputy Governor of Bengal has been pleased to appoint Mr. W. A. Pringle to officiate as civil as well as session judge of Zillah Hooghly, until further orders.

The following Officers have leave of absence from their stations:

Mr. J. F. Cathcart, civil and session judge of Jessore, for two months, on medical certificate. Mr. Cathcart has been authorized to make over charge of his office to Mr. F. Cardew.

Mr. H. T. Ruck, magistrate and collector of Chittagong, to remain at the presidency, for one month, on medical certificate, in extension of the time allowed to join his station.

4TH NOVEMBER, 1837.

Mr. R. H. Ratray, a Judge of the courts of Sudder Dewanny and Nizamut Adawlut, for one month from the present date, on medical certificate.

7TH NOVEMBER, 1837.

Mr. T. A. Shaw, civil and session Judge of Rungpore, for two months from the beginning of next month, on private affairs. Mr Shaw has been authorized to make over charge of the current duties of the office of civil and session Judge to Mr. James Neilly, Principal Sudder Ameen of Rungpore, who has been empowered to conduct those duties until further orders, in addition to his own.

Mr. M. W. Carruthers, deputy collector of Dacca, to the 1st proximo, on private affairs, in extension of the leave granted to him by the commissioner of the 15th or Dacca Division.

Mr. J. S. Torrens, joint magistrate and deputy collector of Burdwan, from the 25th ultimo to the 30th instant, on private affairs.

Mr. D. McFarlan, chief magistrate of Calcutta, for one month from the date of the sailing of the November steamer for the Upper Provinces. Mr. Blaquiere will conduct the current duties of the chief magistrate's office, and Mr. McMahon will take charge of the shipping department.

Mr. C. Macintyre, assistant surgeon, attached to the civil station of Furruckpore, for fifteen days, on private affairs.

Moulvie Abdul Mujeed Khan, principal sudder ameen of Chittagong, for three months, on medical certificate, in extension of the leave granted to him on the 19th ultimo.

The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. C. H. Lushington, to officiate, until further orders, as special deputy collector in Zillah Shababad and Saran, in the room of Mr. F. J. Morris.

Mr. J. Alexander to officiate until further orders, as superintendent of the Khas Mchaula in Zillah Saran, in the room of Mr. Lushington.

Mr. W. Brown to be deputy collector in Zillah Ballasore, under the provisions of Regulation IX. of 1833.

Mr. C. P. Caspary to be deputy collector in Zillah Midnapore, under ditto. ditto.

Mr. E. H. C. Monckton has been this day placed at the disposal of the Lieutenant Governor of the North Western Provinces.

Captain H. Rutherford, principal assistant to the commissioner of Assam, has reported, under date the 26th ultimo, his return to the presidency from the Cape of Good Hope.

The appointment of a superintendent of police for the Lower Provinces, (which, with the subsidiary arrangements made by the Legislature, in Act No XXIV. of 1837, will relieve the commissioner of revenue and circuit from all duties connected with the Police and the administration of Criminal Justice,) having rendered it practicable to reduce the number of commissionerships, the Honorable the Deputy Governor of Bengal has been pleased to abolish the commissionership of the 13th or Banias Division, and to make the following consequent alteration of jurisdictions, viz. Zillah Burdwan, Hooghly and Bancyora are transferred from the 14th to the 15th Division. Zillahs Rungpore, Bogra, Rajshyee and Pabnah are attached to the 14th Division.

Zillahs Dinagpore and Maida are attached to the 13th Divn. Zillah Backergunge is transferred from the 18th to the 15th Do.

16TH NOVEMBER, 1837.

The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. E. C. Ravenshaw to officiate as commissioner of revenue and circuit of the 11th or Patna Division, and to take charge of the current duties of that office from Mr. Davidson, who will remain at Patna until his leave commences.

Mr. C. Garstin to officiate as additional judge of patna and session judge for the trial of thuggee cases, in the room of Mr. Ravenshaw.

Mr. W. Luke to officiate as magistrate and collector of Saran, in the room of Mr. Garstin.

Baboo Hurreeram Chose, principal sudder ameen in Jessore, to conduct the current duties of the office of the civil and session judge of Jessore, during the absence of Mr. Cathcart.

The following officers have obtained leave of absence from their stations:

Mr. D. C. Smyth, a judge of the Courts of Sudder Dewanny, and Nizamut Adawlut, for one month, on private affairs, from the 16th instant.

Mr. W. H. Martin, officiating magistrate and collector of Nuddea, till the sailing of the Ship *Seringapatam*, in which he proposes to proceed to Europe, in extension of the leave granted to him on the 3d ultimo.

Mr. A. Littleale, assistant to the joint magistrate and deputy collector of Furruckpore, from the 29th to the 25th instant, on private affairs, in extension of the leave granted to him by the commissioner.

Captain A. Davidson, principal assistant to the commissioner of Assam, to visit a patient, on medical certificate, preparatory to his making application to proceed to sea for the benefit of his health. Lieutenant F. G. Beckhouse will conduct the duties at Newgoong, and Ensign T. Brodie will perform the duties of Gawalparah.

Baboo Ram Lochun Ghose, deputy collector of dacca, under Regulation IX. of 1833 an extension of ten days leave of absence to enable him to join his station.

16TH NOVEMBER, 1837.

The following officers have obtained leave of absence from their stations:

Mr. J. Wheeler, exercising powers of joint magistrate and deputy collector in Zillah Mymensing, for ten days, on private affairs, in extension of the time allowed to join that station.

M. J. M. Hay, assistant to the magistrate and collector of Mymensing, for two months, to remain at the presidency, on medical certificate, in extension of the leave granted to him on the 20th ultimo.

Mr. R. W. Ramsay, assistant under the commissioner of revenue and circuit of the 13th or Bhagalpore Division, to proceed to England, on account of urgent private affairs and to be absent from his station till the sailing of the Ship in which he may take his passage, in extension of the leave granted to him on the 2d ultimo.

Lieutenant A. C. Rainey, junior assistant to the commissioner of Arrakan, for eighteen months, to proceed to the Hills of Munnorrie and Simlah, on medical certificate.

THE 21ST NOVEMBER 1837.

Mr. H. P. Russell, officiating civil and session judge of West Burdwan, for one month from the 1st proximo, preparatory to his proceeding to Europe on furlough.

The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. H. C. Legge, to officiate until further orders, as joint magistrate and deputy collector of Bhagalpore.

Mr. H. E. Hodgson has been authorized to exercise the powers of joint magistrate and deputy collector at Monghyr.

Mr. E. R. Woodcock to exercise the powers of joint magistrate and deputy collector at Balasore.

Mr. J. T. Shave to be deputy collector in Zillah Cuttack, under Regulation IX. of 1833.

Baboo Ramchand Roy to be ditto ditto in ditto under ditto.

Baboo Ramtonoo Saha to be ditto in ditto under ditto.

Baboo Mokundpersad to be ditto ditto in ditto under ditto.

Baboo Jugmohan Rai Chitranunsee to be ditto ditto in ditto under ditto.

Mr. G. A. Menzies be ditto ditto in the Southern Division of Out
Creek, Pooree, under ditto.

Baboo Soodanund Roy to be ditto ditto in ditto ditto under
ditto.

FRED JAS. HALLIDAY,

Of. Secy. to Govt. of Bengal.

BY THE HON'BLE THE LIEUT. GOVERNOR
OF THE N. W. PROVINCES.

GENERAL DEPARTMENT, ECCLESIASTICAL, AGRA, 18TH OCT., 1837.

The Reverend J. C. Proby, chaplain at Meerut, has obtained
two months' leave of absence, from the 31st proximo, to proceed
to the Presidency, preparatory to applying for Furlough.

11TH NOVEMBER, 1837.

The Reverend R. Ewing, chaplain at Futty Gurb, has ob-
tained one month's leave of absence, on private affairs, from
the 26th instant.

GENERAL DEPARTMENT, AGRA, 8TH NOVEMBER, 1837.

Mr. G. A. Bushby availed himself on the 31st July last of
the condition of furlough, granted to him by the Right Hono-
rable the Governor of Bengal, under date the 3d May 1837.

The leave of absence, on private affairs, for one month,
from 1st January next, granted by the Lord Bishop of Calcutta
to the Reverend M. J. Jennings, chaplain at Cawnpore, is
confirmed.

11TH NOVEMBER 1837.

Mr. Assistant Surgeon J. W. Knight to officiate in medi-
cal charge of the civil station of Seharanpore.

JOINT AND REVENUE DEPARTMENT, AGRA, 17TH OCTOBER, 1837.

Mr. T. P. Woodcock, magistrate and collector of Allyghur, has
obtained leave of absence for two and a half months, on his pri-
vate affairs, preparatory to applying for furlough.

18TH OCTOBER, 1837.

Mr. W. DeH. Routh to officiate as joint magistrate and deputy
collector of Allyghur.

Synd Imdad Ali to be deputy collector, under the provisions
of Regulation IX. of 1833, in the District of Banda.

21ST OCTOBER, 1837.

Lieutenant R. C. Shakespeare, assistant revenue surveyor in
the District of Goruckpoor, has obtained leave of absence to the
2d instant, in extension of that granted him on the 31st July last,
to enable him to rejoin his station.

22ND OCTOBER, 1837.

Mr. W. Fane, Member of the Sadder Board of Revenue has ob-
tained leave of absence for two years, on medical certificate to
proceed to the Cape of Good Hope, to commence from the date of
the sailing of the ship on which he may embark.

Mr. N. A. Willard to be Deputy Collector in Zillah Allahabad,
under the provisions of Regulation V of 1833.

24TH OCTOBER, 1837.

Mr. C. R. Cartwright to be Judge of Azimghur.

Mr. C. Blunt to be magistrate and collector of Allahabad. Mr.
Blunt will continue to officiate as magistrate and collector of
Moradabad, until further orders.

Mr. W. R. Timins to officiate as magistrate and collector of
Allahabad, Mr. C. F. Edmonstone will relieve Mr. Cartwright
from the offices of magistrate and collector of Allahabad and offi-
ciate in those capacities, until Mr. Timins joins his appointment.

Mr. A. U. C. Plowden to be collector of customs at Agra.

Mr. W. D. H. Routh to be joint magistrate and Deputy collec-
tor of Ally Chaur.

Mr. E. ... to be commissioner of the Sauger Divisions, to
take effect from the 10th instant.

The following officers have obtained leave of absence:

Mr. W. F. Dick, Judge of the Sadder Dewanny and Nizamut
Adawlut, for four months from the 2d proximo, on his private
affairs, preparatory to his applying for permission to retire from
the service on an annuity of the present season.

Mr. S. O. Smith, magistrate and collector of Etawah, for two
months from the 2d proximo, on his private affairs, preparatory to
applying for furlough. Mr. Smith is authorised to make over
charge of his offices to Mr. J. C. Crampton, the joint magistrate and
deputy collector, who will officiate as magistrate and collector,
until further orders.

Mr. R. K. Dick, employed in the revision of settlements at
Unosuff-mugger, to the 15th proximo, on Medical Certificate, in
extension of the leave granted him by the Commissioner on the
13th ultimo.

1ST NOVEMBER, 1837.

Mr. R. C. Olyn, Judge of Meerut, has obtained twenty days'
leave of absence from the 25th instant, on his private affairs.
Mr. Olyn is authorised to make over charge of the current duties
of his office to Mr. Colin Mackenzie, the officiating joint magis-
trate and Deputy collector.

2D NOVEMBER, 1837.

The leave granted to Mr. R. J. Taylor, additional Judge of
Goruckpoor, on the 11th September last, to be absent from his
station during the Dusseerah vacation, is cancelled.

The following officers have obtained leave of absence:

Mr. W. R. Kennaway magistrate and collector of Humna-
poor, for one month, on his private affairs, in extension of the
leave granted him on the 2d March last, preparatory to applying
for furlough.

Mr. D. F. Macleod, 1st junior assistant at Seonee, for three
months, on his private affairs, in extension of the leave granted
him on the 12th May last.

Captain M. Smith to be principal assistant in the Sauger dis-
trict.

Lieutenant C. R. Browne to be first junior assistant in ditto.
Lieutenant Browne will continue to officiate as first junior as-
sistant at Seonee, until further orders.

The foregoing appointments are to take effect from the 10th
ultimo.

3D NOVEMBER, 1837.

Mr. R. H. Scott, commissioner of the Rohilkund Division, has
obtained leave of absence on medical certificate, for twelve
months, to visit the Hills.

4TH NOVEMBER, 1837.

Mr. G. F. Harvey to officiate as magistrate and collector of
Allyghur.

8TH NOVEMBER, 1837.

Mr. E. Wilnot to officiate as magistrate and collector of Ba-
daon.

Mr. R. T. Tucker to officiate as joint magistrate and deputy
Collector of Etawah.

9TH NOVEMBER, 1837.

Mr. J. S. Clarke, magistrate and collector of Moradabad, has
obtained twelve months' leave of absence, on medical certificate to
remain in the Hills, in extension of the leave granted him on
the 11th August last. The extension of leave of absence for three
months allowed Mr. Clarke, under Orders of 16th September last,
to enable him to visit the Presidency preparatory to applying for
permission to proceed to the Cape of Good Hope, is cancelled.

10TH NOVEMBER, 1837.

The unexpired portion of the leave of absence for three months
granted to Mr. C. G. Nagel, magistrate and collector of Agra, on
the 29th August last, is cancelled from the 2d instant, on which
date he resumed charge of his office.

11TH NOVEMBER, 1837.

Mr. E. Triffin, civil assistant surgeon of Allyghur, has obtain-
ed leave of absence from the 26th instant to the 30th March next,
on medical certificate, in extension of the leave granted him on the
February last.

POLITICAL DEPARTMENT, AGRA, THE 25TH OCTOBER, 1837.

Mr. Charles Fraser to be Agent to the Hon'ble the Lieutenant
Governor in the Sauger Territories.

The appointment is to take effect from the 10th instant.

25TH OCTOBER, 1837.

Cornet C. G. Fagan, of the 8th Light Cavalry, to be Assistant to
the Agent to the Lieutenant Governor in the Sauger Territories.

MILITARY APPOINTMENTS, &c.

BY THE RIGHT HON'BLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL

On the River Corroy, off Commercolly, October 26th, 1837.
Colonel McCaskill, of Her Majesty's 9th Regiment of Foot, is appointed a Brigadier on the Establishment to fill the vacancy occasioned by the promotion of Sir David Kinross, K. C. B., to the rank of Major General.

On the River, off Monghyer, 2d November 1837.

Second Lieutenant C. S. Young, of Engineers, is appointed Assistant to Captain Fitzgerald, Garrison Engineer and Executive Officer, of Fort William, and Civil Architect at the Presidency vice Pison.

On the River Ganges, off Cazypora, Nov. 13, 1837.

The Right Honorable the Governor General has been pleased to appoint Lieutenant Peter Nicolson, of the 24th Regiment native infantry, to be an Aide-de-camp on His Lordship's Personal Staff.

Camp Hauras, November 17, 1837.—Lieutenant John Howard W. A. M., of the 17th Regiment Native Infantry, is placed in the disposal of the Hon'ble the Lieutenant Governor North Western Provinces, with a view to his being employed in making a complete Survey of the Lands lying along the course of the River Ghughur.

WM. CASEMENT, G. M.

Secy to the Right Hon'ble the Govt Genl Mly Dept

BY THE VICE PRESIDENT IN COUNCIL.

Fort William, 30th October, 1837.

No. 216 of 1837.—The Hon'ble the President of the Council of India is pleased to make the following Promotions and Alteration of Rank:

Regiment of Artillery. 1st Lieutenant and Brevet Captain William Anderson to be Captain, and 2d Lieutenant John La kin Ches. Kichar son to be 1st Lieutenant, from the 16th October 18 7, in succession to Captain Edward Cumberland Thomas Bos tock Hughes deceased.

66th Regiment Native Infantry. Ensign Henry Stein to be Lieutenant, from the 13th October 1837, vice Lieutenant Edward Pallow Grimes deceased.

Medical Department. Assistant Surgeon James William Grant to be surgeon, vice Surgeon Joseph Duncan deceased, with rank from the 30th July 1837, vice Surgeon William Pitt Musson deceased.

ALTERATION OF RANK.—Surgeon John Greig, to rank from 3d May 1837, vice Surgeon J. Duncan deceased; Surgeon Joseph Stapleton Sullivan, to rank from 13th July 1837, vice Surgeon D. Reinton deceased.

The undermentioned Officers are promoted to the rank of Capt. by Brevet, from the dates expressed opposite to their names:

1st Regiment native infantry. Lieutenant Gerard Edward Van Heythuyse, 17th October 1837.

40th Regiment native infantry. Lieutenant Richard Chitty, 18th October 1837.

Captain Nathaniel Sneyd Nesbitt, of the 22d Regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors—date of arrival at Fort William, 27th October 1837.

The undermentioned Officers are permitted to proceed to Europe on Furlough:

Captain Henry Cotton, of the 67th Regiment native infantry, Lieutenant George Reid, of the 6th Regiment light cavalry, Lieutenant George Isaac Hudson, of the 67th Regiment N. I. on medical certificate.

Lieutenant Philip Smith, of the 34th Regiment N. I. on account of private affairs.

The following promotions are made in the subordinate medical department:

Assistant Apothecary William Brookes to be Steward, from the 6th August 1837, vice Hampton deceased.

Assistant Apothecary George Hardman to be Steward, from the 7th September 1837, vice Buchanan deceased.

Hospital Apprentice John Hony to be Assistant Apothecary, from the 6th August 1837, vice Brookes promoted.

Hospital Apprentice James Jarves to be Assistant Apothecary, from the 7th September 1837, vice Hardman promoted.

Hospital apprentice Anthony Defergady to be Assis ant apothecary, from the 15th September 1837, in succession to Abraham whose warrant has been cancelled.

Sergeant William Bowring of Artillery, is admitted to the benefits of the pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his stipend at Dinapore.

No. 217 of 1837.—Captain Robert Aitken, of the 6th Regiment Light Cavalry having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

Ensign George Duncan Mercer, of the 45th Regiment native infantry, is permitted to proceed, to Van Diemen's Land on his private affairs, and to be absent from Bengal on that account for one year, without pay.

Assistant Surgeon Andrew McCall Stuart, of the medical department, attached to the 5th Local Horse, is permitted to proceed to Europe on furlough, on medical certificate, via Bombay; the furlough is to commence from the date on which that Officer shall have quitted the Bengal Presidency.

The leave of absence granted to Captain William Sage, of the 14th Regiment native infantry, Executive Officer, 3d Division of Public Works, in General Orders No 172, of the 28th August last, is extended to the 8th instant.

The District Order by Brigadier W. Burgh, commanding Rajpootana Field Force, dated the 2d instant, appointing 2d Lieutenant G. Kirby, of Artillery, to act as Deputy Commissary of Ordnance at Ajmere, during the absence on general leave of Lieutenant Young, or until further orders, is confirmed by Government as a temporary arrangement.

Assistant Surgeon John Wylie, M. D., was confirmed in the Judicial and Revenue Department under date the 9th instant, in his Appointment to the temporary medical charge of the civil station of Dinapore.

The following medical officers have obtained, in the Judicial and Revenue Department, leave of absence from their stations: 17th October, 1837.

Assistant Surgeon J. Davenport, M. D., attached to the civil station of Bhopal, for one month, to visit Calcutta.

24th October, 1837.

Assistant Surgeon K. Mackinnon, M. D., attached to the civil station of Tirhoot, to proceed to Hajoore for four months, from the 4th proximo, on being relieved from his charge.

Fort William, 6th November, 1837.

No. 218 of 1837.—Lieutenant Thomas Henry Hale, of the corps of Engineers who, in General Orders No 201 of the 18th September last, was directed to take temporary charge of the Burmese Division, is appointed assistant to Lieutenant Guthrie, Executive Engineer, 18th Division, for the purpose of aiding in the Examination of the Road between Syhet and Assam.

Lieutenant James George Alderdyce, of the corps of Engineers, who in General Orders No. 205 of the 3d ultimo, was nominated Acting Assistant to the superintendent of the new Road to Benares, is appointed to survey and improve the Road from Cussar to Cussypore under the general direction of Lieutenant Guthrie, Lieutenant Alderdyce will rejoin the 6th company of the corps of Sappers and Miners and proceed in command of it to Syhet.

No 219 of 1837.—The Hon'ble the President of the Council of India in Council is pleased to make the following Promotions:

6th Regiment light cavalry.—Lieutenant and Brevet Captain Nathaniel Dunbar Barton to be Captain of a Troop, and Cornet Robert Trotter Knox to be Lieutenant, from the 30th Oct. 1837, in succession to Captain R. Aitken transferred to the Invalid Establishment.

Corps of Engineers.—Supernumerary 2d Lieutenant John Trail is brought on the effective strength of the Regiment vice 2d Lieutenant James Anshury Mount deceased.

Lieutenant Blugge William Gilmore of the 34th Regiment Native infantry. Is promoted to the rank of Captain by Brevet, from the 6th November, 1837.

The undermentioned Gentlemen are admitted to the service in conformity with their appointment by the Hon'ble the Court of Directors, as Cadets of Infantry, on this Establishment and promoted respectively to the rank of Ensign, leaving the dates of their commissions for future adjustment:

Infantry.—Mr. James Keith Forbes, date of arrival at Fort William, 29th October, 1837, Mr. Frederick Mills, do 31st do.

The undermentioned Officers have returned to their duty on this establishment without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Major Jonathan Trelawny, of the 51st Regt. N. I., and Captain Charles Griffin, of the 37th Regt. N. I., Lieut. Thomas Andrew Hamilton, of the 45th Regt. N. I., and Asst. Surgeon Alexander Smith, of the medical Dept., date of arrival at Fort William, 29th October, 1837.

Asst. Surgeon John Menzies, of the Medical Department, do 31st October, 1837.

The undermentioned Officers are permitted to proceed to Europe on Furlough, on account of their private affairs:

Colonel Richard Tickell, C. B., of the corps of Engineers, Assistant Surgeon Edward Jouch Agnew, of the medical Dep.

GENERAL REGISTER.

Lieutenant Hugh Hughes Lloyd, of the 72d Regiment Native Infantry, is permitted to proceed to Europe on furlough via Bombay, on account of his private affairs. The furlough commencing from the date of his quitting the frontier station of the Bengal Presidency.

Lieutenant Henry Murray Becker, of the 50th Regiment native infantry, is permitted to proceed to New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

The following promotion is made in the Ordnance Commissariat Department:

Quarter Master Serjeant William McKelvey, of the 2d battalion of Artillery, to be a Sub-conductor, from the 10th August, 1837, vice Gralinger promoted.

No. 220 of 1837.—Bravet Major Benjamin Blake, of the 47th Bengal Native Infantry, is permitted to proceed to Europe on furlough, on medical certificate.

Lieutenant R. C. Shakespeare, of Artillery, Assistant Revenue Surveyor in the District of Cooruckpore, has obtained in the Judicial and Revenue Department, leave of absence to the 3d ultimo, in extension of that granted to him on the 31st July last, to enable him to rejoin his station.

Bombardier John Hilt, of Artillery, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797 and General Orders, dated the 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his stipend at Kidderpore, Calcutta.

Fort William, 12th November, 1837.

No. 221 of 1837.—European Troops when moving either by land or water under any circumstances entitled to the full ration of 1½ lb of Meat, and when above Allahabad or within the limits of the Field Stations to 1½ lb from the 1st November to 31st March. Corps or Detachments moving up or down the country during the above period will come upon the increased or reduced ration from the date of their passing Allahabad, which should invariably be stated in the Batta certificates of Provisions furnished by the Commissariat.

The above Order will define exactly the amount of Ration to which European Troops of every description are entitled when moving either by water or on the march, and is in no degree to affect existing Regulations for Troops in cantonments.

No. 222 of 1837.—The Hon'ble the President of the Council of India in Council is pleased to make the following Appointment: Assistant Surgeon Alexander Smith to the medical duties of the civil station of Hidgee, vice Dr. Forbes deceased.

The undermentioned Officers are permitted to proceed to Europe on furlough on account of their private affairs:

Captain Frederick Samuel Sotheby, of the Regiment of Artillery and of the Nizam's Service, from the date of his embarkation, for such purpose, from Bombay.

Lieutenant Augustine Fitzgerald, of the Regiment of Artillery. The undermentioned Officers are permitted to proceed to Europe on furlough, via Bombay, on account of their private affairs; the furloughs commencing from the dates of their quitting the Frontier Station of the Bengal Presidency:

Captain Alexander Wilson, of the 61th Regiment native Infantry.

Surgeon George Baillie, of the medical department. Assistant Surgeon O. C. Egerton, Superintendent of the Eye Infirmary, has one month's leave of absence to proceed to the Sand Heads, on medical certificate.

Lieutenant George Peuscoe, of the 39th Regiment Native Infantry, having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

No. 224 of 1837.—The Headquarters of Her Majesty's 3d Dragoon having arrived from England, that Regiment is to be considered attached to this Presidency, from the date of disembarkation at Fort William.

No. 225 of 1837.—Major Thomas Dickinson, of the 56th Regiment native infantry, is permitted to proceed to the Cape of Good Hope on medical certificate, and to be absent from Bengal, on that account, for two years.

Lieutenant J. D. Cunningham, of the corps of Engineers, was appointed in the Political Department, under the 1st instant, an Assistant to the Political Agent at Loodhiana.

Lieutenant L. P. D. Eld, of the 4th Regiment native Infantry, was appointed by the Right Hon'ble the Governor General of India, in the Political Department under date the 3d instant to be assistant to the Political Agent at Manipore.

Fort William, 16th November, 1837.

No. 226 of 1837.—The Pay, Batta, and other allowances, for the month of 1837, of the Troops at the Presidency, and at the other Stations of the Army, will be issued on or after Saturday, the 9th ultimo.

Fort William, 20th November, 1837.

No. 227 of 1837.—The Hon'ble the President in Council is pleased to make the following promotion:

39th Regiment. N. I. Ensign Humphrey Howorth to be Lieutenant, from the 13th November 1837, vice Lieutenant George Pungree transferred to the Invalid Establishment.

Captain H. Drummond, of the 3d Regiment light cavalry, has been temporarily appointed in the general department to examine and report on the value and resources of the Kumaon mines.

Lieutenant R. Smith, of the Regiment of Artillery, is placed at the disposal of the Hon'ble the Deputy Governor of Bengal, for the purpose of being employed in the Survey of the Cuttack Province.

The undermentioned Officers have returned to their duty, on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Major George Kingston, of the 52d Regiment N. I., date of arrival at Fort William, 12th November, 1837.

Ensign Bernard Cary, of the 6th Regiment N. I., ditto 29th October, 1837.

Mr. William Barrett, Veterinary Surgeon ditto, 12th Nov. 1837.

The following gentlemen are admitted the service in conformity with their appointment by the Hon'ble the Court of Directors as Cadets of Infantry and as Veterinary Surgeons, on this Establishment: the Cadets are promoted to the rank of Ensign, leaving the dates of their commissions for future adjustment:

Infantry—Mr. Thomas Cole, date of arrival at Fort William 13th Nov. 1837.

Mr. John Stafford Paton, ditto 18th Nov. 1837.

Veterinary Surgeon Mr. William Parish Barrett, ditto 12th Nov. 1837.

The undermentioned Officer is permitted to proceed to Europe on furlough, on medical certificate:

Lieutenant Samuel David Agar, of the 55th Regiment Native Infantry.

Captain William James Symons, of the Regiment of Artillery, is permitted to proceed to Bombay, on medical certificate, and to be absent from Bengal on that account for six months, from the 15th December next, preparatory to proceeding on furlough to Europe.

Captain Thomas Webster, of the 59th Regiment Native Infantry, is permitted to retire from the Service of the East India Company, from the 1st proximo, on the Pension of a Major, agreeably to the Regulation of 23d May 1836.

Captain John Evans, of the 10th Regiment Native Infantry, having produced the necessary medical certificates, is permitted, at his own request, to retire from the Service of the East India Company on the Half Pay of his rank, from the date of departure of the ship on which he may embark for Europe.

The undermentioned Non-commissioned Officers are admitted to the benefits of the Pension sanctioned by minutes of council of the 11th January 1797 and General Orders dated the 5th February, 1836, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive their Stipends at the places specified opposite to their names: Serjeant Major Thomas Smith, late of the 15th Regiment N. I.—In Europe.

Serjeant Michael Santry, of the 3d Brigade Horse Artillery.—In Ireland.

No. 229 of 1837.—Captain Henry Carter, of the 73d Regiment native infantry, Agent for Family Money and Pay Master of Native Pensioners at Barrackpore, has leave of absence for six months, from the 1st February next, to visit Benares, on account of his private affairs.

Captain Alfred Jackson, of the 30th Regiment Native Infantry is appointed to officiate for Captain Carter on the responsibility of that Officer's sureties during his absence, or until further orders.

Captain Alexander Davidson, of the 13th Regiment Native Infantry Principal Assistant to the commissioner of Assam, was permitted in the Judicial and Revenue Department, under date the 14th instant to visit Calcutta on medical certificate, preparatory to his making application to proceed to sea for the benefit of his health.

The leave of absence granted in the Political Department to Lieutenant H. J. C. Shakespear of the 25th Regiment Native Infantry, has been further extended to the 20th October last, to enable him to join his appointment at Hyderabad.

The leave of absence granted to Overseer Waring, attached to the Sirdawn and Benares Roads, in General Orders No. 150, dated the 21st July last, is extended for two months on medical certificate.

Fort William, 23d May, 1836.—No 101 of 1836.—The Governor General in Council directs, that all Military Officers having Accounts with the Office of the Accountant General, for Advance received for Public Works, or other purposes, who may have it in contemplation to retire from the Service, or leave the Country or furlough, shall notify their intention to that Office three months prior to the expected period of their departure, in order that their accounts may be brought to a settlement previously to their quitting India.

(Signed) WM CASEMENT, Col.,
Secy. to the Govt. of India, Mil. Dept.

GENERAL REGISTER

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla, 17th October, 1837.

The Allypore station order of the 6th instant, directing Assistant Surgeon G. Paton, M. D. attached to the civil station of Allypore, to afford medical aid to a wing of the 54th regiment of native infantry, is confirmed.

The Allypore station order of the 7th instant, directing Lieutenant and Adjutant W. W. Davidson, of the 39d, to make over charge of the station staff office to Lieutenant D. Shaw, of the 54th regiment of native infantry, is confirmed.

Lieutenant Interpreter and Quarrier Master J. W. V. Stephens, of the 41st regiment of native infantry, having been declared by the examiners of the College of Fort William to be qualified for the duties of an interpreter, is exempted from further examination in the native languages.

Ensign A. Boyd, of the 18th, is removed, at his own request, to the 5th regiment of native infantry, as the junior of his rank. Assistant Apothecary C. Marshall and Assistant Steward W. H. Crawford are directed to continue with the 5th battalion of artillery.

Head Quarters, Simla, 18th October, 1837.

The Cawnpore division order of the 10th instant, directing Assistant Surgeon M. Boussfeld, attached to the civil station of Mynpoore, to afford medical aid to the left wing of the 34th regiment of native infantry, on its arrival at that station, is confirmed. The Sirhind division order of the 12th instant, directing Riding Master P. Ashton, of the 1st brigade horse artillery, to do duty with the 1st troop of the brigade at Kurnaul, until the arrival of its head quarters at that station, is confirmed.

The regimental order by Lieutenant Colonel T. Palmer, commanding the 2d of native infantry, under date the 10th instant, appointing Lieutenant W. H. Lomer to act as adjutant to a wing of the corps proceeding on escort duty, is confirmed.

Gunner Thomas Ryan, laboratory-man in the expense magazine at Dum Dum, is promoted to the rank of Sergeant.

The undermentioned officers have leave of absence:

9th regiment light cavalry.—Captain W. B. Wemyss, from 1st November to 1st November 1838, to visit Simla, on medical certificate.

10th regiment light cavalry.—Lieutenant J. Hickey, from 15th November, to 1st December, in extension, to enable him to rejoin.

Head Quarters, Simla, 19th October, 1837.

Assistant Apothecary W. Brookes, now acting Apothecary at the medical depot, Neemuch, is directed, on being relieved from his present charge, to proceed to Cawnpore, and to do duty under the orders of the Superintending Surgeon at that station.

Apothecary John Wilson, attached to Her Majesty's 16th regiment of foot, is appointed to the medical depot at Neemuch, vice Brookes.

Ameer Khan, Native Doctor, at present a Supernumerary in the Benares division, is directed to be sent to Agra, with instructions to report himself to the Superintending Surgeon at that station.

The undermentioned Officer has leave of absence:

Ordnance Commissariat Department.—Conductor D. Wheeler attached to the Saugor magazine, from 4th November to 4th April, 1838, to visit the presidency, preparatory to retiring from the service.

Head Quarters, Simla, 20th October, 1837.

The Sirhind division order of the 12th instant, directing Surgeon T. Inglis, M. D., of the 21st native infantry, to afford medical aid to the artillery at Kurnaul, is confirmed.

The Arracan district order of the 9th ultimo, appointing Assistant Surgeon J. C. Brown to assume medical charge of the 67th regiment of native infantry, and other details at Khyenk Phyou, is confirmed.

The following removals and postings will take place in the regiment of artillery:

1st Lieutenant E. Christie, from the 2d troop 3d Brigade to the 2d troop 1st brigade.

1st Lieutenant A. Huhb, from the 2d troop 1st brigade to the 2d troop 3d brigade. To accompany his present troop will be joined by Captain Lawrence, whom he will proceed to Bangalore, and await the arrival of that to which he is posted.

Gooljear, Native Doctor, of the 20th native infantry, who was sentenced to be dismissed the service by a line Court Martial assembled at Bandah, on the 5th instant, before which he was found guilty of having, on various occasions extorted money from patients in hospital, is to be struck off the rolls of the regiment, from the date of publication of this order at its head quarters.

This order is to be explained to every native corps, and hospital establishment, in the army.

Mudsey Khan, Trumpeter in the 9th regiment of light cavalry, is transferred to the Governor General's Body Guard, from the 9th instant, to fill a vacancy.

The undermentioned Officers have leave of absence:

67th regiment N. 1.—Captain H. Cotton, from the date of sailing of the pilot vessel *Mermuz* to 1st January, 1838, to visit Calcutta, on medical certificate.

67th regiment N. 1.—Lieutenant G. I. Hudson, from ditto to 1st January 1838, to visit Calcutta, on medical certificate.

7th regiment L. C.—Lieutenant W. Masier, from 28th October to 1st April, 1838, to visit the Presidency, preparatory to applying for furlough.

Head Quarters, Simla, 21st October, 1837.

The Assam light infantry battalion order of the 24th of August last, directing Lieutenant J. N. Marshall to proceed by water to Suddesh and to place himself under the orders of Lieutenant J. Miller, commanding at that post, is confirmed.

Brevet Captain W. Anderson, Adjutant, 1st brigade horse artillery, is directed to proceed to Delhi, and to report himself to Major F. L. Fox, of the artillery regiment.

Head Quarters, Camp, Pinjore, 28th October, 1837.

The annual practice of the regiment of artillery will commence at the several stations of the army on the 1st December next, for which purpose the following movements will take place:

The 3d company 3d battalion, with its field battery, will march from Dinapore to Benares; the 4th company 6th battalion from Allahabad to Cawnpore, and the 2d company 6th battalion, with its field battery from Delhi to Meerut, so as to reach those stations respectively on the 1st December next.

The officer commanding at Allahabad will determine what detail is requisite to be left behind, on the movement of the artillery from that station; and the Brigadier commanding at Delhi will provide for the duties there from the irregular golanadaze.

The other artillery divisions will conduct the practice at their own stations respectively; and, in all practicable cases, out-post details are to join the head quarters of their divisions during the practice seasons. At the conclusion of the practice, all golanadaze details, which have been more than one year detached, and especially such as cannot conveniently join at practice, are to be relieved, as far as practicable, from the head quarters of their respective battalions and companies; and all companies and other details, which have moved will be directed to return to their respective stations on the 1st February, when the practice will cease.

Assistant Surgeon James Davenport, M. D., who was placed at the disposal of the Commander in Chief, in Government General Orders of the 9th instant, is posted to the Sybhet light infantry battalion, and directed to join, on being relieved from his present charge.

The leave of absence, for six months, granted to Captain J. D. D. Bean, of the 23d regiment of native infantry, in General Orders of the 23rd of March last, is to be calculated from the 1st, in stead of the 26th June.

The undermentioned officers have leave of absence:

Artillery.—Brevet Colonel J. P. Boiteau, commanding horse artillery, from 1st Nov to 1st Feb 1838, in extension, to visit the Presidency, preparatory to applying for leave to the Camp of Good Hope, on medical certificate.

2d battalion.—Major T. Chadwick, from 9th Oct. to 15th Nov. 1838, to remain at Neemuch, and to visit the hills north of Deyrah, on medical certificate.

10th regt. n. 1.—Captain J. George, from 1st Jan 1838 to 15th March 1838, to visit the Presidency, preparatory to applying for furlough.

71st regt. n. 1.—Captain J. S. Marshall, from 17th Oct. to 17th April 1838, to visit the Presidency, on medical certificate, preparatory to applying for leave to sea.

Head Quarters, Camp, Miranpore, 30th October, 1837.

The Neemuch station order of the 14th instant, directing Assistant Surgeon M. Grierson to perform the medical duties of the 28th native infantry, on the departure of Surgeon W. Mitchelson with his regiment, is confirmed.

Colonel W. Nutt's regimental order of the 29th instant, directing Captain T. H. Scott to continue to act as Adjutant to the 38th regiment of native infantry, is confirmed.

The Sirhind artillery division order of the 14th instant, appointing Drill Corporal Peter Ryan, of the 2d battalion, to act as Sergeant Major, and Sergeant K. Quinn, of the 1st troop 1st brigade horse artillery, as Quarrier Master Sergeant, to the artillery division, till the arrival of the head-quarters of the 1st brigade of horse artillery, is confirmed.

The Sirhind division order of the 23d instant, directing Meer Haidur Alee and Wuzger Alee Native Doctors, attached to the artillery at Kurnaul, to proceed to Hanai, and do duty under the medical officer at that post, is confirmed.

The undermentioned officers have leave of absence:

6th regt. N. 1.—Lieutenant T. C. Walker, from 15th Nov. to 1st April 1838, to visit the Presidency, preparatory to applying for furlough.

28th regt. N. 1.—Lieutenant R. C. Tytler, from 15th October to 15th October 1838, in extension, to visit the hills north of Deyrah, on medical certificate.

60th regt. N. 1.—Lieutenant H. M. Becher, from 5th October to 5th December, to visit the Presidency on medical certificate.

63d regt. N. 1.—Lieutenant S. Toulmin, from 15th November to 15th March 1838, to visit Miranpore on private affairs.

Head Quarters, Camp, Bynoor, October 31, 1837.

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affected, will prove eventually highly advantageous as respects the efficiency of Regiments, in comparison with their numbers; and be greatly beneficial to their moral state, and consequently to their sober and general good behaviour.

At the same time that he communicates these instructions to the Officers Commanding Regiments, he cautions them against being more fastidious than the actual good of the service requires, and they will take care to be able to state, if called upon, clearly and satisfactorily the grounds on which they reject such able-bodied and useful Soldiers as may propose to Volunteer.

Their Excellencies the Commanders of the Forces at Madras and Bombay will be pleased to take care, that the future Volunteering of Regiments under their respective commands, is conducted in conformity to these instructions; and they will issue such Orders for the superintendence of the Volunteering of Corps, as may best suit the circumstances under which the departing Corps is placed.

2. Her Majesty's 4th Regiment of Foot having arrived at Madras, to relieve the 45th Regiment, and Her Majesty's 21st Foot being in the course of arriving to relieve the 54th. His Excellency the Commander of the Forces at Madras will take the necessary measures consequent on the departure of the 45th and 54th Foot.

Head Quarters, Camp, Patalahad, 2d November, 1837.—A supply of fuzils, of the musket bore having been received from Europe, officers commanding native infantry regiments of the line are required to indent on the magazines from which they usually obtain their arms, &c. for the number necessary to replace the fuzils now in use with the flintlocks of their respective corps.

On the receipt of the new arms, the old ones are to be returned into store.

Officers commanding regiments marching in the relief, will submit their indents after their arrival at the new stations.

The above arrangement will have the effect of rendering only one description of service ammunition necessary with every infantry regiment.

The President's division order of the 11th September last, directing Assistant Appear, M. Haekerton to act as Steward, at a Hospital Apprentice H. McMullen as Assistant Apothecary, in the hospital of Her Majesty's 25th foot, consequent on the demise of Steward Buchanan, is confirmed as a temporary arrangement.

The appointment, in regimental orders of the 8th ultimo, of Lieutenant J. Butler to act as Interpreter and Quarter Master to the 54th regiment native infantry, during the absence, on leave, of Lieutenant Interpreter and Quarter Master J. Ewert, or until further orders, is confirmed as a temporary arrangement.

The undermentioned officer has leave of absence: 64th Regt. N. I.—Lieut. and Brevet Captain F. Kuvelt, from 18th Oct. to 18th Dec. in extension, to enable him to rejoin his corps.

By order of His Excellency the Commander in Chief,

J. R. LUMLEY, Maj-Genl. Adj. Gen. of the Army.

A Committee of horse artillery and cavalry officers will assemble at the Hanger stud, on the 27th instant, for the purpose of passing into the service such colts as may be presented by the superintendent and considered by the committee fit for military purposes.

The Major General commanding the Mercut division will be pleased to nominate the president and members.

The Order district order of the 25th ultimo, directing Assistant Surgeon J. V. Leese, of the 10th, to proceed to Sultanpore and relieve Surgeon D. Butler, M. D. for the medical charge of the 63d regiment native infantry; and Surgeon A. Pringle, M. D. of the 2d native infantry, to receive medical charge of the 10th regiment, and the staff at Lucknow, from Assistant Surgeon Leese, is confirmed.

The Mercut artillery division order of the 25th ultimo, appointing Lieutenant R. Waller, of the 3d troop 1st brigade, to act as Adjutant to the division, during the absence on duty, of Lieutenant and Brevet Captain W. Anderson, is confirmed.

The brigade order of the 26th ultimo, appointing Lieutenant R. Waller, of the 3d troop, to act as adjutant to the 1st brigade horse artillery, during the absence of Lieutenant and Brevet Captain W. Anderson, is confirmed.

The leave of absence, for three months, granted to Brevet Colonel J. P. Boileau, commanding the horse artillery, in General Orders of the 28th ultimo, is to be calculated from the 23d ultimo instead of the 1st instant.

Head Quarters, Camp, Koraile, 4th November, 1837.—Her Majesty has been pleased to make the following Promotions and Appointments in the Regiments serving in India.

11th Light Dragoons.—Captain Theophilus Levett, from the 3d Light Dragoons, to be Captain, vice Bond, who exchanges, 18th May 1837.

Captain William James Downes, from the 3d Light Dragoons, to be Captain, vice Tritton, who exchanges, 2d June 1837.

16th Light Dragoons.—Lieutenant George O'Halloran Gavin to be Captain, by purchase, vice Guest, who retires, 26th May 1837 cancels his promotion, vice Macdonell.

Cornet Robert Abercromby Yule to be Lieutenant, by purchase vice Gavin, 26th May 1837, cancels his promotion, vice O'H. Gavin.

Marmaduke Gwynne, gent. to be Cornet, by purchase, vice J. C. R. H. Oguelin, who retires, 26th May 1837.

Thomas Follitt Powell, gent. to be Cornet, by purchase, vice Yule, 27th May 1837.

2d Foot.—Captain Thomas Hart Davies, from the half pay, unattached, to be Captain, vice Christopher Francis Holmes who exchanges receiving the difference, 9th June 1837.

6th Foot.—Captain Henry Caulfield, from the 26th regiment of Foot, to be Captain, vice Wilson, who retires upon the half-pay of the Coldstream Guards, 5th May 1837.

Lieutenant W. H. Middleton Ogilvie, from the 46th Regiment of Foot, to be Lieut., vice Atkins, who exchanges, 9th June 1837.

20th Foot.—Lieutenant Richard Henry Strong to be Pay Master, vice James Rodgers, who retires upon half-pay, 1st June 1837.

54th Foot.—Ensign Edward Honeywood, from the 88th Regiment of Foot, to be Ensign, vice Mosely, who exchanges, 2d June 1837.

85th Foot.—Ensign William Lee Fox Trench, from the 32d Regiment of Foot, to be Ensign, vice Robyns, who exchanges, 15th May 1837.

63d Foot.—Major John Garcock, from the half pay, unattached, to be Major, vice Cramer promoted, 9th June 1837.

63d Foot.—Charles Edward Fairclough gent. to be Ensign by purchase, vice Lyneth, who retires, 12th May 1837.

Unattached.—Major Henry Cramer, from the 63d Regiment, to be Lieutenant Colonel, without purchase, 9th June 1837.

Hospital Staff.—Deputy Inspector General of Hospitals, Donald Macleod, M. D., to be Inspector General of Hospitals, vice Forbes, who retires, 1st June 1837.

Deputy Inspector General James Arthur, M. D., from the half pay to be Deputy Inspector General, vice Doctor Macleod, 1st June 1837.

By Order of the Commander in Chief,

R. TOOMAN, Major Genl.
Adj. Genl. to Her Majesty's Forces in India.

A committee of horse artillery and cavalry officers will assemble at Ghazapore, on the 10th proximo, for the purpose of passing into the service such colts as may be presented by the superintendent of the central stud, and which the committee may consider fit for military purpose.

PRESIDENT.—Major Curston, Her Majesty's 16th lancers.

MEMBERS.—A Captain, 2d brigade horse artillery.—A Captain 5th light cavalry.—A Subaltern, 8th light cavalry.

The Cawnpore division order of the 11th ultimo, appointing Assistant Surgeon A. Colquhoun of the 43d, to the medical charge of the 71st regiment of native infantry, vice Tucker, placed at the disposal of the Lieutenant Governor of the North Western Provinces, and directing Assistant Surgeon J. Banford, of the 6th battalion of artillery, to afford medical aid to the 43d native infantry, vice Colquhoun, is confirmed.

The detachment order by Captain W. R. Maldman, commanding the 3d troop 2d brigade horse artillery, under date the 15th ultimo, directing Gnaner N. Pulling to perform the duty of camp-colourman to the detachment, during its march to Cawnpore, is confirmed.

Ensign W. Richardson, of the 73d regiment of native infantry having been declared by the examiners of the College of Fort William to be qualified for the office of interpreter to a native corps is exempted from further examination in the native languages.

The undermentioned officers have leave of absence:

63d regiment native infantry—Surgeon D. Butler, M. D. from 1st November to 1st February 1838, to proceed on the river, on medical certificate.

29th regiment native infantry—Ensign H. S. Stewart, from 26th October to 10th December, to proceed on the river, on medical certificate.

Invalid establishment.—Captain T. C. Wilton, from 15th October to 15th January 1838, to remain at Delhi, on private affairs.

Head-Quarters, Camp, Khyral, 7th November, 1837.—His Excellency the Commander in Chief in India directs the publication of the following General Order, issued to Her Majesty's troops, and dated.

Head Quarters, Camp, Patseah, 2d November, 1837.—No. 73.—The mutiny act, dated the twenty-first April one thousand eight hundred and thirty-seven, and the articles of war, dated the twenty-fifth April one thousand eight hundred and thirty-seven, being now received, His Excellency the Commander in Chief of Her Majesty's forces in India, in compliance with the 7th clause of the former, declares it may be notified, that this act shall, from and after the date of its receipt, and promulgation in General Orders, become and be in full force within the limits of His Excellency's command, to the first day of February one thousand eight hundred and forty, or until further orders.

His Excellency the Commander in Chief having recently had before him a case in which an European garrison court martial, at which a field officer presided, sentenced a Gunner, for a flagrant breach of discipline, of which he pronounced him guilty, to be reprimanded by the general officer commanding, deeming it necessary to call the attention of officers to the General Order by the late Marquess of Hastings, of the 2d of July 1830, in which the impropriety of sentencing a non-commissioned officer to be reprimanded, is pointed out; and to direct, that a punishment, so to

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tally in appropriate, be not again passed on any non-commissioned officer, or private, serving in the army.

The undermentioned officers have leave of absence:
 81st Regiment Native Infantry.—Ensign J. C. Robertson, from 7th November to 10th November, on medical certificate, to join the headquarters of his regiment at Kurnal.

Head Quarters, Camp, Hansi, 13th November, 1837

The undermentioned officers have leave of absence:
 17th Regiment Native Infantry.—Col. W. M. Faithful M. B. from 30th November to 1st March, 1838, in extension, to visit the Presidency, on medical certificate, preparatory for leave to sea.

N. B. This cancels the unexpired portion of the leave to reside at Simla, granted in General Orders, of the 3d March last.
 89th Regiment Native Infantry.—Captain E. T. Milner, from 20th December to 4th November, 1838, in extension, to remain in the north of Deyrah, on medical certificate.

50th Regiment Native Infantry.—Ensign G. E. Nicolson, from 20th December to 4th November, 1838, in extension, to remain in the hills north of Deyrah, on medical certificate.

By order of His Excellency, the Commander in Chief.

J. R. LUMLEY,

Major General, Adjutant General of the Army.

Head Quarters, Camp, Ballou, 8th November 1837—The district order by the Officer commanding the Rajpootannah field force, under date the 28th ultimo, directing Assistant Surgeon A. Mackean, of the 9th Regiment of light cavalry, to proceed to Beawer, and afford medical aid to the Whaitwarrah local battalion, vice Assistant Surgeon H. Maclean, proceeding on leave to the Presidency, is confirmed as temporary arrangement.

Captain John Welchman, 2d Assistant Adjutant General of the Army, is appointed to the charge of the Adjutant General's office at the Presidency, and directed to proceed and join by water.

Major N. Penny, Assistant Adjutant General of the Presidency division, will relieve Lieutenant Colonel Anquetil from the charge of the office, and will conduct the details of the Adjutant General's department in Calcutta, until the arrival of Captain Welchman.

His Excellency the Commander in Chief is pleased to make following appointment.

63d Regiment of Native Infantry.—Lieutenant Robert Troup to be Adjutant, from the 15th January last, in succession to Lieutenant W. F. Grant proceeded on furlough.

The leave of absence, for three months, granted to Lieutenant and Brevet Captain F. Thomas, of the 73d Regiment Native Infantry, in General Orders of the 28th September last, is to be calculated from the 15th instant, instead of the 18th ultimo.

Staff Sergeant Michael Heery, of the 2d, and Sergeant John Doyle, of the 1st company 1st battalion of artillery, are transferred to the Town Major's Hat, and appointed Quarters Master Sergeants, the former to the 4th Regiment of Native Infantry, vice Charlie, pensioned, and the latter to the 73d Regiment of Native Infantry, vice Burnett invalided.

Gunner James Carey of the 2d company 4th battalion of artillery is promoted to Corporal, transferred to the Town Major's Hat and appointed Gun Corporal to the Assam light infantry, vice Conliffe promoted.

The undermentioned officers have leave of absence:

57th Regiment Native Infantry.—Lieut Colonel H. Morrison, from 8th November, to 8th February 1838, in extension to proceed to the Presidency, preparatory to applying for furlough, on medical certificate.

1st Regiment Native Infantry.—Lieutenant G. A. Fisher, from 1st December, to 15th March 1838, to visit the Presidency, preparatory to applying for furlough Europe, on private affairs, for one year, without pay.

Head Quarters, Camp, Shamto, 8th November, 1837—The presidency division order of the 18th ultimo, appointing the undermentioned Cornets and Ensigns to no duty with the regiments specified opposite to their respective names, is confirmed:
 Cornet Francis Walker Drummond, 5th Regiment of light cavalry at Cawnpore.

Cornet Frederick Neil Edmonstone, 8th Regiment of light cavalry at Sultanpore Bahadur.

Ensign William Hooper, 6th Regiment of Native Infantry at Cuttack.

Ensign James Grant Stephen, 15th Regiment of Native Infantry at Berrakpore.

Ensign Peter Drummond, 19th Regiment of Native Infantry at Cuttack.

Ensign Dunfries Crawford Alison, 25th Regiment of Native Infantry at Allahabad.

Ensign Edward Close, 65th Regiment of Native Infantry at Berhampore.

His Excellency the Commander in Chief is pleased to make the following appointment:

53d Regiment Native Infantry.—Lieutenant J. Hunter to be Adjutant, vice Talbot, who has proceeded to Europe on furlough. Half pay Surgeon George Paylor is transferred from the 1st Regiment to the 39th Regiment of Native Infantry, to fill a vacancy, as Surgeon, in the latter corps.

The undermentioned officers have leave of absence:

2d Regiment Native Infantry.—Lieutenant J. Shaw, from 1st October to 31st October, in extension, to remain at the Presidency, on medical certificate.

59th Regiment Native Infantry.—Lieutenant Intr. and Qr. Mr. M. Myslop, from 8th November, to 2d July 1838, to visit the Presidency, on urgent private affairs.

Head Quarters, Camp, Jhansi, 10th November 1837—His Excellency the Commander in Chief is pleased to make the following appointments:

5th Battalion of Artillery.—1st Lieutenant C. S. Reid, of the 3d company 2d battalion of artillery, to be Adjutant, vice Torton proceeded on furlough.

Brevet Captain G. J. Cookson to be Adjutant to the left wing 2d battalion of artillery, vice Rold.

The above appointments will have effect from the date on which Brevet Captain Torton may quit the Presidency.

Assistant Surgeon E. Thompson, on furlough, is removed from the 27th to the 4th Regiment of Native Infantry.

Assistant Surgeon F. Fleming is removed from the 59th to the 27th Regiment Native Infantry, and directed to join.

Head Quarters, Camp, Narnound, 17th November, 1837—The Cawnpore division order of the 2d instant, appointing Assistant Surgeon J. MacRae, of the 3d troop 2d bridge horse artillery, to the medical charge of the staff at Cawnpore, vice Mackinnon proceeding with his corps to Meerut, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment.

Lieutenant A. Grant, of the 26th Regiment of Native Infantry, to be Adjutant and Quarter Master of the Europeans invalided at Cawnpore vice McKean promoted.

1st Lieutenant A. Hamfrays, doing duty with the 1st troop 2d bridge horse artillery, will join the 1st troop 2d brigade, to which he stands posted, when the two troops meet on the 1st march to effect the relief making over charge of the former to the next senior officer 1st Lieutenant R. G. Austin.

Sergeant Samuel White of the European invalids, is permitted to reside and draw his pay and batta at Allahabad.

Bhowany, Native Doctor, of the 59th Regiment Native Infantry having been pronounced by a medical committee to be ignorant of his profession in all its branches, is to be discharged the service from the 1st proximo.

The undermentioned officer has leave of absence:

3d local horse.—Lieutenant and Brevet Captain G. A. Barber 2d in command, from 1st November to 30th November, in extension, to enable him to join.

Head Quarters, Camp, Hansi, 10th Nov. 1837—His Majesty had been pleased to make the following promotion and appointments in the Regiments serving in India:
 4th Light Dragoons.—Lieutenant Francis Frederick Janvrin, from the 20th Regiment of Foot, to be Lieutenant, vice Perce, who exchanges, 5th January 1837.

49th Foot.—Sergeant Major Mayne, from the 63d Regiment of Foot, to be Quarter Master, vice Brew who retires, upon Halfpay, 2d June 1837.

54th Foot.—Ensign Edward Honeywood, from the 83th Regiment of Foot, to be Ensign, vice Long promoted, 23d June 1837.

Memoandum.—The exchange between Ensign Mostyn, of the 54th Foot, and Ensign Honeywood, of the 59th Foot, as stated in the Gazette of the 2d instant, has not taken place.

His Majesty has been pleased to make the following promotion and Appointment in the Army serving in India:

Cavalry the Promotion. 31st Foot.—Ensign George Friend to be of Ensign Duncan to this Lieutenant by purchase, vice Maclean, who retires, 4th July, 1837.

George Bainbridge Shaw, sent to be Ensign, by purchase, vice Friend 14th July, 1837.

The Commander in Chief has been pleased to make the following Promotion, until Her Majesty's pleasure shall be known.
 63d Foot.—Ensign G. N. Harrison to be Lieutenant without purchase, vice Faltrough deceased, 15th October, 1837.

GENERAL ORDERS ISSUED TO THE QUEEN'S TROOPS.

Head Quarters, Simla, 18th October, 1837.

The Commander in Chief in India has been pleased to make the following promotions, until Her Majesty's pleasure be known.

11th Light Dragoons.—Major Henry Fane, from the 9th Foot, to be Lieut. Colonel, by purchase, vice Bruton, who retires, 17th October 1837.

6th Foot.—Lieut. W. F. Jekyll, to be captain, by purchase, vice Morden, retired, 18th September 1837.

The promotion of Lieut Fraser, of 6th Foot, to be captain, has not taken place.

Head Quarters, Simla, 19th October, 1837.

The leave of absence granted by His Excellency Lieutenant General Sir J. Keane, to Lieutenant P. Kemp, 4th Dragoons, to proceed to Sea, for 6 months from date of embarkation, on medical certificate, is confirmed.

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The leaves of absence granted by His Excellency Lieutenant General Sir F. Maitland to the undermentioned Officers, are confirmed :

45th Foot—Captain W. H. Butler, to England, for 1 year from date of embarkation, on medical certificate.

5th ditto—Lieutenant S. Reed, to England, for 2 years from date of embarkation, on medical certificate.

The undermentioned Officers have leaves of absence :

9th Foot—Captain J. Donnelly, to England, for 3 years from date of embarkation, on private affairs.

16th ditto—Captain J. Brand, from 25th October 1837 to 24th April 1838, to proceed to Calcutta, on private affairs.

31st ditto—Major T. Skinner, in extension, from 1st January to 28th February 1838, to enable him to rejoin.

Head Quarters, Camp, Hansi, 14th Nov 1837.—No. 75.—With reference to the 15th and 16th Articles of the Pension Warrant of the 25th November 1829 and to a Communication from the Office of the Right Honorable The Secretary at War, His Excellency the Commander-in-Chief is pleased to direct, that where Soldiers are permitted to Volunteer from one corps to another, as in the case of a Regiment going home, they are to be considered as transfers, receiving a bounty, and the proceeding of Regimental Board, discharge and new attestations are to be dispensed with.

A certified copy of the Register (Form B) of each Volunteer, be placed up to the end of the month, is to be sent with him from the Regiment he leaves to that into which his Services are transferred in which latter (see Form D) it is to be filed, and the history of his service to be continued on the same record.

1st. Instructions having been received for the relief of the 11th Light Dragoons by the 4th Light Dragoons from England, and the latter being duly expected to arrive, His Excellency the Commander-in-Chief is pleased to direct, that such Men of the former Corps (coming strictly within the meaning of the General Order of the 3d instant) who may be desirous of remaining in India, shall be permitted to volunteer their services to the 3d Light Dragoons and 16th Lancers, receiving a bounty of three guineas each.

2d. Major Cureton, Her Majesty's 16th Lancers, is appointed to superintend the Volunteering, under the General Order before alluded to, and will, on his arrival at Cawnpore, arrange with the Officer commanding the Division, the period it is to commence, from which it will terminate at the end of the third day.

The Officer Commanding the Meerut Division is directed to order a Captain and a Subaltern of the 16th Lancers, to proceed immediately to Cawnpore by water, to receive, and conduct the Volunteers for that Corps to Meerut.

Those of the 3d Light Dragoons, will continue to do duty with the 11th, till the departure of that Corps from Cawnpore, when they are to be made over to the charge of the Senior Officer removed from the 11th to the 3d Bngns; and will there await the arrival of the Head-Quarters of the Corps. That Officer will also receive charge of the Horses, and take care of them, aided by the Commissariat, until the arrival of the 3d

As soon as the Volunteering shall have ceased, a Numerical Return of Volunteers for each Corps, is to be transmitted to this Department, for the information of His Excellency the Commander-in-Chief.

Captains Bond and Triton, removed by the General Order of the 4th instant, from the 11th to the 3d Light Dragoons, will continue to do duty with the former Corps, till its departure from Cawnpore.

The Commander-in-Chief has been pleased to make the following promotion until the pleasure of Her Majesty shall be known.

16th Light Dragoons—Lieutenant P. Bingham to be Captain by purchase, vice Wadsworth promoted, 4th November 1837.

Brevet Captain French of the 36th or Cameronians having passed the prescribed examination as an Interpreter, before the Examiners of the College of Fort William, is deemed by the Commander-in-Chief in India, entitled to the allowance sanctioned in General Orders by Government, No. 208 of the 26th of September 1828.

The undermentioned Officers have leave of absence :

13th Light Infantry—Lieutenant Colonel W. H. Deane, in extension, from 2d August to the 1st of November 1837, on medical certificate.

35th Foot—Major C. Warren, to England, for 2 years from date of embarkation, on private affairs.

MEMORANDUM—The promotion in the 17th Foot, of Ensign J. Cameron, from the 5th Foot, to be Lieutenant, vice Erskine, has been cancelled from the 15th June last.

By order of the Commander-in-Chief,

R. TO WARD, Major Genl.,

Adj. Genl. to Her Majesty's Forces in India.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

- Nov 1 English Barque *Gaillardou*, Jas Rapson, from Penang 12th Oct; English ship *Mermad*, J Roche, from Moulineau 23d Oct.
- 2 Dutch Barque *Nederlander*, J. Lloyd, from Batavia 5th and Singapore 26th Sept; English Brig *Brigand* D Wemyss, from Singapore 2d, and Penang 17th Oct; English Barque *Commodore*, J Fisher, from New South Wales 10th Aug.
- 4 English Brig *Sir Wm. Wallace*, T. W. Tingate, from Penang 10th Oct.
- 5 French Barque *Auguste*, E Baurach, from Nantes 4th June, and Bourton 30th sep; English Barque *Barang*, R. Gordon, from Penang 17th Oct; English Barque *Porthshire*, J. Jameson, from Sydney 23d August.
- 9 French Ship *Cordonau*, P. Dapeyron, from Bordeaux 17th July; English Ship *Osterpool*, J Richardson, from Liverpool 13th July; English Schooner *Flora McDonald*, N Major, from Rangoon 31st Oct.
- 10 H. M. Ship *Larne*, Capt. F. J. Blake, from Trincomalee 13th and Madras 15th Oct, and English Bark *Bengalee*, Thos. Hamlin, from Greenock 29th June.
- 11 English Ship *London*, J. Wimble, from Portsmouth 23d July.
- English Ship *Mount Stuart Elphinstone*, W Toller, from London 17th July; English Barque *Whitby*, J Swinton, from London 14th June; English Barque *Atterat*, Nacoda, from Penang 23d Oct.
- 13 English Barque *Raj Rames*, G W Phillips, from London 17th June; English Barque *Christopher Rawson*, H Harding, from Liverpool 24th June.
- 22 French Ship *Edward*, T Ducom, from Bordeaux 17th July, and Pondicherry 20th October.

- Nov. 23 English Ship *Ducks of Bedford*, W. A. Bowen, from Plymouth 6th August, and English Ship *Scotia*, J Campbell, from Portsmouth, 7th August.
- 25 English Bark *British Monarch*, W Farvis, from Moulineau 7th November.
- 26 English ship *Ruby*, J Hews, from China 14th and Singapore 28th October; Dutch Frigate *Bellona*, Arreens, from Penang (no date); English ship *Windsor*, A Hennin, from London 26th July, Portsmouth 5th August, and the Cape of Good Hope 5th October; English ship *Shaw Allam*, from China 14th, and Singapore 31st October; English Ship *Hydroos*, Nacoda, from Tellicherry 12th October.
- 27 English ship *Robert Small*, W Fulcher, from Portsmouth 8th August; Arab ship *Solomon saw*, Nacoda, from Muscat 2d September.
- 29 English Bark *Will Watch*, W Barrington, from Singapore 26th October and Penang 6th November, and English Bark *Namuel Harrocks*, J Stephen, from Singapore 29th October, Malacca 1st and Penang 8th November.
- 30 English Barque *Swallow*, W Adam, from Penang 8th November; English ship *Janet*, J Chalmers, from the Mauritius 20th October.

ARRIVALS OF PASSENGERS.

- Per *Gaillardou*, from Penang—Mrs Rapson; C Prinsep, Esq, Barrister; John King, Esq; John Biddle, Esq, Merchant.
- Per *Mermad*, from Moulineau—Mrs Barney; Mrs Roche; Miss Carmichael; Lieut-Col Burney and 3 Children.
- Per *Nederlander*—Mr E Gregory, Armenian Priest.
- Per *Brigand*—Mr Wilkinson, Mariner.
- Per *Sir Wm Wallace*—Mrs Beauchamp; Mrs. Ellis; Revd J D Ellis; Masters James Ellis and John Ellis; Mr C Gillesteon.

GENERAL REGISTER.

Per London, from Portsmouth.—Mrs Kingston, Mrs Ross, Mrs Blake, Mrs Halford, Mrs Teal, Miss Johnston, Miss Barton, Miss Georgiana Barton, Miss Louisa Barton, Miss Smith, Miss Durham, Miss Ann Barton, Major Kingston, 52d N. I., Captain Verbury, H. M. 3d Light Dragoons, Lieut Gray, 44th, Wm. Barrett, Esq, H. C. 2d Light Cavalry, Rev Mr Wyblow, C. H. Blake, Esq, Henry Henderson, Esq, of the Bengal Bank, George Teal, Esq, Mr Wm Barrett, H. C. Service, Mr John Paton, Cadet, Messrs Edward Patbury, C. W. Pigneh, John Brandland, 19 Beau-land, 3 Turbulla, Richard Leslie and H. W. Wood, six servants, forty-six privates, six women and two children, of H. M. 3d Light Dragoons.

Per Mount Stuart Elphinstone, from London.—Mrs Colonel Thackeray, Mrs Cornick, and Mrs Sullivan; Misses Louisa Cornick, Harriet Cornick, Webb and Marnell; Col Joseph Thackeray, Capt R. B. Hall, Major C. G. Shide, Lieut W. Unett and G. Forbes, Cornet J. Wyld, Adjutant J. Sullivan, Surgeon J. Henderson, Paymaster E. Cornick, Vet Surgeon G. Edlin, 8 sergeants, 2 trumpeters, 8 corporals, 82 privates, 12 women and 21 children of the 3d or King's own Light Dragoons; and Thos Cole, cadet.

Per Whitby, from London.—Mr J. H. Chalke, H. C. Pilot Service, and tly Norris.

Per Raj Rancee from London.—Mrs Phillips and Edward Black, Esq, Attorney at Law.

Per Scotia.—Mrs Ogilvie; Mrs Montgomery; Mrs Guyon; Misses Boldero, Ogilvie, Fetter, and Tweedie; Adam Ogilvie, Esq, Bengal Civil Service; Capt Montgomery, 7th Regt Madras Cavalry, Captain Guyon, 51st Regiment B. N. I. Dr Wilson, Bengal Army, Mr White, Cadet; Messrs Waghtreiber, Tweedie, A. Wagon richier, Steven; Master Montgomery Steerage Passengers—Miss Perkins; Miss Macdonald, 60 Honble Company's Recruits, 4 Women and 3 Children.

Per Duke of Bedford.—Messrs Erskine, Richards, J. H. Mathews and Adven; Messrs Erskine, Hull, B. Hills, Mathews, and Lethbridge; F. Lyon, Captain Wm Ellis and A. Mercer, B. N. I.; J. W. Kave, Esq, B. Artillery; Cecil Trower, Esq, B. N. I.; Chas Richards, Esq, Messrs Lemaichand, T. Sherman and Sutherland.

Per Ruby, from China.—Mrs Brightman and family; Mrs H. bery; T. C. Bate and E. W. Brightman, esqrs, merchants. *From Singapore.*—J. P. Palmer, esq, Merchant.

Per Windsor.—Mrs W. W. Bird and child; Mrs Longueville Clarke and child; Mrs R. W. Bird; Miss Emily Fane; two Messrs Leycester; two Misses Whishes; Revd. H. S. and Mrs Fisher; Misses Graham, Bracken and Lamb; John Moore, esq, Mrs Moore and two children; Messrs A. H. Cooke and G. C. Barves, Writers; Messrs F. J. Alexander, R. Hicks, R. W. H. Fauschawe and J. Clarke, Cadets; Mr N. B. Edmonstone, C. S. from the Cape; Messrs C. and E. Martin, Steerage passengers.

Per Shaw Allum.—Brigadier Penny, Major Warren and Mr Toovey.

Per Hydroos, from Tellicherry.—Arthur Shakespeare, Esq Esq sign H. M. Regt.

Per Robert Swallow.—Mrs Cunliffe, Mrs Atherton, Mrs Remington and Mrs Grant; Misses Grant; Miss Wa son, Miss Richard-son and Miss Richards; Misses Bowen; Misses Pigou; Col G. Williamson, Bengal Army; R. E. Cunliffe, Henry Atherton and Francis L. Beaufort, esqrs, Bengal civil service; Major Clements, H. M. 16th foot; Major Blyth, H. M. 49th ditto; Captain Strang, H. M. 20th ditto; P. Bonville, esq, Merchant; James Grant and Rock Mackenzie, esqrs; Ensign MacAdam, H. M. 49th foot; Ensign Parker, H. M. 26th ditto; Ensign Rodgers, H. M. 16th ditto, and Henry Carter, Cadet, Bengal establishment; James James, Steerage passenger.

Per Swallow, from Penang.—The Honble T. W. Salmon, Esq, Resident Councillor Penang; Capt. Poye, Noyon's service; Lieut James, H. M. 20th Regt; and Mr Shun, Mariner.

Per Janet.—Mr F. Brion.

DEPARTURES FROM CALCUTTA.

Nov. 3 *Futta Rohoman*, Nacoda, for Bombay.

10 *Cashmere Merchant* R. E. Snelle, for Madras and Moulinein, and *Luildee*, W. D. Mcsiste, for Penang and Singapore.

18 *Betsy*, T. J. Sniffeld, and *Fortheld*, J. Sly, for Bombay.

20 *Alexander*, W. Ramsay, for the Mauritius.

21 *Clairmont*, A. O. Olive, and *John William Darc*, R. W. Evans, for Bombay.

25 *Collingwood*, H. Holmes, for Liverpool. *Patriot*, J. Marshall, for Madras; *Ambassador* J. T. Atwood, for the Mauritius.

26 *Tom Thumb*, Jas. McGill, for Madras.

29 *Mennon*, H. D. Every, and *Duke of Lancaster*, J. Har- graves, for Liverpool.

DEPARTURES OF PASSENGERS.

Per Perfect, for London.—Mrs Orr, Capt Orr, Dr Burt, and Mr Chuck.

Per Coronandel, for London.—Mrs Col Peckett; Mrs Col Cramer; Mrs Dallas; Mrs Fitzgerald and Child; Mrs Bates and Child; Mrs Place and two Children, Miss Beckwith; Lieut Col Cramer, H. M. 62d Regt; Capt Cotton, 67th ditto; Lieut Hudson 67th ditto; Lieut Fitzgerald, Artillery; Lieut Brooke, H. M. 31st Regt; Dr Agnew; Ensign McMahon, H. M. 84th Regt; Mr Bates and Master Bray.

Per Springapatam.—Lady Malkin and 2 Children; Miss Dr Garden and child; Mrs Major Mathias and 2 children; Mrs Capt Trevelyan; Mrs Rose; W. Wilkinson, Esq, C. S.; Col Tickell, C. B.; H. Scott Esq, C. S.; W. H. Martin, Esq, C. S.; Capt Treve-lyan; Capt Rose, 11th Light Dragoons; Capt Todd, Madras Army; — Cobbe, Esq.

DOMESTIC OCCURRENCES.

BIRTHS.

Sept. 15 At Sea, on board the *Fibesia*, the lady of Lieutenant W. B. Holmes, 12th Regiment B. N. I., of a son.

30 At Muttra, the lady of Captain R. Wroughton, of a daughter.

Oct. 4 At Agra, the lady of F. O. Wells, Esq, of a son.
5 At Neemuch, the lady of Captain G. Thomson, S. A. C. G., of a son.

17 At Meerut, Mrs R. McAuliff, Horse Artillery, of a daughter.

24 At Belcoochy, Mrs C. A. Lloyd, the lady of Theo Lloyd Esq, Indigo Planter, of a daughter.

25 At Mussoree, the lady of G. H. Smith, Esq, of the civil service, of a daughter.

Oct. 25 At Mussoree, the lady of Lieut. Colonel Frederick Young, Political Agent in the Doon, of a daughter.

28 At Berhampore, the lady of Brevet-Capt Goldney, 4th Regt N. I., of a daughter.

29 At Cawnpore, Mrs R. B. Wrixon, of a daughter.

30 At Muttra, the lady of Capt. R. Wroughton, of a daughter.

Nov. 1 At Shahabad, the wife of Mr. J. W. Grange, of a son.

— At Farneah, the lady of George Palmer, Esq, of a daughter.

2 At Cuttack, the lady of Lieutenant and Adjutant Rice, of the 6th regiment native infantry, of a son.

GENERAL REGISTER.

Nov. 2 At Moorshedabad, the lady of A Keso, M D, of a son.

— At Neemuch, the lady of Major Macdonald, 49th N I of a son.

3 In Wellesley Square, the wife of Mr Robt J Rose, Executive Officer, Hydrolic Division, Department of Public Works, of a daughter.

4 At Boorah, the lady of R E Blaney, Esq, of a son.

5 At Calcutta, Mrs Joseph W Cragg, of a son.

— At the Mint, the lady of James Prinsep, Esq, of a daughter.

7 At Shahjhanpore, the lady of captain Kenneth Campbell, 45th Regt N I, of a son.

— At Hauzarebaugh, the lady of Capt R J Campbell, H M's 49th Regt. of foot, of a daughter.

8 At Calcutta, the lady of Lieut J Tennant, Artillery, of a son.

10 At Mirzapore, T Barlow, Esq, the lady of Lieut S Toulmin, 63d N.I., of twin daughters.

— At Agra, the lady of G F Harvey, Esq, of a daughter.

11 At Calcutta, Mr. Wm. Byrn, of a son.

— At Calcutta, the lady of F Harris, Esq, of a son.

— At Calcutta, Mrs John Stark, of a son.

— At Calcutta, Mrs H J Joskin, of a daughter.

— At Calcutta, Mrs Anderson, of a daughter.

— At Saugor, Central India, the lady of Capt K F Mackenzie, 64th Regt. N I, of a son.

— At Meerut, the lady of captain Carmac, Her Majesty's 3d regiment of Bulls, of a daughter.

— At Bitoool, the lady of captain F Seaton, 66th regiment native infantry, commanding the station, of a son.

12 At Calcutta, the wife of Mr. E T Power, H C Marine, of a daughter.

— At Calcutta, at the Church Mission House, the lady of the Revd T Sandys, of a son.

14 At Cawnpore, the lady of Major J D Parsons, 50th regiment native infantry, of a son.

— At Ghazepore, the lady of John Jackson, Esq, civil surgeon, of a daughter.

— At Allahabad, the lady of Capt. Tudor, 46th regiment native infantry, of a daughter.

16 At Agra, the lady of Brian Hodgson Esq, of a daughter. On the river near Nauparah Jessore, Mrs S E Rice of Lyllidab, commercially, of a son.

18 At Chandernagore, the lady of Dr Yeatman, M D Surgeon, 3d Regt N I, of a daughter.

20 At Calcutta, Mrs W J Cade, of a son.

23 At Calcutta, the lady of capt. H Doveton, of a daughter.

24 At Calcutta, Mrs. Wm. Chester, of a son.

— At Calcutta, Mrs J Harris of a son.

28 At Calcutta, Mrs Charles Martin, of a daughter.

— At Calcutta, the lady of George Gough, Esq, civil service, of a daughter.

MARRIAGES.

Nov. 2 At Calcutta, at the Old Church, by the Venerable Archdeacon Dealtry, Robert Francis Hodgson, Esq, of the Civil Service, to Elizabeth Charlotte, eldest daughter of the Rev William Greenwood.

— At St James' Church, Delhi, by the Rev J Whiting Mr. John Cowley, to Elizabeth Ann, daughter of E Parsons, Deputy Assistant Commissary of Ordnance.

Nov. 2 At Allahabad, Mr Edward Winston, to Miss Mary Lawler.

6 At Calcutta, at the Cathedral, by the Reverend T Robertson, Thomas George Cleve, Esq, to Miss Maria Caroline Humphreys.

21 At the Old Church, by the Venerable Archdeacon Dealtry, Capt H M Potter, to Miss Charlotte Mary Cooper

7 At Simla, by Colonel Tapp, Political Agent, Mr Charles Grubb, to Miss Eliza Mying.

11 At Calcutta, at the Principal Roman Catholic Church, by the most Rev R St Leger, D D Vicar Apostolic of Bengal, and at St Andrew's Church, by the Rev Mr Micklejohn, Peter Macdonald, Esq, to Miss Eliza MacHardy.

12 At Midnapore, by the Revd Fr Paul de Gradosky, Missionary Apostolic of the Holyroth Catholic Church, Mr Louis Joseph Masoun, of Calcutta, to Louisa, second daughter of Mr Francis Miranda.

14 At Calcutta, at the Cathedral, by the Revd R B Boswell, Captain Henry Willoughby Trevelyan, Assistant Agent to the Governor General for the States of Rajpootana, to Emma Anne, youngest daughter of the late Sebastian Holford Greig, Esq.

— At Agra, at St. George's church, by the Reverend Mr, R Chambers, Mr Edward Huet Shouldham, of the Secretary's office, Political and General Department, to Susan Margaret, eldest daughter of Mr George Grainger, of the Ordnance Department.

16 At Moughyr, by the Right Rev the Lord Bishop of Calcutta, the Hon'ble Edmond Drummond, B C S, to Julia Mary, second daughter of J C C Sutherland, Esq.

20 At Calcutta, at the Cathedral, by the Rev H Fisher, Mr William Henry Fox, to Miss Harriett Jane Allan

21 At Calcutta, at the Cathedral, by the Reverend H Fisher, Mr Henry Miller, to Miss Elizabeth Gomes.

22 At Calcutta, at the Scotch Church, by the Revd James Charles, Mr Thomas Grey to Miss Maria Amelia Poole, daughter of Lieut Poole, H C Service.

25 At Calcutta, at the Cathedral, by the Revd. T Robertt son, Mr Edward Williams, to Mrs Margaret Todd.

— At Calcutta, at St. John's Cathedral, by the Reverend, T Robertson, M A, Miss Mary Sophia, the eldest daughter of Mr J W Miller, Superintendent of the Bible Depository, to Mr George Hall, H C M, eldest son of captain John Hall, of the Bombay Marines.

— At Barrackpore, by the Reverend A Hammond, James Henry Ferris, Esq, Adjutant 12th regiment native infantry, to Georgiana, fourth daughter of the late Captain Tritton, Her Majesty's 24th Dragoons.

27 At Chinsurah, P T Onraet, Esq, of Narainpore Factory, Bhangulpore, to Mrs D'Abadie, relict of D'Abadie Esq, of the same place.

30 At the Cathedral, by the Revd. T Robertson, W E Jenkins, Esq, to Miss Azusa Greig Hodges, the youngest daughter of the late Joseph Hodges, Esq.

July 26 Euxore. — At Wallingford, Lieutenant Cecil Arding, of the 58th Regiment of Bengal native infantry, to Elizabeth, youngest daughter of the late Edward Wells, Esq.

DEATHS.

Oct. 1 At Humeerpore, Mrs Elizabeth Barnes, aged 44 years, At Neemuch, lately, Captain Gifford, 49th Regiment Native Infantry,

26 At Agra, John, the youngest son of Mr and Mrs James Ecde, aged 6 months and 24 days,

GENERAL REGISTER.

20 At Cawnpore, Emily Mary Ransford, aged 5 years and 13 days, the only surviving child of J Ransford, 6th Battalion Artillery.

Nov. 2 In the village of Shawson, near the Barrackpore Salt Agency Office, in 24 Pergunnahs, Baboo Ramtomon Chatterjee, aged 97 years, 3 months and 14 days.

2 At Calcutta, Mr Lewis Cornelius Cooper, eldest son of Mr Lewis Cooper, aged 20 years, 7 months and 7 days.

5 At Barrackpore, Catherine Mary, the daughter of Capt Cumberlege, 41st Regt N I, aged 1 year, 9 months and 13 days.

8 At Calcutta, Mr. Celclough St Leger Kieruan, aged 27 years and 4 months.

10 At Calcutta, Mr Robert Ker, aged 55 years.

12 At Calcutta, Miss Julia Emelia Durgeon, 35 years.

— At Calcutta, Mr. Jno. Robinson, aged 35 years.

14 At Calcutta, Mr. John Davis, aged 40 years.

16 In Chowringhee, Jemima Eleonora, daughter of H Waltern, Esq., C S., aged 8 months.

— At Calcutta, Mr Owen Sarkies Owen, eldest Son of Owen Sarkies, Esq., Merchant, aged 35 years and 14 days.

— At Calcutta, Miss Julia Emelia Durgeon, aged 5 years 1 month and 9 days.

17 At Calcutta, Mrs. Matilda Henson, wife of Mr. Edward Farlie Henson, Assistant to Messrs Howard, Hardiman and Co, aged 15 years and 5 months.

21 In Circular Road, Edward Richardson, 2d mate H C Pilot Service, aged 18 years and 4 months.

— At Calcutta, Mrs Nathalia D'Souza, aged 70 years.

— At Cuttack, Mrs A M D'Santos, wife of Mr J J D'Santos head assistant in the collector's office, aged 38 years, 3 months and 27 days.

24 At Calcutta, Mr W R Fenwick, aged 34 years and 6 months.

25 At Calcutta, James Bell, Esq, aged 40 years.

26 At Calcutta, Mr. Henry Morris Baker, of the Honorable Company's Marine, aged 16 years.

29 At Chowringhee, William Henry Smith, son of F C Smith, Esq, civil service, aged 10 months and 9 days.

— At Cooley Bazar, conductor G Irish, aged 45 years.

ADMINISTRATIONS OF ESTATES.

ESTATES OF

EXECUTORS, ADMINISTRATORS, &c.

John Fountain, late of the town of Calcutta, Esq, Attorney at Law.....
Edward Barnett, formerly in the Civil Service of the East India Company.....
Hugh Mackenzie, M. D., late an Assistant Surgeon of the 66th Regt. of Native Infantry.....
W Pigou, formerly of the town of Calcutta, gentleman.....
David Dowie, late a Lieut. Col. in the 2d Regt. of Native Infantry.....
Susan Jackson, late of Dinapore, widow.....
Rugg Dwyer, late of Calcutta.....
Donald James MacLean, late an Ensign, doing duty with the 15th Regt. of Native Infantry at Barrackpore.....
David Nuthall, formerly of the town of Calcutta, Tailor.....
Richard Brittridge, late of Mirzaore, in the province of Benares, Agent.....
Alexander Abshire, late of the Cape of Good Hope, but formerly of Purneah, in the province of Bengal, Indigo Planter.....
F. F. Courcy, late an Assistant Overseer in the Military Service of the East India Company.....
Elijah Patto Impey, late an Ensign in the 18th Regiment of Native Infantry.....
William James Knox, late an Ensign in the Military Service of the East India Company.....
Michael Guyot, late an inhabitant of the town of Calcutta.....
Sophia Gibson.....
Andrew Stratton late an Assistant Surgeon in the Military Service of the East India Company.....
James Hutchinson, formerly of Calcutta, tradesman.....
John James Paterson, late a Surgeon in the E. I. C. service.....
James Ereen, late of the City of London in Great Britain, Civil Engineer.....
Thomas Celclough Watson, late a Lieutenant Colonel in the service of the Honorable the East India Company.....
John Cooper, late of Howrah, in the province of Bengal, Ship Builder.....
John Stewart, late of Calcutta, Esq, a member of the firm of Messrs. Mackillop, Stewart and Co., of the same place, Merchants and Agents.....
John Smith, late of Bloomfield, in Marberth, in the County of Pembroke in Great Britain.....
David Andrew, Senior, late of Calcutta, Esq, a British subject.....
Thomas Shield, late an Assistant Surgeon in the service of the Hon. E. I. C. and late of Khyock Phyeokin Atrasan.....
George Forbes, late of Contal in Hidgele, an Assist. Surgeon in the service of the Honorable the East India Company on their Bengal Establishment.....
Peter Borbie, late of Calcutta, Boot and Shoe maker.....
John Robinson, late of Chatawailla Gully, in the town of Calcutta, an assistant in the Military Department.....
Frances Catherine Patch of Berhampore, in the East Indies, widow.....

Registrar Supreme Court.

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GENERAL REGISTER. GOVERNMENT NOTIFICATIONS.

BY THE GOVERNOR GENERAL.

Camp, Benares, 22d November, 1837.—The Right Hon'ble the Governor General is pleased to appoint Veterinary Surgeon W. Barret, lately returned from furlough, to do duty with His Lordship's Body Guard.

Camp, Gussack, 25th Nov 1837.—The undermentioned officers are placed at the disposal of the Honorable the Lieutenant Governor North Western Provinces:

Lieutenant Henry Virtue Stephen, of the 19th regiment native infantry, for employment in the Revenue Department.

Lieutenant Andrew Ramsay, of the 34th regiment native infantry, for employment in a civil capacity.

Camp, Copee Guwar, 27th November, 1837—The Right Hon'ble the Governor General is pleased to make the following appointment:

Lieutenant Colonel Richard Powary, of the regiment of artillery, to be Principal Commissary of Ordnance, vice Colonel W. Battine. This appointment to have effect from the date of Colonel Battine's departure for Europe.

Camp, Lucknow, the 25th November, 1837—Lieutenant W. Ward, of the Madras horse artillery, is placed under the orders of the Resident at Hyderabad.

By order of the Right Honorable the Governor General of India.

Camp, Allahabad, 6th December, 1837—Colonel R. Tickell, a n. Superintending Engineer Lower Provinces, having obtained furlough to Europe. Captain E. J. Smith, Executive Engineer, 6th or 10th Division is appointed a Superintending Engineer from the date of Colonel Tickell's departure, and posted to the Central Provinces.

Captain Ward, Superintending Engineer, is removed from the Central to the North Western Provinces, and Major G. Smith Superintending Engineer, from the latter to the Lower Provinces, The President's Division, and duties of the Department of Public Works in Fort William; as also those of the Calcutta Canal and Iron Bridges, will be henceforth placed under the Superintending

Engineer, Cuttack Province, whose designation is changed to that of Superintending Engineer South Western Provinces.
WM. CASEMENT, M. G. Secy to Gov. Gen. Mil. Dept.

Camp at Allahabad, the 7th December, 1837.—The Right Honorable the Governor General of India is pleased to make the following appointment:

Lieutenant W. F. Eden, of the 3d regiment Madras native infantry, to be 3d Assistant to the Resident at Indore.

POLITICAL DEPARTMENT—Camp at Kussceah, 11th Decr 1837.

Mr R. Christie, Garrison assistant surgeon at Allahabad, has this day been nominated to officiate, until further orders, as surgeon to the residency at Nepal.

The Right Honorable the Governor General of India has been pleased to make the following arrangements:

Captain F. Chalmers, superintending of the Ashtagram division, in the Mysore territory, has obtained two years leave of absence to proceed to sea for the benefit of his health.

Captain J. Briggs, the 1st assistant to the commissioner, to officiate as superintending of the Ashtagram division during the absence of Captain Chalmers, or until further orders.

By order of the Right Honorable the Governor General of India.

Camp, Fultaipore, 15th December 1837.—The Right Hon'ble the Governor General is pleased to appoint Colonel Litter, of the 7th Regiment Native Infantry, (the senior Officer serving with the Troops East of the Barhampoote) to be a temporary Brigadier of the 2d class.

The Brigadier's Head Quarters will be at Sylhet, and in addition to the Force in that District, he will have under his general command the Troops in Assam, and at the Stations of Jumbulpore, Dacca and Chittagong.

A Brigade Major will be allowed to the Force under the Command of Brigadier Litter.

W. H. MACNAGHTEN, Secy to the Govr. Genl. of India.

CIVIL APPOINTMENTS, &c.

BY THE DEPUTY GOVERNOR.

GENERAL DEPARTMENT, 22d NOVEMBER 1837.

The Hon'ble the President in Council is pleased to attach Mr. G. F. Cockburn, writer, reported qualified for the public service to the Bengal Presidency.

The Hon'ble the Deputy Governor of Bengal has complied with the applications of the undermentioned gentlemen of the civil service for leave to proceed to Europe on furlough in the present season:

Mr H. P. Russell, and Mr D. C. Smyth.

Mr James Donathorne has been permitted to resign the East India Company's civil service from the 9th instant.

Mr G. F. Cockburn, writer, is reported qualified for the public service by proficiency in two of the native languages.

Mr R. C. Haikes has been permitted to proceed to Kishinachur and prosecute his study of the oriental languages at that station.

Mr Assistant Surgeon Alexander Smith is appointed Assistant to the Salt Agent of Dighelie, vice Dr. G. Forbes deceased.
29th NOVEMBER, 1837.

Lieutenant T. J. Taylor, secretary to the committee for revising the customs laws and Post Office regulations in India, resumed charge of his office on the 25th instant.

Mr C. T. Sealy has been permitted to resign the East India Company's civil service, from the 24th instant.

Mr H. M. Reid, writer, is reported qualified for the public service by proficiency in two of the native languages.

Mr W. J. Morgan having exceeded the period within which, under the orders of the Honorable the Court of Directors, he ought to have qualified himself for the public service by proficiency in two of the native languages, has been ordered to return to England.

The Honorable the President in Council is pleased to attach to the Bengal Presidency, Mr. H. M. Reid, writer, reported qualified for the public service.

6th DECEMBER, 1837.

The Hon'ble the President in Council is pleased to attach Mr. H. Atherton, to the Bengal Presidency.

Messrs. G. J. Siddons and W. H. Valpy have been permitted to resign the East India Company's civil service, the former from the date on which the Pilot master sent the ship "Madagascar" at sea, and the latter from the 1st instant.

Mr John Trotter, Opium Agent at Benares, has obtained leave of absence for one month, on private affairs, from the middle of the present month. Mr Assistant Surgeon John Jackson will carry on the current duties of the Agency during Mr. Trotter's absence.

Messrs R. E. Conliffe, and H. Atherton, of the civil service, reported their return to the Presidency from England on board the ship "Robert Small," on the 25th ultimo.

The Honorable the Deputy Governor of Bengal has been pleased to appoint Mr. E. E. H. Repton to officiate as salt agent of Balasore in the room of Mr. T. C. Scott. The appointment to take effect from the 25th October last, the date of Mr. Repton's receiving charge of the Agency.

Mr. W. J. Morgan having passed an examination on the 1st instant, and being reported qualified for the public service by proficiency in two of the native languages, the order issued on the 29th ultimo for that gentleman's return to England, is cancelled.

The following gentlemen, appointed by the Hon'ble the Court of Directors to the civil service of this Presidency, reported their arrival:

Mr Francis Leacock Benadort, on the 29th ultimo.

Mr George Carnie Burnes, on the 27th ultimo.

Mr. Arthur Herbert Cocks, on the 27th ultimo.

The Honorable the Deputy Governor of Bengal is pleased to appoint the following Gentlemen to be Post Masters at the Stations set against their names respectively:

Mr Assist. Surgeon J. O. Dyer at Midnapore.

Mr. Assist. Surgeon C. W. Fuller at Nuddea.

Mr Assist. Surgeon K. Makinon, M. D., at Tirhoot.

Mr. Assist. Surgeon A. Kean, M. D., at Berhampore.

Mr. Assist. Surgeon T. W. Hunt, at Chittagong.

Mr. Assist. Surgeon A. M. M. Minto, at Cuttack.

GENERAL REGISTER.

Mr. J. W. Salmon, Resident Councillor at Prince of Wales' Island, embarked for Calcutta, on the 9th ultimo under the leave granted him on the 11th of October last.

Captain Low has been appointed Acting Resident Councillor at Prince of Wales' Island during Mr. Salmon's absence.

Mr. Samuel Grilling, the Resident Councillor at Malacca, left that settlement on the 25th October last, under the leave granted to him in orders dated 9th August last.

The appointment by the Governor of Prince of Wales' Island, Singapore and Malacca of **Mr. William Thomas Lewis** to officiate as Resident Councillor at Malacca, during Mr. Grilling's absence, confirmed.

Under a resolution passed by the Right Hon'ble the Governor-General of India in Council on the 18th October last, the committee for Revising the Customs and Post Office regulations in India, will be dissolved from the 1st proximo.

Captain T. J. Taylor will, under the Superintendence of the Secretary to the Government of India in the General Department, receive and arrange the returns still expected, or in progress, and aid generally in the business of the Customs and Post Office Departments.

The Hon'ble the President in Council is pleased to attach **Mr. E. Currie**, of the civil service to the Bengal presidency, until further orders.

13th DECEMBER, 1837.

The following copy of an order in Council received from the Honorable the Court of Directors respecting an alteration in the Royal Arms, is published for general information:

L. S.

(Copy)

AT THE COURT AT BUCKINGHAM PALACE,

THE 26th JULY, 1837.

Present.

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas there was this day read at the Board a report from the Lords of the Committee of the whole Council in the words following, viz

"In pursuance of Your Majesty's Order in Council bearing date the 21st day of this instant, July, directing a committee of the whole Council to meet and settle what alterations it may be necessary to make in the Royal Arms in consequence of the demise of His late most Sacred Majesty, whereupon the German Dominions of His late Majesty devolved upon His Royal Highness the Duke of Cumberland, now Ernest Augustus King of Hanover the Lords of the committee have this day met and been attended by Deputy Garter King of Arms and Richmond and York Herald, who having submitted to their Lordships a drawing of the Royal Arms wherein the shield or luncheon of pretence representing the Arms of His late Majesty's German Dominions and assigned by the Royal Crown of Hanover are omitted, and the shield left to contain the Armorial Ensigns of the United Kingdom only as the Arms of Dominion, as in the drawing hereto annexed, and their Lordships approving of the said drawing do agree humbly to lay the same before your Majesty, in order to receive your Majesty's Royal Pleasure thereupon.

And the committee are further of opinion, that in the Great Seal of the United Kingdom and in all the Seals of other stamps, coins or instruments, where Your Majesty's present Arms are now used, the alteration above proposed should be observed, and also in Your Majesty's standard, and in the badges, &c. for the Kings of Arms and in the several ornaments of Your Majesty's state in Parliament or elsewhere.

And the Lords of the committee further submit their opinion, that it may be expedient, that Your Majesty's pleasure touching the said alteration should be signified by Your Majesty's Principal Secretary of State for the Home Department, to the Captain General of a land singular Your Majesty's land forces to the Commissioners for executing the office of Lord High Treasurer of Great Britain. The commissioners for executing the office of Lord High Admiral of Great Britain, the Lord Warden of the Cinque Ports, the Master General and the rest of the principal officers of the Ordnance; to Your Majesty's Secretary at War, and to the Master of Your Majesty's Mint, and also to the Lord Lieutenant of Ireland."

Her Majesty having taken the said report into consideration was pleased by and with the advice of Her Privy Council to approve thereof, and to order, as it is hereby ordered, that Her Majesty's commissioners for the management of the affairs of India do receive Her Majesty's Royal Pleasure and signify the same so far as respects the several prebendaries and Governments in India.

(Sd.) C. GREVILLE.

13th DECEMBER, 1837.

Mr. W. N. Garrett, of the civil service, reported his return to this presidency from England on board the ship "*Broxbornebury*," which ship arrived at the Sand Heads on the 8th instant.

Mr. R. E. Head, of the civil service, is permitted to proceed to Europe on furlough in the present season.

Mr. Macan, of the civil service, embarked for England on board the Arab ship "*Abdool Rahman*," which ship was left by the Pilot at sea on the 8th instant.

13th DECEMBER, 1837.

Mr. E. Currie, of the civil service, reported his return to this presidency from England on the 1st instant.

Messrs. T. C. Scott, W. H. Martin and W. Wilkinson, of the civil service, embarked for England on board the ship "*Seringapatam*," which vessel was left by the pilot at sea on the 16th instant.

H. T. PRINSEP, Secy. to Govt.

The following extracts from a letter from the Secretary of the Admiralty to Admiral the Hon'ble Sir Robert Stopford at Malta, dated 26th July 1837, apprizing him of a new arrangement about to be made for the periodical arrival and departure of the Mediterranean packets, is published for general information.

"I am commanded by my Lords Commissioners of the Admiralty to acquaint you, that the Lordships have entered into a contract for the conveyance of the Mediterranean mail bags to Gibraltar, and that Her Majesty's packets running direct from this country to Malta will be discontinued after the 1st August next; but that as the communication to Malta will be henceforward more frequent, some of the steam vessels now employed in the conveyance of the Mediterranean mails from England to Malta, Corfu and Alexandria, are to be retained in the Mediterranean for carriage on the service there.

It is the intention of my Lords that a communication once a fortnight should be maintained between Gibraltar and Malta; once a fortnight between Malta and Corfu, and once a month between Malta and Alexandria.

Two Steam Vessels will suffice for the first and one for each of the latter services. It is the intention of my Lords that Malta should be the rendezvous of those vessels.

"A steam vessel will leave Plymouth every Monday and reach Gibraltar in nine days,—that is every Tuesday night or Wednesday morning.

"It is the intention of my Lords allowing six days for the voyage from Malta to Gibraltar that one of Her Majesty's steam vessels should leave Malta every alternate Thursday so to reach Gibraltar at the same time as the steam vessel from England on the Tuesday night or Wednesday morning, remaining there twenty four or thirty six hours, if so much can be allowed, and returning to Malta so as to reach that place on the Tuesday following.

"The second packet will leave Malta for Gibraltar the ensuing Thursday and pursue the same course. Each packet will be absent thirteen days, and then remain fifteen days in harbour.

"A steam packet will leave Malta in the same manner for Malta Corfu interval of a day between the arrival of the packet from Gibraltar and the starting of the packet for Corfu. She will pursue the same course as is now done, and remaining five days at Corfu, return in time to leave a day's interval at Malta, before the departure of the next packet for Gibraltar.

"After an interval of two days from the arrival at Malta of the packet from Gibraltar, bringing the mail which is to leave Plymouth on the first Monday in September, a steam packet will proceed to Alexandria, remain there one day, then proceed to Beyrout, to remain there two days, return to Alexandria, remain there six days, and then return to Malta where she will be expected to arrive so as to leave two days' interval between the starting of the next packet for Gibraltar.

"They stay of six days at Alexandria is given to allow for the uncertainty of the arrival of the Indian mail by the Red Sea.

"It is presumed that the time of five days at Corfu will enable the packet running to that place to perform the ordinary repairs of which she may stand in need; she will be at most seven days at sea out of every fourteen.

"The Alexandrian packet will have time during her six days at Alexandria for the same purpose, or during the three days she will remain at Malta, but as she will be sixteen days at sea out of twenty eight, and may therefore occasionally stand in need of further repair, one of the Malta or Gibraltar steamers should from time to time be substituted for her, by which means she will be enabled to remain sixteen days in harbour at Malta after proceeding once to Gibraltar, so that it may be presumed any necessary repairs may be performed there.

"My Lords think it only necessary to add, that you will of course employ the most powerful steamers between Malta and Gibraltar, and between Malta and Alexandria. The precise time of starting, and all minor points of this description are left to your discretion, and my Lords desire that you will report to them the directions which you give upon this subject."

The Hon'ble the President in Council is pleased to attach **Messrs. W. N. Garrett and R. E. Cunliffe**, of the civil service, to the Bengal presidency.

The Hon'ble the President in Council is pleased to attach to the Bengal presidency, **Mr. W. J. Morgan**, writer, reported qualified for the public service.

The appointment of **Captain W. Ramsay**, 41st N. I., to the charge of the Post Office at Delhi, made by the Lieutenant Governor of the N. W. Provinces, on the 25th November last, is also confirmed, but the designation of this Officer will be Post Master of Delhi.

GENERAL REGISTER.

30TH DECEMBER, 1837.

Mr. James Dewar has been permitted to resign the East India Company's civil service from 31st instant.

The Hon'ble the Deputy Governor of Bengal has complied with the applications of the undermentioned gentlemen of the civil service for leave to proceed to Europe on furlough in the present season:

Mr. Robert Trotter and Mr. Henry Waiters.

Mr. H. V. Parker, junior member of the Board of Customs, Salt and Opium, and of the Marine Board, has obtained leave of absence for one week from the 26th instant.

Mr. Charles Garstin is appointed deputy opium agent at Shahabad. The appointment to take effect from the 12th instant.

Mr. Francis A. Dalrymple, a writer on the Bengal establishment, reported his return to this presidency from England on the 16th instant.

Messrs William Muir and Edward Taylor Trevor, reported their arrival as writers on this establishment, the former on the 16th and the latter on the 17th instant.

By Order of the Hon'ble the President in Council,

H. T. PRINSEP, Secy to Govt.

FOUR WILLIAM, POLITICAL DEPARTMENT, 29TH NOVEMBER, 1837.

Mr. H. V. Bayley has been this day appointed to officiate as deputy secretary to the Governments of India and Bengal in the Secret and Political Department. Mr. H. V. Bayley will also act as deputy secretary to the General Department, until further orders.

ECCLIESIASTICAL DEPARTMENT.

The reverend H. S. Fisher reported his return to the presidency from England on board the ship "Windsor," which ship arrived off Saugor, on the 27th ultimo.

H. T. PRINSEP, Secy to the Gov. of India.

JUDICIAL AND REVENUE DEPARTMENT, 21ST NOVEMBER, 1837.

The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Lieut R. Smith, of Artillery, to be a Revenue Surveyor in Cuttack, and has been invested with the powers of a deputy collector under regulation IX of 1833 for the special and exclusive duty of deciding boundary disputes within the limits of his operations as surveyor.

26TH NOVEMBER, 1837.

Mr. G. F. Cockburn to be an Assistant under the Commissioner of revenue and circuit of the 12th or Bhagulpore division.

Mr. G. Mackay, sudder ameen in Dinapore has been authorized to conduct the current duties of the office of civil and session judge at Dinapore until further orders.

Baboo Durgacharan Roy, principal sudder ameen in West Burdwan, to conduct the current duties of the office of civil and session judge of that district, until further orders.

28TH NOVEMBER, 1837.

Lieut J. C. Hennington to be a principal assistant to the agent to the Governor General under regulation XIII of 1833, vice Lieut. Nicholson who has been appointed to the staff of the Governor General.

Lieut. Thomas Simpson to be a junior assistant to the agent to the Governor General under regulation XIII of 1833, vice Lieut. Hennington.

Mr. H. T. P. Mowbray will officiate as president of the law examination committee, during the absence of Mr. W. H. Macnaghten from the presidency.

The following officers have obtained leave of absence from their stations:

Mr. H. Maenn, late officiating register of the Courts of Sudder Dewanny and Nizamat Adawlat, until the sailing of the Arab vessel *Attail ool Rahma*, in extension of the leave granted to him on the 6th September last.

28TH NOVEMBER, 1837.

Mr. F. Lowth, special deputy collector of Jessore, for twenty days on medical certificate.

Mr. M. W. Careuthers, deputy collector of Dacca, a further extension of leave of absence on private affairs, to the 15th proximo.

Mr. R. N. Farquharson, special deputy collector of Patna, for one month, on private affairs.

Mr. H. Moore, civil and session judge of Chittagong, for six weeks on medical certificate. Mr. R. Torrens will officiate in those capacities during the absence of Mr. Moore.

Moulavee Mahomed Ali, principal sudder ameen in Tipperah, for six days, in addition to that granted to him for the period of the dussarah.

FRED. JAS. HALLIDAY,

Offg. Secy. to the Govt. of Bengal.

30TH NOVEMBER, 1837.

The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

The Honorable J. C. Erskine to be collector of Calcutta and the 24 Pargunnahs, vice Mr. J. Donnanthorne resigned.

Mr. E. Bentall to be magistrate and collector of Dinapore, vice Mr. Erskine.

Mr. W. A. Law to be joint magistrate and deputy collector of Bogra, vice Mr. Bentall.

Mr. J. A. Torrens to officiate as deputy collector for the investigation of titles to hold land free from the payment of revenue in Zillah 24 Pargunnahs, Nuddea, and Moorshedabad, during the absence of Mr. G. A. C. Plowden, or until further orders.

The following officers have obtained leave of absence from his station:

* Mr. G. A. C. Plowden, special deputy collector of Nuddea, 24 Pargunnahs and Moorshedabad, for one month, on medical certificate.

JUDICIAL DEPARTMENT, 4TH DECEMBER, 1837.

The following notification is published for general information by order of the President of the Council of India in Council.

Head Quarters, Camp, Secrole, 22d November, 1837.

Judicial Dept. The Right Hon'ble the Governor General of India has been pleased to appoint Captain F. S. Hawkins to perform the duties of magistrate in the Camp, Secrole, Lordship, under the provisions of Act XXVI. of 1834.

(Sd) W. H. MACNAGHTEN, Secy.

to the Govt. of India.

ROSS D MANGLES,

Offg. Secy. to Govt. of India.

5TH DECEMBER, 1837.

The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. Henry Atherton to be an assistant under the commission of revenue and circuit of the 19th or Cuttack division, and to exercise the powers of joint magistrate and deputy collector at Midnapore.

Mr. H. M. Reid to be an assistant under the commissioner of revenue and circuit of the 12th or Bhagulpore division.

Mr. Assistant Surgeon M. Nightingale to perform the medical duties of the civil station of Monghyr during the absence of Mr. assistant surgeon Macrae.

Mr. J. H. Reid to be deputy collector in Zillah Jessore under the provisions of regulation IX of 1833.

Mr. E. Smart to be deputy collector in Zillah Moorshedabad under ditto ditto.

The following officers have obtained leave of absence from their stations:

Mr. J. H. D'Oely, civil and session judge of Beerbhoom, for one month to visit the presidency, on private affairs. Moulavee Mahomed Fag, the principal sudder ameen, will conduct the current duties of the above office during Mr. D'Oely's absence.

Mr. F. C. Scott, officiating deputy secretary to Government of Bengal in the judicial and revenue department, on private affairs, from the 9th instant till the sailing of the ship "Serinda-dam," on which vessel he purposed to embark for England on furlough.

Mr. G. F. Hamilton, superintendent of unassessed mohuls and settlement affairs in the district of Behar, for eighteen months, to proceed to the hills on medical certificate.

Mr. Assistant Surgeon J. Macrae, attached to the civil station of Monghyr, for three months, on private affairs.

Mr. Assistant Surgeon C. Macmure, attached to the civil station of Faizabad, for six days, in extension of the leave granted to him on the 7th ultimo, to enable him to repair his station.

Baboo Hureernarain Ghose, principal sudder ameen in Jessore, an extension of leave of absence from the termination of the dussarah vacation to the 17th ultimo.

FRED. JAS. HALLIDAY,

Offg. Secy to Govt. of Bengal.

1-TH DECEMBER, 1837.

The Hon'ble the President of the Council of India in Council has been pleased to appoint James Young, Esq. one of the gentlemen nominated by Her Majesty's judges of the Supreme Court, to be sheriff of Calcutta during the ensuing year.

ROSS D MANGLES,

Offg. Secy to the Govt. of India.

12TH DECEMBER, 1837.

ERRATA—In the Gazette of the 2d instant, for Lieutenant R. Smith, read Lieutenant R. Smyth, to be revenue surveyor in Cuttack.

In the Gazette of the 9th ditto, read the Honorable J. C. Erskine to be collector of the 24 Pargunnahs, instead of Collector of 24 Pargunnahs and Calcutta as therein printed.

The Honorable the Deputy Governor of Bengal, has been pleased to make the following appointments:

Mr. B. J. Colvingo, officiate as magistrate, collector, and salt agent in the southern division of Zillah Cuttack, from the 27th October inst, the date on which he received charge from Mr. Wilkinson.

Mr. Charles Garstin to be magistrate and collector of Zillah Saran, in the room of Mr. W. H. Vahy resigned. Mr. Garstin will continue to officiate, until further orders as additional judge of Patna and session judge for the trial of tings.

Mr. T. T. Sealy has been authorized to exercise the powers of joint magistrate and deputy collector at Dinapore, during the period of Mr. H. W. Erskine's absence from the Sudder Station.

Mr. J. Johnson to be deputy collector in Zillah Sylhet, under the provisions of regulation IX of 1833.

Mr. J. E. Fraser to be ditto ditto in Zillah Rajshahy under ditto.

The following officers have obtained leave of absence from their stations:

GENERAL REGISTER.

Mr. Wizam Mohey, a temporary judge of the Sudder Dawauny and Nizamut Adawlut, an extension of leave of absence for fourteen days, from the 1st instant.

The remaining period of the leave of absence granted to Mr. R. F. Hudson, assistant under the commissioner of the 13th or Bhanguipore division, on the 24th October last, for six weeks, is cancelled from the 4th instant, the date on which he rejoined his station.

Mr. J. W. Macleod, second commissioner of the Court of Requests, is permitted to proceed to the Cape of Good Hope, on medical certificate, for a period of two years.

13TH DECEMBER, 1837.

Mr. W. J. Morgan to be an assistant under the commissioner of revenue and circuit of the 13th or Jessore division.

15TH DECEMBER, 1837.

Mr. D. Pringle, magistrate and collector of Mymensingh, for one month, on private affairs.

14TH DECEMBER, 1837.

The Honourable the Deputy Governor of Bengal is pleased, with the sanction of the Supreme Government, to reappoint Mr. N. J. Hall to be a judge of the Courts of Sudder Dawauny and Nizamut Adawlut.

10TH DECEMBER, 1837.

Mr. H. M. Pigot having obtained leave of absence for one month, from the 21st instant, preparatory to retiring from the service, Mr. J. Dunbar is appointed to officiate as commissioner of revenue and circuit of the 14th or Jessore Division; Mr. Dunbar will make over charge of the office of secretary to the Sudder Board of Revenue to Mr. E. Currie, who will officiate in that capacity until further orders.

The Honourable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. A. Ogilvie to officiate, until further orders, as collector of Nudda.

Mr. C. Steer to officiate, until further orders, as magistrate of ditto.

Mr. F. Gouldsbury to be civil and session judge of West Burdwan, vice Mr. R. Macan who has proceeded to England.

Mr. B. J. Calvin to be magistrate and collector of the southern division of Cuttack, vice Mr. W. Wilkinson, who has proceeded to England.

Mr. K. E. H. Repton to be magistrate and collector of the northern division of Cuttack, vice Mr. T. C. Scott, who has proceeded to England.

Mr. F. J. Morris to be special deputy collector in the Province of Cuttack, vice Mr. Repton.

Mr. R. B. Garrett to be joint magistrate and deputy collector of Furruckpore, vice Mr. W. H. Martin, who has proceeded to England.

Mr. G. H. Lushington to be special deputy collector in Zillahs Shalhabad and Sarun, vice Mr. F. J. Morris.

Baboo Gobardhan Sam and Narsing Mithu Doss are confirmed as deputy collectors under Regulations IX. of 1833, in the central division of Cuttack.

The undermentioned officers have obtained leave of absence from their stations:

Mr. D. C. Smyth, a temporary judge of the Sudder Dawauny and Nizamut Adawlut, for ten days, from the 1st proximo, preparatory to his proceeding to Europe on furlough.

Mr. B. Golding, magistrate and collector of Tipperah, for one month, from the 11th instant, the date of his return from leave.

Mr. F. Lowth, special deputy collector of Jessore, for twenty days, on medical certificate, in extension of the leave granted to him on the 24th ultimo.

Mr. R. N. Rajahmoun, special deputy collector of Patna, for one month, on private affairs in extension of the leave granted to him by the commissioner of the 11th division.

Mr. L. J. Grey, assistant to the magistrate and collector of Rangpore, for one month, on medical certificate.

Mr. A. Kern, assistant surgeon, attached to the civil station of Moorshedabad, for fifteen days, on private affairs.

Mr. J. Lamb, assistant surgeon, attached to the civil station of Maida, for six weeks, on medical certificate.

The unexpired portion of the leave of absence granted to Mr. G. A. M. Plowden, special deputy collector of Nudda, &c. for one month, is cancelled at his request.

21ST DECEMBER, 1837.—Mr. R. P. Nisbet, civil and session judge of Nuddah, for five days, on private affairs. Mr. A. Ogilvie will conduct the current duties of his office during Mr. Nisbet's absence.

FRED. JAS. HARTIDAY,

Offy. Secy. to Govt. of Bengal.

BY THE LIEUTENANT GOVERNOR OF THE N. W. PROVINCES.

POLITICAL DEPARTMENT, AGRA, 18TH NOVEMBER, 1837.

Lieutenant Colonel F. Young, Political Agent at Darya Doon, has obtained leave of absence to visit Agra, on private affairs, from the 18th to the 30th November, 1837.

Mr. Henry Swetenham, agent to the Lieutenant Governor North Western Provinces, at Furruckabad, having obtained leave of absence, on medical certificate, in the Judicial Department, Mr. F. H. Robinson has been directed to receive charge of the agent's office and to conduct the duties, until further orders.

By order of the Honourable the Lieutenant Governor North Western Provinces.

22ND NOVEMBER, 1837.

Lieutenant Arthur Cnolly, assistant to the agent to the Governor General for the States of Rajpootana, has obtained extension of leave of absence to the 31st January next, on medical certificate, to enable him to proceed to the presidency, preparatory to applying for furlough.

Major R. Ross, political agent at Kotah, has obtained an extension of leave of absence, on medical certificate, to remain on the hills until the 15th November, 1839.

9th DEC. 1837.

Cornet E. J. Robinson to be an assistant to the agent and commissioner at Delhi.

11th DEC. 1837.

Lieutenant A. Ramsay, of the 34th regiment native infantry, to be an assistant to the commissioner in Kunoon.

GENERAL DEPARTMENT, AGRA, 14TH NOVEMBER, 1837.

Mr. C. Allen, officiating collector and magistrate of Bijnore is permitted to proceed to Europe on furlough, during the season 1837-38.

GENERAL DEPARTMENT, POLITICAL, AGRA, 17TH NOV. 1837.

The revenue Robert Everett, chaplain at Fathgum, has obtained an extension of leave of absence, on medical certificate, from the 1st November to 1st December, 1837.

The revd. Ralph Everett, assistant chaplain, to officiate as chaplain at Gungepore, until further orders.

9th DEC. 1837.

The revenue Mr. Ewing, chaplain at Fathgum, has obtained twelve months' leave of absence, to visit Mussoori, for the benefit of his health, commencing from the expiration of the one month's leave already granted on the 1st ultimo.

JUDICIAL AND REVENUE DEPARTMENT, AGRA, 7th NOV. 1837.

The following officers have obtained leave of absence:

Mr. H. Agarwal, magistrate and collector of Furruckpore, for two months, on his private affairs, from the 1st December next.

11th NOVEMBER, 1837.

Mr. W. E. Money, officiating collector of customs at Mirzapur, for two months, on his private affairs, from the 23d instant. Mr. Money is authorized to make over charge of his office to Mr. F. K. Lloyd, the officiating joint magistrate and deputy collector.

Mr. H. Sill, civil assistant surgeon of Banda, to relieve Doctor Stokes from the medical charge of Humeerpoor. Mr. Sill will make over the duties of his own office at Banda to Mr. Assistant Surgeon H. Smith, attached to a wing of the 53d regiment native infantry stationed there.

15TH NOVEMBER, 1837.

Mr. H. Swetenham, judge of Furruckabad, has obtained six months' leave of absence, on medical certificate. Mr. Swetenham is authorized to make over charge of the judge's office to Mr. R. H. C. Glynn, the officiating joint magistrate and deputy collector, who will conduct the current duties thereof, until further orders.

Mr. R. C. Glynn, judge of Meerut, has been directed on his arrival, himself to take leave of absence granted him on the 1st instant, to make over charge of the current duties of his office to Mr. J. B. Mial, assistant to the magistrate and collector of Meerut.

20th NOVEMBER, 1837.

Mr. E. Thomas is authorized to exercise the powers of a joint magistrate and deputy collector in Zillah Banarpoor.

Mr. E. R. Cuthbert has been allowed leave of absence for one month, in addition to the prescribed period for joining his appointment of judge of Zillah Azimgarh.

21ST NOVEMBER, 1837.

Mr. J. Davidson to officiate as judge of Furruckabad during Mr. Swetenham's absence or until further orders. Mr. Davidson has been authorized to make over charge of the current duties of the judge's office at Etawah to Mr. R. T. Tucker, the officiating joint magistrate and deputy collector.

22ND NOVEMBER, 1837.

Mr. S. J. Becher to officiate as magistrate and collector of Furruckpore during the absence on leave of Mr. H. Armstrong, or until further orders.

23D NOVEMBER, 1837.

Mr. F. Currie, commissioner of the Benares division, has obtained leave of absence for six weeks, on his private affairs, commencing from the date on which he may leave his station. Mr. E. P. Smith is authorized for the present, to conduct the duties of the commissioner's office, as well as of his own office of judge of Ghazepore.

24TH NOVEMBER, 1837.

Mr. R. K. Dick to officiate as magistrate and collector of Bijnore, and directed to relieve Mr. Allen from the charge of those officers on the 1st January next.

GENERAL REGISTER.

26TH NOVEMBER, 1837.

The leave of absence for one month, from the 15th instant, granted by the Lord Bishop to the reverend Mr. Pratt, chaplain at Allahabad, is approved.

The reverend W. Sturrock, A. B., to officiate as chaplain at Fatty Gurn, on Mr. Eging's availing himself of the leave of absence granted to him on the 15th instant.

Capt. William Ramsay, 41st regiment native infantry, appointed deputy post master, at Delhi.

R. N. C. HAMILTON,
Offg. Secy. to the Lt.-Govr. N. W. P.

Mr James Davidson, appointed to officiate as agent to the Hon'ble the Lieutenant Governor of the North Western Provinces at Furruckabad.

1st DECEMBER 1837.

Mr E. H. C. Monckton to fill up as Magistrate and Collector of Futehpour, during the absence of Mr. H. Armstrong, on leave, or till further orders.

Futich Khan to be Deputy Collector under regulation IX. of 1833, in Zillah Azimgur.

J. THOMASON,
Offg. Secy. to the Lieut.-Govr. N. W. P.

20 DECEMBER, 1837.

ERRATUM.—In the orders issued on the 25th ult., read "Captain William Ramsay, 41st regiment native infantry, appointed to officiate as deputy post master at Delhi."

5TH DECEMBER, 1837.

The following officers have obtained leave of absence:

Mr. H. M. Elliot, secretary to the Sudder Board of Revenue, for two months, from the 13th instant, on his private affairs.—Mr. M. Smith is appointed to officiate as secretary to the board, during the absence of Mr. Elliot.

Mokund Sing Pachoorree, principal sudder ameen of Agra, for eight days, from 30th November last.

6TH DECEMBER, 1837.

Mr. B. Taylor is appointed, with the sanction of the Right Hon'ble the Governor General of India, to officiate as a judge of the Sudder Dewany Ad Nizamut Adawlut in the North Western Provinces, and as a Sudder special commissioner under Act III. of 1835.

7TH DECEMBER, 1837.

Mr. S. G. Smith, magistrate and collector of Etawah, has obtained leave of absence for one month, in extension of the leave granted him under date the 24th October last.

9TH DECEMBER 1837.

Mr. A. C. Heyland is appointed to officiate as judge of Ghazee-poor.

R. N. C. HAMILTON,
Offg. Secy. to the Lieut.-Govr. N. W. P.

MILITARY APPOINTMENTS, &c.

BY THE PRESIDENT IN COUNCIL.

Fort William, 27th November, 1837.—No. 231 of 1837.—The Hon'ble the President in Council is pleased to make the following promotion:

33d Regiment N. I.—Ensign Anthony Martin to be Lieutenant, from the 4th November 1837, vice Lieutenant Thomas Mounsteven Bremer deceased.

Lieutenant and Brevet Captain Joseph Torton, of the regiment of artillery, is permitted to proceed to Europe on furlough, on account of his private affairs. The furlough commencing from the date of his quitting the frontier station of Beawal.

Lieutenant Richard Cantley, of the 10th regiment light cavalry, is permitted to proceed to Europe on furlough, on account of his private affairs.

Assistant Surgeon Henry Peile Bell, M. D. 1st assistant surgeon Fort William, is permitted to proceed to New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

The undermentioned Men of Her Majesty's service are permitted to reside in India as out-pensioners of the Civil Hospital, and draw their pay at the stations attached opposite to their respective names, according to the 5th article of the pension warrant of the 14th November 1829, pending a reference to Horse Guards as to the amount of their pensions:

Her Majesty's 3d Foot.—Private William Bartholomew, Dinapore.

Her Majesty's 31st Foot.—Sergeant John Jones, Dinapore.

Privates John Curran, Decent; Hugh Doyle, Dinapore; Edward Hart, Dinapore; Patrick McLaughlin, Calcutta; Timothy Whitehead, Kurrul; Patrick Chambers, Calcutta.

No. 232 of 1837.—The undermentioned supernumeraries are brought on the effective strength of the regiment of artillery and of the cavalry respectively, to fill existing vacancies:

2d Lieutenant William Hay, of the regiment of artillery.

Cornet Henry Robert Grindlay, of the cavalry.

The undermentioned officers have returned to their duty, on this establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain William Ellis, of the 45th regiment native infantry, Captain Alexander Mercer, of the 26th regiment native infantry, and 2d Lieutenant John William Kaye, of the regiment of artillery, date of arrival at Fort William 25th Nov. 1837.

Mr. Cecil Plowden Trower is admitted to the service in conformity with his appointment by the Hon'ble the Court of Directors as a Cadet of infantry on this establishment, and promoted to the rank of ensign leaving the date of his Commission for future adjustment: date of arrival at Fort William, 25th November, 1837.

The following arrangements were made by the Right Hon'ble the Governor General of India, in the Political Department, under date the 11th instant:

Lieutenant George Gordon, of the 50th regiment native infantry, commanding the Nepal escort, has leave of absence for three months, from the 2d proximo, for the purpose of visiting Calcutta, on his private affairs.

Ensign Lowther Thomas Forest, of the 10th regiment native infantry, to the command of the Nepal escort, during the absence of Lieutenant Gordon.

Lieutenant A. C. Hancey, of the 26th regiment native infantry, Junior Assistant to the commissary of Artillery has obtained in the Judicial and Revenue Department, under date the 16th instant, leave of absence, for eighteen months, to proceed to the hills of Mussoorie and Simla on medical certificate.

Assistant Surgeon J. W. Knight was appointed by the Hon'ble the Lieutenant Governor, North Western Provinces, on the 14th instant to officiate in medical charge of the civil station of Beharapore.

Assistant Surgeon E. Truett, in medical charge of the civil station of Ally Ghur, has obtained from the Lieutenant Governor, North Western Provinces, leave of absence, to the 20th March next, on medical certificate, in extension of that granted to him on the 22d February last.

Fort William, 27th November, 1837.—No. 231 of 1837.—Major G. D. Stanton, Pay Master at the Presidency, having reported his return to the Presidency, is directed to resume the duties of his office, on the 1st proximo.

No. 235 of 1837.—The services of Lieutenant George Abbott, of the 15th regiment native infantry, are placed at the disposal of the Hon'ble the President in Council for the purpose of surveying the post road from Midnapore to Nagpore, as far as Ryo-pore.

Fort William, 4th December, 1837.—No. 236 of 1837.—The following papers of a military letter No. 56, from the Hon'ble the Court of Directors, to the Governor of Bengal, under date the 28th July 1837, are published for general information:

Para. 2, "Lieutenant Haggerd" (who has been permitted to return to his duty, as stated) has been informed that his allowances will not commence until he shall have reached the presidency or joined the corps to which he belongs.

3. We have granted extended leave to the following officers, viz:

Lieutenant Colonel John Momp, P. M. Hay, Captain Mark Hulse, Brevet Captain H. Stone, Lieutenants William Innes, Thomas Goldard, Thomas Bacon, Ensign Frederick Adams, for 6 months, and Superintending Surgeon G. G. Campbell, for 4 months.

No. 237 of 1837.—The following appointment made by the Hon'ble the President of the Council is published in General Orders.

Captain William Caine, of Her Majesty's 26th (or Cameronian) regiment of foot, to be a temporary Aide-de-Camp on His Honor's personal staff, from the 20th ultimo.

No. 237 of 1837.—The Hon'ble the President in Council is pleased to make the following promotions:

GENERAL REGISTER.

Regiment of Artillery.—3d Lieutenant Murray Mackenzie to be 1st Lieutenant, from the 17th November, 1837, vice 1st Lieutenant Ambrose Cardow deceased.

Superannumerary 2d Lieutenant George Hughes Clifford is brought on the effective strength of the regiment.

66th Regiment N. I.—Lieutenant and Brevet Captain Francis Winter to be Captain of a company, and Ensign Roberts William Elton to be Lieutenant, from the 1st December 1837, in succession to Captain Thomas Webster retired on the pension of a Major.

46th Regiment N. I.—Lieutenant Samuel Browne to be Captain of a company, and Ensign Spencer Wellington Buller to be Lieutenant, from the 13th November, 1837, in succession to Captain Francis Sinton deceased.

Assistant Surgeon M. Nightingale is placed at the disposal of the Honorable the Deputy Governor of Bengal for the performance of the medical duties of the civil station of Moughyr, during the absence of assistant surgeon J. Macrae.

Assistant surgeon E. W. W. Raleigh, assistant to the superintendent to the Eye Infirmary, is appointed to the charge of the Infirmary during the absence of the superintendent assistant surgeon Egerton, on leave to the Sand Heads, on medical certificate.

Assistant surgeon Henry Chapman having reported his return to the presidency, was directed on the 22d ultimo, to resume his appointment in the General Hospital at Calcutta.

The under-mentioned officers have returned to their duty on this establishment without prejudice to their rank by permission of the Honorable the Court of Directors:

Lieutenant Colonel George Williamson, of the 56th regiment N. I. Date of arrival at Fort William, 29th Nov. 1837.

Captain Henry Joseph Guyon of the 1st regiment N. I. and assistant surgeon Benjamin Wilson, of the Medical Department, ditto 29th Nov. 1837.

The under-mentioned gentlemen are admitted to the service in conformity with their appointments by the Honorable the Court of Directors as cadets of cavalry and infantry on this establishment, and promoted to the rank of cornet and ensign respectively, leaving the dates of their commissions for future adjustment:

Cavalry.—Mr. Frederick James Alexander, date of arrival at Fort William, 24th November 1837.

Infantry.—Mr. Charles Patrick White, ditto 25th ditto.

Meares, Robert Henry Hicks, James Clarke, and Richard William Henry Fendhawe, ditto 23rd ditto.

Mr. Henry James William Carter, ditto 29th ditto.

The under-mentioned officers are permitted to proceed to Europe on furlough:

Colonel Thomas Shubrick, of the 7th regiment light cavalry, and Colonel Benjamin Rope, of the 19th regiment N. I., on account of their private affairs.

Lieutenants Charles Clark, of the right wing European regiment, Dueres Fitzherbert Evans, of the 16th regiment N. I. and Walter Richard Barnes, of the 27th regiment N. I., on medical certificate.

Captain Charles James Lowes, of the 50th regiment native infantry, assistant commissary general, has leave of absence for two months from the 2th instant, to visit the presidency, on account of his private affairs.

Ensign Alexander Skene, doing duty with the 9th regiment native infantry, is permitted to proceed to Van Diemen's Land on medical certificate, and to be absent from Bengal on that account for two years.

The unexpired portion of the leave of absence granted to brigadier G. R. Penny, of the 11th regiment native infantry, commencing the station of Barrackpore, in general order No. 102, of the 9th August last, is concluded from the 29th ultimo.

The leave of absence granted to Lieutenant W. O. Young, deputy commissary of ordinance at Ajmer, in general orders No. 171, of the 21st August last, to visit the presidency on private affairs, is to commence on the 1st ultimo, and extend to the 1st of May next, instead of the period therein specified.

Surgeon John Swiney, M. D., of the Medical Department, officiating 1st member of the Medical Board, is permitted to retire from the service of the East India Company, under the rules published in general orders of the 11th November, 1831.

Ensign George Richard James Meares, of the 12th regiment native infantry, is permitted, at his own request, to resign the service of the East India Company.

The following promotion is made in the Ordnance Commissariat Department:

Deputy Assistant Commissary Edward Parsons to be an assistant commissary from the 16th July, 1837, vice Allen who has retired from the service.

Superannumerary deputy assistant commissary John Sperrin is brought on the strength of the department in that grade, vice Parsons promoted.

Conductor Alex. Grant, attached to the Office of the Town Major, Fort William, is permitted to proceed to Europe on furlough, on medical certificate.

Sergeant major William Fairhurst, of the Nusseree Battalion is admitted to the benefit of the pension sanctioned by minutes of Council of the 11th January 1797 and general orders dated the 6th February 1830, subject to the confirmation of the Honorable the Court of Directors with permission to receive his stipend at Suvaiah North Western Hills.

No. 239 of 1837.—The following appointment made by the Honorable the President of the Council is published in general orders:

Lieut. H. M. Donaldson, of the 56th regiment Madras native infantry, to officiate as Aide-de-Camp to His Honor the President of the Council and Deputy Governor of Bengal. This appointment to have effect from the 21st October last.

No. 240 of 1837.—Assistant Surgeon Henry Goodlove, M. D., Professor of surgery and Medicine in the Medical College, is exempted from the operation of clause 25 of general orders No. 28, of the 28th January 1835, prohibiting the European Assistant in that institution from entering into private practice.

J. STUART, Lieut.-Col. Offg. Secy. to the Gov. of India Mily. Dept. Fort William, 11th December, 1837.—No. 242 of 1837.—The following, Lists of Rank of Cadets of Artillery, Cavalry and Infantry, and of Assistant Surgeons, appointed for the Bengal Presidency, are published for general information.

No. 3 of 1837.—List of Rank of Cadets for the Bengal Artillery, Cavalry and Infantry.

For the Artillery.—To rank from the 9th December 1836, the day on which he passed his public examination—his period of embarkation having been extended by resolution of Court of the 7th March 1837, in consequence of sickness.

John Mill, *Royal William*, sailed 28th June, 1837.

To rank from the 13th June 1837, the day on which he passed his public examination, the ship at which he proceeded having sailed from Gravesend before the 12th September, 1837.

Henry Lewis, *Duke of Buccleugh*, sailed 27th August, 1837.

For the Cavalry.—To rank from the sailing from Gravesend of the ships by which they proceeded in the following order; viz.

Francis Walker Drummond, *Seringapatam*, sailed 2d June 1837.

Frederick Neil Edmondstone, ditto ditto ditto.

Frederick James Alexander, *Windsor*, sailed 26th July, 1837.

John James Galloway, *Brachenberg*, sailed 1st August, 1837.

John Munro, ditto, ditto ditto.

Robert Christie, *Duke of Buccleugh*, sailed 27th August, 1837.

To rank from the sailing from Portsmouth of the ship by which he proceeded:

Archibald Stewart Galloway, *Zenobia*, sailed 21st September, 1837.

For the Infantry.—To rank from the 12th June, 1837, the day on which they passed their public examination, and in the following order—the ships by which they proceeded, having sailed from Gravesend on or before the 12th September, viz.

Richard William Henry Fendhawe, *Windsor*, sailed 26th July, 1837.

William Mayne, *Lark Hungerford*, sailed 27th do.

Osfor Cavenagh, *Duke of Buccleugh*, sailed 27th August 1837.

Thomas Cle, *Minutarch Elephantine*, sailed 17th July 1837.

Attili Turner *Duke of Buccleugh*, sailed 27th August 1837.

James Paffallo, *Warren*, sailed 12th September 1837.

Dean Christian Shute, *Duke of Buccleugh*, sailed 27th August 1837.

John Crommelin Lamb, *Orient*, sailed 4th July 1837.

Cecil Plowden Tower, *Duke of Bedford*, sailed 18th ditto 1837.

Arthur Curriington, *Duke of Buccleugh*, sailed 27th August 1837.

Henry James William Carter, *Robert Smith*, sailed 27th July 1837.

Richard John Farre, *Cornwall*, sailed 10th August 1837.

Byam Martin Loveday, *Thomas Grenville*, sailed 12th ditto 1837.

James Keith Forbes, *Madagascar*, sailed 15th July 1837.

Walter William Davis Voyce, *Duke of Buccleugh*, sailed 27th August 1837.

John Cooper Fitzmaurice, ditto, ditto ditto.

John Stafford Patten, *London*, sailed 16th July 1837.

To rank from the 12th June 1837, agreeably to the Court's resolution of the 4th December 1833, and in the following order, viz.

Thomas Spankie, appd. 29th March 1837, *Reliance*, sailed 4th April 1837.

John Robinson, appd. 29th ditto.

Peter Henry Knight Dewall, appd. 4th April 1837.

Hector Alex. Santeman, appd. 29th March 1837.

Alfred Chubbly Plowden, appd. 29th ditto.

Alexander Skene, appd. 15th ditto.

Martin Boileau Walsh, appd. 12th April 1837; *Duke of Sussex* 16th ditto.

William Smith, appd. 25th ditto; *Coromandel* 29th ditto.

Edward Close, appd. 2d June 1837; *Seringapatam*, 2d June 1837.

Peter Drummond, appd. 16th May 1837.

James Grant Stephen, appd. 10th ditto.

Dumfries Crawford Alston, appd. 24th ditto.

William Hooper, appd. 5th April 1837.

To rank from the date of sailing from Gravesend of the ships by which they proceeded and in the following order; viz.

Frederick Mills, *Repulse*, sailed 28th June 1837.

Joseph Peter Paterson Truscott Hawkey, *Esmond*, sailed 18th July 1837.

James Clarke, *Windsor*, sailed 26th ditto.

Robert Henry Hicks, ditto ditto.

Charles Patrick White, *Scotia*, sailed 3d August 1837.

Alexander Robinson, *Duke of Buccleugh*, 27th ditto.

To rank from the date of the sailing from Gravesend of the ship in which he embarked, he having failed to comply with the Court's resolution of the 4th December 1833, viz.

William Henry Williams, *Zenobia*, sailed 14th September 1837.

GENERAL REGISTER.

Memo.—Mr. James Hutton, an infantry cadet, having been compelled by ill health to resign his appointment is to be struck out of list No. 2 of 1837.

(Signed) PHILIP MELVILL.
Secy. Milly. Dept.

East India House, 27th September, 1837.

(A true Copy)

(Signed) JAMES C MELVILL.

East India House, London, the 30th September, 1837.

No. 3 of 1837

List of rank of assistant surgeons for Bengal
To rank from the date of the sailing of the ships by which they proceeded and in the following order, viz.
Manby Nightingale, *Bombay*, sailed 15th May, 1837.
Archibald Donaldson, M. D., *Seringapatam*, sailed 2d June, 1837.

Lewis Thackeray Watson, *Royal William*, sailed 24th ditto.

George Schuyler Cardew, *St. George*, (from Bristol,) sailed 8th August 1837

John Arnott, M. D., *Rian*, (from Liverpool,) sailed 22d ditto.

Elliot Voyle Davies, *Duke of Buccleugh*, sailed 27th ditto

(Signed) PHILIP MELVILL.
Secy. Milly. Dept.

East India House, 27th September, 1837.

(A true Copy.)

(Signed) JAMES C MELVILL.

East India House, London, the 30th Sept. 1837.

No. 243 of 1837.—The following paragraphs of a military letter, No. 67, dated the 23d August 1837, from the Hon'ble the Court of Directors, are published for general information:

"Para 2. Captain Burt (permitted to return overland to his duty) has been informed that his Indian allowances will not commence until he shall have reached the presidency or joined the corps to which he belongs.

3. We have granted additional leave to the following officers, viz.

Brevet Colonel J. A. Hutton, Lieutenant Colonel John Anderson, Lieutenant Colonel W. H. L. Frith, Captain E. B. Ludlow, Surgeon A. Scott, for six months.

4. We have accepted the resignation of the service by Captain Frederick Corner. This vacancy has effect from the 6th July 1837.

5. Captain J. H. Puse has been permitted to retire from the service. This vacancy has effect from the 18th July 1837.

No. 244 of 1837.—The President in Council is pleased to make the following promotion:

22d regiment N. I.—Ensign Gabriel Henry Whistler to be lieutenant, from the 19th November, 1837, vice lieutenant Gen. Henry Rose deceased.

Captain William Little, of the 3d regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors.

—Date of arrival at Fort William, 14 December, 1837.

The undermentioned gentlemen are admitted to the service in conformity with their appointments by the Honorable the Court of Directors as a cadet of infantry and assistant surgeon on this establishment. The cadet is promoted to the rank of ensign leaving the date of his commission for future adjustment.

Infantry.—Mr. John Cominell Lamb, date of arrival at Fort William, 8th Dec. 1837.

Medical Department.—Mr. George Schuyler Cardew, do 8th Dec. 1837.

The undermentioned officers are permitted to proceed to Europe on furlough on account of their private affairs:

Captain Bruce Boswell, of the 2d regiment N. I.

Captain Thomas William Bolton, 2d do. do.

Lieutenant Charles Young Buzzett, of the 9th regiment light cavalry.

Surgeon Ebenezer Clarkson, of the Medical Department.

Captain George Cox, of the 60th regiment native infantry, is permitted to proceed to Bombay from Mhow, on his private affairs, and to be absent from Bengal on that account for six months, from the 1st instant.

The leave of absence granted to brevet major Charles Rogers of the 20th regiment native infantry, deputy judge Advocate general, in general orders No. 233, of the 2d November, 1835, is extended to the 8th instant.

The remaining portion of the leave of absence obtained by assistant surgeon C. C. Egerton, superintendent of the Eye Infirmary, is cancelled from the 7th instant and that officer is directed to resume the duties of his office.

Lieutenant Colonel James Watkins, of the 67th regiment native infantry, is permitted to retire from the service of the East India Company, on the pension of his rank, from the date of sailing of the ship on which he may embark for Europe.

Captain John Dixon Nash, of the 33d regiment native infantry having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the invalid establishment.

The retirement of surgeon John Swiney, M. D., officiating 1st member of the Medical Board, from the service, published in general orders No. 238, of the 4th instant, is to have effect from the 31st instant.

Riding-master Uriel Jordan, of the 7th regiment light cavalry is permitted to proceed to Europe on furlough, for two years without pay, on account of his private affairs.

Quarter Master Serjeant Edward Quinn, of the 40th regiment native infantry is admitted to the benefits of the pension sanctioned by minutes of Council of the 11th January 1767, and general orders dated the 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his stipend in Ireland.

Overseer serjeant Thomas Burke, who was transferred to the pension establishment, in general orders No. 89, dated the 6th June, 1833, is permitted to return to Europe and draw his stipend there, instead of at the presidency.

Fort William, 11th Dec. 1837.—No. 245 of 1837.—Assistant surgeon A. Donaldson, M. D., who has been appointed to the medical charge of a detachment of European recruits proceeding by water to Agra, is, on his arrival at that station, directed to place himself at the disposal of the Hon'ble the Lieutenant Governor North Western Provinces, for temporary employment in medical charge of the civil station of Sharanpore, during the absence of assistant surgeon Hugh Falconer, A. M. and M. D.

The following appointments were made in the Judicial and Revenue Department under date the 24th ultimo:

Lieutenant J. C. Hannington, of the 24th regiment native infantry, to be a principal assistant to the agent to the Governor General under regulation XIII, of 1833, vice lieutenant Nicholson, appointed to the staff of the Governor General.

Lieutenant Thomas Simpson, of the 57th regiment native infantry, to be a junior assistant to the agent to the Governor General under regulation XIII of 1833, vice lieutenant Hannington.

Assistant surgeon John Macrae, attached to the civil station of Mowhry, has obtained in the Judicial and Revenue Department, under date the 5th instant leave of absence, for three months on private affairs.

Major Robert Ross, of the 18th regiment native infantry, political agent at Kotah, has obtained from the Lieutenant Governor North Western Provinces, an extension of leave of absence on medical certificate, to remain on the hills, until the 15th November 1838.

Lieutenant Arthur Conolly, of the 6th regiment light cavalry, assistant to the agent to the Governor General for the States of Rajpootana, has obtained from the Lieutenant Governor North Western Provinces an extension of leave of absence to the 31st January next, on medical certificate, to enable him to visit the presidency, preparatory to applying for furlough.

Assistant surgeon Henry Sall, attached to the civil station of Banda, was directed by the Lieutenant Governor North Western Provinces, to relieve assistant surgeon James Stokes, M. D. from the Medical charge of Hameenpore, Mr. Sall to make over the duties of his own office at Banda to assistant surgeon J. H. Serrell, attached to a wing of the 53d regiment native infantry stationed there.

Fort William, 14th December, 1837.—No. 246 of 1837.—Captain Alexander Davidson, of the 14th regiment native infantry, principal assistant to the Governor General's agent North East Frontier, is permitted to proceed to Australia, on medical certificate, and to be absent from Bengal on that account for two years.

Fort William 18th December 1837.—No. 248 of 1837.—The President in Council is pleased to make the following promotions:

1st regiment native infantry.—Lieutenant Henry Pelham Burn to be captain of a company and ensign Edward Wynne Bristol to be lieutenant, from the 6th July 1837, in succession to captain Frederick Corner resigned.

32d regiment N. I.—Lieutenant James Stephen Davies to be captain of a company, and ensign Henry Curry James to be lieutenant, from the 18th July 1837, in succession to captain John Puse retired.

33d regiment N. I.—Lieutenant Philip Mainwaring to be captain of a company, and ensign John Hatcher Ferguson to be lieutenant, from the 17th December 1837, in succession to capt. J. D. Nash transferred to the invalid establishment.

The undermentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Lieutenant Colonel Robert Graham, of the 13th regiment N. I., date of arrival at Fort William, 11th December 1837.

Captain William Gueon, of the 60th regiment N. I., ditto 8th ditto.

Lieutenant John Stubbs, of the 49th regiment N. I., ditto 11th ditto.

Lieutenant William Stuart Monteath, of the 69th regiment N. I., ditto 10th ditto.

Surgeon William Dyer, of the Medical Department, ditto 9th ditto.

The undermentioned gentlemen are admitted to the service in conformity with their appointments by the Honorable the Court of Directors, as cadets of cavalry and an assistant surgeon on this establishment. The cadets are promoted to the rank of cornet, leaving the dates of their commissions for future adjustment:

GENERAL REGISTER.

BY THE COMMANDER IN CHIEF.

Cavalry.—Messrs. John Munro and John James Galloway, date of arrival at Fort William 12th December, 1837.
Medical Department.—Mr. John Marriott, M. D., ditto 11th December, 1837.

The undermentioned officers are permitted to proceed to Europe on furlough :

Captain George Farquharson, of the 8th Regiment N. I.; captain Matthew George White, of the 66th Regiment N. I.; Lieutenant Keith Young of the 50th Regiment N. I.; Lieutenant John Peare Farquharson, of the 8th Regiment N. I.; cornet James Gordon, of the 3rd Regiment Light Cavalry, and cornet Thomas Lowth Harrington, of the 5th Regiment Light Cavalry, on account of private affairs.

Captain Roderick Roberts, of the Regiment of Artillery, and Lieutenant Francis Botton Boleau, of the Regiment of Artillery on medical certificate.

Captain William Freeth, of the 55th Regiment Native Infantry is permitted to proceed to the Cape of Good Hope or New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

The undermentioned officers have obtained extension of their respective leave of absence :

Captain R. Woodward, of the 2d Regiment Native Infantry deputy assistant commissary general, from the 14th January to the 31st December 1838, for the purpose of remaining at Simla on medical certificate.

Lieutenant Vincent Eyre, of the Regiment of Artillery, to the 31st of October last.

2d Lieutenant E. Kaye, of the Regiment of Artillery, to the 1st of October last.

The furlough to Europe, on account of private affairs, granted to Lieutenant Philip Harris, of the 70th Regiment Native Infantry, in General Orders No. 216 of the 30th October last, is cancelled at the request of that officer.

Lieutenant George Brockman, of the 21st Regiment Native Infantry, is permitted, at his own request, to resign the service of the East India Company, from the 1st January next.

Sergeant James Hyland, bullock squirent at Benares, is limited to the benefits of the pension sanctioned by minutes of Council of the 11th January 1797, and general orders of the 5th February 1826, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his stipend at Benares.

No. 250 of 1837.—The Hon'ble the President in Council is pleased to make the following promotion :

6th Regiment Native Infantry.—Ensign Anchemut Ashley Stuart to be Lieutenant, from the 15th December, 1837, vice Lieutenant Abraham Killoe, dismissed by the sentence of a general court martial.

The undermentioned officers have returned to their duty on this establishment without prejudice to their rank, by permission of the Hon'ble the Court of Directors :

Lieutenant Colonel John Cheape of the Corps of Engineers date of arrival at Fort William, 15th Dec. 1837.

Major Gabriel Naper Christie Campbells, of the Regiment of Artillery, ditto 16th ditto.

Captain William Saurin, of the 31st Regiment N. I., ditto 16th ditto.

Captain R. Richmond Houghton, of the 63d Regiment N. I., ditto 16th ditto.

Captain Thomas Williams, of the 70th Regiment N. I., ditto 15th ditto.

Lieutenant Alistair Stewart, of the left wing European Regiment, ditto 15th ditto.

Lieutenant George Ramsay, of the 25th Regiment N. I., ditto 16th ditto.

Lieutenant Charles Edward Grant, of the 62d Regiment N. I. ditto 16th ditto.

Surgeon Gavin Turnbull, of the Medical Department, ditto 16th ditto.

Assistant Surgeon Henry Harpur Spry, M. D., of the Medical Department, ditto 15th ditto.

The undermentioned gentlemen are admitted to the service, in conformity with their appointments by the Hon'ble the Court of Directors as cadets of cavalry and infantry and as assistant surgeons on this establishment. The cadets are promoted to the rank of cornet and ensign respectively, leaving the dates of their commissions for future adjustment :

Cavalry.—Mr Robert Christie, date of arrival at Fort William, 16th Dec. 1837.

Infantry.—Mr Joseph Patar Paterson Truscott Hawkey, do. 13th Dec. 1837.

Mr William Mayne, do. 16th ditto; Mr John Cooper Fitzmaurice, do. 16th ditto; Mr Alexander Robinson, do. 16th do.; Mr Richard John Farre, do. 16th ditto.

Medical Department.—Mr Lewis Thackeray Watson, do. 16th Dec. 1837.

Mr Elliot Vovle Dares, do. 16th ditto.

Lieutenant Charles Graham, of the 55th Regiment Native Infantry, is permitted to proceed to the Cape of Good Hope and New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

J. STUART, Lieut.-Col.

Offg. Secy. to the Govt. of India. Mil. Dept.

Head Quarters, Camp, Havel, 14th November 1837.—Lieutenant T. Tucker, of the 8th Regiment of Native Infantry, is appointed to do duty with the Ranghrih battalion, and to the charge of the two regiments of the 5th local horse attached to the battalion. Also Blenkinsop deceased.

Hospital steward William Bond is removed from the 2d troop, 1d brigade horse artillery, and appointed to the European Regiment, in succession to Hampton deceased, which he will proceed to join as soon as the troop to which he is attached shall have reached its destination.

Hospital steward William Brookes, promoted in Government general orders of the 30th ultimo, is directed to do duty under the superintending surgeon at Cawnpore.

Hospital steward George Hardman, promoted in Government general orders of the 30th ultimo, is appointed to do duty with Her Majesty's 31st foot, during the absence, on leave, of Steward Under.

Assistant apothecary John Hornby, promoted in Government general orders of the 30th ultimo, will continue attached to the medical depot at Cawnpore, until further orders.

Assistant apothecary James Jarves, promoted in Government general orders of the 16th ultimo, is appointed to the hospital of Her Majesty's 13th foot.

Assistant apothecary Anthony Defegady, promoted in Government general orders of the 3rd ultimo, is directed to do duty with Her Majesty's 9th foot until further orders.

Conductor T. Fuller, who was permitted to retire from the army commissariat department, on the pension of his rank, by Government general orders of the 23d of May last, is allowed to reside and draw his stipend at Cawnpore.

Quarter-master Sergeant Robert Jones, of the 58th, is appointed sergeant major to the 72d Regiment of Native Infantry, vice snow deceased.

The Commander in Chief is pleased to sanction an exchange of stations between sergeants Joseph Burton and Samuel Taylor: the former is accordingly appointed magazine sergeant in the Cawnpore magazine, and the latter cooper sergeant in the arsenal of Fort William.

The undermentioned officers have leave of absence :

6th Battalion Artillery.—Major E. Croxton, from 1st March 1838, to 15th November 1838, in extension, to remain at Simla on medical certificate.

3d Regiment Native Infantry.—Ensign G. A. F. Hervey, from 16th October, to 16th January 1838, to remain at Munpore, on medical certificate, and to retain his regiment by water.

15th Regiment Native Infantry.—Surgeon W. F. Carte, A. B., from 1st December to 10th November 1838, in extension, to remain at Simla, on medical certificate.

Head Quarters, Camp, Havel, 15th November 1837.—The Agra division order of the 4th ultimo, appointing sergeant Henry Brown 2d company 4th battalion, to act as bullock sergeant, vice Hughes deceased, is confirmed.

The Neeruch station order of the 1st instant, appointing surgeon J. Greig, of the 39th Regiment Native Infantry, to the medical charge of the left wing 3d Regiment local horse, is confirmed.

The Cawnpore division order of the 3d instant, directing assistant surgeon W. J. Loch to receive medical charge of the 4d Regiment Native Infantry from assistant surgeon J. Ransford, 6th Battalion Artillery, is confirmed.

The Meerut division order of the 9th instant, appointing captain C. Jordan of the European Regiment, to act as judge advocate at an European general court martial directed to assemble at Meerut, is confirmed.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers :

Surgeon T. E. Baker, from the 16th Light Cavalry to the 16th Regiment of Native Infantry.

Surgeon A. Davidson, M. D., from the 1st to the 10th Regiment of Light Cavalry. Dr. Davidson will continue with the 1st Cavalry, until his successor shall be joined.

Surgeon W. Dargy, from the 7th Native Infantry to the 1st Regiment of Light Cavalry.

His Excellency the Commander in Chief is pleased to make the following removals and postings in the Regiment of Artillery.

Major T. Chadwick, (on sick leave) from the 2d to the 4th Battalion.

Major P. L. Pew, from the 4th to the 2d Battalion, the head quarters of which he will proceed forthwith to join at Nusserabad.

The undermentioned officers have leave of absence :

19th Regiment Native Infantry.—Lieut. and Adj. G. Pengree, from 3d November to 3d November 1838, to visit Simla, on medical certificate.

39th Regiment Native Infantry.—Lieutenant E. A. Munro, from 7th November to 7th November 1838, to visit Simla, on medical certificate.

6th Regiment Native Infantry.—Captain C. H. Cobbe, from 1st August to 15th September, to remain at the presidency, on medical certificate.

By Order of His Excellency the Commander in Chief,

J. R. LUMLEY, Major General,
 Adjutant General of the Army.

Head Quarters, Camp, Havel, 15th November, 1837.—The presidency division order of the 27th ultimo, directing Assistant Surgeon R. C. Gulse to afford medical aid to the 72d Native Infantry, and surgeon J. Row to do duty with the 41st Regiment Native Infantry, is confirmed.

GENERAL REGISTER.

The Benares division order of the 5th instant, appointing Ensign W. B. Lumbly of the 57th regiment of native infantry, to act as adjutant and quarter master to the invalid battalion at Chunar, in the room of captain McKean is confirmed as a temporary arrangement.

The battalion order of the 5th May last, appointing Lieutenant P. M. Lowring to officiate as 2d in command to the Sylhet high infantry battalion, during the absence, on leave, of Lieutenant E. R. Lyons is confirmed.

The Mysore station order of the 15th ultimo, directing Lieutenant W. Gibb, acting a junior to the left wing of the 34th native infantry, to receive charge of the station staff office and records, is confirmed.

The following Landour station orders of the 3rd ultimo and 5th instant, are confirmed:

3rd October.—Gunner Richard Manning, of the 3d troop 2d brigade of horse artillery, to be pay sergeant to the detachment of the Honorable Company's troops, from the 5th instant, vice Howley appointed quarter master sergeant.

Sergeant J. Budd, of the 3d troop 2d brigade of horse artillery, to act as sergeant major, from the 24th instant, vice Hodgson ordered to rejoin his corps.

Private Alexander Gibson, of Her Majesty's 16th Lancers, to be pay sergeant to the detachment of Queen's troops, from the 28th instant, vice Johnston, who rejoins his corps.

5th November.—Sergeant Patrick McArthur, of Her Majesty's 15th light infantry, to be hospital sergeant, from the 1st proximo, vice Egan, who rejoins his corps.

Ensign W. Hooper, who was attached to the 6th native infantry 1st general orders of the 9th instant, is appointed to do duty with the 4th native infantry at Cawnpore.

This order to have effect from the 7th ultimo.

The undermentioned officers have leave of absence:

General staff.—Major-general W. Richards C. B., commanding the Dinapore division, from 27th January 1838 to 18th March 1838 to visit Agra and the hills north of Deyrah, on medical certificate.

10th regiment native infantry.—Lieutenant R. Steward, from 1st November to 15th November 1838, in extension, to remain at Simla, on medical certificate.

21st regiment native infantry.—Captain N. Campbell, from 1st December to 1st November 1837, in extension, to remain in the hills north of Deyrah on medical certificate.

37th regiment native infantry.—Captain J. A. Barstow, from 1st November to 1st January 1838, in extension, to remain at Simla on medical certificate, and rejoin his regiment.

Head Quarters Camp, Hansi, 17th November, 1837.—The Agra garrison and station order of the 14th ultimo, directing Captain H. Inglis, of the 57th regiment of native infantry, to do duty with a detachment of European invalids, proceeded by water to Chunar and thence over land under the command of Lieutenant F. B. Boileau, of the horse artillery is confirmed.

His Excellency the Commander in Chief is pleased to make the following removal and postings:

Lieutenant Colonel G. Chambers, on furlough, from the 6th to the 15th regiment of native infantry.

Lieutenant Colonel S. Haselborne, on furlough, from the 15th to the 63d regiment of native infantry.

His Excellency the Commander in Chief is pleased to order the following removals and postings in the regime of artillery:

Captain G. H. Rawlinson, (on civil employ) from the 1st company 1st battalion to the 1st company 4th battalion.

Captain W. J. Symonds, (proceeding on furlough) from the 1st company 3d battalion to the 6th company 6th battalion.

Captain A. Abbott, from the 2d company 2d battalion to the 1st company 3d battalion.

Captain H. Garbett, from the 6th company 6th battalion to the 4th company 2d battalion.

Captain J. Emerson (new promotion) to the 2d company 2d battalion.

1st Lieutenant and brevet captain J. B. Breckhouse, from the 1st company 4th battalion to the 1st troop 2d brigade.

1st Lieutenant and brevet captain E. H. Ludlow, (on furlough) from the 2d company 3d battalion to the 4th company 1st battalion.

1st Lieutenant and Brevet Captain R. G. McGregor, (on staff employ) from the 2d company 4th battalion to the 3d company 6th battalion.

1st Lieutenant W. S. Pillans, (on furlough) from the 3d company 6th battalion to the 2d company 4th battalion.

1st Lieutenant J. Fowler, from the 1st troop 2d brigade to the 3d company 5th battalion.

1st Lieutenant J. L. C. Richardson, (new promotion) to the 2d company 5th battalion.

2d Lieutenant K. E. F. Wilmot, (on furlough) from the 4th troop 2d brigade to the 4th company 6th battalion.

2d Lieutenant J. S. Phillips, (on staff employ) from the 3d company 4th battalion to the 4th troop 2d brigade.

2d Lieutenant W. Hay (rought on the effective strength) to the 2d company 1st battalion.

Ensign Pukkeh, native doctor, of the 5th native infantry having been reported unfit for his situation, is to be discharged from the service, from the date of the promulgation of this order at Benares.

The undermentioned officers have leave of absence:

Dinapore division.—Captain R. N. Hull, Assistant Adjutant General, Cawnpore division, from 25th March 1838 to 4th November 1838 in extension, to remain at Mussoorie, on medical certificate.

14th regiment native infantry.—Captain R. Thorpe, from 1st November to 1st February 1838, in extension, to remain at Mussoorie, on medical certificate.

Head-Quarters, Camp, Chotah Bhowanie, 20th November, 1837.—The following artillery regimental orders of the 13th and 9th ultimo, are confirmed:

13th October 1837.—Colonel S. Henderson, of the 1st company 1st battalion, to act as sergeant major, corporal S. Andrews of the 1st troop 2d brigade, as quarter master sergeant, sergeant W. Baker, of the 1st company 4th battalion, as hospital sergeant and a sergeant D. Ross as provost sergeant, from the 16th instant, to the detachment of drafts proceeding to the upper provinces under the command of Captain J. Hickman.

19th October, 1837.—1st Lieutenant E. G. Austin, of the 1st troop 2d brigade, to act as adjutant and quarter master to captain Hickman's detachment.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers:

Assistant Surgeon J. Menzies, from the 2d regiment of native infantry to the Hurrianah light infantry as fullist.

Assistant surgeon M. Richeson, M. D. from the Hurrianah light infantry battalion to the 1st regiment of local horse.

Head Quarters Camp, Chotah Bhowanie 20th November, 1837.

The undermentioned officers have leave of absence:

74th regiment native infantry.—Lieutenant C. Parker, from 13th December to 13th April 1838, to visit Dinapore, on private affairs.

58th regiment native infantry.—Assistant surgeon D. Gullan, from 15th March 1837 to 26th November 1837, in extension, to remain at Simla, on medical certificate.

Head Quarters, Camp, Bhura Bhowanie, 21st November, 1837.—The Right Honorable the Commander General having appointed Colonel MacKay, of Her Majesty's 9th regiment of infantry, to fill the vacancy occasioned by the promotion of Colonel Sir David James to be Major General in Her Majesty's army, with the rank of brigadier, he is to join and do duty at Meerut, as directed in his orders.

Captain and brevet major C. E. Davis, of the 29th regiment of native infantry, is appointed to act as major of brigade at Har, Lucknow, during the absence, on duty, of captain W. G. Cooper, until further orders, and is directed to join forthwith.

The leave of absence granted in general orders of the 15th of August last, to lieutenant G. E. Bennett, of the 9th regiment of light cavalry, is cancelled at his request.

Ensign John Korn and Mees, at his own request, removed from the 14th to the 38th regiment of native infantry, as senior ensign.

Ensign Frederick Baily Wadrop, at his own request, removed from the 14th to the 25th regiment of native infantry, to take rank next below ensign Barrett.

Head Quarters, Camp, Munheira, 22d November 1837.—The regimental order by Brevet Colonel F. Wanker, under date the 2d instant, appointing lieutenant J. Macdonald to act as adjutant to the 33d regiment of native infantry, during the indisposition of lieutenant Bremer, is confirmed.

The regimental order by lieutenant Colonel T. Fiddes, dated the 30th ultimo, appointing lieutenant G. Piddulph to act as adjutant to the 4th regiment of native infantry, during the indisposition of lieutenant W. Badger, is confirmed.

The undermentioned officers have leave of absence:

48th regiment native infantry.—Major R. A. Thomas, from 15th November, to 4th November 1838, in extension, to remain at Mussoorie, on medical certificate.

2d Company 1st battalion artillery.—2d Lieutenant W. Hay, from 15th October, to 19th October, in extension, to enable him to rejoin.

5th regiment native infantry.—Captain W. Freeth, from 2d November, to 2d February 1838, to visit the presidency, on medical certificate, preparatory to applying for leave to proceed to sea.

Head Quarters, Camp, Dadree, 23d Nov. 1837.—His Excellency the Commander in Chief, with the sanction of Government, is pleased to direct, that the 11th Mysore's 11th regiment of light dragoons shall proceed by water to the presidency, preparatory to embarkation for Europe, as soon as the requisite tonnage can be supplied by the commissariat department at Cawnpore.

The horses of the 11th regiment, and native establishments attached, are to be made over to the commissariat department at Cawnpore, until the arrival of the relieving regiment; but the officers, non commissioned officers and soldiers, who are transferred from the 11th to Her Majesty's 2d regiment of light dragoons, will continue in superlatio donee of them.

Any articles, the property of the Honorable Company, which may be in use with the 11th dragoons, are to be returned into store, after being carefully surveyed.

The charges incurred from the ranks by the officers of the 11th regiment are if fit for the service, to be restored under the conditions specified in government general orders, No. 124, of the 26th of June last.

GENERAL REGISTER.

The general officer commanding the Cawnpore Division will be pleased to issue such directions as may be necessary for giving prompt effect to the foregoing orders.

Head Quartermaster, Camp, Shwra Rohmanie, 21st November, 1947 — His Excellency the Commissioner in Chief And it is necessary to call the attention of officers commanding divisions, districts and corps, to the instructions contained in the adjunct general's circular letter No. 304, of the 24th of February 1931, relative to the rolls of soldiers, who may be sentenced to transportation to the penal colonies of New South Wales, which are, in future cases, to be prepared in triplicate, and strictly in accordance with the annexed form.

One copy of the roll is to be given to the non-commissioned officer of the guard appointed to escort the convict to the prison, to be, by him, delivered over with the prisoner to the town major and two copies are to be forwarded, by hawk, to the adjutant general of the army, or of the Queen's troops, according to the service to which the prisoner may belong.

[illegible]

Head Quarters, Camp, Belantah, 24th November 1837.—Quartermaster sergeant Richard Voller, of the convalescent depot at Belantah, having been declared by a medical committee to be unfit for further service is to be sent to Europe, recommended for pension as a special case.

The aforementioned officers have leave of absence :
11th regiment light cavalry.—Captain C. H. White, from 21st
December to 30th February 1938, in extension, on medical cer-
tificate, and to enable him to rejoin.

33d regiment native infantry.—Captain W. Vernon, from 6th November to 6th May, 1898, to visit the presidency, on medical certificate, preparatory to applying for leave to sea.

45th Regiment native infantry — Captain T. R. Macqueen from 1st November to 4th November 1838, in extension, on medical certificate to remain in the hills north of Deylah.

74th regiment native infantry.—Ensi A. Cameron, from 1st January 1838, to 1st December 1838, in extension, on medical certificate to remain in the hills north of Deyrah.

Infantry—Assign Francis Combs, doing duty with the 5th native infantry, from 5th December to 5th March 1933, to visit Bareilly on private affairs.

Infantry — Ensign Frederick Cooper Tombs, doing duty with the 5th native infantry, from 5th December to 5th March 1838, to visit Beccally on private affairs.

Head Quarters, Camp Helonah, 24th Nov. 1837 — The under-mentioned officers have leave of absence :

2d regiment native infantry—Lieutenant and adjutant R. D. Kay, from 1st December to 1st December 1888, to visit Kurnaul and Simla, on medical certificate.

5th regiment native infantry—Cap'n J. L. Jones, from 1st February 1838 to 30th November 1838, in extension, to remain at Simla, on medical certificate.

28th Regiment native infantry—Captain J. Aitchison from 1st February 1834 to 1st November 1838, in extension, (to remain in the hills north of Deyrah, on medical certificate

1st Regiment native infantry—Lieutenant J. Bontrin from 24th November to 1st December 1833, to remain in the hills north of Deyrah, on medical certificate.

25th Nov 1837—The following Meerut division orders of the 7th and 11th instant are confirmed:

Head Quarters, Camp, Jhajjur, 7th November, 1837—1: rec-
ting hospital apprentice Alexander Gibson of Her Majesty's
16th Lancers, to accompany the hospital stores of a detachment of
convalescents proceeding to Landour.

18th November, 187 —Directing Captain W. Anderson, of
artillery, to entertain from the 3d instant, one mooshee and one
bear, in addition to the establishment authorized for two field
pieces, their services being necessary for the guns drawn by ex-
ample, ordered to join the camp of His Excellency the Comman-
der in Chief

Assistant Surgeon F. Fleming to proceed to London, and take medical charge of a detachment of convalescents returning to the piers on the 1st proximo, and assistant apothecary Francis O'Sullivan to act as apothecary and steward to the detachment.

The Cawnpore division order of the 12th instant, directing assistant surgeon F. Anderson, M. D., doing duty with the 16th battalion of artillery, to proceed to Futtahpore, and receive medical charge of the 63d regiment of native infantry, in progress to show, and assistant surgeon J V Leese to rejoin the 16th regiment of native infantry at Lucknow, is confirmed.

The Barrackpore station order of the 3d instant, appointing captain W. A. Ludlow, of the 12th regiment of native infantry, to act as major of brigade, in the room of brevet major Cowblade, of the 70th native infantry, moving with his regiment, is confirmed as a temporary arrangement.

The battalion order of the 14th instant, appointing 1st lieutenant R. Maule, of the 3d company, to act as adjutant and quartermaster to the 4th battalion of artillery, during the indisposition of lieutenant Cadew, is confirmed.

Head Quarters, Camp, Bussayuk, 27th November 1937.
The undermentioned officers have leave of absence:

2d regiment light cavalry.—Lieut and brevet captain O C Ponsonby, from 15th November to 4th November 1838, in extension to reside at Muscatie and Simla, on medical certificate.

39th regiment native infantry — Lieutenant S. R. Wallace, from 7th March 1898, to 4th November 1898, in extension, to remain in the hills north of Deyrah, on medical certificate

Head Quarters, Camp, Bahadurgurh, 26th November, 1937.
The presidency division order of the 6th instant directing the under-mentioned unposted engineers, attached to the 73rd regiment of native infantry, to do duty with the corps specified opposite their names, is confirmed:

Ensign C C Robertson, with the 12th regiment native infantry at Barracpore.

Ensign J. C. Haughton, with the 12th regiment native infantry at Barrackpore

Ensign M. Staples, with the 16th regiment native infantry at Paruckpore.

The Presidency division order of the 8th instant, appointing Ensign J. Gordon, with the 15th regiment native infantry at Barrackpore.

captain F. Benty, of the European regiment of the charge of F
 counts proceeding by water to Agra, is confirmed

The Neemuch station order dated 17th instant, directing native doctor Jugmunnath Dorkul, of the 28th regiment native infantry to proceed into the district with Lieutenant Colonel A. Spens as an assistant, and Mr. T. S. Thomas, of the same regiment, attached to the

native doctor Sewmudus Tawarro-, at present attached to the
Meywar political agency, to do duty with the 28th regiment, is
confirmed

His excellency the commander in chief is pleased to order the following removals:

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Colonel W. C. Falthall, C. B. from the 17th to the 29th regiment native infantry.

Colonel T. P. Smith from the latter to the former corps.
Lieutenant H. J. McGeorge of the 7th regiment native infantry is appointed to act as interpreter to the 4th Light Cavalry Regiment, and directed to proceed forthwith and join.

The undermentioned officers having been examined by district committees, and pronounced qualified in the native languages, are exempted from further examination, except by the examiners of the College of Fort William, which it is expected they will undergo whenever they visit the presidency:

Lieutenant F. R. Hazely, Artillery.
Lieutenant F. Gidkell, ditto
Lieutenant T. M. R. Moorhouse, 3rd regt N. I.
Lieutenant E. R. Tierney, 24th ditto.
Ensign H. S. Stewart, 29th ditto.

Park sergeant Charles H. dingham, of the Allahabad magazine is removed from his situation, and recommended to the artillery regiment, and directed to be sent to join the company to which he formerly belonged.

The undermentioned officers have leave of absence:

2d regiment native infantry—Lieutenant J. Shaw, from 1st November to 30th November in extension to remain at the presidency, on medical certificate.

24th regiment native infantry—Lieutenant G. Brockman, from 1st December to 15th January 1837, to visit the presidency, preparatory to submitting an application to resign the service.

Head Quarters Camp, Munderpore, 20th November, 1837.

The presidency division order of the 7th instant, directing the undermentioned ensigns lately admitted into the service, to join and do duty with the corps specified opposite their names, is confirmed:

Ensign I. K. Forbes, with the 15th regiment native infantry at Barrackpore.
Ensign P. Mills, with the 9th regiment native infantry at Cuttack.

The Sanguar artillery division order of the 14th instant, appointing gunners Thomas Harris and Charles McArthur, of the 2d company 4th battalion artillery, to act as laboratory men during the practice season, is confirmed.

The undermentioned officers have leave of absence:

Engineers—Major C. J. C. Dalrymple from 1st December to 1st June 1837 to visit Cawnpore, on private affairs.
6th regiment N. I.—Surgeon D. Butler, M. D. from 1st February 1838 to 1st May 1838, in extension, on medical certificate.

Head Quarters, Camp, Delhi, 1st December, 1837.

The undermentioned officers having been examined by district committees, and pronounced qualified in the native languages, are exempted from further examination, except by the examiners of the College of Fort William, which it is expected they will undergo whenever they visit the presidency.

Lieutenant J. Anderson, Artillery.
A. B. Morris, 29th regiment native infantry.
J. G. B. Paton, 47th ditto ditto.
H. A. Morris, 63d ditto ditto.
Ensign F. B. Remington, 16th ditto ditto.
C. H. Wake, 24th ditto ditto.
A. G. Hill, 47th ditto ditto.
G. G. Bowring, 14th ditto ditto.
H. Ramsey, 54th ditto ditto.

Captain J. P. Griffin, of the invalid establishment, is permitted to reside and draw his pay and allowances at Barrackpore.

Captain J. Goodlake of the invalid establishment, is permitted to reside at Mussoorie, and to his pay and allowances from the deputy pay master at Meerut.

The undermentioned officers have leave of absence:

31st foot horse—Major R. Hawkes, from 31st December to 15th January 1838, in extension, to enable him to return.

Head Quarters, Camp, Delhi, 7th December, 1837.

The Allahabad garrison order of the 27th ultimo, permitting Ensign D. C. Abington to proceed to Kurnool and to do duty with the 27th, instead of the 6th regiment native infantry, is confirmed.

The 31st artillery division order of the 29th ultimo appointing sergeant Edward Quinn, of the 1st troop 1st brigade horse artillery, and gunner James Barry, of the 2d company 2d battalion to act as laboratory men to the artillery division, during the practice season is confirmed.

Brevet captain W. G. Willis, Her Majesty's 1st regiment, will continue to do duty at the bandour depot, during the ensuing hot season.

By order of His Excellency the commander in chief,
J. H. LUDLEY, Major General.
Adjutant General of the Army.

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head Quarters, Camp, Delhi, 1st December, 1837.—No. 83.
—His Excellency the Commander in Chief in India is pleased to direct the publication of the following "Good Conduct Warrant," received from the Right Honourable the Secretary at War, to Her Majesty's Troops in India.

GOOD CONDUCT WARRANT,—dated 26th May, 1837.

WILLIAM H.—Whereas it has been represented to us that it would materially tend to the encouragement of good conduct in the army if a reward to be attained only by the well-conducted soldier, were substituted for the additional pay granted to soldiers who have completed certain periods of service; Our Will and Pleasure is, that all corporals, trumpeters, drummers, fifers, buglers, and private soldiers, enlisted or re-enlisted into our service on or after the 1st day of September, 1836, shall have no claim to additional pay for any period of service, but that a reward of additional pay for good conduct shall be granted to such soldiers under the following rules:—

1. Soldiers who shall have completed seven years' service shall be entitled to claim 1d a day, and to wear a distinguishing mark, provided their names shall not have been entered in the regimental detailers' book for at least two years immediately preceding such claim.

2. Soldiers who shall have completed 14 years' service shall be entitled to claim a further reward of 1d a day and to wear two distinguishing marks, provided they shall have been uninterruptedly in the enjoyment of the 1d a day for at least two years immediately preceding such further claim.

3. Soldiers who shall have completed 21 years' service shall be entitled to claim a further reward of 1d a day, and to wear three distinguishing marks, provided they shall have been uninterruptedly in the enjoyment of the 2d a day for two years immediately preceding their claim to the third penny.

4. Soldiers who shall have completed 28 years' service shall be entitled to claim a further reward of 1d a day, and to wear four distinguishing marks, provided they shall have been uninterruptedly in the enjoyment of the 3d a day for two years immediately preceding their claim to the fourth penny.

5. Soldiers who by their good conduct shall have obtained one or more distinguishing marks shall be entitled to have at full rate of that good conduct pay, of which they shall have been in uninterrupted possession for five years immediately preceding their discharge, added to their rate of pension, whether temporary or permanent, to which they may have a right under the provisions of our warrant of 17th February 1835.

6. Soldiers who have been in the possession of some one or other of the rates of good conduct pay for five years uninterruptedly, but who have only been in possession of either of the higher rates for some period not less than two years immediately preceding their discharge, shall be entitled, if discharged with two distinguishing marks, to an addition of 1 1/2d; if discharged with three distinguishing marks, to an addition of 2 1/2d; and if discharged with four distinguishing marks, to an addition of 3 1/2d, as an augmentation of the pension to which their services will entitle them.

7. Soldiers who shall have been in the uninterrupted possession of good conduct pay for at least three years immediately preceding their discharge for disability, or by reduction, and who shall not have acquired claims to pension, or who shall be entitled only to temporary or conditional pensions, shall have their names registered at Chelsea Hospital, and, upon their attaining 60 years of age, shall receive, as a reward for their former good conduct, a pension of 1d a day if discharged with one distinguishing mark, and of 1 1/2d a day if discharged after having been twelve months in possession of two distinguishing marks, and this reward of former good conduct shall also be extended to soldiers who may be permitted to obtain free discharge at their own request, as an indulgence, after certain periods of service, as described in the 11th article of this warrant.

8. The service requisite to entitle men to the distinction and rewards granted by this warrant may include former service in all ranks after the age of eighteen.

9. Men discharged on reduction, or for disability and re-enlisting within three years after the date of their discharge, may reckon their former service, provided they shall declare such former service at the time of re-enlistment; but men purchasing their discharge, or receiving free discharge shall not reckon former service.

10. The forfeiture of service now attaching to individuals in respect of additional pay, in consequence of the sentence of a Court Martial, or of conviction for desertion, will equally attach to them in respect of good conduct pay.

11. Soldiers of good conduct who may be permitted to purchase or to obtain free discharge at their own request shall be allowed free discharge upon the following terms, instead of those prescribed by the warrant of our late Royal Brother of the 14th November, 1830, and by our warrant of the 7th February, 1833; but the conditions, limitations and regulations for granting discharge by indulgence shall remain down

GENERAL REGISTER.

in the said warrants, shall, in the cases of all other soldiers remain in full force:—

	Cavalry.	Infantry.
Under 5 years' service.....	230	£20
After 5 years' service and with 2 years' absence from the Defaulters' Book	25	18
After 7 years, with one distinguishing mark	20	15
After 10 do. do.	15	10
After 12 do. do.	10	5
After 14 do. do.	5	Free.
After 16 do. do.	Free, with the right of registry for deferred pension of 4d a day.	
After 18 years, with two distinguishing marks, having possessed the second at least 2 months.....	Free, with the right of registry for deferred pension of 6d a day	

12. Soldiers enlisted since the 1st March, 1833, who are in the enjoyment of two or more distinguishing marks, and of the good-conduct pay, may obtain permanent pension as an indulgence, at the rate fixed in the warrant of 7th February, 1833, two years earlier than other men who have not earned this distinction, and may further receive the same amount of good-conduct pay which would have been added to their ordinary pension, under the rule laid down in this warrant, if they had been discharged as unfit for further service or by reduction.

13. As it is our will and pleasure that this reward shall be strictly an honourable distinction, to be conferred only upon the well-conducted soldier, the commanding officers of regiments are strictly enjoined to enter in the regimental defaulter's book the name of every soldier who, in consequence of misconduct, shall have been subjected to any punishment beyond simple admonition; and the commission of every offence, which shall impose upon the commanding officer the necessity of recording the soldier's name in the regimental defaulter's book shall render the man ineligible for this reward for two years from that date, and if he be already in possession of this distinction, shall deprive him of his distinguishing mark and good conduct pay for one year, and a second recorded offence within twelve months shall render two years of uninterrupted good conduct necessary to obtain a restoration of such reward.

14. The soldier having two or more distinguishing marks shall, in like manner, for the first, second, and third recorded offences, forfeit one distinguishing mark, and the good conduct pay allowed with it, for one year for each offence; and if a fourth offence be recorded against him in the regimental defaulter's book, within twelve months, he shall forfeit all claim in consequence of his previous good conduct, and shall only be entitled to obtain a restoration of his honourable distinctions by subsequently serving, with uninterrupted good conduct, for two years to obtain one distinguishing mark, for four years to obtain two distinguishing marks, for six years to obtain three distinguishing marks, and for eight years to obtain four distinguishing marks.

15. Any soldier who, by having been recorded in the regimental defaulter's book, shall have been adjudged to have been guilty of an offence by which he is to forfeit the whole or a part of his reward for previous good conduct shall, if he denies the commission of such offence, have the right of appeal to a Court Martial.

16. A soldier may, for a first offence of a serious nature, be adjudged, by the sentence of a Court Martial, to forfeit all or any part of the advantages he had derived from his previous good conduct, either absolutely or for a longer or shorter period according to the circumstances which shall have appeared in evidence.

17. The distinction and the rewards granted by this warrant do not extend to sergeants and other non-commissioned officers above the rank of corporal, and they will not be allowed while serving, any addition to their established pay; but if permitted to purchase their discharges or to obtain free discharges at their own request they will be admitted to the benefit of Art. II of this warrant; and if discharged to pension they may for peculiarly good conduct in the special recommendation of our General Commanding-in-Chief and by the consent of our Secretary at War communicated to the Commissioners of Chelsea Hospital be allowed additions of 1d., 2d., 3d., or 4d. a day to their pensions; provided that the aggregate pension shall in no case exceed for a sergeant, 1s 10d. for a quarter master sergeant, 2s. 1d., and for a sergeant major, 2s. 4d. a day.

18. All soldiers now in our service, who enlisted since the 1st March 1833, but before 1st September 1830, shall have the option of relinquishing all right to the additional pay of 2d. a day to which they are now entitled after the completion of 10 years' infantry, or of 17 years' cavalry service, and shall then be entitled by their good conduct to claim the 1d. a day after seven years' service and shall be, in all respects entitled to all the advantages both of good conduct pay while services of pension on discharge, and of deferred pension, which are heretofore granted to soldiers enlisted on or after the 1st September, 1830.

19. All soldiers now serving who enlisted on or before the 1st March 1833, shall, by relinquishing their right to additional pay for length of service, be entitled to claim all the advantages of good conduct pay while serving which are hereby granted, but as the warrants which were in force at the time of their original enlistment gave them a right to higher rates of pension on discharge than those which are to be granted to men enlisted after the 1st March 1833, they will not be entitled to have their good conduct pay added to their pension on discharge.

20. In special cases, however, of men enlisted on or before the 1st March, 1833, who, by their good conduct, have obtained one or more distinguishing marks, and who, after short service may be discharged for disabilities, or by reduction, either without pension or with temporary or conditional, or permanent pensions, (not exceeding those granted for similar disabilities and services under our warrant of the 7th February, 1833, the good conduct pay may, by the consent of our Secretary at War, be added to their pensions; and such men, if not placed upon permanent pensions, may be registered at Chelsea for the deferred pension, under the same rules the men enlisted after the 1st March, 1833.

21. All soldiers now serving who enlisted on or before the 1st of September, 1830, and who have completed 28 years' service, may, on relinquishing their right to additional pay receive 4d. a day good-conduct pay, provided their names shall not have been entered in the regimental defaulter's book for at least eight years immediately preceding the exchange.

22. Soldiers who have completed 21 years' service may, on relinquishing their right to additional pay receive 4d. per diem good-conduct pay, provided their names shall not have been entered in the regimental defaulter's book for at least six years immediately preceding the exchange.

23. Soldiers of less than 21 years' service, already in receipt of additional pay, at 2d. a day, for length of service may on relinquishing their right to additional pay, continue to receive the same amount as good conduct pay, provided their names shall not have been entered in the regimental defaulter's book for at least four years immediately preceding the exchange.

24. Soldiers who are already in the receipt of additional pay of 1d. a day, for length of service may, on relinquishing their right to additional pay continue to receive the same amount, as good conduct pay, provided their names shall not have been entered in the regimental defaulter's book for at least two years immediately preceding the exchange.

25. Soldiers not yet in the receipt of additional pay for length of service may, by relinquishing their right to the same, receive good conduct pay on completion of the respective periods of 7, 14, 21, and 28 years, provided their names shall not have been entered in the regimental defaulter's book; in the first case, for at least two years, in the second case, for at least four years; in the third case, for at least six years, and, in the fourth case, for at least eight years, immediately preceding the exchange.

26. Soldiers who were present at the Battle of Waterloo shall be allowed to reckon two years in addition to their actual service; and those who were enlisted before the 1st December 1829, shall be allowed to reckon three years for two of actual service, after the age of 8, in the East and West Indies (not other than West India regiments).

27. Soldiers entitled before the 1st September 1830, shall be entitled to distinguishing marks, whether they accept or not the option of relinquishing additional pay for good-conduct pay; and they shall be entitled the same addition to their pensions for the number of distinguishing marks they may severally possess at the period of their discharge, as is allowed to men in receipt of good conduct pay. Given at Our Court, at Windsor, this 26th day of May, 1837, in the seventh year of our reign.

Head Quarters, Camp, Dative, 23d Nov. 1837.

No 79 The Commander in Chief has been pleased to make the following promotions until Her Majesty's pleasure shall be known:

9th Foot. Captain G. L. Davis to be major by purchase, vice Fane promoted in the 11th light dragoon, 17th October 1837.

Lieutenant A. Harper to be captain by purchase, vice Davies promoted, 17th October 1837.

Ensign C. Emshart to be Lieutenant by purchase, vice Harper, 17th October 1837.

The Commander in Chief has been pleased to accept the resignation, by the sale of a commission, of ensign Currie of the 40th foot, subject to the approbation of Her Majesty.

The regimental order by the officer commanding 41th foot, dated 10th November 1837, appointing Lieutenant W. G. White to act as adjutant to that corps, during the absence, on leave, of lieutenant and adjutant Codd, is confirmed.

The presidency division orders of the 29th October and 4th November 1837 granting leave of absence to the following officers to proceed to England are confirmed:

11th light dragoon—Lieutenant J. R. H. Ross, on medical certificate, who will join his corps on its arrival.

4th Foot—Ensign W. Mc Mahon, for 2 years, from date of embarkation on medical certificate.

GENERAL REGISTER.

merchants; Mr Loveday, cadet; 145 men, 9 women and 7 children. 11 M 3d light dragoon and 16th lancers: steerage passengers—Mr Gollish and Mrs Watkins *From the Cape*—Mrs Capt Thompson, Capt Thompson, M 16th foot.

The Jellingshee, tow of the *Junna* steamer, left Allahabad on the 13th instant, and passed Mizanore on the 15th, with the following passengers for Calcutta:—H Elliot, esq; Mr and Mrs Wright; Mr and Mrs Eubank; Mrs Eades and child; Jno Trotter, esq; R H Smith, esq; P Woodcock, esq;—Goff, esq; Mr Burrows; Captain Giddes; Mr Money.

Per Helen from Bombay—A Steele, H G Kirkes, and J Vaneboed, esqrs; Messrs J A Royce and H P Cassidy; Messrs De La Hay and Polemire Dordalje.

Per Mado from Groesend—Capt G H Lockwood, Lieut J E Dyer, R T Montgomery, and R A Moore, cornet; H H Bradshaw, and a gun G Knox, 3d light dragoon; surgeon A Hesteron, M 16th foot; 180 men, 24 women and 33 children, 11 M 3d light dragoon.

Per Lord Auckland from China—Mrs Bailan and child; Lieut A H E Bailan, Bengal engineer; Mr T Reeves, Bombay country service. *From Singapore*—A Garnett and A G Pater son, esqrs. *From Penang*—Geo Stewart, esq.

Per Flora from Madras—Mrs Gordon; Mrs Donahoy; Mrs Ramay; Mrs Williams; Lieut Gordon, 11th regt M N I, Mr F Nicholas, a private and 1 corporal, 11 M 62d regt, enroute for a prisoner.

Per Rob Roy, from China,—captain Robertson. *From Singapore*—A Louie, A H D'Mello, and J De Almeida, esqrs, Messrs E and M A Crane.

DEPARTURES OF PASSENGERS.

Per Euphrates from London—Col and Mrs Hall and family; Mrs Lamb and family; Jas Lamb Esq; Lieuts Waugh and Riel.

Per Seringapatam—Lady Maikla; Sir David Ximenes; Mrs major Mathias; Capt and Mrs Trevelyan; Mr and Mrs Rose; Mr and Mrs Egan; Capt, Todd; Mr Cobbe; Colonel Tickell, C S; Mrs de Garden; Mr. Wilkinson, C S; Mr Scott C S; Mr Martin C S; Lieut Hind and Creagh, of M 9th foot.

Per Gallardos for Australia—Mrs Napson, Davidson, Smith, esq; William; Messrs Palmer and Smith; Captain Davidson, Bengal army; William; Esq, attorney at law; Major Mercer, dragoon; Esquire Mercer, M A; Major Jacob, E A; Esquire Stowe, M A; R Mould, esq, indigo planter; J McDonald, esq, merchant;—Falconer, esq;—Layb, esq, dr. Bell, Garrison surgeon; W Bruce, esq, indig. planter and fire child ren, —Severage Passengers—Mrs Little and 3 children; Messrs Little and Melor; and 8 convicts.

Per Madagascari—Mrs Swiney, Mrs Siddons, Mrs Robertson, Mrs Doria, Mr Tibbe and 3 children, Mrs Inland 2 children, Mrs Forbes and in a Walker; Miss Siddons; Dr Swiney, esq; M M; G J Siddons, esq, C S; Revd T Robertson; Esqrs Roberts, horse artillery, and Webster, M I; Lieuts. Baxett and child and Siddons, R Navi, esq and 2 children; M G Loman, esq.

Per Sir William Wallace, for Madras—Capt D Burt, and W Binney, esq.

The Noorma, in tow of the *Magna* steamer, left for Allahabad with the following passengers viz: The Hon. the Mrs. Alcock; Mrs Dr Butler; Messrs Manson; Messrs Pagon; Miss McLeod; Miss McDonald; Captain Adam Stubbs.

The Nagpore, in tow of the *Thames* steamer, left Calcutta for Allahabad with the following passengers, viz:—

For Allahabad—Messrs Turnbull; Miss Nepean; Miss Curtis; Miss Pagon; Mr for clean mts; N B Edmonstone, esq; Lieut, Ashpitel; Lieut Thomas, and Mr Favier.

For Barrackpore—F Currie, Esq.

For Bhaujulpoore—Miss Bagge and Miss Rowen.

DOMESTIC OCCURRENCES.

BIRTHS.

- July 18 At sea, on board the *Perseus*, the lady of Capt Dehude, of engineers, of a daughter.
- Nov 6 At Mudchee, near Lahore, in the Panjab, the lady of Colonel Cardland, His Highness Maharajah Runjeet Singh's service, of a daughter.
- 12 At sea, on board the *Windur*, the lady of John Mourie, esq, of daughter.
- 23 At Merut, the lady of major R Stewart, 61st regt N I, of a daughter.
- 25 At Mozufferpore, the lady of D Brown, esq, of a son.
- 24 At Calcutta, Mrs J Wallace, of a son.
- 29 At howrah, the lady of R O'Dowda, Esq, of a son.
- At Chitruk, Sylhet, the lady of Henry Ingis Esq, assistant political agent of Cussymailla, of a daughter.
- 30 At Agra, the lady of Capt E. Wintle, 71st regt. N I, of a son.
- Dec. 1 At Calcutta the lady of F S Oehme, esq, of a daughter.
- At Chowmber, the lady of major Cubitt of a daughter.
- At Ball, young the wife of Mr James Perry, sergeant major of the Governor General's body guard, of a son.
- At Agra the lady of Capt Higginson, private secretary to the Lieut Governor, N W P, of a daughter.
- At Smith, the wife of Mr J W Caplain, firm of Messrs Barrett and Co, of a son.
- 3 At Calcutta, the lady of F P Villert, esq, C S, of a son.
- At Berhampore the adv of Lieut. and adjt. B. Troup, of the 64th N I, of a son.
- 3 At Agra, Mrs J Horn, of a son.
- At Dum Dum, Eliza, the wife of cauteen serjeant A Crighorn, of a son.
- At Agra the lady of Capt Naylor, 8th regt N I, of a son.
- At Agra, the lady of M W Woolston, esq of a daughter.
- 4 At Bauckore, the lady of Capt J V Forbes, 15th regt N I, of a daughter.
- 5 At Cussama, the lady of J S Smith, esq, of a daughter.
- 6 At Calcutta, Mrs Joseph A Camell, of a son.
- At Calcutta, the lady of Capt R H Cockerell, M N, of a daughter.
- 7 At howrah, the lady of John Wheeler, esq., civil service of a daughter.
- 8 At Moradabad the lady of Capt E J Watson, 15th regt N I, of a son.
- 11 The lady of W Masters, Esq., of La Madhiero, of a son.
- At Garden Reach, the lady of Alexander Augustus Monkey, of a daughter.
- At Howrah, the lady of Mr J V Linton, superintendent of the Howrah Seamen's Home, of a son.
- At Co. McLeod's quarters, in Fort William, the lady of J A F Hawkins, esq of a son.
- 13 At Suager, the lady of Lieut C P Thomas, assistant to the commissioner, of a son.

- 15 At Chinanish, the lady of J D Herklots, esq of Berham-pore, of a son.
- 16 At Cuttack, the lady of Lieut R Smyth, artillery, of a daughter.
- At Cuttack, the lady of Lieut Righy, engineers, of a son.
- 17 At Garwick Reach, the lady of F Jandy, esq, of a son.
- 14 At Calcutta, the wife of Mr C. Moseley, of a son.
- At Calcutta, Mrs H Vander Deck, of a daughter, still-born.
- 20 At No 14, Chowringhee Road, Mrs Colonel Litter, of a daughter.
- At Barcoorah, the lady of major Geo R Pemberton, 16th regt N I, of a daughter.
- At Chumming, the lady of Capt A H Jellicoe, 55th regt of a daughter.
- 21 At Alipur, the lady of J H Patton, Esq. civil service, of a son.
- At Calcutta, Mrs F Saupin, of a daughter.
- 22 At No 14, Chowringhee road, the lady of Dr. Duncan Stewart, of a son.
- 23 At Calcutta, Mrs W Wittingbaker, of a son.
- 26 At Calcutta, Mrs R Howman, of a daughter.
- 27 At Calcutta, the wife of Mr Lazarus DeMello, assistant quarant. ordinance department, Lieut William, of a son.
- At Sourah, in the suburbs of Calcutta, Mrs M M Crow, of a daughter.
- 28 At Calcutta, Mrs P Pandelle, of daughter.
- 29 The lady of Mrs D Mangles, esq, of a daughter.
- 30 At Calcutta, the wife of Mr James Churish Baptist, assistant to Messrs Bailegate and Co, of a daughter and heirress.

MARRIAGES.

- Nov 29 At Calcutta, at the Cathedral, by the Reverend T Robertson, Mr. and Mrs. John Gorr, to Messrs Caroline Dins.
- 30 At the Cathedral by the Revd. T. Roberts, esq, W E En-kun, Esq, to Miss Agnes Greig Rogers, the youngest daughter of the late Joseph Holzer, Esq.
- Dec 2 At the old church, by the Reverend Mr. the deacon D. D. L. v., and at the principal Roman Catholic church, by the Revd Mr. Sumers, Mr George Francis Pereira, son of the late Mr Francis Pereira, to Miss Eliza Lauretta Pierachy.
- At Dimpore, by the Rev J V. G. Ghen, George Cuthbertson Marshall, esq, Capt Her Majesty's 1st regt to Mrs. Mrs. Isabella, only daughter of the late Lieut Colonel How Showers, of the Bengal army.
- At Calcutta, in the principal Roman Catholic church, by the Revd Mr. D. L. Leger, V. A. A. Bernard Carey, esq, 6th regt N I to Eliza, third daughter of Mariano Castillo, Esq of Lima.

GENERAL REGISTER.

- 5 At the Scotch Kirk, by the rev James Charles, Miss Anne Louisa Thompson, second daughter of E Thompson, esq to D McCallum, esq.
- At the Cathedral, by the rev Mr Robertson, Mr D W Budge, to Miss Frances Colley.
- At Newcastle, from the house of Capt Edwards, 13th N B by the reverend W Palmer, minister, Miss Anne, eldest of the late Marcus Baire, Esq to Robert Hamilton Irvine, esq and to, junior Agency.
- At Dargie, by the rev Mr H R Shepherd, Mr Charles Thomas Poyser, an Assamist at the office of the collector of Mysore, to Miss Anna, eldest daughter of Mr W. B. Esq.
- 6 At Alibabad, by the rev R C Wimberley, Cecil Brandon, esq of the civil service to Elizabeth, eldest daughter of Major H M Sheldy, of Muttonsidge, Hants.
- 7 — At the Cathedral, by the Revd F Robertson, Mr V Cairns, to Miss Elizabeth Ann.
- At Calcutta, at the Kirk by the rev James Charles, and afterwards at the Roman Roman Catholic church, by the rev Paul de Grandoli, Montolite Indian, military and vicar, Major Guisse de Vergara, Professor of music from the Conservatory of Vienna, to Miss Charlotte Elizabeth Harvey, fourth daughter of the late Mr Francis Harvey.
- 9 At the cathedral, by the rev Henry Fisher, James Farlow, esq to Charlotte Keighley, fourth daughter of James Nicholson, Esq.
- At St Andrew's church, by the rev James Charles Charles Deane, esq to Miss Christina Lamb.
- 14 At the Scotch Kirk, by the rev Mr Charles John Aitchison, Esq to Miss T B Newton.
- 16 At a Indian cathedral, by the rev T Robertson, sergeant R J Smith, surgeon and medical officer to the 1st Bengal, to Miss Margaret, youngest daughter of Alexander Bine, esq.
- At Calcutta, by the rev James Charles, Henry Ford Esq to Margaet, youngest daughter of Alexander Bine, esq.
- 21 At the mission church, by the rev T Deatly, archdeacon, Mr George Maxon, of the Honorable Company's Bengal marine, to Elizabeth Louisa Towne, niece of John Twie, esq of Kettleby House, near Biggleswade, Lincolnshire.
- 23 At Calcutta, at the cathedral, by the rev H Fisher, Mr Nicholas Avert, to Miss Sarah Charlotte Harrison.
- 25 At the cathedral, by the rev T Robertson, Henry Meredyth Park R, esq, of the Bengal civil service, to Frances Linn, widow of the late Trevor John Chubb, Ph.D., of the Bengal civil service.
- 26 At Calcutta, at the cathedral by the rev T Robertson, Frederick Holder, esq, lieutenant in Mr Majesty's Light Infantry, to Emma Francis, second daughter of the late John Bunn, esq, of the Bengal civil service.

DEATHS.

- Nov. 19 At Meersat Jane, the wife of colonel James Dennis, Her Majesty's 10thth, commanding the station, aged 24 yrs 74
— In camp at Bhupal, lieut George Henry Rowe, of the 72d regt Bengal's I.
21 At Allahpur, Major Elizabeth the eldest daughter of George Frederick Harvey, esq. civil service, aged 1 year, 8 months and 24 days.

- 21 At Saco, *Blanche Enolia Lawrenson*, the infant daughter of Capt *Bourgeois*, 73d reg't, aged eight months and six days
- 23 At Gloucester, *Mary Anne*, wife of *Augustus W H Young*, 11 M's 4th reg't, aged 42 years
- 26 At Oswego, *Mrs. Maria Con*, aged 65 years
- At Kearsdo, *Henry Scudder*, the beloved child of *Henry Munroe*, esq, 21st reg't N I, aged 1 year, 6 months, and 3 days
- 27 At Pittsburgh, *F W Johnson*, Esq, indigo planter.
- At Juncos, *Mrs Sarah Spence*, wife of Mr deputy commissariat *John Spervia*, ordinance department, aged 65 years
- 29 At Pually, *Hog Lane*, Mr. *Henry Gonzalez*, the th-M's a native of *A Gonzalez*, aged 25 years
- 30 On the river, at Sultalah, 6 story, the infant son of *S F Rice*, Esq, of Sultalah, Commercially
- Dec. 1 At Gloucester, *Isabella Hester*, infant daughter of *E Peppor Smith*, esq, civil service, and *Harris T*, his wife, aged 13 months
- 8 At Monterey, *Tirant*, the infant son of *J W Yule*, esq, of *Peppah*
- 5 At Searapah, the rev'd doctor *Marshall*, aged 69 years, 7 months and 15 days
- At Calcutta, *Mrs Ma* is *Humphreys*, wife of Mr *Henry Humphreys*, 11 C marine, aged 31 years, 11 months and 17 days
- 6 At Calcutta, *Mrs Sarah Charlotte Flood*, aged 6 years.
- 8 At Jumbour, *Ann*, the wife of major *H C M Cox*, of the 55th N I
- 9 At Calcutta, *Mrs Mary Ogg*, the wife of Mr *A A Ogg*, aged 40 years
- 11 At Garden Reach, the infant daughter of *Mrs Alexander Augustus Mackey*
- 12 At Calcutta, *Samuel Evelyn*, commander of the *Mattabangah* Flot, aged 41 years, 2 months and 15 days
- At Calcutta, *Monsieur Guerin*.
- At Calcutta, *Henry*, the beloved son of *Henry Clarke*, Esq, of Calcutta, aged 9 years
- 15 At Chittur, *Mr Patrick Robison*, aged 27 years and 9 months, an assistant in the office of the secretary to government, in military department.
- 18 At Calcutta, *Mrs Lydia Margaret Ochoe*, wife of Mr *F S Ochoe*, junior, aged 27 years and 3 months.
- 21 At Calcutta, *Mr Cornelius Simon Engel*, of the Netherlands *Mary ty's Frigate Billona*, aged 24 years
- At Calcutta, captain *John Richardson*, of the *Otterspool*, aged 40 years
- 22 At Calcutta, *Samuel Williams*, esq, late head clerk of *Sudder Dewanny Adawlut*, aged 54 years
- At Calcutta, *Mrs Joanna Atkins*, wife of Mr *Peter Atkins*, aged 49 years, 10 months and 2 days
- 23 At Calcutta, *Monsieur Demetri Robertson*, (Nautant), aged 40 years
- At Dacca, *Mrs Ann Middleton*, the relief of the late *Samuel Middleton*, esq, civil service, aged 64 years
- 24 At Calcutta, *Mr L T Vaughan*, relief of the late *Mr C M Vaughan*, of the military depot in M, aged 24 years
- 27 At Calcutta, *Mr George Winham Keymer*, aged 23 years, 2 months and 10 days
- At Keddree, *John Colin Wilson*, Esq, attorney at law, aged 39 years.

ADMINISTRATIONS OF ESTATES.

ESTATES OF

EXECUTORS, ADMINISTRATORS, &c.

[illegible]

Dringnauth Dhar.
 R. J. Bagnshaw and R. C. Paton.
 Registrar Supreme Court.
 Registrar Supreme Court.
 Registrar Supreme Court.
 Mary F. Robertson, Widow.
 R. J. Bagnshaw and R. C. Paton.
 Registrar Supreme Court.
 Anandnath Singh Ghose and Gobindochandro Choudhury.
 Registrar Supreme Court.
 Registrar Supreme Court.
 Anandnath Biswas, Gopinath Biswas, Sambhoornath Biswas and Gopinath Biswas.
 Gopinath Biswas.
 Poulak Chandra Mookherjee.
 Registrar Supreme Court.
 Registrar Supreme Court.
 Registrar Supreme Court.
 James Macdonald, Esq.
 Martin Edmon, Widow.
 Registrar Supreme Court.
 James Macdonald.

